

Agenda Item	6.2
Report No	PLN/031/24

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee  
**Date:** 16 April 2024  
**Report Title:** 23/04690/FUL: Toftingall Wind Limited  
Land 725M East Of Mybster Sub Station, Spittal

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

### Purpose/Executive Summary

**Description:** Erection and operation of a battery energy storage system with a maximum output of 49.9MW including switchgear and control buildings, landscaping, fencing and ancillary infrastructure

**Ward:** 03 - Wick And East Caithness

**Development category:** Major development.

**Reason referred to Committee:** Major development.

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report.

## 1. PROPOSED DEVELOPMENT

- 1.1 The application seeks planning permission for an energy storage facility capable of storing up to 49.9MW of electricity. The development would comprise:
- 52 battery storage containers, each unit measuring approximately 2.5m x 6m x 3m in height;
  - 13 inverter units, each measuring approximately 2.5m x 6m x 2.7m in height;
  - 2 switchgear and control buildings, measuring approximately 6m x 24m x 4m in height to the roof peak;
  - Areas of hardstanding; parking, internal access tracks and a new access to the public road
  - Surface water drainage system;
  - Screening bunding and security fencing; and
  - Security cameras.
- 1.2 The application site is an area of cleared forestry land. It may be accessed via an existing track connecting to the A9 trunk road to the southwest of the main site.
- 1.3 The proposed development would be used to store excess electricity from the national grid and then release this energy in periods of high demand. Therefore, the development must be connected to the grid and in this instance, it is understood that the development's grid connection would be via the existing Mybster Substation, located some 500m to the west of the application site. The distribution network operator will be required to consider the detailed design of the connection, although the applicant indicates this will most likely be via underground cable.
- 1.4 Cable undergrounding may be deemed permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 if installed by a statutory undertaker. If overhead lines are required this would be subject to a separate application, under Section 37 of the Electricity Act 1989, to Scottish Ministers on which the Council would be consulted. While this has been submitted under the Town and Country Planning Act, where the installed capacity were to reach the 50MW or above, an application for consent under Section 36 of the Electricity Act would be required.
- 1.5 The applicant did not use the Council's Pre-application service for Major Developments prior to the submission of the current application. They have however, utilised the service on the past regarding potential windfarm proposals on the site, under reference 19/00559/PREAPP.
- 1.6 The application is supported by the following information:
- Design and Access Statement;
  - Environmental Report;
  - Planning Statement;
  - Pre Application Consultation (PAC) Report
- 1.7 Since the application was made valid, the applicant has provided the following

further information:

- further ornithological information;
- substation building floorplans;
- response to Forestry Officer's comments.

## **SITE DESCRIPTION**

### **2.**

- 2.1 The application site is an irregularly shaped area of ground, amounting to some 43 hectares, approximately 1km to the southeast of the small settlement of Mybster. The site is accessed via an existing track connecting to the A9 trunk road to the southwest, at the junction for the Halsary Windfarm. The site is positioned at the northern edge of an identifiable cluster of wind energy developments, consisting of the Achlachan and Achlachan 2 wind farms to the southwest and the Halsary windfarm to the south.
- 2.2 The application site's land cover is predominantly commercial forestry plantation, comprising Sitka spruce. The access corridor area further south has been cleared during the construction of the adjacent Halsary windfarm. It is understood the wider area surrounding this part of the site is being restored to peatland under the approved Halsary Windfarm Habitat Management Plan (HMP). It is understood that the area of land taken up by the access track to the proposals has been excluded from the Halsary HMP to allow construction of the access route to the current proposals.
- 2.3 The site is not subject to any natural heritage designations, the nearest such being Spittal Quarry Site of Special Scientific Interest (SSSI), some 1.5 km to the north. Knockglass Broch, a Scheduled Monument, is also present, some 1km north of the site.
- 2.4 Parts of the site are designated as at risk of pluvial (surface water) flooding events on the SEPA maps.

### **3. PLANNING HISTORY**

- |     |             |   |                                |
|-----|-------------|---|--------------------------------|
| 3.1 | 25 May 2023 | 23/02293/SCRE, The proposed development comprises of a battery energy storage system - (22/06046/PAN)   | EIA Not Required               |
| 3.2 | -           | 22/06046/PAN, Toftingall Wind Farm - Erection and operation of a wind farm comprising up to two wind turbines, battery energy storage system, access track and associated infrastructure. | Proposal of Application Notice |

### **4. PUBLIC PARTICIPATION**

- 4.1 Advertised: John O' Groat Journal - Schedule 3 development (14 days)  
Date Advertised: 20 October 2023

Representation deadline: 7 November 2023

Timeous representations: None.

Late representations: None

## 5. CONSULTATIONS

- 5.1 **The Access Officer** did not object to the proposals and provided guidance for the applicant in relation to compliance with recreational access rights as per the Land Reform (Scotland) Act 2003. A condition is attached to secure an outdoor access management plan in relation to these concerns.
- 5.2 **The Development Plans Team:** did not object to the proposals and provided guidance on the development plan policy context.
- 5.3 **Environmental Health** did not object to the proposals but noted the potential issue of creeping background noise levels in the area due to the abundance of energy and grid projects. Conditions were recommended to control noise from the proposed site equipment.
- 5.4 **The Flood Risk Management Team (FRMT):** did not object to the application. The proposed infrastructure is not indicated to be at risk of flooding on the relevant SEPA maps. FRMT is content with the outline drainage information submitted, subject to a condition to secure final details in advance of development commencing.
- 5.5 **The Forestry Officer:** initially raised concerns regarding the lack of detail in the applicant's supporting information relating to the felling proposed on site. Following the submission of further information from the applicant, the Forestry Officer raised no objections subject to conditions related to compensatory planting and habitat restoration.
- 5.6 **The Historic Environment Team (Archaeology):** did not object to the proposals direct impacts arising from the development are not expected and no archaeological mitigation is considered necessary.
- 5.7 **The Transport Planning Team** did not object to the proposals, subject to conditions to manage the impacts of construction traffic on the local road network.
- 5.8 **Historic Environment Scotland (HES)** did not object to the proposals. HES is content from the information provided that the proposed development would not result in a significant impact on the setting of heritage assets within its remit.
- 5.9 **Scottish Water** did not object to the proposals. There are no drinking water catchments or abstraction sources in the area that might be affected by the proposals.
- 5.10 **Scottish Forestry** did not object to the proposals, subject to a condition to ensure detailed information on the applicant's forestry restocking and compensatory planting proposals.

- 5.11 **SEPA** did not object to the proposals, subject to conditions to manage peat during construction and to ensure the applicant's proposed blanket bog restoration is completed as specified.
- 5.12 **Transport Scotland** did not object to the proposals, subject to a condition being attached to secure a Construction Traffic Management Plan (CTMP) in advance of development commencing.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 National Planning Framework (NPF) 4**

- 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 7 – Historic assets and places
- Policy 11 – Energy
- Policy 22 – Flood risk and water management
- Policy 23 – Health and safety

### **6.2 Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 36 - Development in the Wider Countryside
- 51 - Trees and Development
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 77 - Public Access

### **6.3 Caithness and Sutherland Local Development Plan (CaSPlan) 2018**

No site-specific policies apply.

#### **6.4 Highland Council Supplementary Planning Policy Guidance**

Flood Risk and Drainage Impact Assessment (Jan 2013)  
Highland Historic Environment Strategy (Jan 2013)  
Highland's Statutorily Protected Species (March 2013)  
Physical Constraints (March 2013)  
Standards for Archaeological Work (March 2012)  
Sustainable Design Guide (Jan 2013)  
Trees, Woodlands and Development (Jan 2013))

### **7. OTHER MATERIAL CONSIDERATIONS**

#### **7.1 Scottish Government Planning Policy and Guidance**

Draft Energy Strategy and Just Transition Plan (2023)  
Scottish Energy Strategy (2017)  
2020 Routemap for Renewable Energy (2011)  
Energy Efficient Scotland Route Map, Scottish Government (2018)

### **8. PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

#### **Determining Issues**

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

#### **Planning Considerations**

8.3 The key considerations in this case are:

- a) Compliance with the development plan and other planning policy
- b) Energy benefits;
- c) Design and visual impact;
- d) Traffic and transport impacts;
- e) Impact on natural, built and cultural heritage;
- f) Noise;
- g) Water and Drainage;
- h) Any other material considerations.

#### **Development Plan / Other Planning Policy**

8.4 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the adopted Caithness and Sutherland Local Development Plan (CaSPlan) and all statutorily adopted

supplementary guidance

- 8.5 At a high level, NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change.
- 8.6 Since its adoption, NPF4 Policies 1, 2, and 3 now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals must be sited and designed to minimise lifecycle greenhouse gas emissions as far as is practicably possible in accordance with NPF4 Policy 2, while proposals for major developments must conserve, restore, and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention, as required by NPF4 Policy 3 b). Complimenting these policies is NPF4 Policy 4, which sets out the developer and officer requirements for ensuring that protected species are given adequate consideration prior to an application's determination.
- 8.7 NPF 4 Policy 5 seeks to protect and minimise disturbance to carbon rich soils and peatlands. Development on such land will only normally be supported in the cases of essential infrastructure, renewable energy development or in cases linked to a rural or agricultural business need.
- 8.8 Specific for energy developments such as the current application, Policy 11 of NPF4 states that the principle of all forms of renewable, low-carbon, and zero emission technologies including for energy storage facilities is supported. The document, at Policy 11 c), qualifies this position by stating that energy proposals should only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities. The policy goes on to state at 11 e) that while significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on reduction of greenhouse gas emissions targets, the development's impacts, including cumulative impacts, must be suitably addressed and mitigated against. These considerations are not a policy test and relate to matters of: impacts on communities and individual dwellings in relation to amenity; landscape and visual impacts; public access; aviation and defence interests; telecommunications; traffic; historic environment; biodiversity (including birds); impacts on trees; decommissioning and site restoration; and cumulative effects.
- 8.9 The principal policy for assessing Renewable Energy developments within the LDP is HwLDP Policy 67 (Renewable Energy). Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for its operation. However, for battery energy storage technology, the source is considered to be the grid rather than wind or running watercourses

given that the energy is already generated; with the purpose of a battery energy storage facility being to provide support for a balanced grid. The policy requires an assessment of the proposal's contribution in meeting renewable energy targets as well as its positive and negative effects on the local and national economy and as required by all other relevant policies of the Development Plan and associated guidance. In that context the policy provides support for proposals that are located, sited, and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments, having regard to 11 specified criteria (as listed in para 6.3). Such an approach is consistent with the concept of Sustainable Design (Policy 28) and the concept of achieving the right development in the right place, pursuant to the Onshore Wind Policy Statement, and not to allow development at any cost.

- 8.10 The Onshore Wind Energy Policy Statement (OWEPS) recognises that balance is required and that no one technology can allow Scotland to reach its net zero targets. As such, the document sets out the Scottish Government's support for co-locating battery energy storage facilities with onshore wind to help balance electricity demand and supply and add resilience to the energy system while acknowledging that on-site battery storage not only reduces pressures from the grid, but enables more locally focussed energy provision, and reduces costs to consumers
- 8.11 In a similar vein, the Draft Energy Strategy and Just Transition Plan acknowledges that BESS can increase flexibility in our electricity system and provide wider benefits for consumers and society, including proposals for grid scale battery storage. The draft strategy sets out that, by September 2021, Scotland had approximately 864 MW of installed electricity storage capacity with 2.2 GW of battery storage approved through the planning system, but that Scotland requires to increase its BESS capacity significantly.
- 8.12 The draft Energy Strategy, along with OWEPS, and the policies set out within NPF4 confirms the Scottish Government's position that renewable energy and its enabling transmission infrastructure are crucial to address the climate crisis
- 8.13 The Development Plan, which now includes NPF4, must be considered in the round. While there is clear support for renewable energy proposals that contribute to reaching net zero, of which this technology is one, this is not unqualified. It needs to be demonstrated that the impacts on factors such as community amenity, landscape, heritage and infrastructure, to name but a few, are addressed and/or appropriately mitigated.

### **Energy, Carbon Saving and Socio-Economic Benefits**

- 8.14 The development will, however, collect energy from the grid when the supply outstrips demand. It will store that energy and then discharge it back to the grid when there is demand. Such facilities make a profit by buying electricity from the grid when rates are cheaper and selling it back to the grid when rates are more expensive. However, the development will provide electricity or other grid services when needed. Depending on the mix of electricity in the grid at the time of collection, the battery storage facility may or may not be storing and then releasing renewable energy. However, the benefit of such facilities means that when renewable



generators such as wind farms are producing excess electricity beyond the capacity of the grid, much of which is otherwise lost, the battery storage facility can allow generation from those sources to continue for a longer period. As a result, the technology is considered to support government policy that seeks to end a reliance on backup electricity generation from fossil fuel reliant generators and allow the full benefits of renewables, which is where the development's intrinsic carbon saving benefits are to be realised. Energy storage facilities are an emergent technology and are expected to be a significant component of national energy infrastructure in the coming years and are therefore expected to support jobs and economic development.

- 8.15 In terms of wider socio-economic benefits, the submission advises of an anticipated capital spend of £47m on the single facility, which it states equates to sustaining 49 jobs during the construction phase of development and 2 jobs within the Highland Council area, while operational. The site will be operated remotely and accessed for maintenance purposes only.

