

Agenda Item	5.1
Report No	PLN/061/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 24.08.2023

Report Title: 23/03641/PAN: Res Group
Land 410M NE Of The Smithy
Alness

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Contullich, Alness – The proposed development comprises the siting of approximately 64 battery storage enclosures, associated power conversion units and transformers, substations, hardstanding area, telecommunications equipment, fencing, vehicular access, grid connection and ancillary works

Ward: 06 – 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. BACKGROUND

- 1.1 This report informs the North Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN) for a major development of a Battery Energy Storage System at land adjacent to Coulhill Wood, north of Alness.
- 1.2 The submission of the PAN accords with the provisions of The Town and Country Planning (Development Management Procedure) Regulations 2006 and was made valid on 1 August 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 that this notice may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
- Plan 1 – Proposal of Application Notice (Application Form)
 - Plan 2 – Location Plan
- 1.4 There will be two in-person consultation events, the first took place on Thursday 17th August 2023 between 3pm – 7:30pm at Ardross Community Hall, and the second will be taking place on Friday 25th September 2023, venue, and time are yet to be confirmed however the applicant has indicated that the location is likely to be Ardross Community Hall again. The first event was advertised on Friday 4th August 2023 in the Ross-Shire Journal, which conforms with the statutory minimum of 7days prior to the event. The advert for the second event will be printed either on the 8th or 15th of September 2023, which will also be confirmed.
- 1.5 Details of all notified parties are contained / appended to the PAN form and include Ardross Community Council and Alness Community Council, as well as local Members and a Member of the Scottish Parliament. The applicant has written to all residents within 1km of the proposed development site, however, as per Highland Council's website, invites are to be sent to all properties within 2.5km of the site. The applicant has been informed and has confirmed these changes for the second public consultation. In addition, a project website has been created and will be made live on/before the newspaper advert for the first public event. The project website will be updated throughout the progress of the project.
- 1.6 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 The proposal is for the development of battery storage energy storage system (BESS) comprising approximately 64 battery storage enclosures, associated power conversion units, and transformers, substations, hardstanding area, telecommunications equipment, fencing, vehicular access, grid connection and ancillary works. The proposed system involves proven lithium-ion battery technology and will have a capacity of 49.9MW. The majority of the infrastructure will be housed on an area of hardstanding enclosed within a fenced compound.

2.2 The developer sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments in July 2023 for the development previously stated (HC ref. 23/03585/PREMAJ).

3.0 SITE DESCRIPTION

3.1 The PAN boundary covers approximately 24.2 hectares; however, the proposed development will only require 3 – 4 hectares of land and therefore, the red-line boundary with this PAN will be condensed for a subsequent planning application. The proposed permanent access track has not yet been confirmed however, three potential options have been identified and are set out below:

- The preferred access option is to the northwest of the site, utilising the existing access track created by SHET for the Alness substation;
- The second potential access comes from B9176, Struie Road, which runs along the west of the field; and
- The third potential access comes from the south-west of the site from The Corkscrew Road.

The applicant has confirmed the preferred access track is the first option, utilising the existing track.

3.2 The site itself is currently an agricultural field, situated south of the B9176 Struie Road, which runs along the western boundary heading north. The site is approximately 300m west of Alness substation and beyond this is River Averon, roughly 0.6m away. To the east of the site is Ancient (of semi-natural origin) Woodland, which visually shields and physically separates the project from the town of Alness. Additionally, there are multiple core paths which meet at the south boundary of the site on The Corkscrew Road, which include Coulhill Wood forest track (RC03.05) and Whinnie Road forest track (RC03.02). This is approximately 0.8km to the north of the site. There is an application for another BESS facility on adjacent land to the east of the site (ref. 22/05167/FUL) currently pending consideration.

There are no natural heritage designations within the site boundary nor is the site within connectivity distance of any Special protection Area (SPA), Special Area of Conservation (SAC), or Sites of Special Scientific Interest (SSSI). Furthermore, there are no Listed Buildings or Scheduled Monuments in the vicinity of the site.

4.0 DEVELOPMENT PLAN

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

4.1 National Planning Framework 4 (2023)

National Development 3 (NAD3) – Strategic Renewable Electricity Generation and Transmission Infrastructure

Policy 1 – Tackling the climate and nature crises

Policy 2 – Climate mitigation and adaptation

Policy 3 – Biodiversity

Policy 4 – Natural places
Policy 5 – Soils
Policy 11 – Energy
Policy 13 – Sustainable transport
Policy 23 – Health and safety
Policy 25 – Community wealth building
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
56 – Travel
57 – Natural, Built and Cultural Heritage
58 – Protected Species
61 – Landscape
66 – Surface Water Drainage
67 – Renewable Energy Developments
69 – Electricity Transmission Infrastructure
72 – Pollution
74 – Green Networks
77 – Public Access

4.3 **Inner Moray Firth Local Development Plan (2015) (IMFLDP)**

No site-specific policies or allocations, application will be assessed against the general policies of the IMFLDP.

