

Agenda Item	<b>5.2</b>
Report No	<b>PLN/037/23</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 7 June 2023

**Report Title:** 22/06047/PAN: Fig Power (subsidiary Of Hydrock)  
Land 225M West Of Drumore Cottage, Swordale Evanton

**Report By:** Area Planning Manager – North

### Purpose/Executive Summary

**Description:** Installation of a battery storage development and associated infrastructure

**Ward:** 6 – Cromarty Firth

### Recommendation

Members are asked to note the submission of the PAN and highlight any material issues they wish to be brought to the attention of the applicant before the submission of an application for planning permission.

## **1.0 BACKGROUND**

- 1.1 This report informs the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was made valid on 13<sup>th</sup> January 2023. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
- Proposal of Application Notice (Application Form)
  - Location Plan
  - Site Layout Plan – Existing and Proposed
  - General Plan
- 1.4 The PAN notes that two public events have already taken place. These were held in Evanton on 26<sup>th</sup> January 2023 and 23<sup>rd</sup> February 2023.
- 1.5 In addition to the two in-person public consultation events, the applicant also advertised the event via a leaflet to all residential and business addresses in the IV16 postcode area which includes Evanton. Details of the proposal and event were also added to the applicant's website – [www.figpower.co.uk](http://www.figpower.co.uk)
- 1.6 The consultation was publicised and advertised in accordance with the appropriate statutory requirements with adverts placed in both the Press and Journal and the Ross-shire Journal.
- 1.7 Details of all notified parties are contained / appended to the PAN form and include Kiltearn Community Council and Ward Councillors.
- 1.8 Any forthcoming application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

## **2.0 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 This PAN provides notice of the developer's intention to submit a planning application for a scheme which is classified as a National Development. The prospective development comprises the erection and operation of a 49.9MWh capacity battery energy storage facility, comprising of 28 battery units with inverters, transformers and site sub-station bounded within a perimeter fence.
- 2.2 The developer sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service in 2022 for the erection of a Battery Storage facility (HC ref. 22/03383/PREMAJ).

### 3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises approximately 1.13 hectares of sloping grazing land immediately to the east/south east of an existing property, Drumore Cottage. It lies north of the Swordale road, just over 1km west of the existing settlement of Evanton. There are overhead lines immediately adjacent to the eastern boundary of the site.
- 3.2 The site is not located within any Special Landscape Area, Special Area of Conservation, Special Protection Area, or Site of Special Scientific Interest. It is within a Landscape Character Area defined by NatureScot as 'Farmed and Forested Slopes' comprising a pattern of farmland, with trees on upper slopes. There are terraces of open land with gradual change to more open landscapes at lower levels with open views. Much of the landscape character type is well settled in a rural sense with farms, occasional croft and small holdings linked by minor roads.
- 3.3 Planning history of the site includes:

02.11.2022	22/03383/PREMAJ– Installation of battery storage development	Response Issued
22.02.2023	22/06038/SCRE - Installation of battery storage development	EIA Not Required

### 4.0 DEVELOPMENT PLAN

The following policies are relevant to the assessment of the proposal:

#### 4.1 National Planning Framework 4 (Feb 2023)

Policy 1 – Tackling the climate and nature crisis  
Policy 2 – Climate mitigation and adaptation  
Policy 3 – Biodiversity  
Policy 4 – Natural places  
Policy 5 – Soils  
Policy 6 – Forestry, woodland and trees  
Policy 7 – Historic assets and places  
Policy 11 – Energy  
Policy 13 – Sustainable transport  
Policy 22 – Flood risk and water management  
Policy 23 – Health and safety  
Policy 25 – Community wealth benefits  
Policy 33 – Minerals

#### 4.2 Highland Wide Local Development Plan (2012) (HwLDP)

28 - Sustainable Design  
29 - Design Quality and Placemaking  
30 - Physical Constraints  
31 - Developer Contributions  
36 - Development in the Wider Countryside

51 - Trees and Development  
52 - Principle of Development in Woodland  
56 - Travel  
57 - Natural, Built and Cultural Heritage  
58 - Protected Species  
59 - Other Important Species  
60 - Other Important Habitats  
61 - Landscape  
63 - Water Environment  
64 - Flood Risk  
66 - Surface Water Drainage  
69 - Electricity Transmission Infrastructure  
72 - Pollution  
74 - Green Networks  
77 - Public Access

#### **4.3 Inner Moray Firth Local Development Plan & forthcoming IMFLDP2**

No site specific policies or allocations.

