

Agenda Item	5.1
Report No	PLS/27/24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 18 June 2024

Report Title: 24/01337/PAN: Field Knocknagael Limited
Knocknagael Substation, Essich Road, Inverness

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Construction and operation of Battery Energy Storage System (BESS) of up to 200 MW with associated infrastructure (including cable route to substation), access and ancillary works (including landscaping and biodiversity enhancement)

Ward: 15 – Inverness Ness-Side

Recommendation

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

1.0 BACKGROUND

- 1.1 This report informs the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was made valid on 28 March 2024. 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arrangements associated with the Covid-19 public health advice and previous modifications to the regulations, are now superseded.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 sets of in person public consultation events at the Dores Village Hall, scheduled as follows:
- **Event 1:** Tuesday 30 April 2024, between 2:00-7:00pm
 - **Event 2:** Tuesday 28 May 2024, between 2:00-7:00pm
- 1.5 The consultation was publicised and advertised in accordance with the appropriate statutory requirements, with adverts placed within the Inverness Courier on 15 April 2024 and 17 May 2024. An invitation maildrop was undertaken 14 days before the first engagement event., making local residents aware of the proposed development and the consultation process. The catchment for its wider distribution covered a radius of 2km from the proposed site. The PAN form also indicates that the Stratherrick and Foyers, Strathnairn, and Dores and Essich Community Councils were notified, in line with the statutory requirements.
- 1.6 The consultation information will also made available on the applicant's website. 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 for a Battery Energy Storage System (BESS) facility, adjacent to the existing substation complex. It is anticipated that the scale of the development will mean that the proposals will be considered under Section 36 of the Electricity Act 1989, by the Scottish Government's Energy Consents Unit (ECU).
- 2.2 The developer has sought formal pre-application advice from the Planning Authority, through the Pre-Application Advice Service for Major Developments.

3.0 SITE DESCRIPTION

- 3.1 The PAN red line boundary comprises some 43 Ha of land, adjacent to the existing substation complex. Parts of the site are listed as potentially vulnerable to pluvial (surface water) and fluvial (river) flooding on the SEPA online maps.
- 3.2 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)

National Development 3 – Strategic Renewable Electricity generation and Transmission Infrastructure

- 1 - Tackling the Climate and Nature Crises
- 2 - Climate Mitigation and Adaptation
- 3 - Biodiversity
- 4 - Natural Places
- 5 - Soils
- 7 - Historic Assets and Places
- 11 - Energy
- 20 - Blue and Green Infrastructure
- 22 - Flood Risk and Water Management
- 23 - Health and Safety
- 25 - Community Wealth Building
- 29 - Rural Development
- 33 - Minerals

4.2 Highland Wide Local Development Plan (2012)

- 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 Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 74 - Green Networks
- 77 - Public Access

Inner Moray Firth Local Development Plan (2015)

- 4.3 The site is located within the Hinterland around established towns.

Inner Moray Firth Proposed Local Development Plan IMFLDP2 (2022)

- 4.4 The emerging area local development plan (the IMFLDP2) has completed its Examination, and it is intended that the Council will make the decision to adopt the plan at the Full Council meeting on 27 June 2024. The site is located within the Hinterland.

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.

Signature: David Mudie
Designation: Area Planning Manager – South
Author: Michael Kordas
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Proposal of Application Notice
Plan 2 - 002.1 REV 3 - 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	Field Knocknagael Limited	Agent	David Bell Planning Ltd
Address	c/o Agent	Address	26 Alva Street Edinburgh EH2 4PY
Phone	c/o Agent	Phone	07807528686
Email	c/o Agent	Email	pipa.gardner@dbplanning.co.uk

Address or Location of Proposed Development

Land generally at Essich, Inverness, IV2 6AJ

Description of Development

Construction and operation of Battery Energy Storage System (BESS) of up to 200 MW with associated infrastructure (including cable route to substation), access and ancillary works (including landscaping and biodiversity enhancement).

(Section 36 application to Energy Consents Unit (ECU))

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

Dores and Essich Community Council

28th March 2024

[Neighbouring:

Lochardil and Drummond Community Council

Slackbuie Community Council

Inverness West Community Council

Strathnairn Community Council]

Local Elected Members

Date Notice Served

Cllr Alasdair Christie

Cllr Jackie Hendry

Cllr Andrew Mackintosh

28th March 2024

[Neighbouring:

Cllr Chris Ballance

Cllr Helen Crawford

Cllr David Fraser

Cllr Emma Knox]

Members of Scottish Parliament and Members of Parliament

Date Notice Served

Drew Hendry MP

28th March 2024

Fergus Ewing MSP

Kate Forbes MSP

Douglas Ross MSP

Edward Mountain MSP

Rhoda Grant MSP


Tim Eagle MSP

Ariane Burgess MSP Jamie Halcro Johnston MSP Emma Roddick MSP	
Names / details of other parties	Date Notice Served
N/A	N/A

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
	Dores Village Hall, Dores, Inverness, IV2 5TR	30 April 2024 14:00 - 19:00
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
	Dores Village Hall, Dores, Inverness, IV2 5TR	28 May 2024 14:00 – 19:00

Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
	<i>Inverness Courier</i>	Week commencing 15 April 2024

Details of any other consultation methods (date, time and with whom)
<ul style="list-style-type: none"> • Consultation brochure drop to all properties within 2 km of the site (week commencing 15 April 2024) • Project website (URL TBC). This will be included on the consultation brochure • Meetings with Community Council (date to be agreed with Community Council)

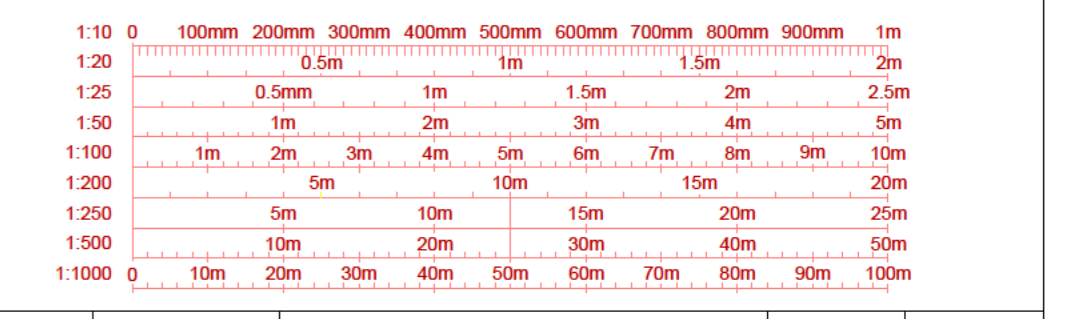
Signed		Date	28/03/2024
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- Notes**
1. All dimensions are shown in mm unless noted otherwise.
 2. Do not scale from this drawing.
 3. Planning boundary area = 42.375Ha

Legend

— Planning boundary



REV	DATE	DESCRIPTION	BY	CHKD
3	28.03.2024	Amendments added	JH	AP
2	18.01.2024	Planning boundary amended	JH	AP
1	25.10.2023	Drawing amended to show location plan	JH	RS
0	01.11.2022	Option Plan - For Information	ML	RS



Field
 Fora Montacute Yards,
 186 Shoreditch High Street,
 London,
 E1 6HU

PROJECT: Knocknagael

TITLE: Site Location Plan

DISCIPLINE: PLANNING

DRAWING STATUS: FOR PLANNING

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1:1000 @ A0	25.10.2023	JH	RS	RS
PROJECT NO.	DRAWING NO.	REV		
BTGBKN001	002.1	3		