Agenda Item	8.3
Report No	PLN/063/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 November 2025

Report Title: 25/00498/S36: Field Spittal Limited
SSE, DC Site Spittal Substation, Halkirk,

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Spittal BESS - Construction and operation of Battery Energy Storage System (BESS) of up to 300MW with associated infrastructure (including cable route to substation), access and ancillary works (including landscaping and biodiversity enhancement).

Ward: 03 – Wick and East Caithness

Development category: National Development (Section 36 Application)

Reason referred to Committee: Section 36 Application

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 **RAISE NO OBJECTION** to the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit (ECU) on an application made under Section 36 of the Electricity Act 1989 (as amended) for the installation of a battery energy storage system (BESS) and associated infrastructure with a generating capacity of up to 300 MW. Due to the installed capacity exceeding 50 MW, the proposed development falls under the provisions of the Electricity Act 1989 and is classed as National Development by National Planning Framework 4 (NPF4).

1.2 The proposed development consists of the following:

- Development platform (210m x 180m);
- Battery storage infrastructure including containers (6.1m x 2.4m and 3.2m in height) and associated electrical equipment;
- A high-voltage (HV) substation compound;
- Substation building (25.6m x 21.1m and 4.9m in height);
- Grid connection to the existing Spittal Substation;
- Security fencing and CCTV;
- Engineering works to create a development platform and landscaping bunds;
- New access onto the A9, parking and hardstanding areas;
- Landscaping and biodiversity enhancement measures; and
- Sustainable Urban Drainage Systems (SUDS).

1.3 The BESS facility will charge and discharge from the electricity transmission network via the existing Spittal 275 kV substation which is located directly north and included the site boundary. The Proposed Development is a 300MW transmission-connected BESS facility. It will be able to provide services at a national level including grid stability, constraint management and system restoration.

1.4 The applicant undertook voluntary pre-application consultation (PAC) and has submitted a PAC Report with the application which identifies how the applicant has responded to the issues raised. The applicant also utilised the Council's Pre-Application Advice Service for Major Developments in June 2024 (24/00187/PREMAJ). The Council advised that, whilst the principle of the development is supported, there remained concerns about cumulative impacts with other energy developments in the wider area, heritage considerations relating the St Magnus's Hospital and Chapel Scheduled Monument, and traffic and transport impacts including with the creation of a new access junction onto the A9.

1.5 The applicant also sought a formal EIA Screening Opinion from the Energy Consents Unit (ECU), which confirmed that an EIA was not required. Nevertheless, the application is supported by a suite of environmental information, including:

- Archaeological Desk-based Assessment;
- Tree Management Report;
- Socioeconomic Impact Assessment;

- Pre-Application Consultation Report;
- Planning Statement;
- Outline Battery Safety Management Plan;
- Ground Investigations Preliminary Risk Assessment;
- Ground Investigations Phase 2 Assessment;
- Flood Risk Assessment;
- Drainage Impact Assessment;
- Environmental Noise Impact Assessment;
- Ecological Impact Assessment; and
- Transport Statement.

1.6 The proposal has not varied since its submission to the ECU. The applicant has however clarified matters relating to flood risk and drainage, socioeconomic benefits, ecology, and landscape and visual impacts (including cumulative impacts) during the consideration of this application through the submission of:

- Site sections;
- A Fire Safety Plan;
- Note/Memo: Spittal – Ecology Comments;
- Landscape Mitigation;
- Technical Note: Response to Objection from The Highland Council's Flood Risk Management Team;
- Updated Landscape and Visual Appraisal (October 2025);
- LVA Figure 6: Cumulative Schemes; and
- Community Benefits and Needs Case.

2. SITE DESCRIPTION

2.1 The site is located on agricultural grazing land at Spittal Mains Farm, approximately 1.5 km north-west of the village of Spittal, Caithness. While the red line boundary forms a site of 48.5ha and includes the Spittal substation in its northern section (to allow for grid connection), the development area itself will be 9.51ha with the BESS compound located in the large field to the south of the substation. The site is within Landscape Character Type (LCT) 143 – Farmed Lowland Plain characterised by medium to large, regularly shaped fields bounded by a mix of stone walls, hedgerows, and post-and-wire / stockproof fencing. The hosting fields slope gently from south-east to north-west and down from the A9(T).

2.2 There are a small number of neighbouring residential properties with the closest being at Achanarras 300m to the west. The application site lies to the west of the A9(T) and sits on ground that gradually slopes downwards, away from the public road. The site is currently accessed via a private farm track from the A9(T).

2.3 The site does not form part of any statutory or non-statutory designated sites for nature conservation while nearby forestry is commercial plantation and not on any woodland inventory.

2.4 The following international designations are within 5 km of the site:

- River Thurso Special Area of Conservation (SAC), 2 km to the west of the site, protected for its Atlantic salmon;

- Caithness Lochs Special Protection Area (SPA) 4.7 km to the north-west of the site, protected for its Greenland white-fronted geese, whooper swan and greylag geese; and
- Caithness and Sutherlands Peatlands SPA, SAC, and Ramsar Site 5 km to the south of the site, designated for its upland blanket bog habitat, clear-water lochs and various bird species including dunlin, common scoter and golden eagle.

2.5 The following national designations are within 2 km of the site:

- Achanarras Quarry Site of Special Scientific Interest (SSSI) 350 m west of the site, protected for its geological features (fish fossils);
- Spittal Quarry SSSI 820 south-east of the site, protected for its geological features (fish fossils); and
- Banniskirk Quarry SSSI 1.4 km north-east of the site, protected for its geological features (fish fossils).

2.6 There are no statutory cultural heritage designations within the site boundary. There are a limited number of recorded archaeological sites or features of historical interest. No designated assets are located within the site itself; however, a small number of non-designated assets have been identified in the surrounding landscape, including historic farmsteads and former field boundaries which survive as low stony features representative of traditional rural settlement patterns.

2.7 The following Scheduled Monuments (SM) exist within 1km of the site:

- St Magnus' Church, burial ground and hospital (SM5413);
- Fairy Hillock chambered cairn (SM528);
- The Shean cairn (SM475); and
- A series of prehistoric hut circles and cairns (SM2400–SM2402).

2.8 St Magnus' SM is immediately west of the existing farm track, which will be used temporarily by construction traffic while the new access is constructed and will not be directly affected by construction works.

2.9 The Burn of Achanarras runs along the site's western boundary and is a source of known fluvial flood risk, there are field drains that also run along the field boundaries.

3. PLANNING HISTORY

3.1	Received 24.06.2025	25/02382/S36: Achies BESS - Construct and operate a battery energy storage system (BESS) development and associated infrastructure, with a generating capacity of approximately 162MW. This case will be determined by the Energy Consents Unit.	Pending Consideration

25.04.2024	24/01640/PAN: Construction and operation of Battery Energy Storage System (BESS) of up to 300 MW with associated infrastructure (including cable route to substation), access and ancillary works (including landscaping and biodiversity enhancement)	Reported to Committee
24.04.2024	24/01734/SCRE: Construction and operation of a proposed Battery Energy Storage System (BESS) (Maximum Output 300MW) with associated infrastructure, access and ancillary works.	EIA Screening Opinion Issued - EIA Not Required.
22.01.2024	24/00243/SCOP: Ayre Offshore Wind Farm - onshore infrastructure including substation, inter-array cables, export cables and associated infrastructure	EIA Scoping Response Issued
08.11.2023	23/05353/PIP: West of Orkney Wind Farm - construction of onshore transmission infrastructure comprising up to two cable landfalls, an onshore substation and up to five associated export circuits	Planning Permission in Principle Granted
17.11.2022	22/05500/PAN: Provision of onshore transmission infrastructure for the West of Orkney Wind Farm. The proposal includes approximately 22km of underground cabling, a substation and associated infrastructure	Reported to Committee
03.03.2022	22/00972/SCOP: West of Orkney Wind Farm - EIA Scoping Request for Onshore infrastructure associated with the Onshore Wind Farm, including cable landfall, substation, cable route, tracks and associated infrastructure	EIA Scoping Response Issued
05.01.2022	22/00016/FUL: High Voltage underground grid connection for a proposed synchronous compensator	Planning Permission Granted

17.01.2018	18/00215/S42: Application under section 42 of the Town and Country Planning Act 1997 (as amended) to amend the terms of condition 14 of application 11/02459/FUL to increase the construction working hours to up to 24 hour working, Monday to Sunday for the duration of the cable containment and cable installation works	Planning Permission Granted
30.03.2016	16/01426/S37: Replacement tower on existing Thurso – Mybster Overhead Line	Approved by Scottish Ministers
16.05.2013	13/01813/FUL: Variation of condition 2 of permission 11/02459/FUL to allow the incorporation of alternative electrical equipment and an extended and raised platform	Planning Permission Granted
15.02.2013	13/00636/OHL: Installation of 275KV Transmission Line from Dounreay - Spittal	S37 Raise No Objection
15.02.2013	13/00612/OHL: Installation of132kV Transmission Line from Spittal - Mybster	S37 Raise No Objection
05.07.2011	11/02459/FUL: Construct an Electrical Converter Substation comprising 1 large metal clad building housing electrical equipment and 2 smaller service and control buildings, with further electrical and cooling plant outdoors.	Planning Permission Granted

4. PUBLIC PARTICIPATION

4.1 Advertised: Section 36 Application

Representations received by the Highland Council:	Objections – 5 Support – 0
Representations received by the Energy Consents Unit:	Objections – 5 Support – 0

4.2 Material considerations raised are summarised as follows:

- Proximity of site to peatland.
  Planning Response: The applicant has carried out ground investigation works which found no peat on-site.

- Cumulative impacts of electricity infrastructure in the area.

Planning Response: Assessed in the appraisal of this application.

- Landscape and visual effects including the industrialisation of the rural landscape. Visualisations are inadequate.
  Planning Response: Assessed in the appraisal of this application.

- Siting and locational concerns including impacts on local residents - the development is too close to Halkirk and Spittal villages as well as nearby houses and farms.
  Planning Response: Assessed in the appraisal of this application.

- Construction and operation will impact on wildlife which will be driven out of the area.
  Planning Response: Assessed in the appraisal of this application.

- Valuable habitats will be affected by the proposed development.
  Planning Response: Assessed in the appraisal of this application, along with proposals for biodiversity compensation and enhancement.

- Fire would cause toxic smoke and vapour for residents and users of the A9.
  Planning Response: Assessed in the Health and Safety section of this report.

- Water used on a fire could contaminate the adjacent burn of Achanarras which flows through farmland.
  Planning Response: Assessed in the Health and Safety section of this report.

- Heavy vehicle movements will impact traffic and road safety on a busy stretch of road. Damage will be caused to already poor road conditions in the area.
  Planning Response: Assessed in the appraisal of this application.

- The development will be fully visible from the A9 despite screening.
  Planning Response: Assessed in the appraisal of this application.

- Existing woodland is not in the control of the applicant so cannot be relied upon as mitigation.
  Planning Response: Assessed in the appraisal of this application.

- Chemical leaks could lead to water contamination.
  Planning Response: Site drainage is fitted with valves which can be shut off to prevent release of water from the site.

- The application does not adequately describe cumulative developments in the area, siting concerns including the incremental and unplanned colocation of BESS developments, and decision-makers should carry out

a site visit to understand the visual impact, taking into account what is already constructed and what is in the pipeline.
Planning Response: The applicant's submission has been updated to include additional development proposals in the area, all of which have been considered and a site visit has been undertaken by officers.

