

Agenda Item	5.2
Report No	PLN/010/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 12 March 2025

Report Title: 24/05329/PAN: Green Switch Capital
Land 415M SW Of Shean Cottage 10 Upper Dounreay Thurso

Report By: Area Planning Manager – North

Purpose/Executive Summary

Proposed installation of a Battery Energy Storage Scheme (BESS) capable of exporting up to 500 megawatts (MW) on land approximately 1.65 kilometres (km) southeast of Lower Dounreay.

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 has been made on a voluntary basis ahead of an application to be made under Section 36 of the Electricity Act. The details provided also accord with the provisions of the Town and Country Planning (Scotland) Act 1997 (as amended) and was made valid on 23 December 2024. The PAN is a statutory requirement for town and country 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 application.
- 1.3 The submitted information attached includes:
- Proposal of Application Notice (Application Form)
 - Location / Site Layout Plan
- 1.4 There were two in-person consultation events, the first took place on Friday 31 January 2025 between 3pm to 7pm at Reay Village Hall, Reay, Thurso and the second event will take place on Friday 21 March 2025 between 3pm and 7pm at the same venue. The first event was advertised in the Caithness Courier on 22 January 2025 and in the John O’Groat Journal on 17 January 2025, no less than 7 days prior to the date of public event and within the required statutory period.
- 1.5 Details of all notified parties are contained / appended to the PAN form and include the host Caithness West Community Council, as well as local Members. Letters with details of the consultation events will be posted to all residents within an area of 2.5km covering the sites lies outside the development area. The applicant will utilise social media to publicise the event, including undertaking an exercise to identify any local social media groups, such as those associated with the proposed venue. All information from the public events will be available on: www.titanesf.com
- 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 development comprises a proposed installation of a Battery Energy Storage Scheme (BESS) capable of exporting up to 500 megawatts (MW) on land approximately 1.65 kilometres (km) southeast of Lower Dounreay, Thurso, Caithness, Highland. The ancillary infrastructure associated with this project is expected to include several key components:

- Inverters
- Substation
- DNO Control Building and Client Control Building
- Access tracks and Cabling
- Fencing

2.2 This proposal will be submitted under Section 36 of The Electricity Act 1989 and therefore the applicant has no statutory duty to comply with the provisions of Town and Country Planning (Scotland) Act 2006 or The Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021. Nevertheless, the applicant has submitted a PAN in the spirit of the legislation in order for affected communities to be alerted to the proposal at an early stage. Members are asked to note that the information contained within the submission may form the basis of a subsequent application to the Scottish Minister's Energy Consents Unit, on which The Council will be consulted.

2.3 An Environmental Impact Assessment (EIA) Screening Opinion under the Highland Council's reference (24/03958/SCRE) was issued for the proposed development.

3.0 SITE DESCRIPTION

3.1 The PAN boundary covers approximately 16 hectares and is located approximately 1.65 km southeast of Lower Dounreay, Thurso, Caithness. The site relates to 4 parcels of agricultural land located 800m to the Southeast of the A836 accessed via an unnamed road and farmers access routes. The site is bound by existing agriculture and tree plantations in all directions. Overhead pylons run across the southern portion of the site with further pylons proposed on the northern boundary. Access will likely come from the unnamed road to the south via private access tracks for local agriculture. There are no sensitive areas within the site boundary nor any statutory designated sites for nature conservation within 2km of the proposed development. The site is located across four agricultural fields. The fields are on a shallow slope, rising gently to the east, allowing distant view west towards the coast.

3.2 The proposal lies within an area of agricultural land, approximately 3 hectares of arable farming land. The site does not retain any classified peatland or carbon rich soils. The proposed development is situated entirely within the Farmed Lowland Plain 143 landscape character type (LCT), as delineated by NatureScot's Landscape Character Assessment. Within the site boundary, there are no ecological statutory designated sites. The nearest SPA is the North Caithness Cliffs SPA approximately 2.5km to the northwest designated for seabirds. To the Southwest approximately 5km is the Caithness and Sutherland peatland, which is recognized as a Special Protection Area (SPA), Special Area of Conservation (SAC), and Ramsar site. Approximately

4km to the southeast is the Boubster Leans and Caithness Loch SAC, SPA and Ramsar. There are no Core Paths in or adjacent to the site, the nearest core paths is approximately 700m east, providing to Cnoc an Fhreiceadain Schedule Monument. Strava heatmaps suggests no cycling/running activity within or adjacent to the site, with the nearest activity along an unnamed road, approx. 600m south of the site. The road is part of the National Cycle Network (Route 1), providing a link between John O Groats and Inverness.

3.3 There are no designated heritage assets within the site. However, within 1km of the proposed development there are four Schedule Monuments and one Category B Listed Building. Schedule Monuments in the vicinity include:

- Cnoc Freiceadain cairns (SM90078) approx. 700m to the Southeast
- Hill of Shebsterchambered cairn (SM476) approx. 650m to the Southeast
- Creag Bhreac Mhor stone rows (SM2386) approx. 850 to the Northeast
- Achunabustbroch (SM513) approx. 750m to the Southwest of the proposed development.