#### **4.4 Highland Council Supplementary Guidance**

- Developer Contributions (November 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

#### **4.5 Scottish Government Policy and Other Guidance**

- Scottish Energy Strategy (Dec 2017)
- Historic Environment Policy for Scotland (HEPS, 2019)
- PAN 56 - Planning and Noise
- PAN 58 - Environmental Impact Assessment
- PAN 60 - Planning for Natural Heritage
- 2020 Routemap for Renewable Energy
- Scottish Government Energy Efficient Scotland Route Map (May 2018)

### **5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan and other planning policy;
- b) Community amenity including operational noise impacts;

- c) Construction impacts;
- d) Roads and transport;
- e) Flood risk and drainage impacts;
- f) Impact on trees and woodland;
- g) Design, landscape, and visual impact (including cumulative impacts);
- h) Natural heritage including protected species and habitats;
- i) Biodiversity and ecology
- j) Built and cultural heritage;
- k) Economic impact and tourism;
- l) Construction impacts;
- m) Pollution;
- n) Decommissioning and restoration;
- o) Outdoor access; and,
- p) Any Other Material Considerations Raised within Representations.

## **6.0 CONCLUSION**

- 6.1 The report presents the information submitted to date as part of the PAN. The policy considerations against which any future planning application will be considered have been summarised as well as the potential material planning considerations and key issues based on the information available to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

## **7.0 IMPLICATIONS**

- 7.1 Not applicable.

## **8.0 RECOMMENDATION**

- 8.1 It is recommended the Committee notes the submission of the PAN and advises of any material issues it wishes to be brought to the applicant's attention.

Designation:	Area Planning Manager – North
Author(s):	Gillian Pearson
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 – Proposal of Application Notice (Application Form) Plan 2 – Site Layout Plan

## **PROPOSAL OF APPLICATION NOTICE**

### **MOLADH BRATH IARRTAIS**

**The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019**

#### **Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021**

The Council will respond within 21 days of validation the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required.

Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council

#### **Contact Details**

Applicant	Brian Devlin	Agent	Catherine Newton
Address	Fig Power (subsidiary of Hydrock) Merchants' House North Wapping Road Bristol BS1 4RN	Address	Bell Ingram Durn Isla Road Perth PH2 7HF
Phone		Phone	01738 621121
Email	BrianDevlin@hydrock.com	Email	Catherine.newton@bellingham.co.uk

#### **Address or Location of Proposed Development**

Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice

Drumore Farm, Swordale, Evanton, IV16 9XA

#### **Description of Development**

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m<sup>2</sup> of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

Fig Power are proposing the installation of a battery storage development on 1.3 hectares of land at Drumore Farm. The development would comprise 28 battery units, with inverters, transformers, on site sub-station and perimeter fence, and would have a capacity of 49.9 MW. The proposal was the subject of Major Pre-application enquiry ref: 22/03383/PREMAJ response dated 3 Nov 22.

## Pre-application Screening Notice

Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development?

**Yes**

**No**

If yes, please provide a copy of this Opinion.

## **Community Consultation**

State which other parties have received a copy of this Proposal of Application Notice.