- The grid connection is not part of the current proposal so the whole project has not been assessed in accordance with the EIA Regulations. The application should be refused for this reason;
  Planning Response: The underground cable connection has been included in the application.

- Risk of vehicle collisions with BESS facilities;
  Planning Response: Assessed in the appraisal of this application with the proposal being sufficiently set back from the trunk road.

- The application does not comply with NPF4 Policies 1, 3, 4, 11, 14, 18, 25 and 29.
  Planning Response: The proposal is assessed against the provisions of the Development Plan and all other material considerations.

4.3 Non-material considerations raised are summarised as follows:

- Disagree with government energy policies;
- Fire safety concerns where this is covered by other legislation and does not affect the layout or design of the facility;
- Disagree over the acceptability of other consented BESS applications;
- Speculation over why other people would object or otherwise;
- Speculation over the efficacy of BESS storage for balancing the grid (BESS only offers short-term storage);
- Disagreement with the statutory process for assessing applications for BESS facilities (BESS should not be progressed as a section 36 application because it is not energy generation);
- Preference for other types of renewable energy generation;
- Consideration as to whether accommodation camps might be required for contractors during the construction phase of development, and whether this should be considered as part of this application;
- Assertion that BESS specific policy and guidance should be developed before BESS applications are determined;
- Terrorist threat to infrastructure; and
- Question how batteries will be recycled.

4.4 All letters of representation received by the Council are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

Those representations received by the Scottish Government's Energy Consents Unit can be accessed via www.energyconsents.scot It should be noted that some representations have been submitted to both The Highland Council and Energy Consents Unit.

5. CONSULTATIONS

5.1 **Halkirk and District Community Council (Host): object** to the application. The requirement to correctly manage climate change is fully accepted however a better understanding of the key issues with developments of this type is required. A technical approval or endorsement of the project scope should be provided to show that the development is needed. The following issues are also raised:

- It is not possible to demonstrate an appropriate level of safety for BESS. There is currently no approved UK or Scottish standard;
- The scheme must be able to demonstrate "no release" to the environment in the event of an emergency;
- Scottish Fire and Rescue Service needs to be brought into the scheme and be able to confirm the ability to contain and fight a fire should it occur. This is particularly important given the size of the development and its proximity to the A9;
- There is no plan for the deployment of BESS in the grid. They are proposed on an ad hoc basis which is unacceptable. It is difficult to see how the number of BESS in the planning process will be managed to support the grid;
- The accumulation of developments in the area are having a significant impact on the local environment and the residents of the area. This is not recognised in the application of the planning process which needs to be addressed; and
- The industrial scale use of Lithium Ion batteries needs to be understood in the development of a "Net Zero" policy. Their use is not considered on a world scale which results in disadvantage the local economy and damage on world scale.

5.2 **Access Officer** does not object to the application and has no specific further comments.

5.3 **Contaminated Land** does not object to the application. The submitted Phase 2 Ground Investigation Report did not encounter any significant contamination. No further information on potential historic contamination at the site is required.

5.4 **Development Plans** does not object to the application and advises that the application proposal is likely to be in overall conformity with the adopted Development Plan provided suitable mitigation is secured.

5.5 **Ecology Team** does not object to the application subject to conditions requiring: pre-construction surveys; a Habitat Management Plan; GIS shapefiles for biodiversity enhancement areas; works undertaken in accordance with a pre-approved Construction Environmental Management Plan (CEMP); the appointment of an Ecological Clerk of Works; and the protection of nesting birds. An informative relating protected species is also recommended.

5.6 **Environmental Health** does not object to the application. The development is unlikely to result in a breach of legislation otherwise enforced by Environmental

Health, subject to conditions to limit residential amenity impacts from construction activities and operational noise.

5.7 **Flood Risk Management Team** does not object to the application. Initial objection has been withdrawn following submission of additional information demonstrating that the flood risk to the development is low. The drainage strategy is acceptable subject to a condition requiring its pre-approval of the final surface water drainage design.

5.8 **Forestry Team** does not object to the application. The proposed development does not appear to impact on any trees or woodland.

5.9 **Historic Environment Team (Archaeology)** does not object to the application. There will be an impact on the setting of the designated St Magnus Chapel however it will be possible to limit the impacts on setting to within an acceptable range. A condition requiring a Programme of Archaeological Works is recommended.

5.10 **Historic Environment Team (Conservation)** does not object to the application as there are no listed buildings within the site or surrounding area that would be adversely affected.

5.11 **Transport Planning** does not object to the application, subject to conditions requiring a Construction Traffic Management Plan and an Abnormal Indivisible Load Management Plan given the potential for impacts on Council adopted roads from the delivery of materials to site.

Consultations undertaken by the Scottish Government's Energy Consents Unit

5.12 **BT Group** does not object to the application and advises that the project should not cause interference with their current and presently planned radio network.

5.13 **Health and Safety Executive** does not object to the application. The development area is not within any explosive licence safeguarding zones and is not within any HSE consultation zones. The proposed development does not appear to be of a type that would have hazardous substances present at or above threshold quantities.

5.14 **Highlands and Islands Airports Ltd** does not object to the application as the development would not infringe the safeguarding criteria and operation of Wick Airport.

5.15 **Historic Environment Scotland** does not object to the application but advises that the proposal would have a significant effect on the setting of the scheduled St Magnus' church, burial ground and hospital, but not a direct physical impact. This setting impact is not so significant as to warrant an objection, however, mitigation in the form of a bund is proposed. An assessment of the impact on the scheduled monument is provided and considered in more detail within the planning appraisal section of this report.

5.16 **Ministry of Defence** does not object to the application. The proposed development would not have any detrimental impact on the operational capability of a defence site or asset.

5.17 **National Gas** does not object to the application as there are no National Gas assets that would be affected by the development.

5.18 **NATS** does not object to the application and has no safeguarding concerns.

5.19 **NatureScot** does not object to the application and has advised on potential impacts on the River Thurso SAC and Caithness Lochs SPA. The proposal is unlikely to have a significant effect on any qualifying interests, either directly or indirectly. An Appropriate Assessment is therefore not required.

5.20 **Office for Nuclear Regulation** does not object to the application and no specific comments.

5.21 **RSPB** does not object to the application but advises that a number of red-listed Birds of Conservation Concern including farmland waders such as lapwing and curlew would be affected and that proposals for biodiversity enhancement should focus on mitigating effects on these species. The response indicates that RSPB will work directly with the developer on this issue.

5.22 **Scottish Environment Protection Agency** does not object to the application following an assessment of the updated Risk Assessment (FRA) and recommends the use of flood resistant and resilient materials and construction methods.

5.23 **Scottish Fire and Rescue Service** does not object to the application and recommends that the proposal is assessed against NFCC Best Practice guidance on BESS.

5.24 **Scottish Forestry** does not object to the application. It advises that there appears to be no woodland within the development boundary but that there is woodland within the west boundary and adjacent to the existing farm access, which if impacted, Scottish Forestry Guidance should be applied. Any necessary compensatory planting must be undertaken in line with the Forestry EIA Regulations. Any additional felling which is not part of the planning application will require permission from Scottish Forestry.

5.25 **Scottish Gas Network** does not object to the application. There are no high-pressure gas pipelines within the vicinity of the site.

5.26 **Scottish Water** does not object to the application. The developer should inquire directly with Scottish Water should a mains water supply be required.

5.27 **SSEN** does not object to the application as there are no operational or safety concerns regarding overhead lines or the operation of Spittal substation.

5.28 **Transport Scotland** does not object to the application and advises that the detailed design of the new junction onto the A9 will need its prior agreement. The

proposed level of vehicle movements over the limited construction period will not give rise to any significant traffic or associated environmental impacts on the A9. A full Abnormal Load Route Assessment should be provided to Transport Scotland well in advance of AIL deliveries. Conditions relating to the new junction onto the A9, abnormal loads and a Construction Traffic Management Plan are required. Informatives relating to carrying out works within the trunk road boundary are also recommended.

6. DEVELOPMENT PLAN POLICY

6.1 Appendix 2 of this report provides details of the documents that comprise the adopted Development Plan, including details of pertinent planning policies as well as adopted supplementary guidance, and other material policy considerations which are relevant to the assessment of the application.

7. PLANNING APPRAISAL

7.1 This application has been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 (as amended). Should Ministers approve the development, it will receive deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended). Although not a planning application, the Council processes S36 applications in a similar manner given that planning permission may be deemed to be granted.

7.2 Schedule 9 of The Electricity Act 1989 contains considerations in relation to the impact of proposals on amenity and fisheries. These considerations mean the decision maker (Scottish Ministers) is required to:

- have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings, and objects of architectural, historic or archaeological interest; and
- reasonably mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

7.3 It should be noted that for applications under the Electricity Act 1989 that the Development Plan is just one of a number of considerations, and therefore Section 25 of the Town and Country Planning (Scotland) Act 1997 which requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise, is not engaged. That said, the application is still required to be assessed against all policies of the Development Plan relevant to the proposal, all national and local policy guidance, and all other material considerations relevant to the application.

Planning Considerations

7.4 The key considerations in this case are:

a) Compliance with the Development Plan and other planning policy;

b) Energy and carbon saving;

c) Socio-economic impacts;

d) Siting, design, landscape and visual impacts;

e) Natural heritage;

f) Construction and operational amenity impacts;

g) Traffic and transport;

h) Health and safety;

i) Flood risk and drainage;

j) Decommissioning and reinstatement; and,

k) Any other material considerations.

Energy and Carbon Saving

7.5 BESS are designed to support local distribution and national transmission electricity networks with the balancing of supply and demand. They store electricity when supply exceeds demand and export it back to the grid when demand is high but supply is low. BESS also provide additional services to district and national network operators, including grid stability, constraint management and balancing mechanisms.

7.6 The proposed development is a 300MW transmission-connected BESS facility that will connect to the National Grid via the adjacent Spittal Substation. Unlike distribution-connected systems, typically with lower capacities, this facility will deliver grid services at a national level, including stability support, constraint management, and system restoration. These functions are particularly important in the north of Scotland, where the shift from traditional power plants to renewable sources like wind has reduced the grid's inherent stability. The proposed development will store excess electricity when the grid is at capacity, allowing wind farms and other renewable generators to operate more efficiently. This reduces reliance on fossil-fuelled back-up generation during periods of high demand and contributes to carbon savings in line with national and local energy transition policies.

Socio-Economic Impacts

7.7 Energy storage facilities are an emergent technology and are expected to be a significant component of national energy infrastructure in the coming years. Developers of BESS facilities are therefore expected to support jobs and economic development thus contributing to the general wealth and economic wellbeing of their hosting communities. The Council's position on Community Wealth Building has recently been set out in the Social Values Charter for Renewables Investment (2004). The charter sets out the Highland Council's expectations with regard contributing to the success of local communities for companies wishing to invest in renewables in the area. The charter aims to:

- Embed an approach to community wealth building into Highland;
- Maximise economic benefits from our natural environment and resources;
- Engage and involve relevant stakeholders to understand how we can continually improve our impact; and

- Unlock economic opportunities for the area.

7.8 The submitted Socio-Economic Impact Assessment expects that, during construction, there will be £7.7 million Gross Value Added (GVA) and 50 jobs supported over a period of two years. Across Scotland (including Highland), it expects £20.0 million GVA and the support of 125 jobs over a two year period. The operational period of the development is expected to provide £0.8 million GVA and 10 jobs in Highland and £1.7 million GVA and 20 jobs in Scotland.