### **Design and Visual Impact**

- 8.16 The proposed development is of a utilitarian design. The battery containers will appear similar to shipping containers and be laid out in a northern 14 x 2 grid and a 12 x 2 grid in the southern part of the site. The hard standing and tracks will be a permeable material. The entire site will require to be bounded by security fencing which will also form the acoustic barrier for the development
- 8.17 The meter and control buildings, which will contain switch gear and health and safety equipment will be of a gable roofed design. The design of the battery containers and other infrastructure on site while utilitarian, are considered acceptable given their use, their similarity to the existing wind energy infrastructure, such as substations, in the area, and the fact they may largely be screened from wider views by the landscaping and fencing. The finish of both the battery containers and the supporting buildings would be secured via condition.
- 8.18 The applicant has set out that infra-red lighting may be used for security purposes and some limited lighting which can be switched on and off by maintenance personnel will also be present. This is welcomed as it means the visual impact of the development will not stretch into hours of darkness.
- 8.19 The Zone of Theoretical Visibility included with the submission shows that visibility of the development would be largely limited to within 2km to the north and south and 1km to the east. This ZTV is of the screened type, which, includes screening from buildings and vegetation. In this respect, retained plantation woodland and topography limits visibility to the east and west, with the most important visual receptors being users of the A9 Trunk Road running to the south and east of the development and users of the local B870 road to the north. The surrounding landscape is generally influenced by existing large scale infrastructure development, with the Halsary Windfarm and Mybster Substations located directly to the east of the site, with associated overhead lattice towers connecting in. Smaller wooden pole electrical lines are also a feature in the surrounding landscape, with more distant wind energy development also being particularly evident at Halsary and Bad a Cheo to the south of the application site and large-

scale quarrying at Spittal to the north. Further soft landscaping to integrate the new equipment within its surroundings, can be secured via condition around the edges of the development and within the red line boundary site. To this end, an outline landscaping plan has been included with the applicant's supporting information. Key receptors on the local road network will generally view the proposals at a distance and obliquely where, due to the generally flat topography, there will be no significant change in elevation between the receptor and the development. Generally, it is considered as such, that adequate visual containment of the proposals can be provided to restrict its visual influence into the surrounding area, which is of such a character as that the proposals will not represent a wholly new or anomalous feature. Should planning permission be granted, a condition to secure a finalised landscaping and maintenance plan may be attached.

### **Natural Heritage Impacts**

- 8.20 The Supporting Information included with the application includes an Ecological Report with results from a Preliminary Ecological Appraisal that included a National Vegetation Classification (NVC) and Phase 1 Habitats Survey, as well as Protected Species Surveys. All surveys were undertaken in October 2021. The development is not within any sites designated for ecological interests and is not anticipated to impact on the qualifying interests of such sites whether international or national.
- 8.21 Several areas of wetland habitat communities were identified on site. As the site comprises extant and felled commercial forestry plantation, the potential for Groundwater Dependant Terrestrial Ecosystems (GWDTE's) is considered to be low. Pine Marten were recorded using camera traps in the western site area, however, the plantation woodland here is not considered suitable for den building. Moderate bat activity was recorded across the site. The report includes mitigation measures to protect species on site, which could be secured by conditions if planning permission is granted.
- 8.22 The site is underlain by peatland, with depths ranging from 1-5m across the site. The applicant has submitted an outline Peat Management Plan (PMP) In their consultation response, SEPA noted that the peatland on site as existing is already heavily modified. SEPA were generally satisfied with the siting of the proposed development, subject to a condition being attached to secure a finalised PMP in advance of development commencing.
- 8.23 All applications for major developments are now required, under NPF4 Policy 3 b), to demonstrate that the proposal will conserve, restore, and enhance biodiversity, including nature networks, so that they are demonstrably in a better state than without intervention. To that end the submission also includes an outline Habitat Management Plan. Approximately 10ha of the site will be managed to restore blanket bog, with water features created and riparian planting. Deer fencing will be provided to prevent grazing to help the new surface vegetation to establish. The finalisation and implementation of the outline Habitat Management Plan may be secured via planning condition.
- 8.24 The application site is located within an area of commercial forestry that will be felled to accommodate the proposals. The applicant has provided outline restocking and compensatory planting proposals amounting to some 11 Ha. Following

consultation with Scottish Forestry and the Council's Forestry Officer, no objections were raised subject to a condition being attached to secure full details of this compensatory planting, in advance of development commencing.

### **Built and Cultural Heritage**

- 8.25 The application site is not covered by any historic or built heritage designation. Historic Environment Scotland has assessed the proposals and is satisfied that they will not result in a significant impact on the setting of heritage assets within their remit. The Council's Archaeologist does not expect any significant impacts arising from the proposals and does not consider any further mitigation to be necessary in this case.

### **Traffic and Transport Impacts**

- 8.26 No staff will be based on the site and traffic to the site will be limited to maintenance personnel only. During operation of the development, the applicant has stated that typical traffic to the site will be between 1-2 vans per month. The impact will however be greater during the 9-month construction period where construction machinery, aggregate and other materials will be delivered to site.
- 8.27 Transport Scotland has advised that a finalised Construction Traffic Management Plan (CTMP) will be required prior to the commencement of works on site, which could be secure by condition. The CTMP would be required to confirm predicted impacts of construction traffic on the local road network during the construction phase of development, propose mitigation to demonstrate that the condition, integrity, and safety of the network will be favourably maintained.

### **Amenity Impacts, Including from Construction and Noise**

- 8.28 There are likely to be some impacts caused by construction traffic and disruption, particularly during the anticipated nine month construction phase when construction materials are being delivered to site and during works to connect the site to the Mybster substation. However, these impacts will generally be of a short duration.
- 8.29 Developers and contractors must comply with reasonable operational practices with regard to construction noise so as not to cause nuisance as required by Section 60 of the Control of Pollution Act 1974, which is regulated by Environmental Health. Working hours on site would usually be restricted to be 07.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturday with no Sunday or Bank Holiday working. Construction activities that do not generate impacts beyond the site boundary are permissible outwith these hours.
- 8.30 The battery storage containers will be fitted with air conditioning units and the operation of the facility, as a whole, may create noise. While recognising there are other noise generating uses in the vicinity of the site, there are a small number of properties which may be adversely affected by noise from the development. Environmental Health have indicated that the applicant's predicted noise levels would not result in disturbance to the detriment of local residential amenity and

have suggested further conditions to define and control acceptable noise levels.

### **Health and Safety**

- 8.31 Given the proposed use and general concerns regarding fire risks associated with lithium battery facilities, the applicant has been requested to provide information regarding the management of fire risk on site and procedures to control fire in case of a fire event. To address those effects the applicant has submitted an Outline Battery Safety Management Plan. Each battery unit is designed according to international standards to avoid the circumstances that lead to fire; including overcharge, overheating or mechanical damage. The BESS will be installed with fire detection and suppression equipment so that in the event of any anomalies, individual equipment can be shut down and isolated pending maintenance checks, while several suppression systems are available. Further information regarding the management of fire risk on site and procedures to control fire in case of an emergency, may be secured via condition.

### **Water, Flood Risk and Drainage**

- 8.32 The application site is located partly within an area marked as at risk of pluvial (surface water) flooding on the SEPA online maps. However, the Council's Flood Risk management Team has assessed the proposals and considers the flood risk to the site to be low overall.
- 8.34 The surface water from the development will be managed through a surface water drainage system, connecting to a new Sustainable Urban Drainage Systems (SUDS) basin in the eastern part of the site. The Flood Risk Management Team has reviewed the applicant's outline surface water drainage strategy and has no objections with the measures proposed, subject to a condition to secure a final surface water drainage design prior to development commencing.
- 8.35 The applicant has indicated that while the development will not be permanently staffed, there will be WC facilities on site for maintenance operatives. As the proposal is not located in the vicinity of the public sewer network, a condition is attached to secure full details of the proposed foul drainage treatment and discharge arrangements in advance of development commencing.

### **Decommissioning**

- 8.36 BESS facilities have limited operational lifetimes, generally in the region of 50 years, and as such the facility's removal and ground rehabilitation should therefore be secured in the event the application is approved. NPF4 Part e) at subsections xi. and xii. is clear that outline proposals for the decommissioning and site restoration of energy developments should be included with submissions, following which, measures to safeguard or guarantee finances to effectively implement restoration plans should also be in place. The applicant has included an Outline Decommissioning and Restoration Statement with their proposals in this respect. A condition is attached to secure decommissioning of the facility and restoration of the site should the development not store electricity on a commercial basis for a continuous period of 12 months from 50% or more of the units installed.

### **Other material considerations**

- 8.37 One representation was received, raising no comments. The proposal is not considered to reach the threshold of Environmental Impact Assessment (EIA) development.

### **Non-material considerations**

- 8.38 None.

### **Matters to be secured by Legal Agreement**

- 8.39 Any compensatory planting or habitat enhancement taking place on land located outside the planning application red line boundary and not under the ownership of the applicant may require a tri-party legal agreement to first be secured between the applicant, the landowner and the planning authority.

## **9. CONCLUSION**

- 9.1 The proposed development has the potential to play a role in addressing supply and demand peaks and troughs within the electricity transmission network by virtue of storing excess energy produced by generating stations, including from renewable sources. In that way, the proposal is considered to contribute to national climate change and carbon net-zero targets. It is a technology that has strong support within National Planning Framework 4 Policy 11 Energy.
- 9.2 Following the submission of additional information, it is considered that the proposed development is acceptable and will not be significantly detrimental overall. Although industrial in appearance, the proposal would be well sited, set back from nearby transport routes and residential properties. In time it would also be relatively well screened, with the landscape and visual impact of the development being suitably mitigated. The applicant has also made provisions to restore the peatland habitat of the site through the development.
- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

## 11. RECOMMENDATION

### Action required before decision issued

Notification to Scottish Ministers N

Conclusion of Section 75 N  
Obligation

Revocation of previous permission N

**Subject to the above actions**, it is recommended to **GRANT** the application subject to the following conditions and reasons.

### Time Limitation

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

**Reason:** In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

### Design and Decommissioning

2. In the event that any battery installed and commissioned fails to store electricity and release it to the public network when required on a commercial basis for a continuous period of 6 months, then unless otherwise agreed in writing with the Planning Authority, such battery will be deemed to have ceased to be required. If deemed to have ceased to be required, the battery, battery storage container and its ancillary equipment will be dismantled and removed from the site, with the battery being recycled, by the applicant within the following 3 month period, and the ground reinstated to the specification and satisfaction of the Planning Authority.

**Reason:** To ensure that any redundant battery is removed from site in the interests of safety, amenity and environmental protection.

3. In the event of the Development, not storing electricity on a commercial basis to the grid network for a continuous period of 12 months from 50% or more batteries installed and commissioned from time to time, the Company must immediately notify the Planning Authority in writing of that situation and shall, if the Planning Authority

direct decommission the development and reinstate the site to the specification and satisfaction of the Planning Authority. The Planning Authority shall have due regard to the circumstances surrounding the failure to store electricity.

**Reason:** To ensure the decommissioning and removal of the development in an appropriate and environmentally acceptable manner and the restoration of the site. In the interests of safety, amenity and environmental protection.

4. No development shall commence unless and until full details of the proposed battery storage containers (and ancillary infrastructure) and the metering building hereby permitted, have been submitted to and approved in writing by the Planning Authority. These details shall include:

- a) the make, model, design, power rating, sound power level and dimensions of the battery storage containers (and ancillary infrastructure) and the metering building to be installed, and
- b) the external colour and/or finish of the battery storage containers (and ancillary infrastructure) and the metering building to be used which shall have a non-reflective, semi-matte finish.

(2) No element of the development shall have any text, sign or logo displayed on any external surface of the battery storage container, save those required by law under other legislation.

(3) Thereafter, the battery storage containers and metering building shall be installed and operate in accordance with these approved details and, with reference to part (b) above, the battery storage containers (and ancillary infrastructure) and the metering building shall be maintained in the approved colour, free from rust, staining or discolouration until such time as the development is decommissioned.

(4) All cables between the battery storage containers, metering building and any point of connection to the public network shall be installed and kept underground.

**Reason:** To ensure the Planning Authority is aware of the development details and to protect the visual amenity of the area.

5. No development shall commence until details of the final drainage design have been submitted to, and received the approval in writing of, the Planning Authority. For the avoidance of doubt, the design shall include calculations to demonstrate that all storm events up to the 1 in 200 year plus climate change storm event shall be managed from within the development boundary and that all discharge will be limited to the pre development greenfield rates. The development

shall be constructed in accordance with the approved details and thereafter maintained in perpetuity.

**Reason:** In order to ensure the site is adequately drained.

6. No development shall commence until full details of all foul drainage infrastructure (including treatment plant and soakaway locations) have been submitted, to, and approved in writing by, the Planning Authority. Thereafter, development shall progress in accordance with the approved details.

**Reason:** In order to ensure that private foul drainage infrastructure is suitably catered for, in the interests of public health and environmental protection.

7. No development shall commence until details of the external lighting have been submitted to and agreed in writing with the Planning Authority. The external lighting shall thereafter be constructed in accordance with the approved details.

**Reason:** In the interests of residential amenity and to ensure the development does not have an adverse impact on nocturnal animals.

### **Landscaping, Forestry and Ecology**

8. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.



Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species

**Reason:** In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

9. No development, site excavation or groundwork shall commence until detailed information on all restocking and compensatory planting proposals has been submitted to, and approved in writing by, the Planning Authority, in consultation with Scottish Forestry. All compensatory planting and restocking proposals must be compliant with the UK Forestry Standard.

**Reason:** In order to ensure an appropriate level of compensatory planting and restocking.

10. No development, including tree felling, shall commence until a detailed Compensatory Planting Plan (including future maintenance) has been submitted and approved in writing by the planning authority, following consultation with Scottish Forestry and any other relevant stakeholders.

The area of planting shall be no less than 1.67 hectares in size, consisting primarily of productive species and located within the Highlands. The area identified for compensatory planting may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017.

The Compensatory Planting Plan must follow the same process as required for preparing a woodland creation proposal, as set out in the Scottish Forestry publication: Woodland Creation Application Guidance. The Compensatory Planting Plan must be prepared by and then implemented under the supervision of a suitably qualified forestry consultant, approved by the planning authority. The appointed forestry consultant must provide a detailed schedule of supervision, with compliance monitoring reports to be issued at agreed stages.

The approved Compensatory Planting Plan must be implemented in full within 12 months following the removal of woodland or prior to commencement of development (whichever comes first), or as otherwise agreed with the planning authority. The compensatory planting shall be maintained thereafter in accordance with the approved scheme, until established to the full satisfaction of the planning authority and then shall remain as woodland in perpetuity.

Woodland removal must not begin until the applicant can demonstrate that construction work is imminent. In the event that development fails to commence within 3 years of the initial felling,

then the land use shall revert back to woodland and the area must be replanted within 12 months, to a specification approved by the planning authority.

**Reason:** To protect Scotland's woodland resource, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

11. No development, including tree felling, shall commence until a detailed Habitat Management Plan (HMP) has been submitted and approved in writing by the planning authority. Where restocking of any felled areas is required, or any amendment to an existing Forest Plan, Scottish Forestry must also be consulted.

The Habitat Management Plan must be prepared by and then implemented under the supervision of a suitably qualified ecological consultant, approved by the planning authority. The appointed ecological consultant must provide a detailed schedule of supervision, with compliance monitoring reports to be issued at agreed stages.

The HMP shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures as outlined in the approved Outline Habitat Management Plan, dated September 2023, during the period of construction and operation and shall provide for the maintenance, monitoring and reporting of the habitat on site.

The HMP shall include provision for regular monitoring and review to be undertaken against the HMP objectives and measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met.

Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time with written approval of the Planning Authority) shall be implemented in full.

**Reason:** to ensure the delivery of the agreed biodiversity protection and enhancement measures.

12. No development shall commence until a finalised Peat Management Plan (PMP) has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA. The finalised PMP should include further peat probing in the area to be disturbed (with a clear drawing showing the area to be disturbed and a clear commitment made for the area to be physically marked on the ground to avoid disturbance of surrounding areas of deeper peat), a recalculation of the volumes of peat impacted and any further measures that can be taken to minimise peat disturbance and carbon loss. The finalised PMP should clearly demonstrate how micro-siting

has been used to reduce peat disturbance further.

**Reason:** To ensure that a plan is in place to deal with the disturbance, storage and reuse of peat within the application site.

### **Amenity and Construction Phase**

13. Noise arising from within the operational land of the site, hereby permitted, when measured and/or calculated as an LZeq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB, at noise sensitive premises. The Rating Level of noise arising from the use of plant, machinery or equipment installed or operated within the operational land of the site, hereby permitted, must not exceed the current background noise levels at noise sensitive premises. The Rating Level should be calculated in accordance with BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound

**Reason:** In the interests of amenity.

14. (1) The Operator shall, at all times after the first commissioning of the development, record information regarding the details of power stored, inclusive of dates and times of any failures, and retain the information in perpetuity. The information shall be made available to the Planning Authority within one month of any request by them.

(2) No development shall commence unless and until a decommissioning, restoration and aftercare strategy has been submitted to, and approved in writing by, the Planning Authority. The strategy shall outline measures for the decommissioning of the Development and restoration and aftercare of the site, and shall include proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environmental management provisions.

(3) In the event that the development is no longer operational for a period of 2 years, or the operator, leaseholder and / or landlord advises that the development is no longer going to be operated, whichever is earliest, a detailed decommissioning, restoration and aftercare plan, based upon the principles of the approved decommissioning, restoration and aftercare strategy, shall be submitted for the written approval of the Planning Authority in consultation with SEPA. The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall include (but is not limited to):

a) site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare

phases);

b) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;

c) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;

d) details of measures for soil storage and management;

e) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;

f) temporary site illumination;

g) management and timing of the works;

h) a traffic management plan to address any traffic impact issues during the decommissioning period.

(4) The Development shall be decommissioned, the site restored and aftercare undertaken in accordance with the approved plan

**Reason:** To ensure that should the development no longer be required an appropriate mechanism is in place for decommissioning of the development.

15. No development shall commence until:

- i. Full details of a guarantee, bond or other financial provision to be put in place to cover all of the decommissioning and Site restoration measures outlined in the Decommissioning and Restoration Plan approved under condition 11 of this permission have been submitted to, and approved in writing by, the planning authority. For the avoidance of doubt the bond must be able to be called upon by The Highland Council and be enforceable against the operator and landowner and/or leaseholder; and
- ii. Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under part (i) above is sufficient to meet the full estimated costs of all decommissioning, dismantling, removal, disposal / recycling, site restoration, remediation and incidental work, as well as associated professional costs, has been submitted to, and approved in writing by, the planning authority; and
- iii. Documentary evidence that the guarantee, bond or other

financial provision approved under parts (i) and (ii) above is in place has been submitted to, and confirmation in writing that the financial provision is satisfactory has been issued by, the planning authority.

Thereafter, the Operator, and Leaseholder and/or Landowner, shall:

- i. Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and
- ii. Pay for the guarantee, bond or other financial provision to be subject to a review five years after the commencement of development and every five years thereafter until such time as the wind farm is decommissioned and the Site restored.

Each review shall be:

- a) conducted by a suitably qualified independent professional; and
- b) published within three months of each five year period ending, with a copy submitted upon its publication to both the landowner(s) and the Planning Authority; and
- c) approved in writing by the planning authority without amendment or, as the case may be, approved in writing by the Planning Authority following amendment to their reasonable satisfaction.

Where a review approved under part (c) above recommends that the amount of the guarantee, bond or other financial provision should be altered (be that an increase or decrease) or the framework governing the bond or other financial provision requires to be amended, the Operator, and Leaseholder and/or Landowner shall do so within one month of receiving that written approval, or another timescale as may be agreed in writing by the planning authority, and in accordance with the recommendations contained therein.

**Reason:** To ensure that there are sufficient funds to secure performance of the decommissioning and restoration conditions

16. No development shall commence until a Construction Environment Management Document (CEMD) has been submitted to and approved in writing by the Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved CEMD, subject to any variations approved in writing by the Planning Authority. The CEMD shall include:

- a) details of the phasing of construction works;
- b) details of the formation of temporary construction compounds,

access tracks and any areas of hardstanding;

- c) details of any temporary site compound including temporary structures/buildings, fencing, parking and storage provision to be used in connection with the construction of the development;
- d) details of the maintenance of visibility splays on the entrance to the site;
- e) details of the method of construction and erection of the structures;
- f) details of dust management;
- g) details of pollution control: protection of the water environment, bunding of fuel storage areas, surface water drainage, sewage disposal and discharge of foul drainage;
- h) details of temporary site illumination during the construction period;
- i) details of timing of works;
- j) details of surface treatments and the construction of all hard surfaces and access tracks between each element of the proposed development This shall include details of the tracks in a dark, non-reflective finish with details of the chemical properties of any and all imported stone provided;
- k) details of routeing of onsite cabling;
- l) details of emergency procedures and pollution response plans;
- m) siting and details of wheel washing facilities;
- n) cleaning of site entrances, site tracks and the adjacent public highway and the sheeting of all HGVs taking spoil or construction materials to/from the site to prevent spillage or deposit of any materials on the highway;
- o) details and implementation and a timetable for post construction restoration/reinstatement of the temporary working areas, and the construction compound;
- p) details of working practices for protecting nearby residential dwellings, including general measures to control noise and vibration arising from on-site activities, to be adopted as set out in British Standard 5228 Part 1: 2009;
- q) details of the location of tree protection fencing to be erected

between the development site and the trees to the north east;

- r) a Species Protection Plan;
- s) details of areas on the site designated for the storage, loading, off-loading, parking and manoeuvring of heavy duty plant, equipment and vehicles.

**Reason:** To ensure a satisfactory level of environmental protection and to minimise disturbance to local residents during the construction process

### **Transport, Access and Health and Safety**

17. No development shall commence unless and until a Construction Traffic Management Plan ("CTMP") has been submitted to and approved in writing by the Planning Authority. The approved TMP shall be carried out as approved in accordance with the timetable specified within the approved TMP. The TMP shall include proposals for:

- a) the routing of construction traffic and traffic management including details of the capacity of existing bridges and structures along the abnormal load delivery route and a risk assessment;
- b) scheduling and timing of movements;
- c) the management of junctions to and crossings of the public highway and other public rights of way;
- d) any identified works to accommodate abnormal loads (including the number and timing of deliveries and the length, width and axle configuration of all extraordinary traffic accessing the site) along the delivery route including any temporary warning signs;
- e) temporary removal and replacement of highway infrastructure/street furniture;
- f) details of all signage and lining arrangements to be put in place and the reinstatement of any signs, verges or other items displaced by construction traffic;
- g) banksman/escort details;
- h) a procedure for monitoring road conditions and applying remedial measures where required as well as reinstatement measures;
- i) a wear and tear agreement

- j) a timetable for implementation of the measures detailed in the TMP;
- k) the provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984;
- l) Provisions for emergency vehicle access; and
- m) Identification of a nominated person to whom any road safety issues can be referred

**Reason:** In the interests of road safety and to ensure that abnormal loads access the site in a safe manner.

18. No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details showing:

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All proposed paths, tracks and other routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);
- iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the first occupation of the development or as otherwise may be agreed within the approved plan.

**Reason:** In order to safeguard public access during the construction phase of the development.

19. No development shall commence until a detailed Fire Risk Management Plan and details of emergency procedures to control fire in case of a fire event, have been submitted to, and approved in



writing by, the Planning Authority.

**Reason:** In the interests of safety and environmental protection.

## **REASON FOR DECISION**

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **INFORMATIVES**

### **Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

### **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **Scottish Water**

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

### **Septic Tanks & Soakaways**

Where a private foul drainage solution is proposed, you will require separate

consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

[http://www.highland.gov.uk/info/20005/roads\\_and\\_pavements/101/permits\\_for\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2)

### **Mud & Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

**Construction Hours and Noise-Generating Activities:** You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61

of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

### **Protected Species – Halting of Work**

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

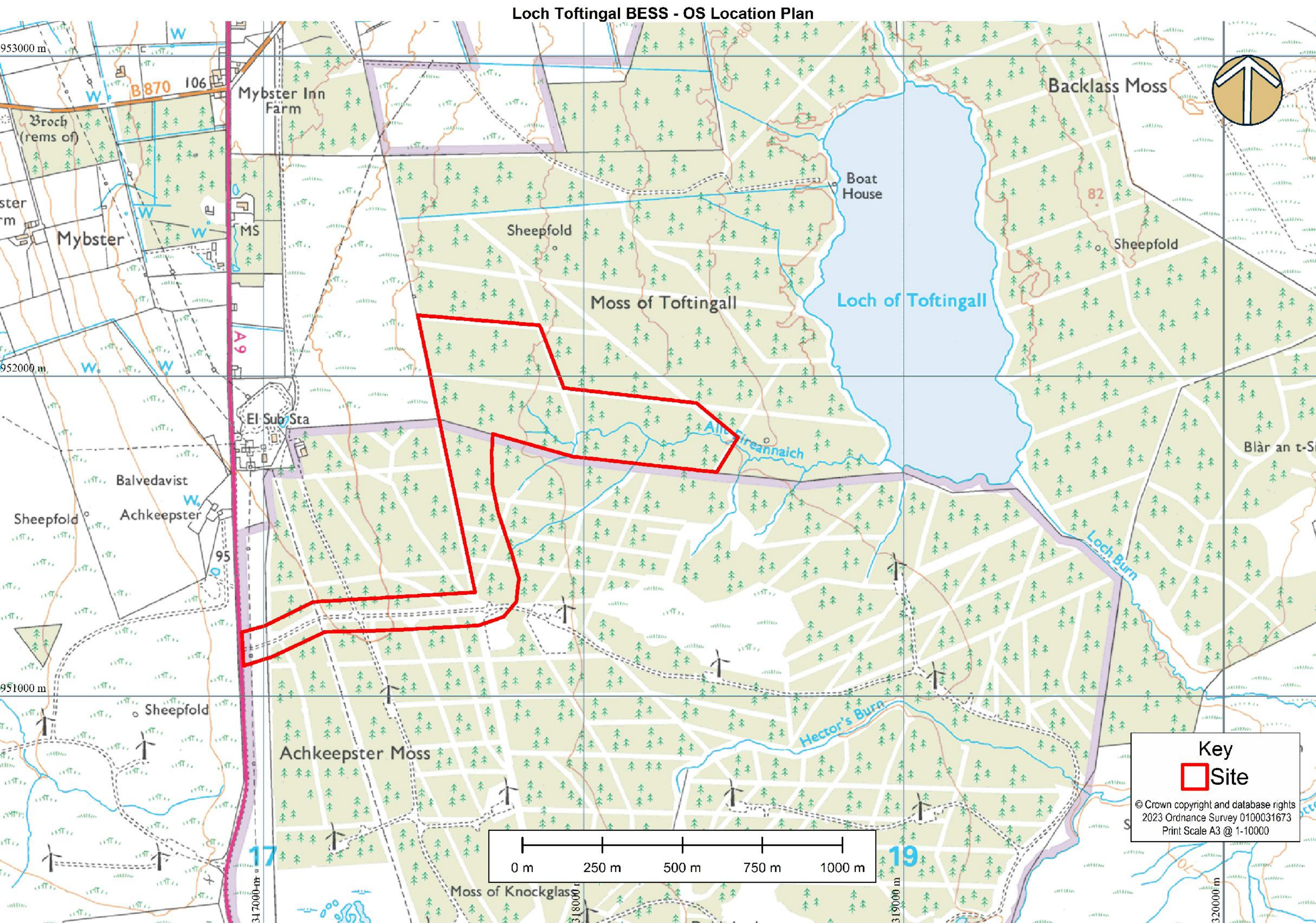
Designation: Area Planning Manager - North  
 Author: Michael Kordas  
 Background Papers: Documents referred to in report and in case file.  
 Relevant Plans:

<b>Document Type</b>	<b>Document No.</b>	<b>Version No.</b>	<b>Date Received</b>
Location Plan	000001		28 September 2023
Location Plan	TOFT/9010/1	REV A	28 September 2023
Location Plan	TOFT/9010/2	REV A	28 September 2023
Site Layout Plan	17959_LAY_1002	REV D	11 October 2023
General Plan	17959_DET_3000	REV A	28 September 2023
General Plan	17959_LAY_1100	REV A	28 September 2023
Section Plan	17959_DET_3001	REV A	28 September 2023
Section Plan	17959_DET_3002	REV A	28 September 2023
Section Plan	TOFT/9010/3	REV A	28 September 2023
Elevations	17959_LAY_1003	REV C	28 September 2023
Elevations	17959_LAY_1004	REV B	28 September 2023
Floor Plan	17959_DET_3003	REV A	05 February 2024
Floor Plan	17959_DET_3004	REV A	05 February 2024

### Other Legal Agreement requirements

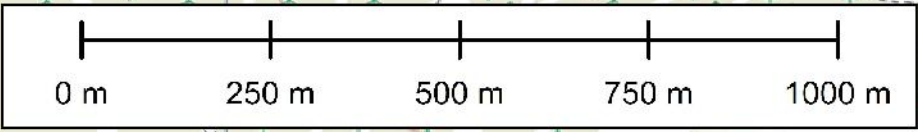
Type	Details
Bond	Decommissioning Bond to be agreed.
Habitat Management Plan	The Habitat Management Plan shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures, as outlined in the approved Outline Habitat Management Plan, dated September 2023, during the period of construction, operation, decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of the habitat on site.

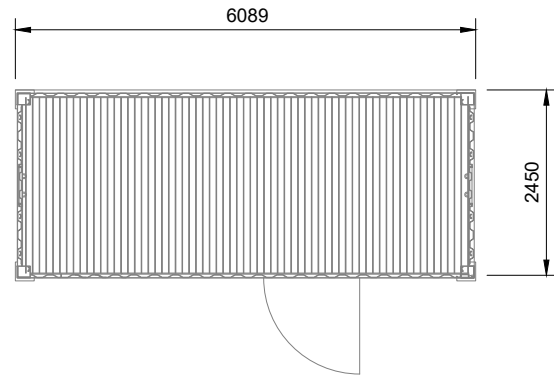
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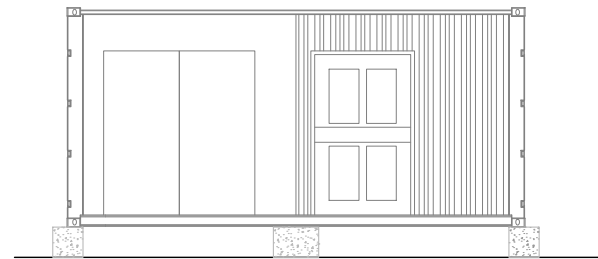
**Key**  
□ Site

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2023 Ordnance Survey 0100031673  
Print Scale A3 @ 1-10000

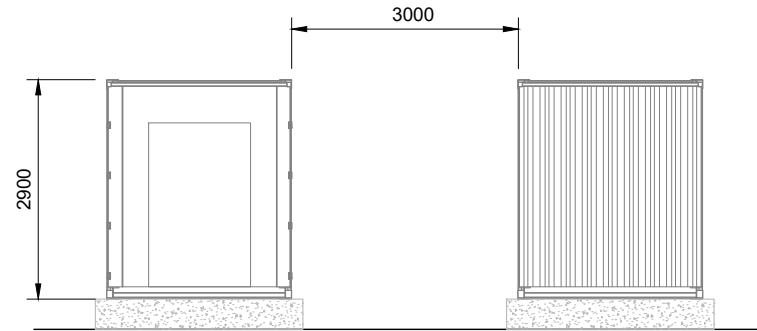




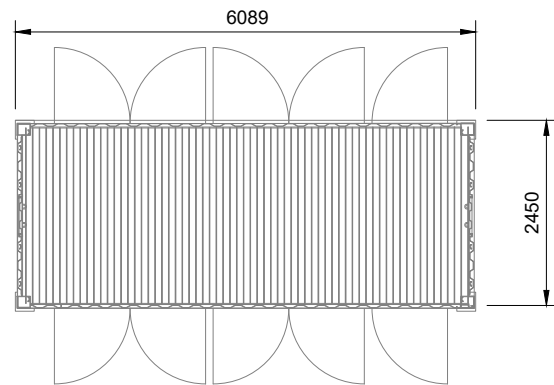
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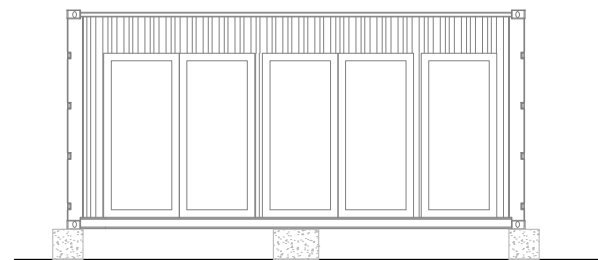
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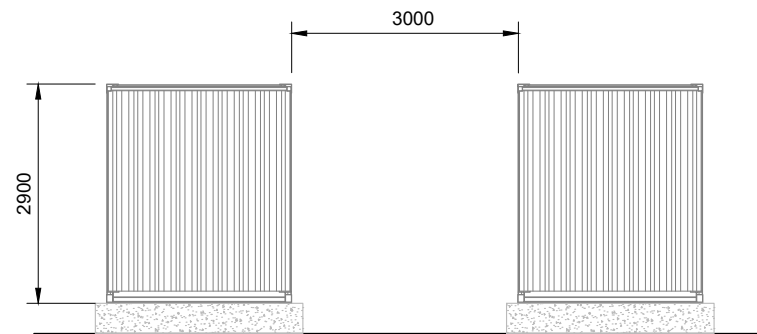
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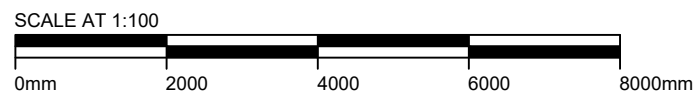
BATTERY UNIT PLAN  
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BATTERY UNIT FRONT ELEVATION  
SCALE 1:100



BATTERY UNIT END ELEVATIONS  
SCALE 1:100



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3. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.

REV	DESCRIPTION	BY	CH	APP	DATE
A	FIRST ISSUE	MH	MB	CG	14/06/23

CLIENT:  
TOFTINGALL WIND LTD

NATURAL POWER CONSULTANTS LTD.  
OCHIL HOUSE  
SPRINGKERSE BUSINESS PARK  
STIRLING  
FK7 7XE  
SCOTLAND, UK  
TEL: +44 (0) 1786 542 300  
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IFS DOC NO.: 1322259	IFS ACTIVITY: 304.30310
SCALE: 1:100 @ A3	SHEET NO.: 1 OF 1

STATUS: **FOR INFORMATION**

PROJECT: LOCH TOFTINGALL BESS

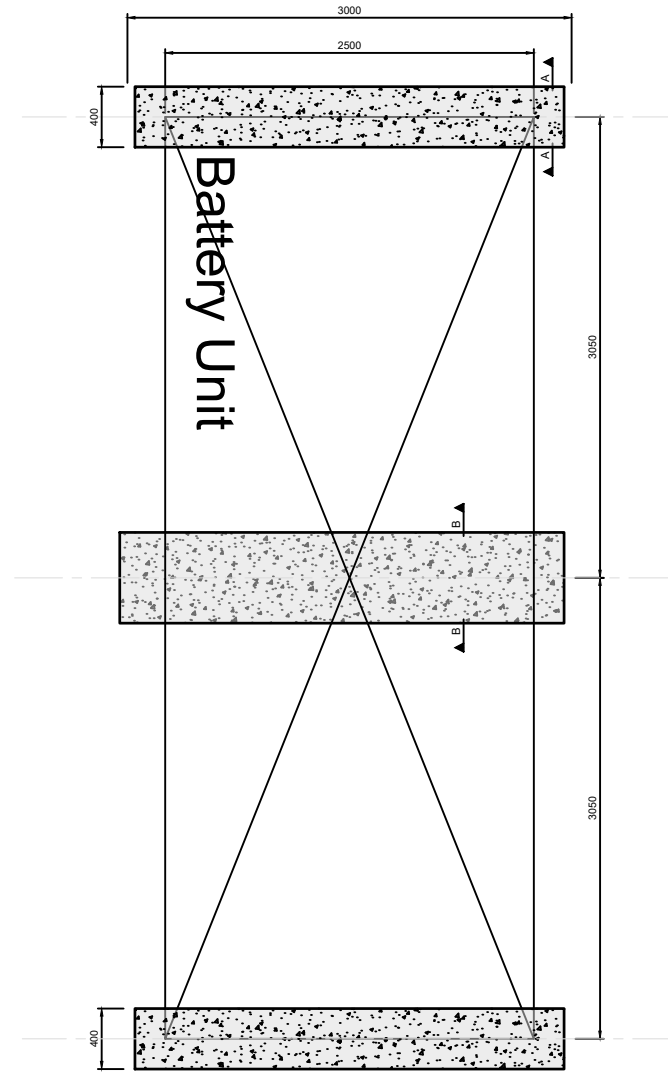
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PCS & TRANSFORMER UNITS  
GENERAL ARRANGEMENT

DRAWING NO.: 17959_DET_3000	REVISION <b>A</b>
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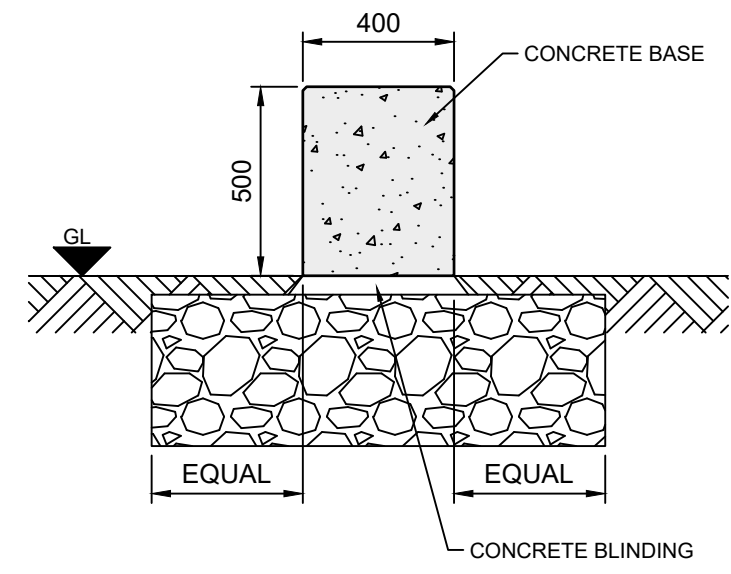
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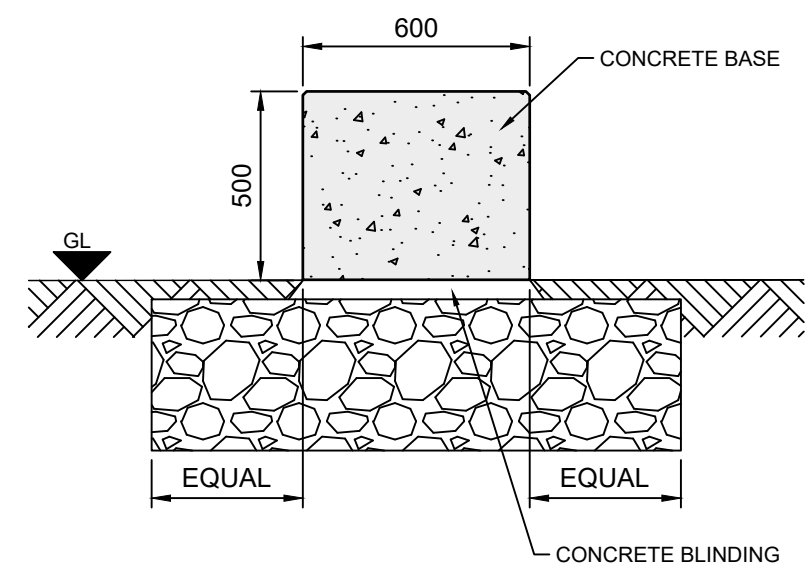
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**INDICATIVE BATTERY FOUNDATION PLAN**  
SCALE 1:50



**SECTION A-A THROUGH BATTERY FOUNDATION**  
SCALE 1:20



**SECTION B-B THROUGH BATTERY FOUNDATION**  
SCALE 1:20

A	FIRST ISSUE	MH	MB	CG	14/06/23
REV	DESCRIPTION	BY	CH	APP	DATE

CLIENT:  
**TOFTINGALL WIND LTD**

NATURAL POWER CONSULTANTS LTD.  
OCHIL HOUSE  
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FK7 7XE  
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TEL: +44 (0) 1786 542 300  
WWW.NATURALPOWER.COM



IFS DOC NO.: 1322253	IFS ACTIVITY: 304.30310
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SCALE: VARIOUS @ A3	SHEET NO.: 1 OF 1
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STATUS: **FOR INFORMATION**

PROJECT: LO TOFTINGALL BESS

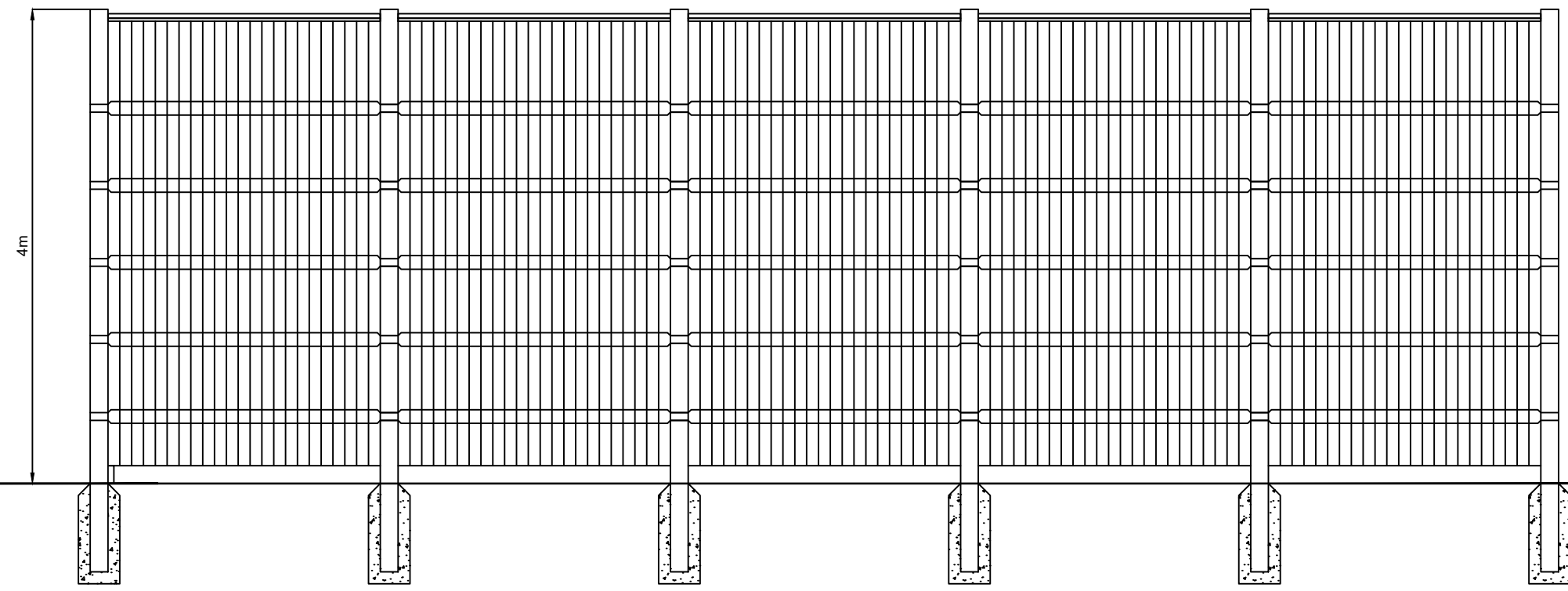
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PLAN & SECTIONS A-A & B-B

DRAWING NO.: 17959_DET_3001	REVISION <b>A</b>
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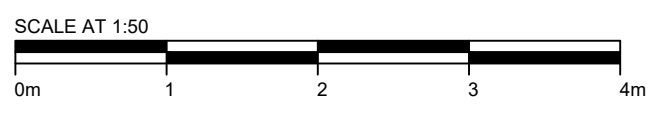
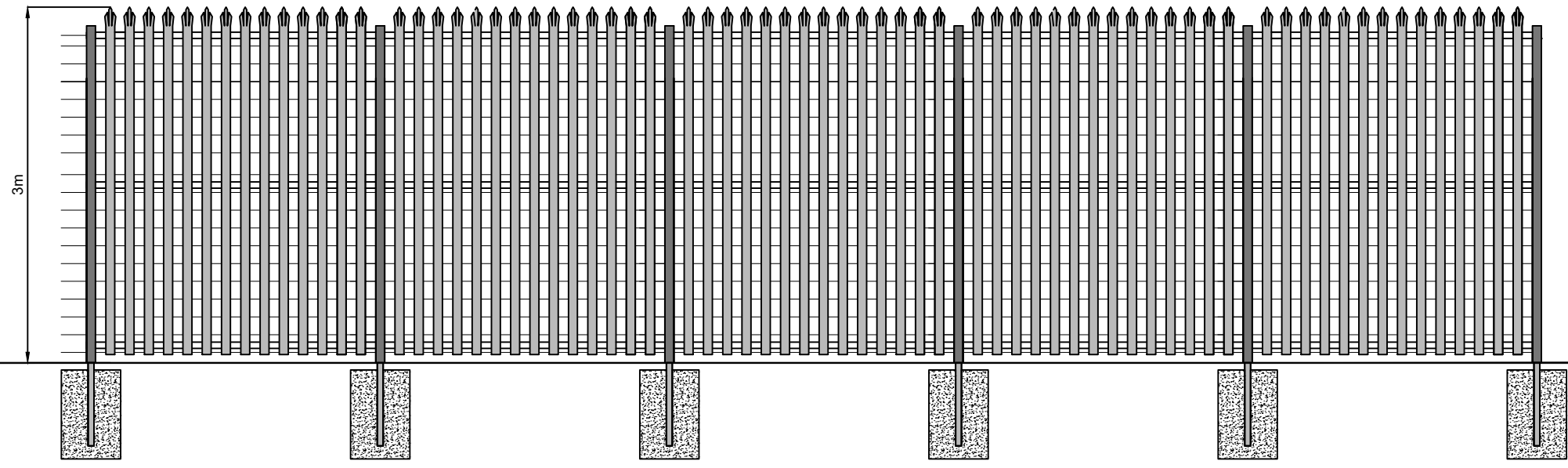
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NOTES:

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3. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.



ACOUSTIC FENCE DETAIL  
SCALE: 1:50



PALISADE FENCE DETAIL  
SCALE: 1:50

A	INITIAL ISSUE	MH	MB	CG	14/06/23
REV	DESCRIPTION	BY	CH	APP	DATE

CLIENT:  
TOFTINGALL WIND LTD

NATURAL POWER CONSULTANTS LTD.  
OCHIL HOUSE  
SPRINGKERSE BUSINESS PARK  
STIRLING  
FK7 7XE  
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IFS DOC NO.: 1322410	IFS ACTIVITY: 304.30310
SCALE: 1:50 @ A3	SHEET NO.: 1 OF 1

STATUS: **FOR INFORMATION**

PROJECT: LOCH TOFTINGALL BESS

DRAWING TITLE: INDICATIVE ACOUSTIC AND PALISADE FENCE DETAILS

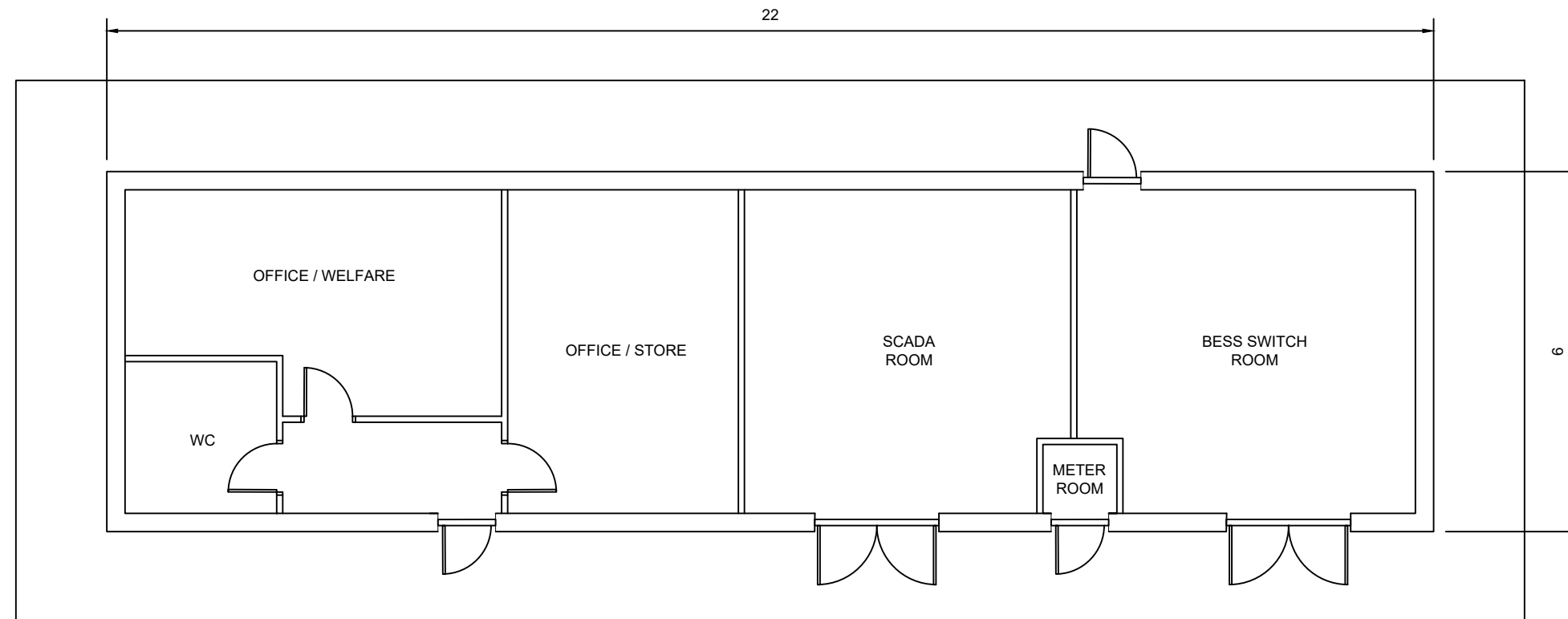
DRAWING NO.: 17959_DET_3002	REVISION <b>A</b>
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**NOTES:**

1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
2. THIS IS AN INDICATIVE ARRANGEMENT ONLY.
3. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.



**INDICATIVE SUBSTATION PLAN**  
SCALE 1:100



A	FIRST ISSUE	MH	MB	JS	17/11/23
REV	DESCRIPTION	BY	CH	APP	DATE

CLIENT:  
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IFS DOC NO.: 1338461	IFS ACTIVITY: 30310
SCALE: 1:100 @ A3	SHEET NO.: 1 OF 1

STATUS: **FOR INFORMATION**

PROJECT: TOFTINGALL BESS

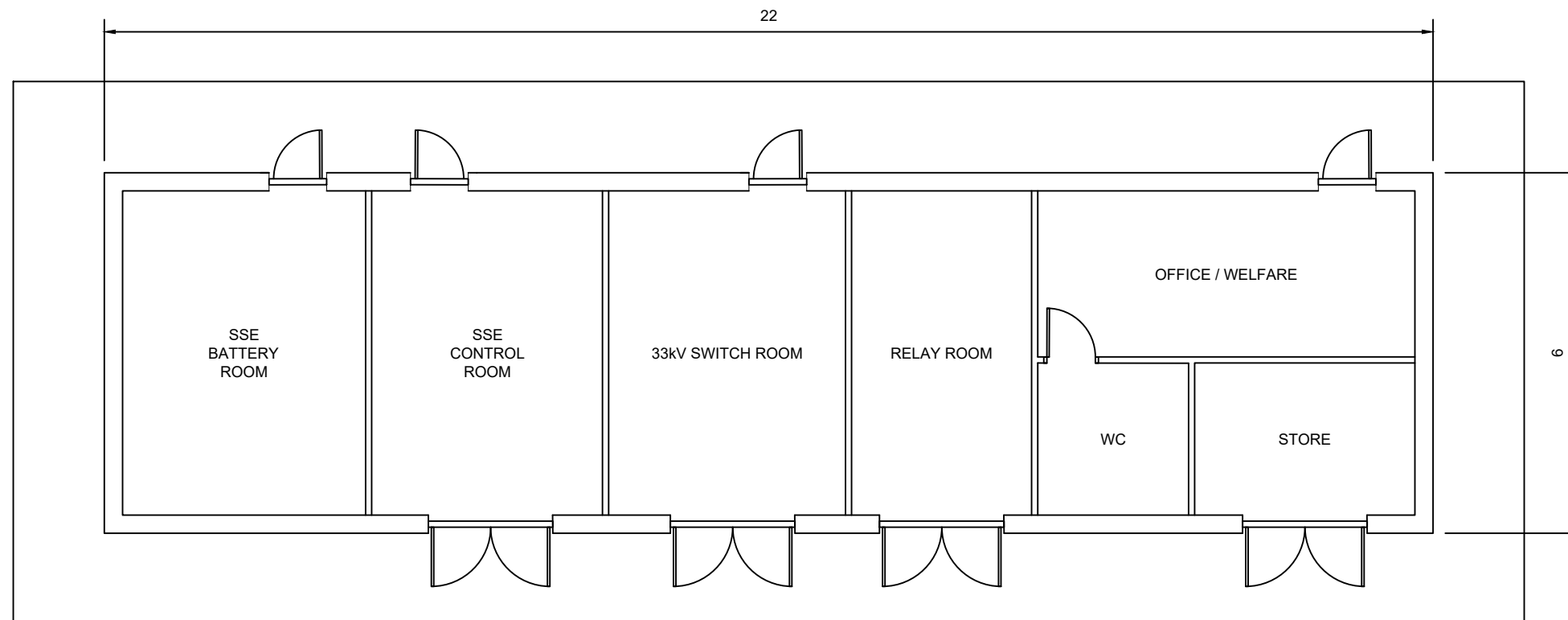
DRAWING TITLE:  
INDICATIVE SUBSTATION PLAN

DRAWING NO.: 17959_DET_3003	REVISION <b>A</b>
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2. THIS IS AN INDICATIVE ARRANGEMENT ONLY.
3. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.