### **Community Council/s**

### **Date Notice Served**

Kiltearn Community Council

9/12/22

### **Local Elected Members**

### **Date Notice Served**

[Tamala.Collier.cllr@highland.gov.uk](mailto:Tamala.Collier.cllr@highland.gov.uk)

9/12/22

[pauline.munro.cllr@highland.gov.uk](mailto:pauline.munro.cllr@highland.gov.uk)

9/12/22

[Molly.Nolan.cllr@highland.gov.uk](mailto:Molly.Nolan.cllr@highland.gov.uk)

9/12/22

[Maxine.Smith.cllr@highland.gov.uk](mailto:Maxine.Smith.cllr@highland.gov.uk)

9/12/22

### **Members of Scottish Parliament and Members of Parliament**

### **Date Notice Served**

NA

### **Names / details of other parties**

### **Date Notice Served**

NA

### **Details of Proposed Consultation**

<b>Proposed Public Event 1</b>	<b>Venue</b>	<b>Date and Time</b>
Public drop in event.	VDJ Hall, Hermitage Street, Evanton, Dingwall, IV16 9YG	Thursday 26/1/23 Between 2.00 and 7.00 pm

<b>Proposed Public Event 2</b>	<b>Venue</b>	<b>Date and Time</b>
Public event – follow up drop in event	VDJ Hall, Hermitage Street, Evanton, Dingwall, IV16 9YG	Thursday 23 February 23 Between 2.00 and 7.00 pm

### **Publication of Event**

<b>Newspaper Advert</b>	<b>Name of Newspaper</b>	<b>Advert Date</b>
Press and Journal		19 January 23
Press and Journal		16 February 23
Ross-shire Journal		20 January 23
Ross-shire Journal		17 February 23

### **Details of any other consultation methods (date, time and with whom)**

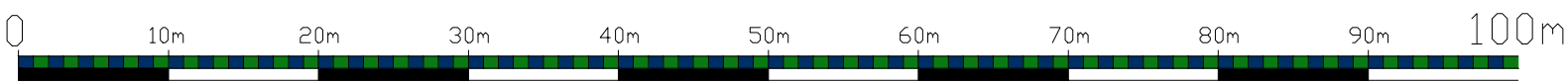
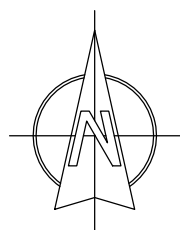
Leaflet advertising the event was distributed by Royal Mail w/c 9 January 23 to all residential and business address in the IV16 postcode area including Evanton

Details of proposal and events to added to Fig Power's website [figpower.co.uk](http://figpower.co.uk)