7.9 The main driver of economic activity associated with renewable energy developments such as the proposed development is the expenditure during construction as well as operational and maintenance phases. The applicant recognises that, the more expenditure that can be secured by local businesses, the greater the economic impact will be for the community. The applicant has set out several initiatives to help local businesses compete successfully for these contracts. These include:

- Establishing a clear and accessible framework to promote supply chain opportunities in the local area;
- Organising and participating in supply chain events;
- Having a dedicated portal on the project website for supply chain impacts; and
- Promoting tendering opportunities through local Chambers of Commerce, industry bodies, and wider frameworks/portals;
- Engaging directly with competent local contractors with a view to developing long term partnerships across Field's portfolio of sites in the North of Scotland;
- Including local content considerations within the procurement evaluation criteria across both construction and operational contracts; and
- Monitoring the local content of sub-contracts and encouraging main contractors to utilise local resources where possible.

7.10 The applicant has demonstrated that the proposed development will contribute to local and regional community wealth building. It is recommended that a condition is added to any grant of permission requiring a Local Employment Scheme be submitted to and approved in writing by the planning authority.

Siting, Design, Landscape and Visual Impact

7.11 The application site was chosen following a site selection assessment being carried out by the applicant, which considered the requirement for grid connectivity, land availability and environmental constraints. Four alternative nearby sites were considered and discounted due to conflict with forthcoming developments, proximity to noise sensitive properties and increased visual impacts. The applicant advises that it has secured a grid connection agreement for 300MW at Spittal Substation and so proximity to the substation is a large benefit for the developer in this case as it reduces energy losses associated with the transport of electricity. The application’s red line boundary includes the Spittal Substation to provide flexibility on the precise route of the grid connection.

7.12 The proposed development has been located on a gently sloping area to the south of the existing Spittal Substation. The site compound is proposed to be cut into the sloping site to reduce its overall height when viewed by receptors from the A9. Furthermore, two earth bunds are proposed along the site's east and south boundaries which have been designed to align with existing topography in the area and make use of sinuous outer slopes to provide a more natural appearance. Grassland seeding and some hedgerow planting are also proposed to further embed the proposal within its host site.

7.13 Moreover, The National scale land capability for agriculture map classifies the land as "4.2 Land capable of producing a narrow range of crops, primarily on grassland with short arable breaks of forage crops." The site is therefore not prime agricultural land. Similarly, the Carbon and peatland 2016 map indicates that the site is covered by Class 0 peatland habitat, which are defined as mineral soils with no peatland vegetation. Additionally, site investigation works have been carried out which confirmed that there are no peat soils at the site. Consequently, the proposed development demonstrably complies with NPF4 Policy 5 for soils as it has been designed in accordance with the mitigation hierarch by avoiding valuable agricultural ground along with peat and carbon rich soils.

Landscape

7.14 The site is not within any landscape designation. The nearest designation is The Flow Country and Berriedale Coast Special Landscape Area (SLA), approximately 8km to the south of the application site. Given this separation distance and the low overall height of the development's components, the development will not adversely affect the 'Distinctive Mountain and Moorland Skyline', the 'Exposed Peaks, Vast Openness and Intimate Glens' or 'The Historic Landscape' special qualities of the SLA.

7.15 The application site is entirely within Landscape Character Type (LCT) 143- Farmed Lowland Plain while LCT 134- Sweeping Moorland and Flows begins approximately 2km to the south of the application site. However, given the very limited visibility of the development from this neighbouring LCT (as demonstrated by the ZTV included with the submission), which hosts several wind farms close to its boundary, the proposal is not considered to result in any significant landscape impacts on the character of the sweeping moorland and flows LCT.

7.16 The key landscape impact is therefore on its host LCT- 143 Farmed Lowland Plain. The LCT is characterised as a low-lying open and undulating plain with agriculture being the predominant land cover but also punctuated by commercial conifer plantations as well as farm buildings and houses, which form local focal points in the landscape.

7.17 The submitted LVA at Appendix 4 correctly points out the presence of a range of industries within the large LCT including commercial quarries and energy related infrastructure, all of which demonstrate the LCT's capacity to accommodate this type of development. In this instance there would be a direct impact on the agricultural landcover attribute of the LCT at the site level including from landscaping. However, the magnitude of this impact would rapidly decrease with

distance from the development as the character of the hosting and surrounding fields quickly re-establishes. There would be no direct impacts on any of the hosting LCT's other attributes although there will be a minor change to the setting of commercial plantation when viewed from the east, however this change in setting would be localised and not significant.

7.18 Visually, the LVA identifies three visual receptor groups that will be most affected by the development; namely, recreational users of Spittal and Achanarras Hills, along with residents and local road users along Bridge Street and Harpsdale, as well as users of the A9.

7.19 Recreational users of Spittal Hill, approaching from the west, would gain long-range and panoramic views across agricultural fields, blocks of commercial forestry, sweeping moorlands and flows with mountains and distinctive peaks visible in the distance to the southwest. Due to landform, there is no view of the site from the summit itself, but a viewpoint has been provided from the approach to the summit (Viewpoint 3: Approach to Spittal Hill), which shows that the interior of the facility will be almost fully visible to receptors where the regimented appearance of the battery units would be a new feature of the view. Nevertheless, the proposal by itself would not be a characterising feature due to it being fully backdropped, its containment within the landform and the proposed landscaping, and its relative small scale when experienced in the context of the expansive the views from the viewpoint.

7.20 From Achanarras Hill Quarry and Nature Reserve (Viewpoint 5: Achanarras Hill Quarry), including the linking Core Path CA06.07 from the B8970, views of the development would be limited to the most elevated areas near the quarry, albeit screened by topography and forestry while it remains in situ, with those visible elements appearing low in the hosting landscape due to it being backdropped by Spittal Hill. The proposal would not change the character of the view or the visual amenity enjoyed by receptors from the Core Path or quarry due to the presence of the quarry and the existing Spittal Substation, which reduce the magnitude of change resulting from the proposal, with the level of visual effect being not significant.

7.21 As mentioned, the receptor group in the Harpsdale area includes residents and local road users along Bridge Street and Harpsdale. The submitted LVA finds that there would be a barely perceptible change in views from this receptor group with the majority of the site being screened by the Spittal Substation and a block of forestry. Consequently, impacts from the construction phase, a year 1 of operation and at year 10 of operation are all assessed as being Negligible Adverse.

7.22 While drivers of vehicles are generally focussed on the direction of travel, views of the wider landscape contribute to the experience and amenity of the transport route, in particular for passengers, and cyclists moving at slower speeds. For users of the A9 (Viewpoints 1: A9 North, and 2: A9 South), the development would be viewed against existing forestry and topography to the west. The sloping landform away from the road already provides a degree of screening of the adjacent farm complex to the south from certain viewpoints, and is expected to offer similar visual mitigation for the proposed development, supported by the

proposed bunding. It is accepted that the screening bunds may appear uncharacteristic for this part of Caithness and in the context of agricultural fields however, the visual impact of the earth bunds will reduce as the native grassland and hedging matures. The visible electrical components of the BESS would be experienced as an addition to the existing substation, while the battery units would be largely screened from the roadside. Given the fleeting nature of these views, the proposal in solus would not represent a large scale magnitude of change or produce a significant effect on the visual appeal of the A9 and the visual amenity of its users.

7.23 While the development's in solus landscape and visual effects are not significant and are considered acceptable, an assessment of the proposal's cumulative effects is especially important given that the application site is an area of high development pressure with several existing, consented, and proposed energy developments awaiting determination, these include:

- Spittal Substation (operational);
- 132 kV and 275 kV Overhead Lines (operational);
- West of Orkney Wind Farm- Onshore Substation and Infrastructure (consented);
- Mybster Croft BESS (in planning);
- Banniskirk Hub (400kV substation and HVDC converter station) (in planning);
- Ouglassy Wind Farm (in scoping);
- Achanarras BESS (in scoping); and
- Spittal – Loch Buidhe – Beauly 400kV Connection (in planning).

7.24 In landscape terms the proposal would contribute to the increase in the amount of energy infrastructure within the area and reduce agricultural land use; the overriding landscape use characterising the LCT. This change would be particularly noticeable from elevated areas and from the A9 as energy developments are experienced sequentially by receptors moving through the landscape. In this instance the proposal would produce a change immediately adjacent to the Spittal substation and to the south of the West of Orkney substation, which would limit the additional cumulative landscape effect the proposal would have on the LCT. The extent of landscape impacts from the proposed development in this context would be further limited by the bunding and planting that is proposed. The additional cumulative impact produced by the proposal has therefore been assessed as not significant (even if the total cumulative effects from the changes brought by energy developments in the wider area are significant, which is not assessed as part of this application).

7.25 Similarly, in terms of cumulative visual effects, the addition of the proposed development would increase the amount of energy infrastructure visible but would be concentrated within part of the view where there is already existing infrastructure and, although more visible from higher ground, it would not impede the enjoyment of more expansive views across the landscape. The addition of the proposal therefore is not considered to be significant in terms of its contribution to the cumulative picture in the wider area.

7.26 As the submission demonstrates, the proposal would be at its most stark during the construction phase of development with the full character of the site most noticeable at year 0 following completion of construction works. However, once the landscaping planting establishes, it is anticipated that the screening of the proposal would increase year on year such that it would appear less stark in the landscape and views over time, particularly from lower ground. It is therefore recommended that conditions are included with any consent that require the implementation of the proposed landscaping scheme and details of the site lighting scheme to minimise landscape and visual effects in the hours of darkness.

Natural Heritage

Designated Sites

7.27 The site is not covered by any natural heritage designation. The Caithness Lochs Special Protection Area (SPA) and Caithness Lochs Ramsar site are located 4.7km to the north east. The SPA has the following relevant qualifying features:

- Greenland white-fronted goose (non-breeding)
- Greylag goose (non-breeding)
- Whooper swan (non-breeding)

7.28 The Ramsar site is protected for the above species as well as Ruff (Philomachus pugnax). The site's status means that the requirements of the Conservation (Natural Habitats, etc.) Regulations 1994 as amended (the "Habitats Regulations") apply. Scottish Government is therefore required to consider the effect of the proposal on the SPA before it can be consented.

7.29 The EcIA notes that Greenland white-fronted goose, greylag goose and whooper swans forage widely over grassland and arable habitats and could potentially forage across the site.

7.30 There are no Wetland Bird Survey (WeBS) records of Greenland white-fronted geese at Loch Scarmclate or Loch Watten, the two closest lochs forming part of the Caithness Lochs SPA. Greenland white-fronted geese is understood to have a core foraging range of up to 8km around roosts and is highly faithful to its wintering quarters. Consequently, it is considered unlikely that Greenland white-front geese associated with Caithness Lochs SPA will occur at the application site.

7.31 Greylag geese and whooper swan both make use of improved grassland for foraging at various parts of the year. Greylag geese have a foraging range of 15-20km around roosts. Whooper swan have been recorded by WeBS at both Loch Scarmclate and Loch Watten which are approximately 5km away from the application site. There is the potential that the application site could provide suitable foraging habitat for greylag geese and whooper swan associated with Caithness Lochs SPA; although this would be a very small proportion of habitat within their overall foraging range.