**INDICATIVE DNO SUBSTATION PLAN**  
SCALE 1:100



A	FIRST ISSUE	MH	MB	JS	17/11/23
REV	DESCRIPTION	BY	CH	APP	DATE

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IFS DOC NO.: 1338462	IFS ACTIVITY: 30310
SCALE: 1:100 @ A3	SHEET NO.: 1 OF 1

STATUS: **FOR INFORMATION**

PROJECT: TOFTINGALL BESS

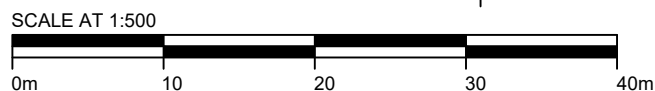
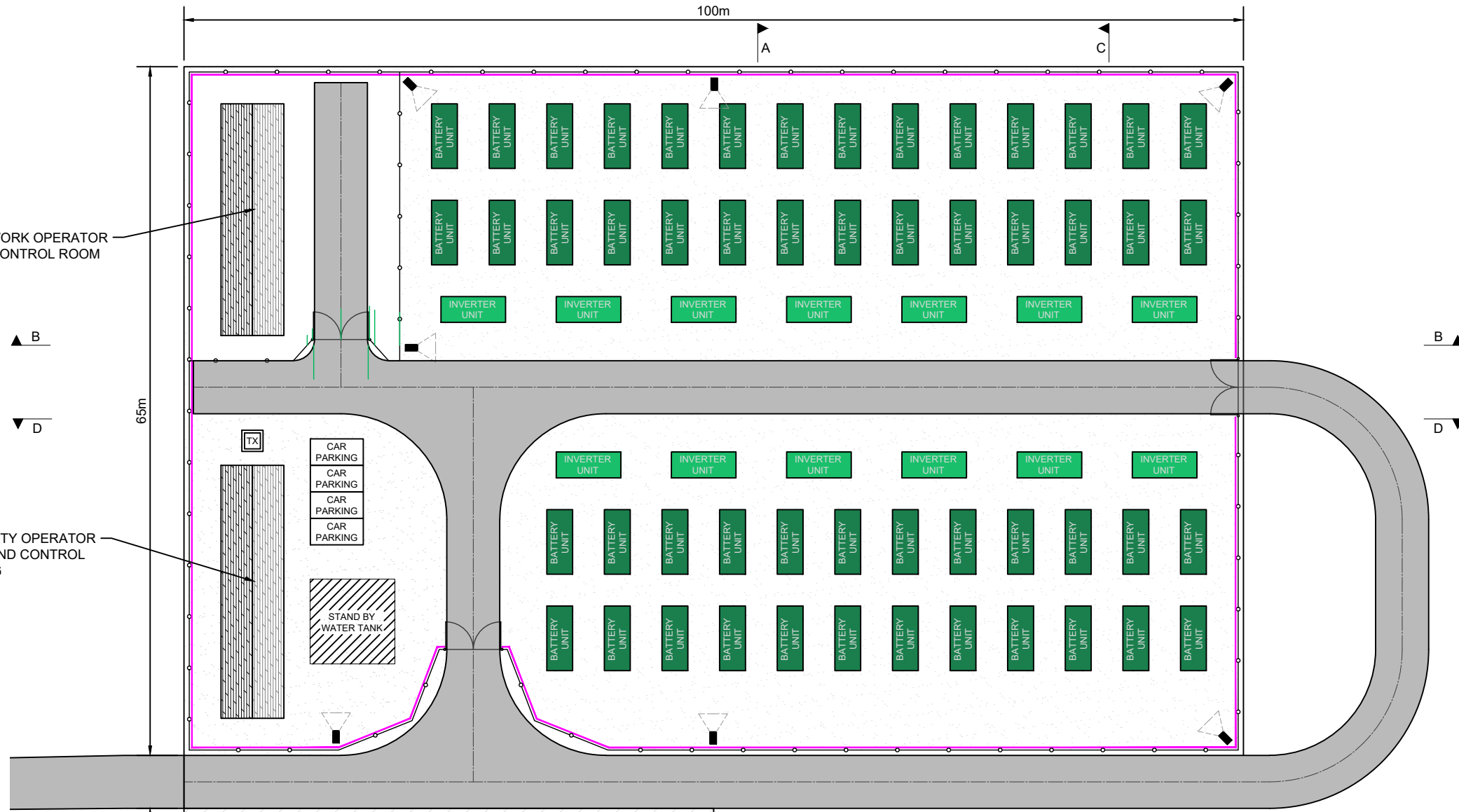
DRAWING TITLE:  
INDICATIVE DNO SUBSTATION PLAN

DRAWING NO.: 17959_DET_3004	REVISION <b>A</b>
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DISTRIBUTION NETWORK OPERATOR SWITCHGEAR AND CONTROL ROOM BUILDING

BATTERY FACILITY OPERATOR SWITCHGEAR AND CONTROL ROOM BUILDING



LEGAL: NATURAL POWER CONSULTANTS LTD TAKE NO RESPONSIBILITY FOR THE ACCURACY OF DATA PROVIDED BY THIRD PARTIES.

**NOTES:**

1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
2. THIS IS AN INDICATIVE ARRANGEMENT ONLY.
3. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.
4. REFER TO DRAWING 17959\_LAY\_1003

**KEY:**

- PROPOSED 3m HIGH PALISADE FENCE
- PROPOSED 4m HIGH ACOUSTIC FENCE
- PROPOSED ACCESS TRACK
- BATTERY INFRASTRUCTURE
- INVERTER INFRASTRUCTURE
- PROPOSED CCTV

REV	DESCRIPTION	BY	CH	APP	DATE
D	VIEWPORT UPDATED	MH	MB	JS	28/09/23
C	DRAWING SCALE UPDATED	MH	MB	JS	26/09/23
B	ACCESS TRACK ADDED	MH	MB	CG	14/06/23
A	FIRST ISSUE	GC	MB	JS	27/06/23

CLIENT: BORALEX

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IFS DOC NO.: 1322247	IFS ACTIVITY: 304.30410
SCALE: 1:500 @ A3	SHEET NO.: 1 OF 1

STATUS: **FOR INFORMATION**

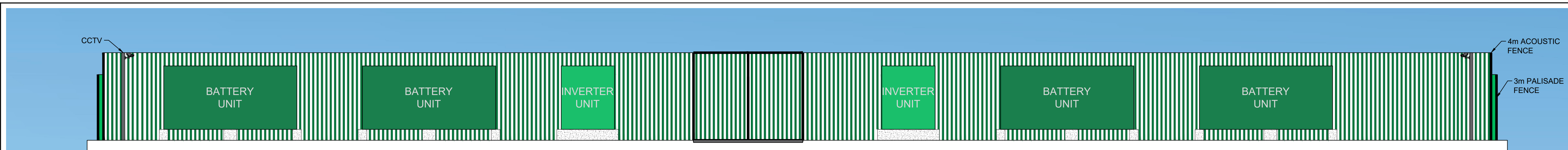
PROJECT: TOFTINGALL BESS

DRAWING TITLE: INDICATIVE BESS LAYOUT

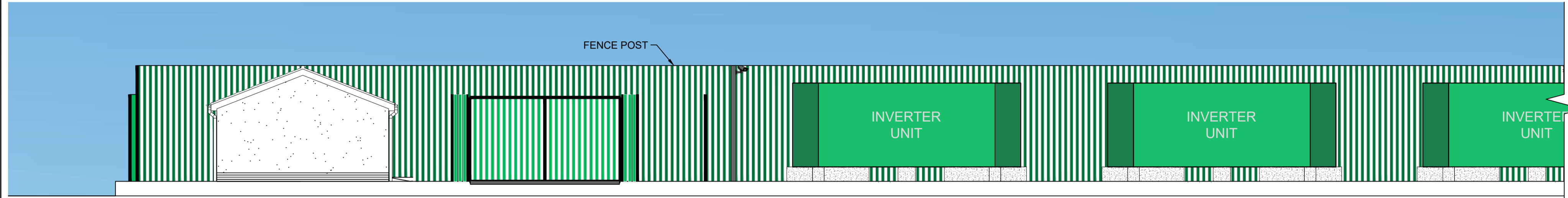
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REVISION **D**

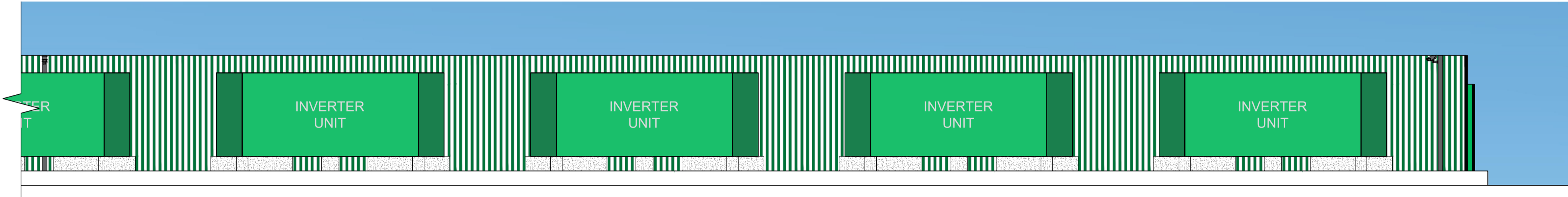
- NOTES:
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
  2. THIS IS AN INDICATIVE ARRANGEMENT ONLY.
  3. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.
  4. REFER TO DRAWING 17959\_LAY\_1002



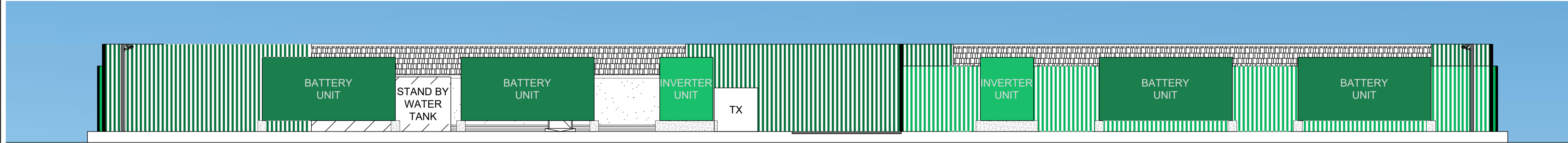
**SUBSTATION AND BATTERY STORAGE ELEVATIONS A-A**  
SCALE 1:100



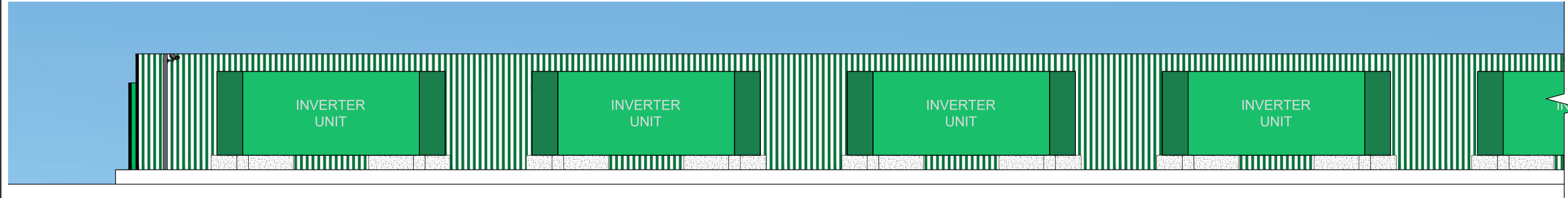
**SUBSTATION AND BATTERY STORAGE ELEVATIONS B-B**  
SCALE 1:100



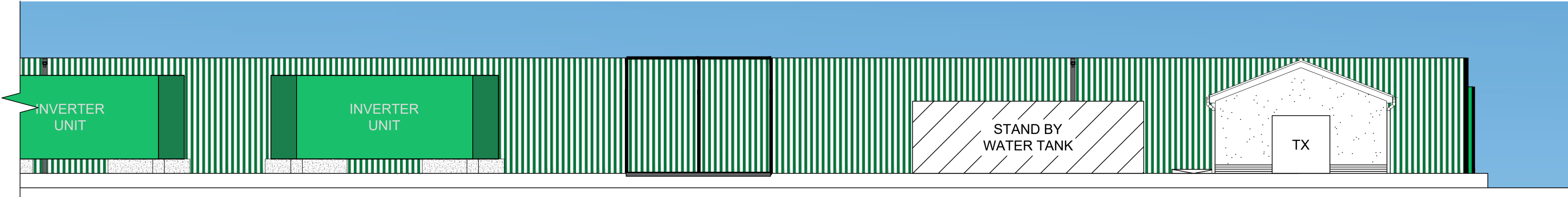
**SUBSTATION AND BATTERY STORAGE ELEVATIONS B-B**  
SCALE 1:100



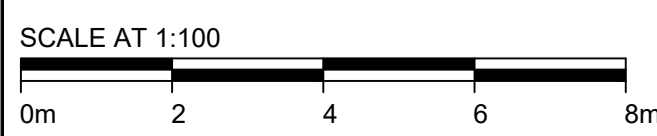
**SUBSTATION AND BATTERY STORAGE ELEVATIONS C-C**  
SCALE 1:100



**SUBSTATION AND BATTERY STORAGE ELEVATIONS D-D**  
SCALE 1:100



**SUBSTATION AND BATTERY STORAGE ELEVATIONS D-D**  
SCALE 1:100



REV	DESCRIPTION	BY	CH	APP	DATE
C	SECTIONS UPDATED	MH	MB	JS	26/09/23
B	DRAWING SCALE UPDATED	MH	MB	JS	26/09/23
A	FIRST ISSUE	MH	MB	CG	15/08/23

