

Agenda Item	5.1
Report No	PLN/050/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date:

Report Title: 23/02826/PAN: Ylem Energy Ltd
Land 590M NE of Isauld Cottage,
Reay

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: 37MW Battery Energy Storage System

Ward: 2 – Thurso and Northwest Caithness

Recommendation

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

1.0 BACKGROUND

- 1.1 This report informs the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was made valid on 15 June 2023. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
- Plan 1 - Proposal of Application Notice (Application Form)
 - Plan 2 - Location Plan
- 1.4 There will be two in-person consultation events, the first took place on Monday 19th June 2023 between 4pm and 9pm at Reay Village Hall, and the second will be taking place in the week commencing Monday 7th August 2023 between 4pm and 9pm at Reay Village Hall. The first event was advertised on 14th June 2023 to 16th June 2023 in the John O’Groat Journal, the Caithness Courier, and the Northern Times. Information regarding the exact date of the second public event and the advertisement of this event is to be confirmed.
- 1.5 Details of all notified parties are contained / appended to the PAN form and include Caithness West Community Council, as well as local members and a member of the Scottish Parliament. The applicant has written to all residents within 1km of the proposed development site and posted notices in Reay village, as well as an advert being available online between 13th June 2023 and 19th June 2023.
- 1.6 Any forthcoming application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposal is for the development of a 37MW Battery Energy Storage System (BESS). The total size of the site measures approximately 87.7m x 66.1m with the development compound measuring approximately 81.2m x 39.9m which would be surrounded by a 2.4m high mesh fence. A 1m deep vegetation screen is proposed along the front of the mesh fence which would be maintained at a height of 2.4m. The fenced compound would include BESS transformers (33kV/600V); DNO 33kV substation; site welfare and LV switch room; site supply transformer; BESS switch room; and car parking areas.
- 2.2 The developer sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments in June 2023 for the development of a 37MW Battery Energy Storage System (HC ref. 23/01317/PREMAJ).

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary covers approximately of 2.1 hectares. The proposed permanent access track has been demonstrated as joining the A836 from the southern corner of the site, travelling a short distance north-east to the development entrance. The main site area closely borders the A836 in a field adjacent to working agricultural land.
- 3.2 The site is surrounded by flat agricultural land with little tree coverage, with the closest residential properties being approximately 0.8km west of the site and approximately 0.9km north-east of the site. There are no natural heritage designations within the site boundary nor is the site within connectivity distance of any Special Protection Area (SPA), Special Area of Conservation (SAC), or Sites of Special Scientific Interest (SSSI). The closest Core Path, Achvarasdal Woodland (CA11.02), is located approximately 0.8km south of the site, and the closest Scheduled Monuments, Knock Urray, Brock (SM564) and Dounreay Castle (SM6401) are located approximately 0.45km north-east and 1km north respectively. The nearest Listed Building to the proposed development site boundary is approximately 1.5km east which facilitates the Category B Listed Upper Dounreay Farm Steading (LB14989).

4.0 DEVELOPMENT PLAN

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

4.1 National Planning Framework 4 (2023)

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

Policy 1 – Tackling the climate and nature crisis

Policy 2 – Climate mitigation and adaptation

Policy 3 – Biodiversity

Policy 4 – Natural places

Policy 5 – Soils

Policy 11 – Energy

Policy 13 – Sustainable transport

Policy 23 – Health and safety

Policy 25 – Community wealth benefits

Policy 33 – Minerals

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

28 - Sustainable Design

29 - Design Quality and Placemaking

30 - Physical Constraints

31 - Developer Contributions

36 - Development in the Wider Countryside

56 - Travel

57 - Natural, Built and Cultural Heritage

58 - Protected Species

59 - Other Important Species

60 - Other Important Habitats

61 - Landscape

66 - Surface Water Drainage

- 67 - Renewable Energy Developments
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 74 - Green Networks
- 77 - Public Access
- 78 – Long Distance Routes

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

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

4.4 **Highland Council Supplementary Guidance**

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

4.5 **Scottish Government Policy and Other Guidance**

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

5.0 **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan and other planning policy;
- b) Community amenity including operational noise impacts;
- c) Construction impacts;
- d) Roads and transport;
- e) Design, landscape, and visual impact (including cumulative impacts);
- f) Natural heritage including protected species and habitats;
- g) Economic impact and tourism;
- h) Construction impacts;
- i) Pollution;
- j) Decommissioning and restoration;
- k) Outdoor access; and,
- l) Any Other Material Considerations Raised within Representations.

6.0 CONCLUSION

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

7.0 IMPLICATIONS

7.1 Not applicable.

8.0 RECOMMENDATION

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

Designation: Area Planning Manager – North
Author(s): Harry Goacher / Peter Wheelan
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Proposal of Application Notice (Application Form)
Plan 2 – Location Plan

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

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

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

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

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

Contact Details

Applicant	Ylem Energy Ltd	Agent	Clive Fagg Planning
Address	Edison House Daniel Adamson Road Manchester M50 1DT	Address	9 Dairy Lane Hose Leicestershire LE14 4JW
Phone		Phone	07805 400 126
Email		Email	clivefaggplanning@gmail.com

Address or Location of Proposed Development

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

Description of Development

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

The proposed site is located on to the north of the A836 near Gunscoft, Lower Dounreay, as shown on the attached location plan.

The proposed development is for a 37MW Battery Energy Storage System, see attached site layout and elevation plans, to provide electricity to National Grid at times of high demand or low generation by renewable technologies. At this stage the design has not been finalised however it is understood the proposed development is likely to comprise of series of modular

battery storage units with a height of around 3m, transformers, cooling units, and two control units as shown on the attached indicative layout plan. The majority of the structures would be hidden behind the surrounding field boundary. Access to the site would be via existing access rights from the A836

Pre-application Screening Notice

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

Yes

No

If yes, please provide a copy of this Opinion.