3.4 The Site is entirely confined to an area at lowest risk of flooding from rivers and surface water flooding, according to SEPA's Flood Risk Mapping.

4.0 DEVELOPMENT PLAN

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

4.1 National Planning Framework 4 (Adopted 2023) (NPF4)

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 6 – Forestry, woodland and trees

Policy 7 – Historic assets and places

Policy 11 – Energy

Policy 14 – Design, quality and place

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

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
51 - Trees and Development
52 - Principle of Development in Woodland
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
66 - Surface Water Drainage
67 - Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution
74 - Green Networks
77 - Public Access

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

There are no site specific policies relevant to the proposed development.

4.4 **Highland Council Supplementary Guidance**

- Biodiversity Enhancement (May 2024)
- Developer Contributions (November 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
- 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)
- Trees, Woodlands and Development (Jan 2013)

4.5 **Scottish Government Policy and Other Guidance**

- Onshore Wind Energy Policy Statement (2022)
- Draft Energy Strategy and Just Transition Plan (2023)
- Scottish Energy Strategy (2017)
- 2020 Routemap for Renewable Energy (2011)

- Energy Efficient Scotland Route Map, Scottish Government (2018)
- 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)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- a) Development Plan and other planning policy;
- b) Residential amenity;
- c) Roads and transport;
- d) Flood risk and drainage impacts;
- e) Impact on trees and woodland;
- f) Design, landscape, and visual impact (including cumulative impacts);
- g) Natural heritage including protected species and habitats;
- h) Built and cultural heritage;
- i) Economic impact and tourism;
- j) Construction impacts;
- k) Pollution;
- l) Decommissioning and restoration;
- m) Outdoor access; and,
- n) 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): Ikram Ullah

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.

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	David Hannon (Green Switch Capital)	Agent	Alice White (Ramboll)
Address	Floor 5 Exchange Station Tithebarn St Liverpool L2 2QP	Address	240 Blackfriars Road London SE1 8NW
Phone	01512123300	Phone	02078 081443
Email	info@gscapital.uk	Email	alicewhite@ramboll.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.

Land Adjacent to Brae House, Thurso, Caithness, KW14 7RR. A site location plan accompanies this Proposal of Application 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 development comprises a proposed installation of a Battery Energy Storage Scheme (BESS) capable of exporting up to 500 megawatts (MW) (the 'Proposed Development') on land approximately 1.65 kilometres (km) southeast of Lower Dounreay, Thurso, Caithness, Highland (the 'Site').

The Proposed Development would comprise a BESS, together with other infrastructure including, inverters, Substation, DNO Control Building and Client Control Building along with adjoining access tracks and cabling between the substation and the battery infrastructure, as well as fencing around the site boundary.

As set out in the covering email (dated 23 December 2024), given the scale of the project, consent will ultimately be pursued via the Energy Consents Unit (ECU) through Section 36 (S36) of the Electricity Act 1989, not through the Town and Country Planning (Scotland) Act 1997. There is no statutory requirement to undertake pre-application consultation for S36 applications under the Electricity Act 1989 and, therefore, the provision of this Proposal of Application Notice (PAN) has been done on a voluntary basis and with the intention of following an industry best practice approach. The Applicant is keen to engage directly with The Highlands Council, and other key consultees, at this early stage of design development to shape the scale and layout of the proposed scheme. It is important to note the voluntary basis on which this PAN has been submitted and, therefore, that the submission programme is not restricted by the timescales of a formal PAN.

An EIA screening request was submitted to the Energy Consents Unit (ECU) in August 2024 (ECU reference ECU00005199) and the Section 36 application is expected to be submitted in early 2025. The Highland Council Screening Opinion (Planning reference 24/03958/SCRE), published on the 3 December 2024, advised that EIA would not be required.

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**

Caithness West, Chair – Jillian Bundy
Caithness West, Secretary – Patricia Groves

23 December 2024

Local Elected Members**Date Notice Served**

(Thurso and Northwest Caithness)
Councillor Ron Gunn
Councillor Struan Mackie

23 December 2024

Councillor Matthew Reiss Councillor Karl Rosie	
Members of Scottish Parliament and Members of Parliament	Date Notice Served
<i>Caithness, Sutherland and Ross – Maree Todd SMP</i> <i>Caithness, Sutherland and Easter Ross - Jamie Stone MP</i>	23 December 2024
Names / details of other parties	Date Notice Served
The Energy Consents Unit (ECU) - Julie Carlyle (Case Officer).	23 December 2024

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
Public consultation event.	Reay Village hall, Reay, Thurso, KW14 7RE.	31 January 2025 at 3pm to 7pm.
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
Public consultation event.	Reay Village hall, