

Agenda Item	5.2
Report No	PLS-55-23

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 04 October 2023

Report Title: 23/03651/PAN: Lovat Estates Limited
Land 340M SW Of Balblair Quarry, Balblair, Beauly

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Replacement of existing Aigas Substation

Ward: 12 – Aird And Loch Ness

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 28.07.2023. 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.
- 1.4 The developer proposes to undertake two public consultation drop-in events on 14 September 2023 and 02 October 2023 at the former Bank of Scotland Building, High Street, Beaulieu. Details of all notified parties are contained and appended to the PAN form and include Community Councils, Elected Members, local MSPs and MPs.
- 1.5 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts placed within the Press and Journal on the 31 August 2023 and 17 September 2023.
- 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 a 49.9 MW Battery Energy Storage System (BESS) which will provide electricity to the National Grid at high demand or low generation from renewable periods.
- 2.2 The developer sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments in 2023 for the erection of a 49.9 MW Battery Energy Storage System (HC ref. 23/00264/PREMAJ).

3.0 SITE DESCRIPTION

- 3.1 The site will be located within a restored area of an operational quarry at Balblair, Beaulieu with a builders' merchant to the northeast and approximately 50 m to the southeast of a substation complex.

4.0 DEVELOPMENT PLAN

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

4.1 National Planning Framework 4 (2023) (NPF4)

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 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

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 (IMFLDP)

No site specific policies or allocations.

4.4 Inner Moray Firth Local Development Plan 2

The plan is at the proposed stage with consultation recently closed and comments currently under review. The plan's focus is again on identifying specific site allocations however it will include several overarching 'general policies' that will apply to all

developments including for Low Carbon Development, and, Nature Protection, Preservation, and Enhancement.

4.5 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)

4.6 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) Built and cultural heritage;
- j) Economic impact and tourism;
- k) Construction impacts;
- l) Pollution;
- m) Decommissioning and restoration;
- n) Outdoor access; and,
- o) 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 – South
Author(s): Keith Gibson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: 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	Lovat Estates Limited	Agent	Natural Power
Address	Station Road, Beauly, Inverness-shire, IV4 7DA	Address	120 Bath Street, Glasgow, G2 2EN
Phone	As agent	Phone	07824 325320
Email	As agent	Email	JamesI@naturalpower.com

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

Land SE of Beauly Electricity Substation, Wester Balblair, Beauly, Inverness

Description of Development

The proposed site is located within Balblair Quarry adjacent to Wester Balblair.

The proposal is for a 49.9 MW Battery Energy Storage System (BESS) which will provide electricity to the National Grid at high demand or low generation from renewable periods. The design is still within its early stages and has not been finalised. It is understood that the Proposed Development will comprise of a series of modular battery storage units with a height of between 2-3 m, transformers, cooling units, and a control unit. The structures would be located within an area of lower elevation from previous quarry works, the visual impact would be further mitigated by the pre-existing topography and surrounding forestry.

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

Kilmorack	28/07/2023
Beauly	28/07/2023
Kirkhill and Bunchrew	28/07/2023
Kiltarlity	28/07/2023

Local Elected Members

Date Notice Served

Chris Balance	28/07/2023
Helen Crawford	28/07/2023
David Fraser	28/07/2023
Emma Knox	28/07/2023

Members of Scottish Parliament and Members of Parliament

Date Notice Served

Ian Blackford	28/07/2023
Kate Forbes	28/07/2023

Names / details of other parties

Date Notice Served

Details of Proposed Consultation

Proposed Public Event 1

Venue

Date and Time

Ground Floor, Former Bank of Scotland building High Street, Beauly, Inverness-shire IV4 7BS	14/09/2023 16:00-20:00
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Proposed Public Event 2

Venue

Date and Time

(at least 14 days after Public Event 1)

Ground Floor, Former Bank of Scotland building
High Street,
Beauly,
Inverness-shire
IV4 7BS

02/10/2023 16:00-20:00

Publication of Event

Newspaper Advert

Name of Newspaper

Advert Date

The Press & Journal

31/08/2023

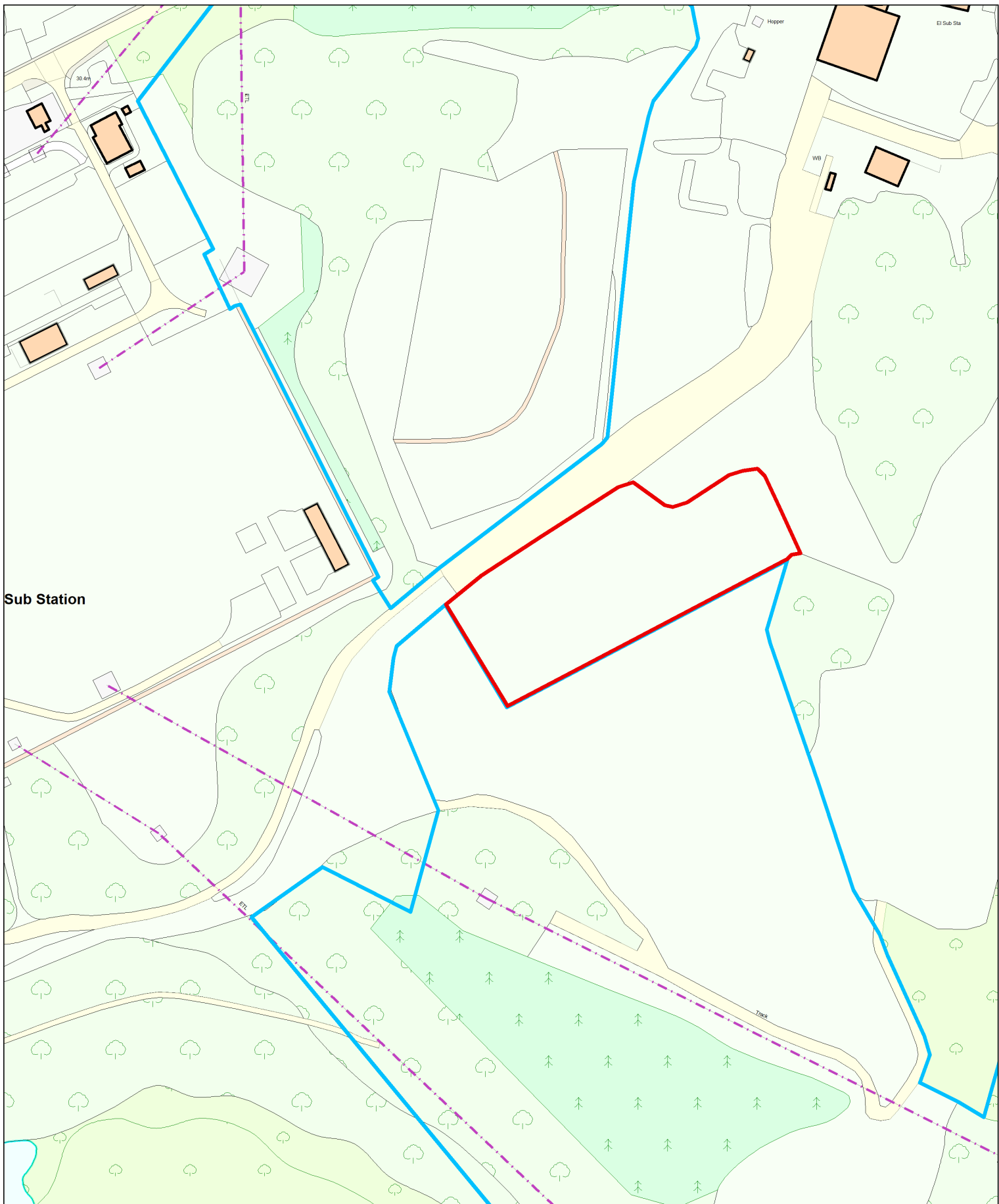
17/09/2023

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

Signed



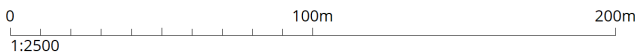
Date 28/07/2023



Sub Station

Lovat Estates Limited
Land at Wester Balblair quarry

Scale: 1: 2,500
Map centre: NH510446



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