4.4 **Highland Council Supplementary Guidance**

- Developer Contributions (November 2018)
- Green Networks (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)

4.5 **Scottish Government Policy and Other Guidance**

- Draft Energy Strategy and Just Transition Plan (2023)
- Scottish Energy Strategy (Dec 2017)
- 2020 Routemap for Renewable Energy (2011)
- Energy Efficient Scotland Route Map, Scottish Government (2018)
- Historic Environment Policy for Scotland (HEPS, 2019)
- Historic Environment Policy for Scotland, HES (2019)
- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (2008)
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)

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) Design, landscape, and visual impact (including cumulative impacts);
- f) Natural heritage including protected species and habitats;
- g) Economic impact and tourism;
- h) Construction impacts;
- i) Pollution;
- j) Cumulative Impacts
- k) Decommissioning and restoration;
- l) Planning history;
- m) Outdoor access; and,
- n) 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: Megan Smith

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Proposal of Application Notice (Application Form)
Plan 2 – Location Plan

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	Renewable Energy Systems (RES)	Agent	N/A
Address	Beaufort Court, Egg Farm Ln, Kings Langley WD4 8LR	Address	N/A
Phone	+44 1923 299 277	Phone	N/A
Email	Milo.amsburysavage@res-group.com	Email	N/A

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

The nearest postcode is IV17 0YA, and the coordinates for the approximate centre of the site are E: 264037, N: 870880. The site is located to the south of the B9176 Struie Road.

Description of Development

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² 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.

The proposed development comprises the siting of approximately 64 battery storage enclosures, associated power conversion units and transformers, substations, hardstanding area, telecommunications equipment, fencing, vehicular access, grid connection and ancillary works. The proposed development will have a capacity of 49.9MW.

The proposed system involves proven lithium-ion battery technology which RES has deployed at multiple projects at locations including England, Scotland, Ireland, the USA and Canada.

The majority of the infrastructure will be housed on an area of hardstanding enclosed within a compound by appropriate fencing.

The development is expected to require 3-4 hectares in space. The red-line boundary submitted with this PAN will therefore be condensed for any subsequent planning application.

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?

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
John Edmondson – Secretary at Ardross Community Council Secretary@ardross.community	27/07/2023
Lana – Secretary at Alness Community Council alnesscomcouncil@gmail.com	27/07/2023

Local Elected Members	Date Notice Served
Councillor Tamala Collier SNP 07901 292634 <u>Tamala.Collier.cllr@highland.gov.uk</u>	27/07/2023
Councillor Pauline Munro Independent 07843 379164 <u>pauline.munro.cllr@highland.gov.uk</u>	27/07/2023
Councillor Molly Nolan Liberal Democrats 07760 634655 <u>Molly.Nolan.cllr@highland.gov.uk</u>	27/07/2023
Councillor Maxine Smith Independent 07751 227367 <u>Maxine.Smith.cllr@highland.gov.uk</u>	27/07/2023

Members of Scottish Parliament and Members of Parliament**Date Notice Served**

Jamie Stone

27/07/2023

Liberal Democrat MP for Caithness,
Sutherland and Easter Rossjamie.stone.mp@parliament.uk

Maree Todd

MSP for Caithness, Sutherland and Ross
(Constituency)

27/07/2023

Maree.Todd.msp@parliament.scot**Names / details of other parties****Date Notice Served****Details of Proposed Consultation****Proposed Public Event 1****Venue**

Ardoss Community Hall

Date and TimeThursday 17th August 2023
from 3pm – 7:30pm**Proposed Public Event 2****Venue**TBC – likely Ardoss
Community Hall**Date and Time**w/c 25th September 2023**Publication of Event****Newspaper Advert****Name of Newspaper**

Ross-Shire Journal

Ross-Shire Journal

Advert DateEither 8th September 2023, or
15th September 2023TBC, based on final date of
2nd public event.**Details of any other consultation methods (date, time and with whom)**

A letter has been sent to all residents living within a 1km buffer of the site centre, and any houses that fall just on the outskirts of this, notifying them of the public event and PAN submission.

In addition, a project website has been created and will be made live on/before the newspaper advert for the first public event. The project website will be updated throughout the progress of the project.

Signed Milo Amsbury-Savage

Date **27/07/2023**