CLIENT: BORALEX

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IFS DOC NO.: 1322248 | IFS ACTIVITY: 304.30310  
SCALE: 1:100 @ A1 | SHEET NO.: 1 OF 1

STATUS: **FOR INFORMATION**

PROJECT: TOFTINGALL BESS

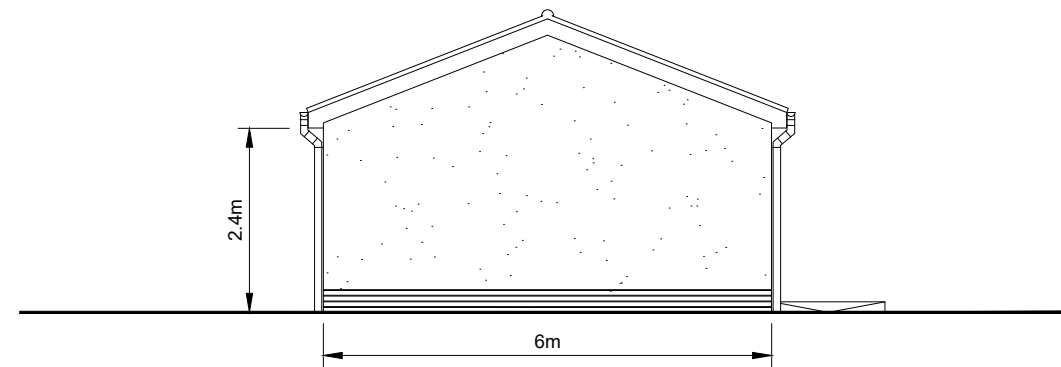
DRAWING TITLE: SUBSTATION COMPOUND AND BATTERY STORAGE ELEVATIONS

DRAWING NO.: 17959\_LAY\_1003 | REVISION **C**

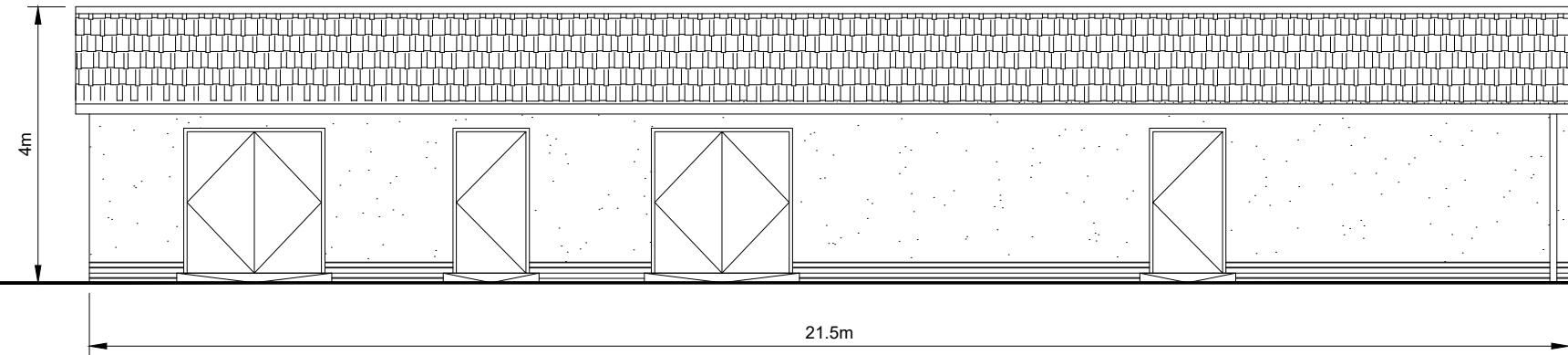
LEGAL: NATURAL POWER CONSULTANTS LTD TAKE NO RESPONSIBILITY FOR THE ACCURACY OF DATA PROVIDED BY THIRD PARTIES.

NOTES:

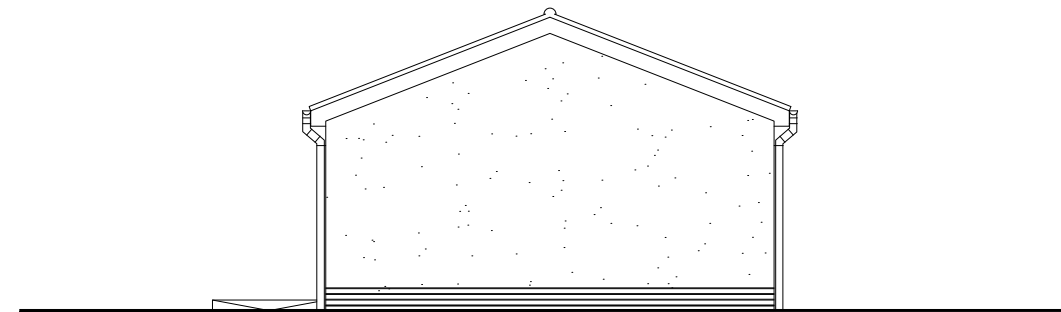
1. THIS IS AN INDICATIVE ARRANGEMENT ONLY.
2. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.



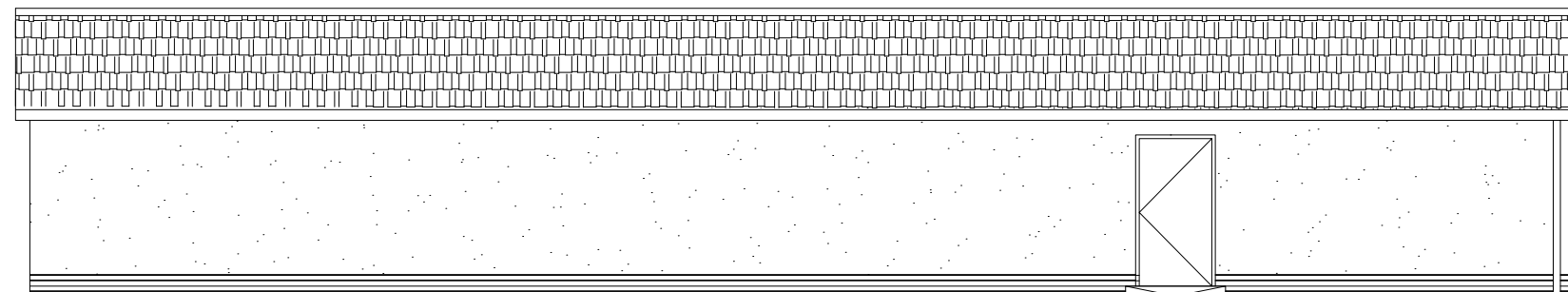
**FRONT ELEVATION**  
SCALE 1:100



**SIDE ELEVATION**  
SCALE 1:100



**REAR ELEVATION**  
SCALE 1:100



**SIDE ELEVATION**  
SCALE 1:100



B	DRAWING SCALE UPDATED	MH	MB	JS	26/09/23
A	FIRST ISSUE	MH	MB	CG	14/06/23
REV	DESCRIPTION	BY	CH	APP	DATE

CLIENT:  
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IFS DOC NO.:	1322250	IFS ACTIVITY:	304.30310
SCALE:	1:100 @ A3	SHEET NO.:	1 OF 1

STATUS: **FOR INFORMATION**

PROJECT: TOFTINGALL BESS

DRAWING TITLE:  
SUBSTATION BUILDING ELEVATIONS

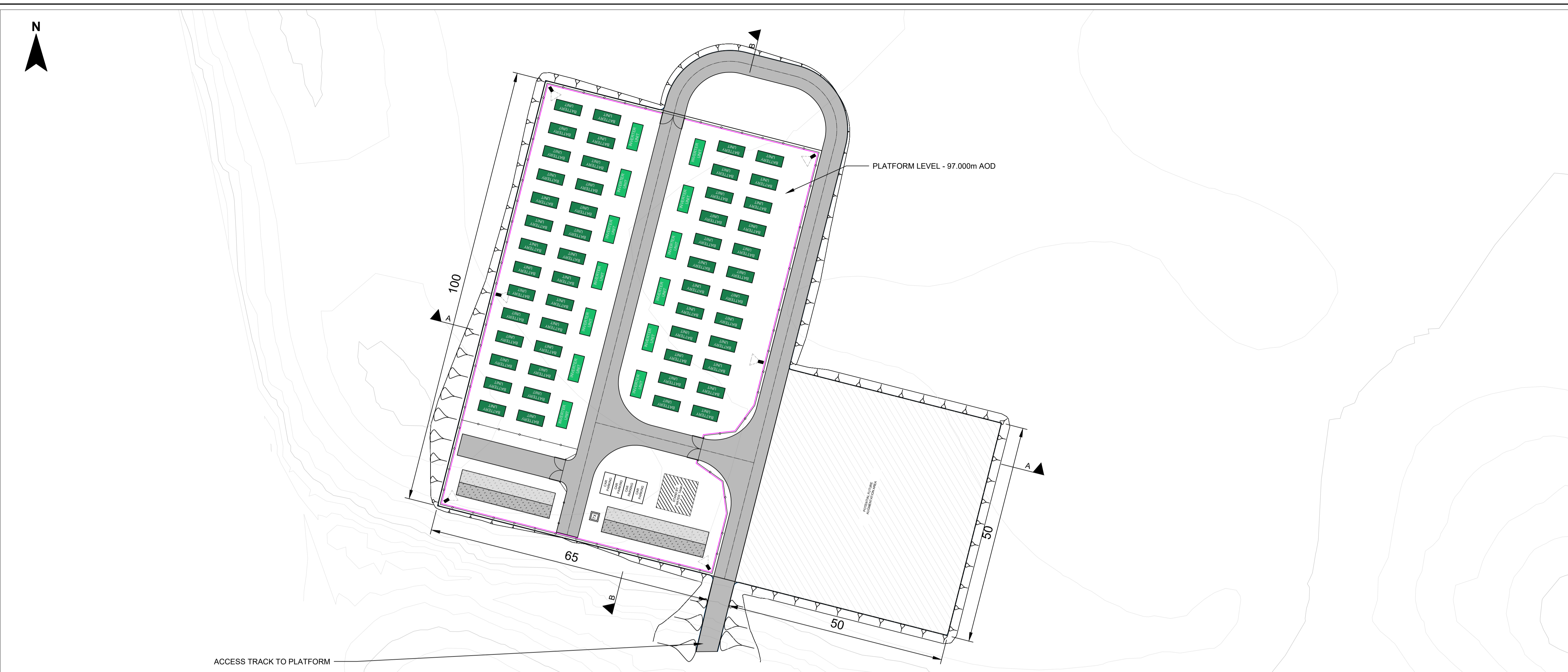
DRAWING NO.:	17959_LAY_1004	REVISION	<b>B</b>
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NOTES:

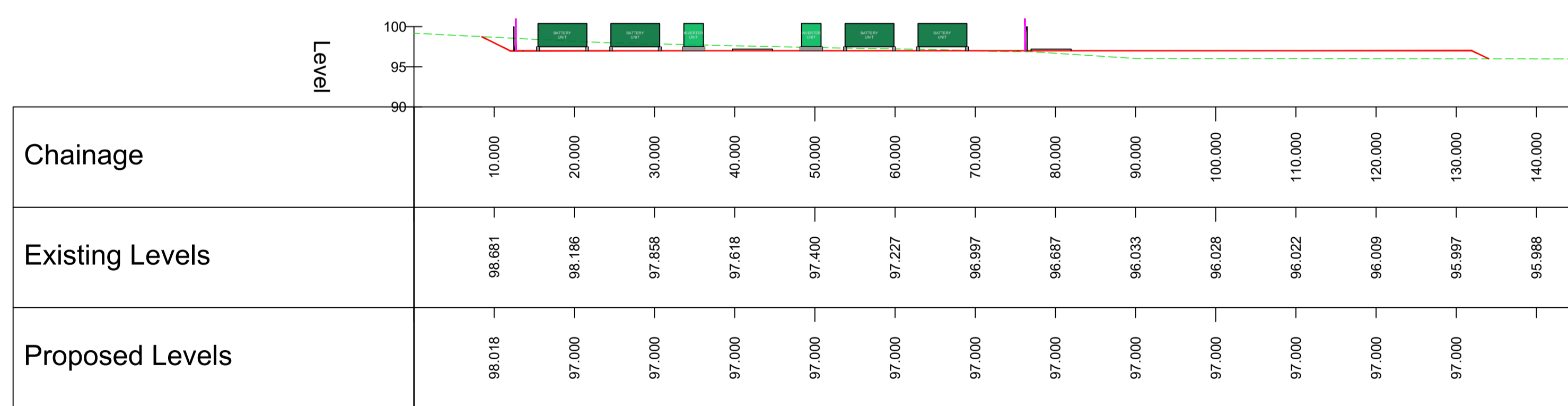
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
2. THIS DESIGN IS BASED ON 2m DTM TERRAIN DATA SUPPLIED TO NATURAL POWER BY CLIENT.
3. NATURAL POWER TAKES NO RESPONSIBILITY FOR THE ACCURACY OF THIS DATA.
4. THIS IS AN INDICATIVE ARRANGEMENT ONLY.
5. FINAL DIMENSIONS TO BE DETERMINED DURING DETAILED DESIGN.
6. ALL EXCAVATION BATTER SLOPES ARE BASED ON 1:2 SLOPE. THE SUITABILITY OF THIS WILL NEED TO BE ASSESSED DURING DETAILED DESIGN.
7. REFER TO ALL OTHER NATURAL POWER DRAWINGS WITH REGARDS TO THIS PROJECT, DRAWING NO. 17959\_LAY\_1000, 17959\_LAY\_1002, 17959\_LAY\_1003, 17959\_LAY\_1004.