7.32 NatureScot nevertheless advises that baseline data suggests the general location of this development does not appear to be favoured by any of the qualifying

features of the Caithness Lochs SPA. It is therefore unlikely that the proposal will have a significant effect on any qualifying interests of the SPA either directly or indirectly. An Appropriate Assessment is therefore not required. Adverse effects on the Ramsar site are also not anticipated given the overlap in qualifying features and the fact that Ruff are likely to be restricted to the Ramsar site itself.

7.33 The River Thurso SAC is protected for its Atlantic salmon interest and is situated 2.1km from the application site.

7.34 NatureScot advises in their response that there is only a very low likelihood of hydrological connectivity to the SAC from the application site. Any pollution risk will therefore be very low. NatureScot welcomes the efforts the applicant has made to keep pollution related effects to an absolute minimum through preparation of a Construction Environmental Management Plan, outline Battery Safety Management Plan, and an Emergency Response Plan.

7.35 NatureScot advises that the proposed development is unlikely to have a significant effect on any qualifying interest of the SAC and an appropriate assessment is therefore not required.

Habitats

7.36 The submitted Ecological Impact Assessment (EcIA) includes an assessment of habitat types across the site. The majority of the site, 22.98 ha, is covered by modified grassland. The remainder of the site is primarily made up of semi-natural neutral grassland, a heavily modified burn, a pond and hedgerows. There are also areas of urban habitats and area of mixed scrub. The areas of semi-neutral grassland are outwith the footprint of the proposed development so will be retained in their entirety. 288m of hedgerow will be removed however it will be replaced with 245m of species-rich native hedgerow, along with proposals for species rich grassland and a pond habitat that will provide a greater range of ecological resources so be of greater biodiversity value. The submission includes a completed Defra metric, which has assessed that the proposals will result increase hedgerow units by 28.83% and area-based habitat units by 54.87%, which is supported.

7.37 Notwithstanding the above proposals, the Council's Ecologist recommends the planting of an additional hedgerow around the site to contribute to nature networks, in addition to the use of a more species rich grassland with inclusion of specific plant species (e.g. kidney vetch, common knapweed, and bird's foot trefoil) known to attract priority species of the Highland-nature Biodiversity Action Plan, such as Small Blue Butterfly and Great Yellow Bumblebee. The Ecologist also recommends the provision of additional species-targeted measures, where appropriate, such as installing bat and bird boxes (including for swifts, owls, kestrels), grassland management (e.g. cutting regime, creation of wader scrapes) to support breeding waders consistent with RSPB's comments, and the enhancement of the existing watercourse habitats to attract dragonflies, damselflies and other invertebrates. The applicant has responded positively to the suggestions, which should be included in the finalised Habitat Management Plan, to be secured by condition, along with provision of mammal passing places

within the security fence and the management of invasive or fast-growing species such as gorse.

7.38 It is also noted that the water quality of the burn and pond could both be impacted by the development however a Pollution Prevention Plan will be secured through a CEMP condition which will ensure that this is avoided and there is no adverse effect. The Proposed development is not expected to have an overall adverse effect on habitats at the site.

Biodiversity

7.39 In terms of the aforementioned biodiversity enhancement measures, the applicant's EcIA included a calculation of the site's biodiversity baseline value. This was made using the results of the UKHab survey and condition assessment in the Defra Biodiversity Metric. The EcIA recognises that the metric is specific to England and so combined its results with a qualitative approach. It calculated the current value as:

- Habitat units = 61.63 BDU
- Hedgerow units = 29.83 BDU
- Watercourse units = 4.45 BDU

7.40 The applicant initially proposed the following biodiversity enhancement measures:

- Species rich and regionally appropriate grassland mix to all grassland areas;
- Creation of pond habitat; and
- 245m of native hedgerow planting.

7.41 The resulting biodiversity value of the site was calculated as:

- Habitat units = 95.45 BDU (+54.87%)
- Hedgerow units = 3.42 BDU (+29.83%)
- Watercourse units = 4.45 BDU (0.00%)

7.42 Although the enhancement measures as initially proposed were acknowledged as sufficient to meet the NPF4 Policy 3 requirement for significant biodiversity enhancement, the applicant has taken on board the site-specific comments from both the Council's Ecologist and the RSPB, so that the following measures now form part of the proposal:

- 450m native hedgerow planting;
- Wetland scrapes created;
- Creation of pond habitat;
- Highland grass seeding across grassland areas of the site with additional species targeting Small Blue butterfly and Great Yellow Bumblebee included;
- Highland grass seeding to the bunds with additional species included;
- One pole-mounted Barn Owl box; and
- Two double chamber pole-mounted bat boxes.

7.43 The applicant has not provided an updated calculation using the biodiversity metric. Nevertheless, given the proposals were already considered to provide significant biodiversity enhancement before the inclusion of these recommended additional measures, it is considered that the proposal includes significant biodiversity enhancement. It is recommended that these measures are secured by way of a condition requiring a Habitat Management Plan. In this regard, the proposal complies with NPF4 Policy 3.

Protected Species

7.44 The EcIA did not find records of bats within 2km of the site and no bats or evidence of their presence were recorded during the field survey. Nevertheless, it is recognised that there are several structures nearby that could provide roosting habitat, as well as a line of coniferous trees. These are all outwith the application site so roost assessments have not been carried out. Foraging and commuting habitat within the site are limited to the areas of neutral grassland, the burn and along the hedgerows. The site is therefore considered to be of limited value to bats due to low roosting and foraging opportunities. Nevertheless, given the potential for roosting habitat within the wider area, and some foraging and commuting habitat within the site, it is recommended that conditions be added requiring a pre-construction site survey and the creation of a site specific Species Protection Plan (SPP) for bats if found necessary by the survey. It is also recommended that a scheme for external lighting be secured by condition to ensure site lighting is suitable for bats.

7.45 No records of badger are recorded within 2km of the site and no field signs of badger were found during the field survey. Nevertheless, the EcIA recognises that there remains the potential for foraging and dispersing badgers to be present. Noting the protection that badgers are afforded under the Protection of Badgers Act 1992, it is recommended that conditions are added requiring a pre-construction survey and the creation of an SPP, if required.

7.46 In terms of riparian mammals, a single record of otter was found within 2km of the site and no record was found of water vole. Several otter spraints were found during the field survey although no evidence of breeding dens or holts were found. Otters are therefore likely to be present on site, but this is likely to be associated with transient individuals. Nevertheless, recognising that otters are a European Protected Species, it is recommended that a condition be added requiring a pre-construction survey and the preparation of an SPP, if necessary. Water voles are considered likely absent from the site and direct or indirect impacts are considered unlikely. They are therefore not considered further.

Wider Countryside Birds

7.47 In terms of bird species that are not associated with a SPA, the EcIA did not find records of notable breeding bird species within a 3km search radius of the application site. A Breeding Bird Appraisal walkover survey was carried out which did record a number of notable bird species typical of the area which were predominantly waders, lapwing and curlew, and passerines. The EcIA advises that the surveyed birds were potentially breeding within the application site

although it is considered that the site supports no more than 1-2 breeding pairs of the identified species. The RSPB notes that species such as curlew and lapwing are site faithful and are likely to be displaced by the proposal. The species are all widespread in Caithness and none of the recorded species are listed as Schedule 1 breeding birds under the Wildlife and Countryside Act 1981.

7.48 As the site is capable of supporting breeding birds, it is recommended that conditions be added requiring approval of an SPP covering birds and preventing the clearance of vegetation within the bird breeding season without a survey and the prior approval of the planning authority. These measures, along with those secured through the aforementioned finalised habitat management plan, will ensure that impacts on these sensitive species are minimised and within an acceptable limit.

Construction and Operational Amenity Impacts

7.49 The construction phase will include earthworks, the establishment of equipment platforms and foundations and the installation of battery and ancillary equipment. The construction phase is expected to last for 24 months. HGV traffic is expected to peak at a maximum of four HGVs per hour and a daily total of 48 HGV deliveries, equating to 96 two-way trips. The majority of construction traffic will however be limited to the first 12 months.

7.50 There is potential for impacts on residential amenity at all stages of the development. The submitted Noise Impact Assessment (NIA) identifies five Noise Sensitive Receptors (NSRs) in the vicinity of the site.

7.51 Main construction activities and site operation will occur approximately 300m away from the dwelling at Achanarras and 400m from the dwelling at Spittal Mains. It is also recognised that the existing access track runs through Spittal Mains Farm; immediately adjacent to the dwellings at Spittal Mains and St Magna's Cottage. Construction traffic is expected to use this route for the first six weeks of development whilst the new access from the A9 is constructed. Once the new access is completed, all construction traffic will use that.

7.52 Developers and constructors must comply with reasonable operating practices in relation to construction noise so as not to cause a statutory nuisance. This is required by Section 60 of the Control of Pollution Act 1974 which is regulated by Environmental Health. Hours of operation are proposed as 07:00-19:00 Monday to Friday and 07:00-13:00 Saturday with no construction work or deliveries to site undertaken on Sundays or Bank Holidays. It is recognised that standard construction hours in Highland are 07:00-19:00 Monday to Friday and 08:00-13:00 on Saturdays; with a later start on Saturday mornings than is proposed. Given the potential for impacts on NSRs from construction activities and deliveries to the site, it is recommended that a condition is added requiring submission of a construction noise mitigation scheme which details the most significant construction noise sources, proposed operating hours, a plan of noise sources, NSRs and survey locations, and a description of noise mitigation methods to be put in place. Subject to this condition, and recognising the statutory controls that are the remit of Environmental Health outwith planning,

Environmental Health is content that the construction phase will be acceptable in terms of its impacts on residential amenity.

7.53 The submitted NIA assesses noise emissions from the site during its operational phase. Sound levels were measured at two points within the site; one on the west boundary of the site to be representative of sound levels at the residential property to the west and one to the south to capture background noise levels at properties to the south and north (which are a similar distance from the A9). Predicted noise emissions from the proposed BESS containers, inverters and transformer units, and grid transformers were then used in noise modelling. The NIA justifies the power level that the equipment is likely to be operating at based on factors such as local climate. It also states that there are unlikely to be any tonal characteristics based on the currently available third-octave data. The NIA concludes that the predicted rating levels will not exceed background sound levels at NSRs and that the noise emissions are therefore acceptable. It is however still recommended that conditions are added that restrict noise emissions from the site, as well as require that the mitigation measures identified in the NIA are implemented prior to the site's first operation, and that the NIA be updated should there be any changes to the proposed equipment or mitigation measures. It is also recommended that conditions be added requiring monitoring to take place at the site once it becomes operational and following a request from the planning authority.

7.54 Environmental Health notes that the proposed development is unlikely to result in a Statutory Complaint as prescribed in the Environmental Protection Act 1990 and therefore raises no objection to the application subject to the conditions outlined in this section. As such, the proposed development is not anticipated to adversely affect the residential amenity of surrounding properties.

Historic Environment

7.55 There are no Listed Buildings, Conservation Areas, Inventory Gardens and Designed Landscapes, or Inventory Historic Battlefields within 2km of the application site. The Council's Conservation Officer considers that the Proposed development will not impact on any listed buildings. Consequently, the Proposed development is not expected to have adverse effects on any of the above historic environment assets.

7.56 There are eight Scheduled Monuments within 2km of the application site. The closest is St Magnus's church, burial ground and hospital which is 75m away from the site. The remaining seven monuments are prehistoric and comprise a short-horned cairn at Fairy Hillock, three cairns and a hut circle at Achanarras, and two brochs. There are a further 18 undesignated Historic Environment Record (HER) items within 1km of the site, with several more sites close to the 1km study area. These include several farmsteads, a chapel, a quarry and a broch.

