

Agenda Item	5.2
Report No	PLN/004/24

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 30 January 2024

Report Title: 23/05455/PAN: Whirlwind Renewables
Land 530M South of Geiselittle Farm, Thurso

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: The construction and operation of a battery energy storage unit with a maximum installed capacity of 49.9 Megawatts consisting of up to 50 energy storage units and associated electrical equipment sited on a hardstanding within a fenced compound surrounded by peripheral screening landscaping, designed to deliver a net gain in biodiversity.

Ward: 02 – Thurso and North West 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 7 November 2023. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
- Proposal of Application Notice (Application Forms)
 - Location Plan
- 1.4 In October 2022, The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 were amended by The Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021. This changed some of the consultation activities required by the applicant for PANs submitted after 1 October 2022. The previous arrangements associated with the Covid-19 public health advice and previous modifications to the regulations, are now superseded. In line with the current regulations, the developer proposes to undertake two in person public consultation events, in the North Coast Visitor Centre, scheduled as follows:
- **Event 1:** Thursday 7 December 2023, between 3-6pm
 - **Event 2:** Thursday 11 January 2024, between 3-6pm
- 1.5 The consultation was publicised and advertised in accordance with the appropriate statutory requirements, with an advert placed within the John O' Groats Journal and Caithness Courier on Friday 17 November 2022. The applicant has confirmed that they will also advertise the second consultation event at least 7 days in advance of the date. An invitation maildrop was undertaken, during the week commencing Monday 20 November, making local residents aware of the proposed development and the consultation events. The catchment for its wider distribution covered a radius of 1km from the proposed site. The PAN form also indicates that the Castletown Community Council was notified, in line with the statutory requirements.
- 1.6 The consultation information was also made available on a website set up by the applicant. A telephone contact is also available.
- 1.7 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 proposed scheme is a battery energy storage (BESS) complex, with a maximum installed capacity of 49.9 Megawatts using 50 energy storage units and associated electrical equipment. The development will involve the construction of new hardstanding's and service routes, contained by security fencing.

- 2.2 The developer is encouraged to seek formal pre-application advice from the Planning Authority, through the Pre-Application Advice Service for Major Developments.
- 2.3 The developer is encouraged to submit an EIA screening request in respect of the proposals.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises some 12 Ha of mainly agricultural land, associated with the Geiselittle Farm steading. The site is mainly surrounded by open land, with the River Thurso running to the west.
- 3.2 The nearest natural heritage designation is the River Thurso Special Area of Conservation / Site of Special Scientific Interest, designated for Atlantic Salmon.
- 3.3 There are no national or local landscape designations within the application site boundary. The nearest local designation is the Dunnet Head SLA, is just over 9km to the northeast of the site.
- 3.4 There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the site.

4.0 DEVELOPMENT PLAN

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

4.1 National Planning Framework (NPF) 4 (2023)

- 1 – Tackling the climate and nature crisis
- 2 – Climate mitigation and adaptation
- 3 – Biodiversity
- 4 – Natural places
- 5 – Soils
- 7 – Historic assets and places
- 11 – Energy
- 22 – Flood risk and water management
- 23 – Health and safety

4.2 Highland Wide Local Development Plan (2012)

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 34 - Settlement Development Areas
- 42 – Previously Used Land
- 51 - Trees and Development
- 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
63 - Water Environment
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
67 - Renewable Energy Developments
70 - Waste Management Facilities
72 - Pollution
77 - Public Access

Caithness and Sutherland Local Development Plan (CaSPlan) (2022)

4.2 The site is located within the wider countryside.

Inner Moray Firth Proposed Local Development Plan (2022)

4.4 The site is located within the designated Hinterland around established towns.

4.5 Highland Council Supplementary Guidance

- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Public Art Strategy (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

4.6 Scottish Government Policy and Other Guidance

- Historic Environment Policy for Scotland (Apr 2019)
- PAN 1/2011 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)
- PAN 77 – Designing for Safer Places (Mar 2006)
- PAN 83 – Master Planning (Sept 2008)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- a) Development Plan and other planning policy;
- b) Design and layout;
- c) Landscape and visual impact;
- d) Amenity impacts (including construction noise, operational noise and lighting);
- e) Screening landscaping;
- f) Roads, access and parking;
- g) Wider access (impact upon the Core Path network)
- h) Infrastructure Capacity
- i) Natural heritage (including protected species and impact upon trees);
- j) Water environment, flood risk and drainage; and
- k) 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. Summarised are the policy considerations against which any future planning application will be considered 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: Michael Kordas
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Proposal of Application Notice
Plan 2 - 1 of 1 - 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.

Data Protection

Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review

I have read and understood the privacy notice.

Contact Details

Applicant	Whirlwind Renewables	Agent	The Energy Workshop
Address		Address	32 Park Cross Street Leeds LS12QH
Phone		Phone	07545336960
Email	James @whirlwindrenewables.com	Email	dan@theenergyworkshop.co.uk

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.

Farmland 450m to the south of Geiselittle, immediatly to the north west of the existing Thurso South substation and 730m west of the A9.

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 construction and operation of a battery energy storage unit with a maximum installed capacity of 49.9 Megawatts consisting of up to 50 energy storage units and associated electrical equipment sited on a hardstanding within a fenced compound surrounded by peripheral screening landscaping, designed to deliver a net gain in biodiversity.

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?
If yes, please provide a copy of this Opinion.

 Yes

 No
Community Consultation

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

Community Council/s**Date Notice Served**

Castletown Community Council
info@castletowncommunitycouncil.co.uk

17th November 2023

Local Elected Members**Date Notice Served**

Ron Gunn -
Ron.Gunn.cllr@highland.gov.uk
Struan Mackie -
struan.mackie.cllr@highland.gov.uk
Matthew Reiss -
Matthew.Reiss.cllr@highland.gov.uk
Karl Rosie -
karl.rosie.cllr@highland.gov.uk

17th November 2023

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

Jamie Stone, MP -
jamie.stone.mp@parliament.uk
Maree Todd MSP -
Maree.Todd.msp@parliament.scot

17th November 2023

Names / details of other parties**Date Notice Served**

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
Community Consultation Event	North Coast Visitor Centre High Street Thurso KW14 8AJ	07/12/23 3pm to 6pm
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
Community Consultation Event	North Coast Visitor Centre High Street Thurso KW14 8AJ	11/01/24 3pm to 6pm

Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
Public Notice	The John O'Groat Journal and Caithness Courier	(by) 17/11/23
Details of any other consultation methods (date, time and with whom)		
<p>Properties within 1km of the proposed site will be consulted in writing on the 17/11/23, notifying them of the proposal, providing details of the consultation events and providing the developers contact details.</p> <p>A project website will also be set up at the following address:</p> <p>geiselittlebess.co.uk</p>		

Signed		Date	07/11/23
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