KEY:

- PROPOSED 3m HIGH PALISADE FENCE
- PROPOSED 4m HIGH ACOUSTIC FENCE
- PROPOSED ACCESS TRACK
- PROPOSED BATTERY INFRASTRUCTURE
- PROPOSED INVERTER INFRASTRUCTURE
- PROPOSED CCTV
- EXISTING GROUND PROFILE
- PROPOSED GROUND PROFILE



**PROPOSED PLATFORM - PLAN**  
SCALE 1:500



**PROPOSED PLATFORM - SECTION A-A**  
SCALE 1:500



**PROPOSED PLATFORM - SECTION B-B**  
SCALE 1:500

A	INITIAL DWG ISSUE	GC MB JS	25/09/23
REV	DESCRIPTION	BY CH APP	DATE

CLIENT: BORALEX

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IFS DOC NO.: 1332316 | IFS ACTIVITY: 304.30310

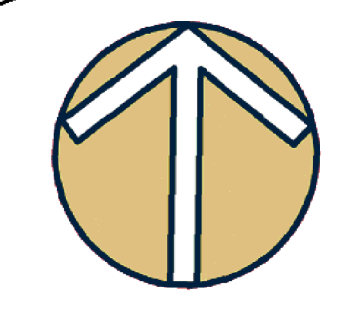
SCALE: 1:500 @ A1 | SHEET NO.: 1 OF 1

STATUS: **FOR INFORMATION**

PROJECT: LOCH TOFTINGALL

DRAWING TITLE: PROPOSED BESS PLATFORM  
EARTHWORKS SECTIONS  
A-A, B-B

DRAWING NO.: 17959\_LAY\_1100 | REVISION **A**



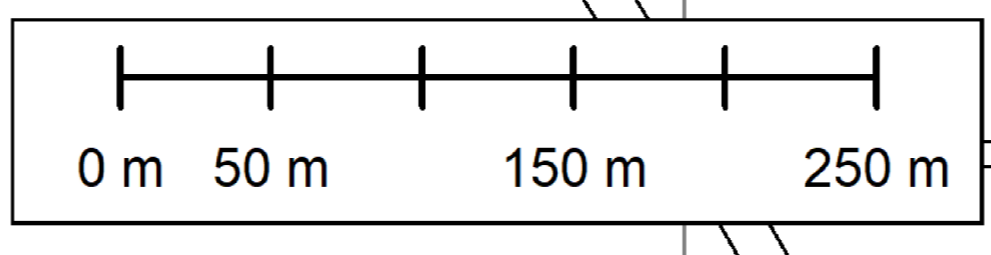
Key

- Landowner Boundary
- Site
- OS MasterMap
- A9 Trunk Road
- Loch Toftingall
- Mybster

Mybster

Loch Toftingall

A9



Toftingall Wind Ltd

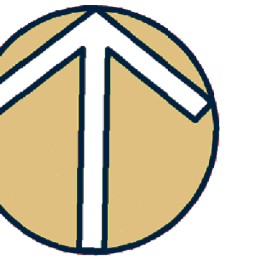
Project:  
Loch Toftingall BESS

Title:  
Site Location Plan

Drawing:  
Toft/9010/1 Rev A

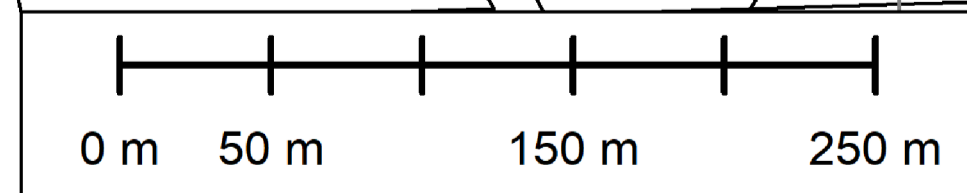
Scale:  
1-2500 @ Sheet A0

Date:  
September 2023

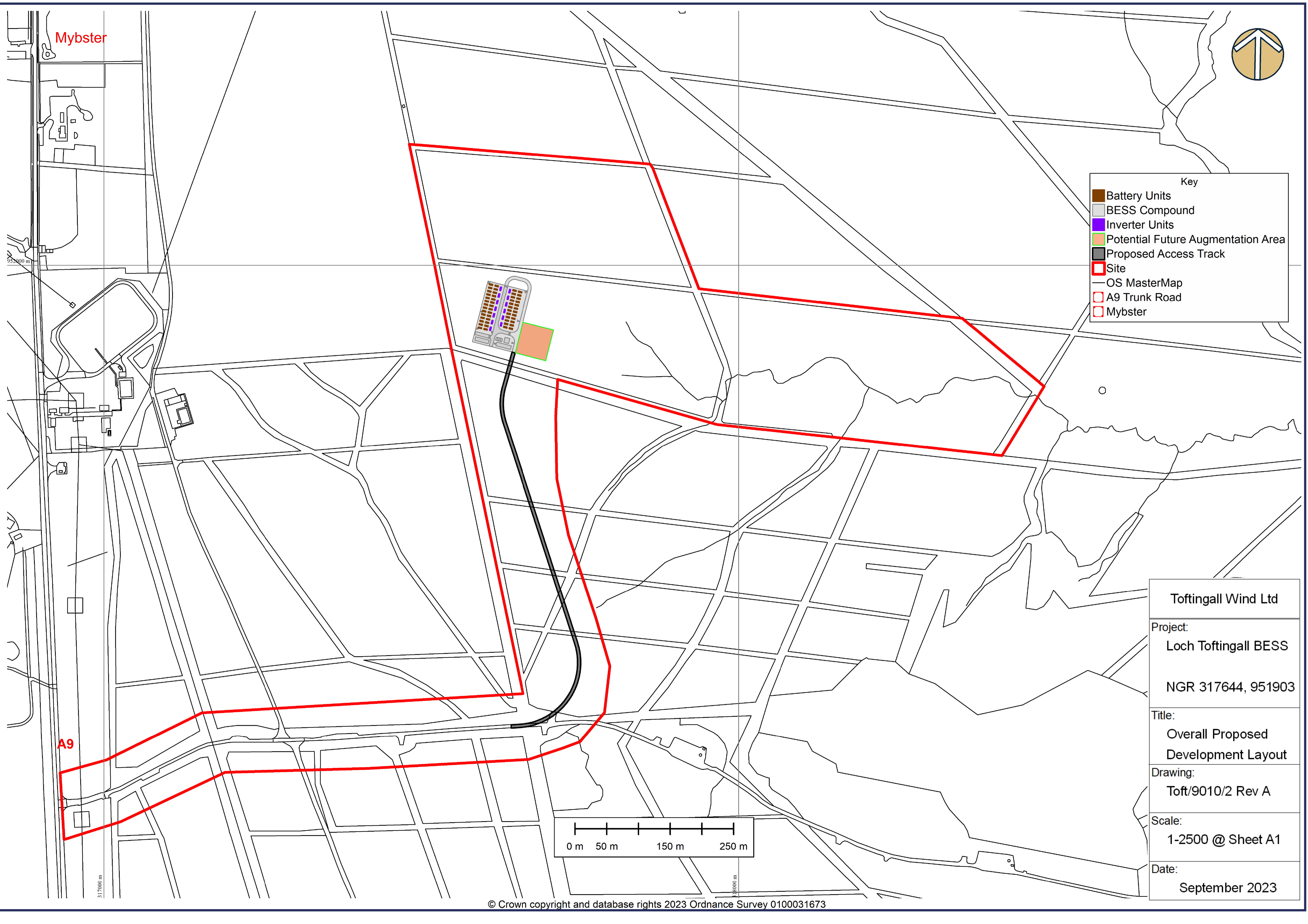


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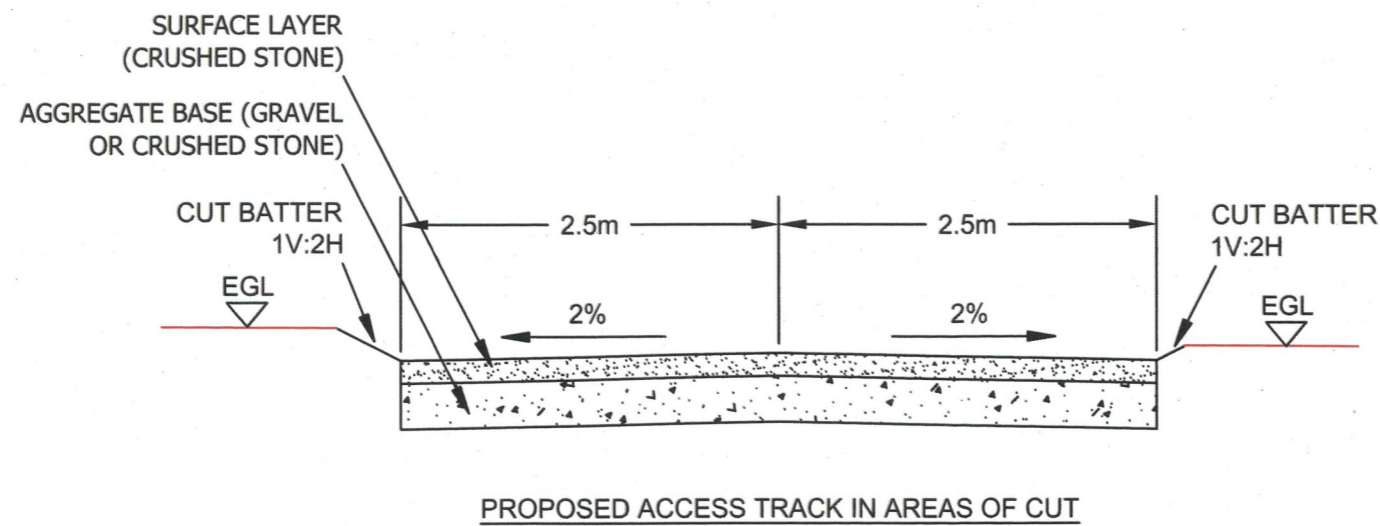
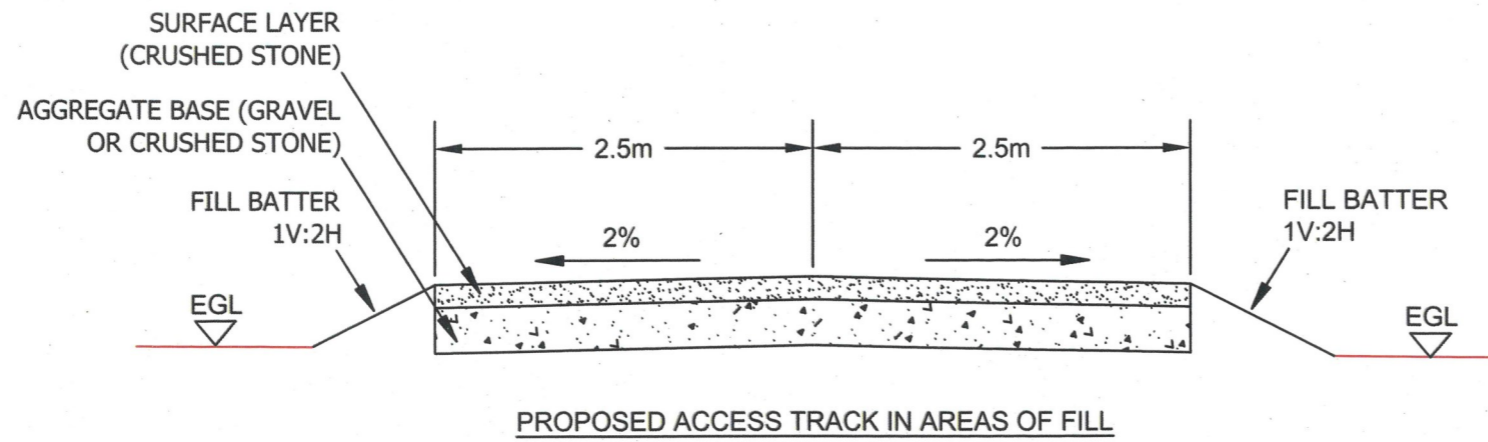
- Battery Units
- BESS Compound
- Inverter Units
- Potential Future Augmentation Area
- Proposed Access Track
- Site
- OS MasterMap
- A9 Trunk Road
- Mybster



<b>Toftingall Wind Ltd</b>	
Project:	Loch Toftingall BESS
	NGR 317644, 951903
Title:	Overall Proposed Development Layout
Drawing:	Toft/9010/2 Rev A
Scale:	1-2500 @ Sheet A1
Date:	September 2023







**Legal:** ERM take no responsibility for the accuracy of data provided by third parties

**Notes:**

1. All Dimensions are in Metres unless otherwise stated.
2. This is an indicative arrangement only
3. Final dimensions to be determined during detailed

**Title:** Proposed Access Track Cross-Section Detail

**Project:** Loch Toftingall BESS

**Source:**  
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**Client:**

<b>Drawn By:</b> ERM	<b>Checked:</b>
-------------------------	-----------------

<b>Date:</b> September 2023	<b>Figure:</b> Toft/9010/3
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<b>Scale:</b> A3 @ 1-50	<b>Revision No:</b> A
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