7.57 The submitted ZTV demonstrates that the proposed development would not be visible from six of the eight scheduled monuments within 2km of the site. Adverse impacts on the setting of these scheduled monuments are not anticipated. The

remaining monuments are St Magnus' Church, 75m from the site, and the cairn known as The Shean, 1.1km from the application site.

7.58 Views from the Shean already include modern electricity infrastructure in the form of Spittal Substation and an overhead line. Modern forestry also presently restricts visibility to and from the monument. The proposed development will be backgrounded against the hillside in views from the Shean. These factors, in addition to the separation distance, suggest there will be no additional harm to the setting of this scheduled monument.

7.59 St Magnus' church, burial ground and hospital survives as an area of rough grass measuring approximately 75m x 65m. Its date is uncertain but could be as early as 1106AD. The site was an important stage on medieval pilgrimage routes to Dornoch and St Magnus' in Orkney. The chapel served as the parish church of Spittal until the 16th century and was used as a burial ground by the Clan Gunn. The monument is of national importance because it contains upstanding medieval ecclesiastical remains which is enhanced by its association with the identified pilgrimage routes.

7.60 The current setting of St Magnus' Church is part of the agricultural improvements of Caithness which took place in the second half of the 19th century. Electricity infrastructure is a prominent part of the existing landscape to the north of the monument with the existing Spittal Substation being clearly visible.

7.61 The proposal incorporates embedded mitigation including the erection of screening bunds to the south and east of the site, a reduction in site levels and the relocation of the taller elements of the BESS to the area of maximum cut. It is also proposed that the bunds be planted with highland grass seed to break up the form of the southern bunds.

7.62 Although the proposed development would introduce built development much closer to the SM than the existing Spittal Substation, which would have an adverse impact on its setting, the proposed embedded mitigation of appropriately profiled and seeded screening bunds, will reduce the magnitude of the impact to a level where Historic Environment Scotland (HES) consider that the proposed development would not compromise the integrity of the monument's setting. HES therefore do not object to the application subject to the proposed mitigation being secured by planning condition.

7.63 There are no previously recorded heritage assets within the Proposed development and so there will be no physical effects on any previously recorded archaeological remains. However, given the numerous archaeological remains within the wider area, any groundworks within the site have the potential to adversely impact unknown heritage assets. Direct impacts on archaeological features are considered unlikely but possible and it is recommended that a condition requiring a Programme of Archaeological Works be added to any grant of permission to ensure that direct impacts on unrecorded features are addressed. Subject to this condition, THC's Archaeology consultee raises no objection.

Traffic and Transport

Access

7.64 The application site is currently accessed by an existing track serving the dwelling at St Magna's Cottage, Spittal Mains farm and surrounding agricultural land. The track runs for 880m from the public road, the A9, to the application site. A second access from the A9(T), serving the Spittal Substation and connecting to the same access track, also exists. The A9(T), at this point is a two-way single carriageway trunk road with a 60mph speed limit.

7.65 The applicant's Transport Statement considers the existing access track which runs through Spittal Mains Farm to be unsuitable due to the route being inappropriate for large volumes of construction traffic, particularly Abnormal Indivisible Loads (AILs), disruption to residential properties along the route and the potential impacts of HGV traffic on the scheduled monument.

7.66 The applicant's Transport Statement also discounts the use of the junction and access track serving the Spittal Substation due to it being a private track that the applicant does not have the right to use and the geometry, gradient and quantum of bends being unsuitable for HGVs.

7.67 As a consequence, consent is sought for a new access junction and access road from the A9(T) to the east of the site, approximately halfway between the two existing accesses. The private Spittal Mains Farm track would temporarily be used to construct the new access junction and access road.

7.68 The proposed junction comprises a gated access, a wide bell mouth and hardstanding set back 18.75m from the edge of the public road. The hardstanding is intended to reduce the amount of material dragged onto the public road. It would be installed with a gradient of less than 10% and the gate would be located to allow the largest vehicle routinely using the site to wait on the access without obstructing the A9(T). Transport Scotland requires that a condition be added to any grant of consent requiring approval of the detailed design of the proposed access onto the A9(T).

7.69 The access track would be 300m in length and 4m in width with an intervisible passing place. No objection to its design has been raised.

Impact on the Road Network

7.70 The submitted Transport Statement (TS) presents the results of an Automatic Traffic Count Survey to quantify current usage of the A9 in Table 3.1. It also estimates the number of trips that will be generated during the construction phase of the development in Table 5.1. Transport Scotland advise that the estimated level of trips over the limited two-year construction period will not give rise to any significant traffic, or associated environmental, impacts on the A9(T).

7.71 The Council's Transport Planning Team notes however, that whilst the Proposed development does not take access from a Highland Council maintained road, there may be impacts on other adopted roads from construction traffic, which is not identified in the TS. The TS estimates that the proposed development will generate 3,670 two-way HGV trips for the delivery of stone, concrete and other

materials over 38 weeks, which equates to 96 two-way HGV trips per day on Council adopted roads. There is therefore the potential for construction traffic to impact the physical structure of these roads.

7.72 Transport Planning however, raises no objection to the application but do require more detailed information to identify which roads will be impacted by the development and the provision of suitable mitigation. A condition requiring a finalised Construction Traffic Management Plan is therefore suggested to address this concern, including any requirement for road improvements.

Abnormal Indivisible Loads (AIL)

7.73 The TS estimates that there will be three total trips transporting Abnormal Indivisible Loads (AILs). The TS includes a High Level Summary Document and Desktop Review which considers AIL access to the Proposed development. This indicates that the proposed route to site for the transformer is from Scrabster Harbour via the A9 for the entirety of the journey.

7.74 Both Transport Scotland and Transport Planning advise that a full Abnormal Load Route Assessment should be provided that identifies key pinch points on the trunk road network. Swept path analysis should also be undertaken and details provided with regard to any required changes to street furniture or structures along the route, which should be secured by condition, as suggested with this report.

Health and Safety

7.75 The operators of BESS are subject to the requirements of the Fire (Scotland) Act 2005 and the Health and Safety at Work Act 1974 which require that fire safety benchmarks are met and that reasonable measures are taken to ensure that employees and members of the public are not harmed, respectively. It is an established principle that the planning system does not duplicate other regulatory regimes. As a result, fire safety is not typically a material consideration in planning decision making. However, fire safety considerations relating to site layout, emergency access, and firewater supply and containment are material planning considerations.

7.76 The National Fire Chiefs Council (NFCC) has produced Grid-Scale BESS Planning Guidance (2003) which provides advice on matters such as unit spacing, buffer distances, emergency accesses, water supply and firewater containment. A 2024 version of the guidance was consulted on in 2024 but has not yet been finalised. The NFCC advises that, in the meantime, the 2023 version of the BESS guidance remains current.

7.77 The application site is 300m away from the dwelling at Achanarras and 400m from the dwelling at Spittal Mains. It is recognised that the prevailing wind across the UK is westerly or south-westerly and that there are no buildings immediately to the east.

7.78 The applicant has submitted an Outline Battery Safety Management Plan (OBSMP) which aims to identify the reasonably foreseeable risks associated with

the development and to describe the key measures that will be implemented at design and operational stages to reduce risks to life, property and the environment.

7.79 The OBSMP includes, at Table 3.1, a summary of how the Proposed development complies with the NFCC guidance. The following are of particular relevance:

- The incudes two separate vehicular access points to account for varying wind conditions/direction;
- Roads and hardstanding areas have been designed to accommodate fire service vehicles. Tracks have a minimum width of 4m and there is a continuous loop to ensure emergency vehicles can traverse the site in a forward gear;
- There will be a separation distance of 400m between battery units and occupied buildings; well in excess of the 25 metres recommended;
- No combustible vegetation within 10m of battery units. Surrounding vegetation, including landscaping, will be maintained to ensure it does not impede on access to the site; and
- The site drainage system is capable of collecting and holding contaminated water run-off for two hours.

7.80 The OBSMP identifies that the NFCC 2023 guidance prescribes a standard minimum spacing between battery units of 6m whilst spacing in the proposed development is only 3m. It is understood that the NFCC 2024 draft guidance does not reference a spacing requirement but refers to a further document prepared by the National Fire Protection Association NFPA 855: Standard for the Installation of Stationary Energy Storage Systems. NFPA 855 states that separation can be reduced to at least 3 feet between BESS if tests show propagation does not occur. The applicant has confirmed that they will only use BESS technology that has successfully completed UL 9504A testing or equivalent, with the make and modal of batteries proposed to be conditioned. In terms of battery spacing therefore, the proposed development does not comply with the current NFCC 2023 guidance but does comply with the draft 2024 guidance.

7.81 The OBSMP also notes that the current NFCC guidance advises that sites should be capable of providing no less than 1,900 litres of water per minute for at least 2 hours whilst the draft 2024 version suggests this can be reduced depending on firefighting tactics. It is understood that the applicant proposes a “controlled burn” strategy to allow individual battery units to consume themselves without applying water to the unit. This reduces the need for water in a fire event.

7.82 Details of the proposed water supply to be used for the suppression of fire have not been submitted as part of this application and Scottish Water has stated that the developer must inquire direct with itself regarding supply from the public network. Nevertheless, it is understood that the exact water supply requirement will depend on the firefighting strategy that the applicant agrees with SFRS. As any significant water tank is likely to comprise operational development and could have implications on planning interests, including drainage, it is recommended that final details of the water supply and effects on the appearance and layout of

the facility be required by planning condition, with HES to be consulted owing to the nearby Schedule Monument.

7.83 The applicant states that a Battery Safety Management Plan, based on the key principles outlined in the OBSMP, will be finalised prior to the commencement of construction works. It is considered that this is a matter for the operator to address in consultation with the Scottish Fire and Rescue Service.

7.84 With the above mitigation in place, it is considered that the applicant has sought to protect people and places from environmental harm and mitigate risks arising from potential safety hazards of the proposal such that it aligns with the policy intent of NPF4 Policy 23 for Health and Safety.

Flood Risk, Drainage and Water

7.85 For the purposes of NPF4 Policy 22 (Flood risk and water management) part a), the proposal is considered essential infrastructure as described in NPF4 Part 3 - Annex E. That means that there may be some flexibility in supporting the proposal if it is at risk of flooding. In this instance, the development area proposed for the main BESS facility is outwith any known area of flood risk based on SEPA's indicative flood maps (but may be subject to overland flows). However, the Council's Flood Risk Management (FRM) Team initially raised concerns that, due to SEPA's Fluvial flood maps not including watercourse catchments of less than 3km^2, the risk of fluvial flood risk from the Burn of Achanarras (to the west of the site) at the area proposed for the SUDs attenuation pond, was unknown.

7.86 The applicant has subsequently submitted a Technical Note to supplement the initial Flood Risk Assessment (FRA) that considers the flood risk to the site based on SEPA's updated future flood maps and incudes the 'surface water and small watercourses' mapping, which was not available at the time of the previous FRA and includes catchments under 3km^2. The updated information demonstrates that flood water from the burn will overflow on its left bank, the bank opposite the development, due to the topography of the area.

7.87 SEPA has not objected to the application but has noted that the proposal would appear to not reduce the burn's floodplain capacity, nor would it increase the flood risk for others, or result in a need for future flood protection schemes. SEPA does advise however that, due to the potential for overland surface water flows through the facility during heavy rain events, flood resistant and resilient materials and construction methods should be used.