Community Consultation

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

Community Council/s

Date Notice Served

Caithness West Community Council

13/06/23

Local Elected Members

Date Notice Served

Ron Gunn

13/06/23

Struan Mackie

13/06/23

Matthew Reiss

13/06/23

Karl Rosie

13/06/23

Members of Scottish Parliament and Members of Parliament

Date Notice Served

Maree Todd

13/06/23

Names / details of other parties

Date Notice Served

Details of Proposed Consultation

Proposed Public Event 1

Venue

Date and Time

Reay Village Hall

19 June 2023

16:00 – 21:00

Proposed Public Event 2

Venue

Date and Time

(at least 14 days after Public Reay Village Hall
Event 1)

w/c 7 August 2023
16:00 – 21:00

Publication of Event

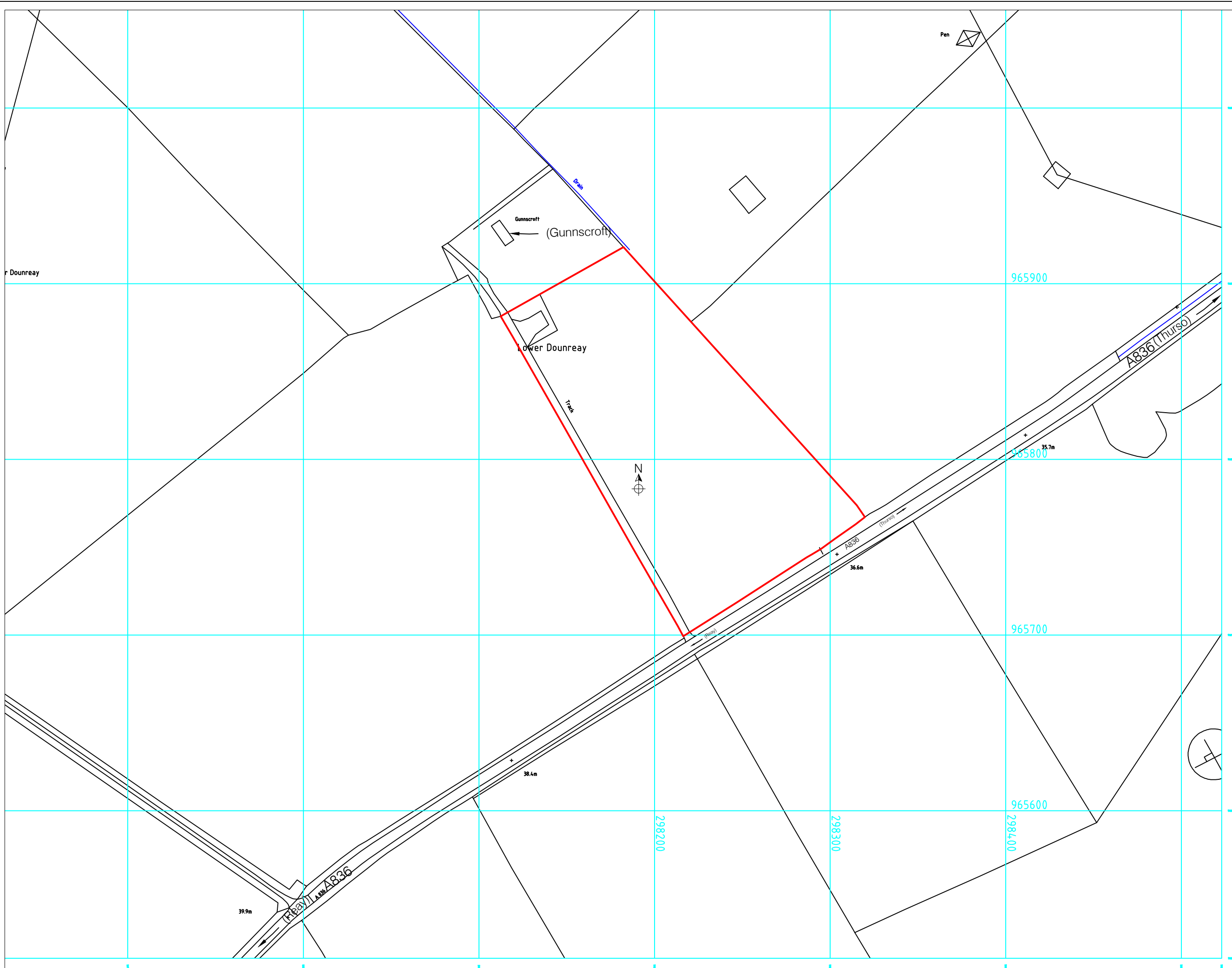
Newspaper Advert	Name of Newspaper	Advert Date
	John O’Groat Journal and Caithness Courier	14/06/23 24/06/23

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


We have written to all residents within 1km of the proposed development site and posted notices in Reay village (the nearest settlement to the proposed development site).

Signed **Clive Fagg**

Date **8 June 2023**



LEGEND

 Planning Boundary

Rev. Suffix	Date	Details
SITE		
DOUNREAY		
34MW / 68MWh BESS		
TITLE		
LOCATION PLAN		
(PLANNING BOUNDARY)		
DWG. No.	REV	
DOUN-BESS-003.6		
SCALE	DATE	
1:2000 @ A3	13/6/23	
DRAWN	STATUS	
JKW	DISCUSSION	

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