Signed Catherine Newton

Date **13 Jan 2023**



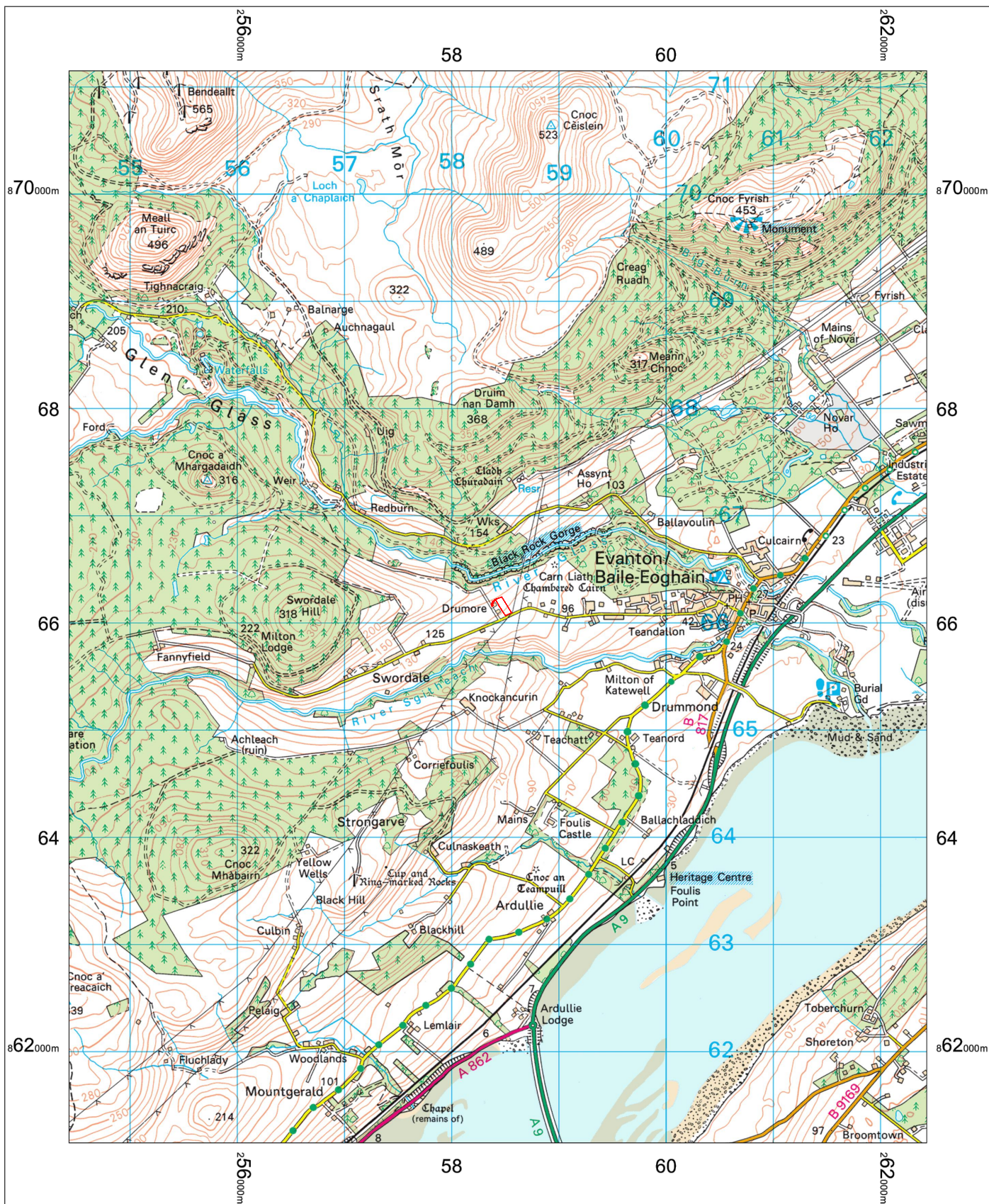


Revision	Date
P01 1st Issue	07-12-2022



Client Hydrock			
Project Drumore			
Title Existing Site Plan			
Branch Forfar		Telephone 01307 462516	
Drawn JC	Date Dec	Dwg Size A1	Checked CN
Job No. GA402		Scale 1:500	
Dwg No. L(PL)003			Rev P01





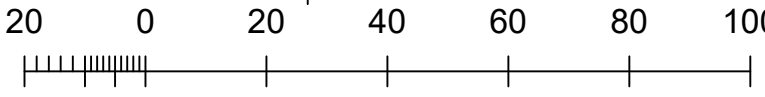
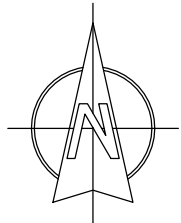
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[www.nicolsondigital.com](http://www.nicolsondigital.com)

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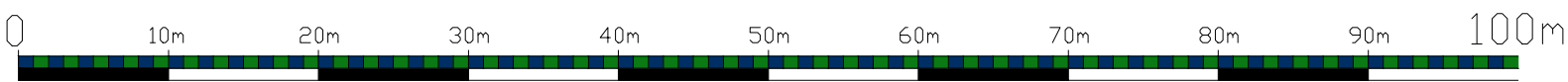
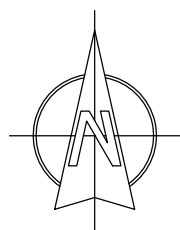




Revision	Date
P01 1st Issue	07-12-2022



Client Hydrock			
Project Drumore Farm			
Title Location Plan			
Branch Forfar		Telephone 01307 462516	
Drawn JC	Date Dec 2022	Drg Size A2	Checked CN
Job No. GA402		Scale 1:1250	
Drg No. L(PL)001			Rev P01



Client Hydrock			
Project Drumore			
Title Proposed Site Plan			
Branch Forfar		Telephone 01307 462516	
Drawn JC	Date Dec	Dwg Size A1	Checked CN
Job No. GA402		Scale 1:500	
Dwg No. L(PL)004			Rev P01