7.88 A Drainage Impact Assessment (DIA) is submitted with the application that details and justifies the drainage approach for the site.

7.89 The applicant has carried out infiltration testing and found that infiltration drainage is not feasible at the site. It is proposed that the main site will drain towards a filter drain at the west boundary which will direct surface water to the aforementioned attenuation basin. Discharge from the basin is to be restricted by a flow control device and the applicant has demonstrated that this discharge rate will match greenfield run-off rates for the site. The basin was initially sized for a 1 in 200 year event and potentially site within a floodplain. However, following comment from

the FRM Team, the basin has been increased to accommodate a 1in 200 year plus climate change event and has been re-sited outwith areas at risk of flooding.

7.90 Filter drains are proposed along the remaining site boundaries and at the foot of earthworks. These will drain to the surrounding ditch network which will mimic the existing surface water regime.

7.91 The proposed access from the A9(T) is proposed to be unbound, other than the section immediately adjacent to the trunk road which is required to be asphalt. As the track will mostly be unbound, surface water will follow the existing drainage regime. The risk of particulate pollution from the unbound track will be addressed by way of grass filter strips between the access road and an adjacent unnamed watercourse.

7.92 The FRM Team raised no objection to the drainage proposal subject to a condition requiring the submission and its prior approval of the final surface water drainage scheme.

Decommissioning and Reinstatement

7.93 The Proposed development is expected to have a 30-year lifespan. It is not considered necessary to apply a time limit condition to the permission, which is not standard practice for applications for BESS, however it is considered appropriate to require a Decommissioning and Reinstatement Plan, as required by NPF4 Policy 11 and HwLDP Policy 67. It is also recommended that a condition be added requiring the operator to keep record of the power stored and generated to ensure that end of life decommissioning of the site takes place at the appropriate time. A condition requiring a financial guarantee to cover the decommissioning and reinstatement of the site is also recommended.

Other Material Considerations

7.94 None.

Non-Material Considerations

7.95 The applicant has committed to a voluntary community benefit payment however this is not material to the determination of this application.

8. MATTERS TO BE SECURED BY LEGAL AGREEMENT

8.1 There are no matters required to be secured by legal agreement prior to the determination of the application. A financial guarantee to secure decommissioning can be secured by condition. Transport Planning advise that a Section 96 agreement may be required to cover any excessive damage to the local road network. This is expected to be referenced and secured through the satisfaction of the Construction Traffic Management Plan condition.

9. CONCLUSION

9.1 The proposed development can contribute to national climate change and carbon net-zero targets by storing electricity from generating stations, including from

renewable sources, at times of peak production and releasing it at times where supply does not meet demand. This form of development is afforded significant support by NPF4 Policies including Policies 1 and 11.

9.2 The proposed development is expected to result in limited adverse effects on visual amenity and landscape character due to the application of appropriate mitigation through design, meaning all landscape and visual impacts will be localised, including cumulative effects with similar developments in the wider area.

9.3 In terms of impacts on residential amenity, roads, natural heritage, cultural heritage, flood risk, drainage and health and safety, the proposed development is acceptable, subject to the application of the recommended conditions to secure appropriate environmental mitigation.

9.4 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. It is recommended that the Council Raises No Objection to the application.

10. IMPLICATIONS

10.1 Resource: There are significant staffing and financial resource implications if the application is to be subject to a Public Local Inquiry.

10.2 Legal: If an objection is raised to the proposal, the application may be subject to a Public Local Inquiry.

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: The Proposed development will make a meaningful contribution to the low carbon energy transition.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before consultation response issued to Scottish Ministers:

None.

11.1 It is recommended to **RAISE NO OBJECTION** to the application subject to:

A. The Committee granting delegated authority to the Area Planning Manager – North to agree the finished condition wording, with any substantive amendments to be subject to prior consultation with the Chair of the North Planning Applications Committee; and

B. The following conditions and reasons.

Conditions and Reasons to be attached to any Section 36 consent which may be approved will be applied by the Scottish Ministers.

Conditions to be attached to any deemed Planning Permission

1. **Commencement of Development**

(1) The development must be begun not later than the expiration of 5 years beginning with the date of this permission.

(2) Written confirmation of the intended date of Commencement of development shall be provided to the Planning Authority and the Scottish Ministers no later than one calendar month before that date.

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

2. **Accordance with Provisions of the Application**

(1) Permission is hereby granted for the erection and operation of a Battery Energy Storage System (BESS) facility, with the following elements approved under this permission:

- Individual battery storage units;
- MV Skids;
- An underground 275 kV grid connection cable;
- Power converters, switching and electrical gear;
- A Substation Compound comprising, 3 high-voltage transformers, 2 auxiliary transformers, air-insulated switchgear and a combined substation building.

(2) Prior to the final commissioning of the development hereby approved, all elements of the development that relate to Part (1) above, and as approved in writing by the Planning Authority under Condition 3 below, along with site drainage and flood mitigation infrastructure, site security measures, and fire safety measures including the means of containment of fire suppressant materials shall be constructed and installed in full, made available for use, and thereafter maintained for this use for the lifetime of the development.

(3) In the event of the Development not storing and supplying 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 shall immediately notify the Planning Authority in writing of that situation and shall, if the Planning Authority direct in writing, decommission the development and reinstate the site to the specification and satisfaction of the Planning Authority in accordance with an approved Decommissioning, Restoration, and Aftercare Plan, which shall be based on the principles of the Decommissioning, Restoration, and Aftercare Strategy approved under Condition 4 of this permission and updated according with the relevant guidance and best practice at the time. The Planning

Authority shall have due regard to the circumstances surrounding the failure to store electricity.

(4) At the time of the development's decommissioning, the development shall be decommissioned, the site restored, and aftercare undertaken in accordance with the approved Decommissioning, Restoration, and Aftercare Plan.

Reason: In order to clarify the terms of the planning permission and ensure the development proceeds as approved. To secure the decommissioning and removal of the development in an appropriate and environmentally responsible manner along with the restoration of the site in the interests of safety, amenity, and environmental protection.

3. **Final Layout, Design and Specifications**

(1) No development shall commence unless and until full siting and design details of the development including all proposed battery cabinets, buildings, and ancillary infrastructure hereby permitted, have been submitted to, and approved in writing by, the Planning Authority in consultation with Historic Environment Scotland. These details shall include:

a. the make, model, design, power rating, sound power level of the batteries, the dimensions of the battery storage cabinets and ancillary infrastructure, control building, storage and office facilities to be installed, and show separation distances between battery storage units which shall comply with the prevailing fire safety legislation and best practice guidelines at the time of installation; and,
b. the external colour and/or finish of the storage containers, buildings, and ancillary infrastructure on site, which shall have a dark-neutral, non-reflective, semi-matte finish.

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

(3) The submission shall explain and demonstrate how the proposed BESS layout satisfies the Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems, National Fire Chiefs Council's Guidance - Guidance on Grid Scale Battery Energy Storage System Planning, and Draft Guidance National Fire Chiefs Council on Grid Scale Battery Energy Storage Systems and/or any or any superseding guidance prevailing at the time.

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

All cables between the storage containers, buildings, and ancillary infrastructure shall be installed and kept underground.

Reason: To ensure the Planning Authority is aware of the development details, to protect the visual amenity of the area and to protect the setting of the St Magnus' Church, Burial Ground and Hospital Scheduled Monument.

4. **Decommissioning, Restoration and Aftercare**

(1) 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 along with the restoration and aftercare of the site, and shall include proposals for the removal of individual components of the development as well as the development as a whole as well as the treatment of ground surfaces, and, the management and timing of the works and environmental management provisions which shall include, but not be limited to, the following:

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

The Decommissioning, Restoration and Aftercare Strategy shall thereafter be complied with in full in accordance with the timeline approved therein.

Reason: To ensure the decommissioning and removal of the development, along with the site's restoration in an appropriate and environmentally responsible manner in the interests of safety, amenity, and environmental protection.

5. **Financial Guarantee**

No development shall commence until:

(1) 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 8 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

(2) Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under part (1) 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

(3) Documentary evidence that the guarantee, bond or other financial provision approved under parts (1) and (2) 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.

(4) Thereafter, the Operator, and Leaseholder and/or Landowner, shall:

a) Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and

b) 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 development is decommissioned and the site restored.

(5) 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.

(6) 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 the implementation of the Decommissioning, Restoration, and Aftercare Plan at the time of the development's decommissioning.

6. **Drainage**

No development shall commence until details of the final surface water drainage design have been submitted to, and approved in writing by, the Council, which shall include measures for the testing of a spent fire suppressant water and where necessary its containment and disposal, as well as 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

application site boundary. For the avoidance of doubt the submitted details shall also include the provision of a Drainage Impact Assessment. Thereafter, the development shall be constructed in accordance with the approved details, which shall be made available for use prior to the development's first occupation and maintained in perpetuity.

Reason: In order to ensure the site is adequately drained in accordance with the principles of Sustainable Urban Drainage Systems.

7. **External Lighting**

No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary, and shall be Bat friendly. Thereafter only the approved details shall be implemented.

Reason: In the interests of visual amenity, to prevent permanent lighting and minimise light pollution and to ensure the development does not have an adverse impact on residents and nocturnal animals.

8. **Habitat Management Plan**

(1) No Development shall commence unless and until a Habitat Management Plan (HMP), in accordance with the Landscape Mitigation plan (DWG no. 08826-SHRSK-XX-XX-DR-L-1001 Rev. 02), has been submitted to, and approved in writing by, the Planning Authority, in consultation with the councils Ecology Team. The HMP shall set out the proposed habitat management of the site during the period of construction, operation, and decommissioning, restoration and aftercare, including full details of biodiversity enhancement measures.
(2) The HMP shall provide for the maintenance, monitoring, and reporting of the habitat within the HMP area.
(3) 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.
(4) 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 within 12 months of following ground works commencing on site and shall remain in place for a minimum of 30 years.
(5) GIS shapefiles of HMP areas shall be supplied with the HMP to the Planning Authority prior to the commencement of works.

Reason: To detail how all mitigation, compensation and enhancement measures of biodiversity for the site will be delivered.

9. **Pre-Construction Survey**

(1) No development or site enabling works shall commence until pre-construction ecological surveys are undertaken, which shall be undertaken at the appropriate time of year and no more than 3 months prior to works commencing on site, and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The surveys shall cover the application site including an appropriate buffer from its boundary and the HMP areas with the report including mitigation measures where any impact, or potential impact, on protected species, including but not limited to birds, bats, badgers and otters, and their habitats have been identified.

(2) In the event that works are intended to be carried out within the main bird breeding season, March through August inclusive, surveys for ground nesting birds shall be undertaken no more than 24 hours prior to any works commencing on site including site clearance works.

(3) Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: In the interest of protecting ecology, protected species including nesting birds, and their habitats.

10. **Species Protection Plan**

No development shall commence until Species Protection Plans have been submitted to and approved in writing by the Planning Authority, in consultation with the Council's Ecology Team. For the avoidance of doubt, the submitted plans shall include a Bird Protection Plan, and any other protected species identified on-site during the pre-construction surveys required by condition 9. Thereafter, the development shall be constructed in accordance with the approved details and maintained in perpetuity.

Reason: To ensure that all construction and operation of the proposed development has a limited impact on protected species, and to ensure that the mitigation measures contained in the Ecological Impact Assessment Report which accompanied the application, or as otherwise agreed, are fully implemented.

11. **Construction Environment Management Plan (CEMP)**

No development shall commence until a Construction Environment Management Plan (CEMP) 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 CEMP, subject to any variations approved in writing by the Planning Authority. The CEMP shall include, but is not limited to:

a) details of the phasing of construction works;
b) details of any temporary site construction compound including temporary structures/buildings, fencing, parking and storage provision to be used in connection with the construction of the

development;

c) details and implementation and a timetable for post construction restoration/reinstatement of the temporary working areas, and the construction compound;
d) details of the method of construction and erection of the structures and any underbuilding/platforms;
e) details of pollution control via a Pollution Prevention Plan (PPP): protection of the water environment and existing private water supplies, bunding of fuel storage areas, surface water drainage, sewage disposal and discharge of foul drainage;
f) details of temporary site illumination during the construction period;
g) details of timing of works;
h) 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;
i) details of routeing of onsite cabling;
j) details of emergency procedures and pollution response plans;
k) siting and details of wheel washing facilities;
l) 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;
m) details of working practices for protecting nearby residential dwellings, including best practicable measures to control noise and vibration arising from on-site activities, to be adopted as set out in British Standard 5228 Part 1: 2009;
n) Inclusion of any Species Protection Plans required by Condition 10;
o) 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 that construction works are undertaken in accordance with applicable standards in the interests of environmental protection, amenity, and safety.

12. **Ecological Clerk of Works**

(1) No development shall commence until the terms of appointment of a suitably qualified, experienced, and independent Ecological Clerk of Works ("ECoW") by the applicant, have been submitted to, and approved in writing by, the Planning Authority.

The terms of appointment shall:

a) impose a duty to monitor compliance with the ecological and hydrological commitments provided in Schedule of Mitigation, the

Construction and Environmental Management Plan, the Habitat Management Plan, and any species protection plans;

b) require the ECoW to report to the nominated construction project manager any incidences of non-compliance with the ECoW works at the earliest practical opportunity;

c) require the ECoW to submit a quarterly report to the Planning Authority summarising works undertaken on site; and

d) require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW works at the earliest practical opportunity, and no later than 5 working days following the incidence of non-compliance.

(2) The ECoW shall thereafter be appointed on the terms approved throughout the period from pre-construction works, Commencement of Development to completion of construction works and post-construction site reinstatement works.

(3) Prior to the decommissioning, restoration and aftercare phases of the Development or the expiration of the operational period of the consent (whichever is the earlier), details of the terms of appointment of a suitably qualified, experienced, and independent ECoW by the Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted to, and approved in writing by the Planning Authority.

(4) the ECoW shall be appointed on the terms approved under part (3) throughout the decommissioning, restoration and aftercare phases of the Development.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the construction phase.

13. **Construction Traffic Management Plan (CTMP)**

(1) No development shall commence on site until a finalised Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the planning authority in consultation with Transport Scotland. The CTMP shall be based on the Outline CTMP and shall include:

a) Measures to control the use of any direct access onto the A9 trunk road,

b) Identification of the routes to site for general construction traffic and details of the number and type of vehicle movements anticipated on these routes during the construction period, including:

- o A location plan showing the proposed HGV routing on Highland Council adopted roads,
- o Sources of the bulk materials required,
- o An indicative site layout showing all of the hardstanding and access tracks,
- o An estimate of the length and area of new and upgraded access tracks and platforms required to construct the development,

- An estimate of the volume of bulk materials required (roadstone and concrete) with details of how the estimate has been calculated,
- The maximum size of the proposed components that may be classed as an abnormal load due to its weight, length and width;

c) A Road Assessment to establish the current condition of Highland Council roads on the proposed HGV routing plan. This shall be carried out by a consulting engineer and will involve an engineering appraisal of the routes including the following:

- An assessment of the structural strength of the carriageways including construction depths and road formation including non-destructive testing and sampling as required,
- Road surface condition and profile,
- Assessment of structures and any weight restrictions,
- Road widths, vertical and horizontal alignment and provision of passing places,
- Details of adjacent communities;

d) Mitigation proposals to address impacts on locations identified in the Road Assessment on Highland Council roads in poor condition where there will be an increase in HGV traffic of more than 10%. The mitigation may include but not be limited to:

- Carriageway strengthening,
- Strengthening of bridges and culverts,
- Carriageway widening and/or edge strengthening,
- Provision of new and/or improved passing places,
- Road safety measures,
- Traffic management including measures to be taken to ensure that development traffic does not use routes other than the approved routes;

e) Pre and post-construction GPS enabled dashcam surveys, carried out to the satisfaction of the Road Authority, of any Highland Council roads used in the delivery of materials or components to the site;

f) Confirmation that any extraordinary wear and tear on Highland Council roads identified by part e) shall be repaired by the developer at the developer's expense and to the satisfaction of the Council within three months of the post-construction survey being carried out;

g) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;

h) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;

i) Provisions for emergency vehicle access;

j) A timetable for implementation of the measures detailed in the CTMP;

k) Identification of a nominated person to whom any road safety issues can be referred and measures for keeping the Community Council informed and dealing with queries and any complaints regarding

construction traffic;

l) Traffic management measures on the routes to site for construction traffic including details of traffic management proposals to prevent HGVs meeting on the private access to the site or at its junction with the public road. In addition, measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs and banksman/escort details should be considered. During the delivery period of construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the Local Roads Authority before delivery commences.

Thereafter the approved CTMP shall be implemented in full prior to development commencing and remain in place until the development is complete.

Reason: in the interest of road safety and to mitigate any impacts of construction traffic and the delivery of abnormal loads on the public road network.

14. **Abnormal Loads**

Prior to commencement of deliveries to site, should any abnormal loads be identified, an Abnormal Indivisible Loads Plan shall be submitted to, and approved in writing by the Planning Authority, in consultation with the local Roads Authority and Transport Scotland. For the avoidance of doubt the submitted plan shall include:

a) A detailed assessment of structures along the routes to be carried out in consultation with and the satisfaction of the Council's Structures Section.

b) Full details of all road improvements and mitigation measures needed to facilitate abnormal load movements and general construction traffic shall be agreed with the Council. The said measures shall be fully implemented to the satisfaction of the Council. Such measures may include: modifications to bridges and culverts, carriageway widening and/or edge strengthening, road safety improvements and traffic management.

c) A contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective Roads Authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted.

d) A detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of demountable signs or similar approved, shall be established

when required, to alert road users and local residents of expected abnormal load movements. All such movements on Council maintained roads shall take place outwith peak times on the network including school travel times and shall avoid local community events.

e) A detailed delivery programme for abnormal load movements which shall be made available to Highland Council and community representatives.

Thereafter, the approved details shall be adhered to in full.

Reason: To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road and local road networks.

15. **Access Junction design**

No development shall commence until full details, including fully dimensioned and annotated plans and a timeline for construction, of the proposed means of access to the A9 trunk road have been submitted to, and approved in writing by, the Planning Authority, in consultation with Transport Scotland. Thereafter, the means of access shall be fully implemented in accordance with the approved details and maintained for this use in perpetuity.

Reason: To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and in order to comply with applicable standards.

16. **Screening Bunds**

The development hereby approved shall not be brought into use unless and until finalised longitudinal and cross-sectional section drawings for the proposed screening bunds have been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the screening bunds shall be in general accordance with the following drawings:

- 005.2 Rev. 06 (Site Finish Levels Plan),
- 0886-SHRSK-DR-L-XX-XX-1101 Rev. 00 (Indicative Landscape Sections South – A:AA), and
- 0886-SHRSK-DR-L-XX-XX-1102 Rev. 00 (Indicative Landscape Sections North – B:BB).

Reason: To secure the successful implementation of the screening bunds in the interests of visual amenity, mitigating landscape impacts and mitigating impacts on the setting of St Magnus' Church.

17. **Operational Maintenance**

No delivery requiring any significant HGV or abnormal load movements shall take place during the operational phase of the development unless full details of the significant HGV or abnormal load movements have been submitted to, and approved in writing by, the Council, in consultation with Transport Scotland and community representatives as required. For the avoidance of doubt, 'significant increase of HGV traffic' shall be defined as a 10% increase

of HGV movements on sensitive (evolved) roads and an increase of 30% on designed roads. Thereafter, the approved details shall be implemented in full.

Reason: To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road and local road networks.

18. **Water Supply**

No development shall commence until full details of the water supply to serve the development for the suppression of fire have been submitted to, and approved in writing by, the Planning Authority in consultation with Historic Environment Scotland. These details shall demonstrate:

a) confirmation from Scottish Water that sufficient capacity is reserved at its water treatment plant to serve the development; Or,
b) that the development can be sufficiently served by a private water supply through an appraisal specifying the means by which a water supply shall be provided and thereafter maintained to the development. This appraisal, which shall be carried out by an appropriately qualified person(s), shall demonstrate that the sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, will not be compromised by the proposed development.

The development shall not be brought into use until the supply has been installed in accordance with the approved specification.

Reason: To ensure that an adequate water supply can be provided to meet the requirements of the proposed development and, where relevant, without compromising the interests of other users of the same or nearby private water supplies, and to ensure the setting of the nearby St Magnus' Church, Burial Ground and Hospital Scheduled Monument is not significantly affected.

19. **Construction noise**

Development shall not commence unless and until a Construction Noise Mitigation Scheme has been submitted to and approved in writing by the planning authority. The approved scheme shall demonstrate how the applicant/contractor will ensure the best practicable measures are implemented to reduce the impact of construction noise. The assessment shall include but not be limited to the following:

- A description of the most significant noise sources in terms of equipment; processes or phases of construction.
- The proposed operating hours and the estimated duration of the works for each phase.
- A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations if required.
- A description of noise mitigation methods that will be put in place including any proposals for community liaison. The best practice found in BS5228 Code of practice for noise and vibration control on construction and open sites should be followed. Any divergence from BS5228 shall be justified.

Thereafter, the approved Scheme shall be implemented in full and be complied with for the duration of construction works, unless otherwise agreed in writing by the planning authority.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

20. **Record Keeping**

The Operator shall, at all times after the first commissioning of the development, record information regarding the details of power stored and generated, 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.

Reason: To ensure end of life decommissioning of the site.

21. **Archaeology**

Development shall not commence unless and until an archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the WSI will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis, the development hereby approved shall not be brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: In order to protect the archaeological and historic interest of the site.

22. **Socio-Economic Benefit**

Prior to the Commencement of Development, a Local Employment Scheme for the construction of the development shall be submitted to and agreed in writing by the Planning Authority.

The Scheme shall include the following:

a) details of how the initial staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies will take place in relation to maximising the access of the local workforce to information about employment opportunities;

b) details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships or an agreed alternative;

c) a procedure setting out criteria for employment, and for matching of candidates to the vacancies;

d) measures to be taken to offer and provide college and/or work placement opportunities at the development to students within the locality;

e) details of the promotion of the Local Employment Scheme and liaison with contractors engaged in the construction of the development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;

f) a procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the Council; and

g) a timetable for the implementation of the Local Employment Scheme.

Thereafter, the development shall be implemented in accordance with the approved scheme.

Reason: In order to ensure compliance with NPF4 Policy 11c) and to maximise the local socio-economic benefits of the development to the wider community. To make provision for publicity and details relating to any local employment opportunities.

23. **Operational Noise**

The Rating Level of noise arising from this development as determined in accordance with BS4142 Methods for Rating and Assessing Industrial and Commercial Sound shall not exceed 32dB(A) or background whichever is lower, at the curtilage of any noise sensitive receptor

Reason: In the interests of protecting residential amenity.

24. **Updated Noise Impact Assessment**

If there are any changes to the proposed equipment or mitigation measures which could result in an increased noise level, a revised Noise Impact Assessment shall be submitted to and approved in writing by the planning authority prior to the development hereby approved being brought into use. Thereafter, development shall proceed entirely in accordance with the revised Noise Impact Assessment.

Reason: In the interests of protecting residential amenity.

25. **Noise Impact Assessment**

Development shall be carried out entirely in accordance with the approved Noise Impact Assessment, as amended by condition 24. The development hereby approved shall not be brought into use unless and until the mitigation measures identified in the assessment have been implemented in full. The mitigation measures shall thereafter be maintained in perpetuity.

Reason: In the interests of protecting residential amenity.

26. **Compliance Monitoring on Receipt of Complaint**

Within 21 days from receipt of a written request of the Planning Authority, following a complaint to it alleging noise disturbance at a noise sensitive location, the site operator shall, at its expense, employ an independent consultant to assess the level of noise in terms of compliance with consented noise limits.

The site operator shall submit the report of the independent consultant's assessment for the approval of the Planning Authority within 2 months of receiving the written request.

If the noise level exceeds the prescribed noise limits, the assessment report shall include a scheme of mitigation to be enacted, including timescales for implementation, to ensure compliance with consented noise limits.

Details of the proposed compliance monitoring must be agreed in writing beforehand with the Council's Environmental Health Service.

Reason: In the interests of protecting residential amenity.

27. **Mandatory Compliance Monitoring**

Within 21 days following the development becoming fully operational, the site operator shall, at its expense, employ an independent consultant to assess the level of noise in terms of compliance with consented noise limits.

The site operator shall submit the report of the independent consultant's assessment for the approval of the Planning Authority within 2 months of the development becoming fully operational.

If the noise level exceeds the prescribed noise limits, the assessment report shall include a scheme of mitigation to be enacted, including timescales for implementation, to ensure compliance with consented noise limits.

Details of the proposed compliance monitoring shall be agreed in writing beforehand with the Council's Environmental Health Service.

Reason: In the interests of protecting residential amenity.

Signature:	Dafydd Jones
Designation:	Area Manager - North
Author:	Jack Wiseman
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - 001.1 Rev. 11 – Indicative Site Layout Plan
	Plan 2 - 002.1 Rev. 07 – Site Location Plan
	Plan 3 - 004.1 Rev. 01 – Substation Building Plan and Elevations
	Plan 4 - 004.2 Rev. 00 – MV Skid Plan and Elevations

Plan 5 - 004.3 Rev. 00 – Battery Container Plan and Elevations

Plan 6 - 004.4 Rev. 01 – Auxiliary Transformer Plan and Elevations

Plan 7 - 004.5 Rev. 00 – High Voltage Transformer Plan and Elevations

Plan 8 - 004.6 Rev. 00 – Lighting and CCTV Column Plan and Elevations

Plan 9 - 004.7 Rev. 01 LV Cabinet Plan and Elevations

Plan 10 - 004.8 Rev. 00 Typical Fencing Plan and Elevations

Plan 11 - 005.2 Rev. 06 Site Finish Levels Plan

Plan 12 - 005.3 Rev. 04 Equipment and Structure Levels Plan

Plan 13 - 005.3.1 Rev. 03 Equipment and Structure Levels Tables

Plan 14 - 005.4 Rev. 03 275kV Substation Structure Levels

Plan 15 - 005.5 Rev. 00 Substation Compound Layout

Plan 16 - 005.6 Rev. 01 Fire Safety Plan

Plan 17 - EL-01 Rev. 1 Contextual Elevations (1 of 6)

Plan 18 - EL-02 Rev. 1 Contextual Elevations (2 of 6)

Plan 19 - EL-03 Rev. 1 Contextual Elevations (3 of 6)

Plan 20 - EL-04 Rev. 1 Contextual Elevations (4 of 6)

Plan 21 - EL-05 Rev. 1 Contextual Elevations (5 of 6)

Plan 22 - EL-06 Rev. 1 Contextual Elevations (6 of 6)

Plan 23 - 08826-SHRSK-XX-XX-DR-L-1001 Rev. 02 Landscape Mitigation

Plan 24 - 0886-SHRSK-DR-L-XX-XX-1101 Rev. 00 Indicative Landscape Sections South – A:AA

Plan 25 - 0886-SHRSK-DR-L-XX-XX-1102 Rev. 00 Indicative Landscape Sections North – B:BB

Appendix 2: Development Plan and Other Material policy Considerations

DEVELOPMENT PLAN

National Planning Framework 4 (2023) (NPF4)

A2.1 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 7 - Historic Assets and Places

Policy 11 - Energy

Policy 14 - Design Quality and Place

Policy 18 – Infrastructure First

Policy 20 - Blue and Green Infrastructure

Policy 22 - Flood Risk and Water Management

Policy 23 - Health and Safety

Policy 25 - Community Wealth Building

Policy 29 – Rural Development

Policy 33 - Minerals

Highland Wide Local Development Plan 2012 (HwLDP)

A2.2 28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

31 - Developer Contributions

36 - Development in the Wider Countryside

55 - Peat and Soils

56 - Travel

57 - Natural, Built and Cultural Heritage

58 - Protected Species

59 - Other important Species

60 - Other Important Habitats

61 - Landscape

64 - Flood Risk

65 - Waste Water Treatment

66 - Surface Water Drainage

67 - Renewable Energy Developments

69 - Electricity Transmission Infrastructure

72 - Pollution

Caithness and Sutherland Local Development Plan (2018) (CaSPlan)

A2.3 No specific policies apply.

Highland Council Supplementary Planning Policy Guidance

A2.4 Biodiversity Enhancement Planning Guidance (May 2024)

Construction Environmental Management Process for Large Scale Projects (Aug 2010)

Developer Contributions (Mar 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Highland's Statutorily Protected Species (Mar 2013)

Highland Renewable Energy Strategy and Planning Guidelines (May 2006) Managing Waste in New Developments (Mar 2013)

Physical Constraints (Mar 2013)

Public Art Strategy (Mar 2013)

Sustainable Design Guide (Jan 2013)

OTHER MATERIAL POLICY CONSIDERATIONS

Scottish and UK Government Planning Policy and Other Guidance

A2.5 Onshore Wind Policy Statement (Dec 2022)

Scottish Energy Strategy (2017)

Draft Energy Strategy and Just Transition Plan (2023)

2020 Routemap for Renewable Energy (Jun 2011)

Energy Efficient Scotland Route Map (May 2018)

PAN 1/2021 – Planning and Noise (Mar 2011)

PAN 68 – Design Statements (Aug 2003)

Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems' (UK Government, Mar 2024)

Grid Scale Battery Energy Storage System Planning – Guidance for Fire and Rescue Service (2023)

UK Government Clean Power Action Plan (Dec 2024)

Climate Change Committee Report to UK Parliament (July 2024)

Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 – interim and annual targets replaced by Climate Change (Emissions Reduction Targets) (Scotland) Bill in November 2024

Appendix 3 – Compliance with the Development Plan / Other Planning Policy

A3.1 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the Caithness and Sutherland Local Development Plan (CaSPlan) 2018 and any statutory supplementary guidance.

National Planning Framework 4

A3.2 The Proposed development is “National” development by virtue of being an application for electricity storage with a capacity exceeding 50MW.

A3.3 NPF4 Policies 1, 2 and 3 relate to all development proposals in Scotland. NPF4 Policy 1 requires that significant weight is given to the global climate and nature crises. NPF4 Policy 2 requires that development proposals be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to adapt to current and future risks from climate change. NPF4 Policy 3 states that development proposals for national development will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity so that they are in a demonstrably better state than without intervention. The assessment has considered the proposal in relation to these policies and is considered to be compliant.

A3.4 NPF4 Policy 4 relates to natural places and intends to protect, restore and enhance natural assets making best use of nature-based solutions. It sets out the protections that will apply to protected species, which have been adequately considered in the submission. NPF4 Policy 5 intends to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. It states that development proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy, which has been adequately demonstrated in the submission meaning that impacts on agriculturally valuable ground and carbon rich soils are avoided in this instance.

A3.5 NPF4 Policy 20 for Blue and Green Infrastructure supports facilities that design protect and enhance blue and green infrastructure and their networks by making climate mitigation, nature restoration, biodiversity enhancement, flood prevention and water management integral to design. The Burn of Achanarras runs immediately adjacent to the site and so the requirements of NPF4 Policy 22, relating to flood risk and water management, also apply. The policy intends to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future developments to flooding. In this instance, all components of the proposal have been shown to be outwith a fluvial flood risk area. The requirements of NPF4 Policy 23, relating to health and safety, are also relevant as they seek to protect people and places from environmental harm, mitigate risks arising from safety hazards, and encourage, promote and facilitate development that improves health and wellbeing. Paragraphs 7.75-7.84 set out how the applicant has mitigated the risk to human and environmental health from battery fire.

A3.6 NPF4 Policy 25, relating to community wealth building, is also relevant to the proposal. It provides support for development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities.

A3.7 NPF4 Policy 11 relates to energy and is the key NPF4 policy for assessing energy developments. It provides support for all forms of renewable, low-carbon and zero emission development proposals, including battery storage. This support is dependent on development proposals maximising net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. It sets out several areas, including impacts on communities, landscape and visual, and public access, where project design and mitigation is required to demonstrate how impacts upon them have been addressed. Subject to the suggested conditions, it is considered that the proposal is in general compliance with this policy.

Highland-wide Local Development Plan (HwLDP)

A3.8 The key policy for assessing renewable energy developments within the HwLDP is Policy 67. It states that renewable energy developments should be well-related to the source of the primary renewable resources that are needed for their operation. The Council will consider the contribution of the proposed development towards meeting renewable energy generation targets and any positive or negative effects it is likely to have on the local and national economy. It states that the Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, with regard to 11 identified areas, including natural, built and cultural heritage features, species and habitats and visual and landscape impacts. Policy 28 relates to sustainable design and supports developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland. It introduces the concept of achieving the right development in the right place and not to allow development at any cost.

Caithness and Sutherland Local Development Plan (CaSPlan) (2018)

A3.9 The Caithness and Sutherland Local Development Plan (CaSPlan) is the Area Local Development Plan covering the application site. It does not contain any allocations related to the application site or the type of development proposed.

Draft Energy Strategy and Just Transition Plan (2023)

A3.10 The Draft Energy Strategy and Just Transition Plan (2023) notes the importance of efficiently matching energy supply and demand for power. It recognises the role that grid scale battery storage can play in achieving this and attaches particular importance to Long Duration Energy Storage (LDES). The draft energy strategy notes that, as of September 2021, only 124MW of the total 864MW of energy storage in Scotland was provided by BESS with a further 2.1GW having secured by planning condition. Energy Statistics for

Scotland- Q2 2025 show that there is now 26.3GW of battery storage in the planning pipeline.

A3.11 The policies of NPF4 and the Draft Energy Strategy set out the Scottish Government's clear support for renewable energy development and associated transmission infrastructure.

Summary

A3.12 The Development Plan must be considered in the round. It provides clear support for the principle of renewable technologies, including proposals for battery storage. This support is not unqualified however with it needing to be demonstrated that the detailed impacts of renewable technology developments are acceptable when assessed against Development Plan policy. The current application is considered to comply with provisions of NPF4 and the Development Plan as a whole.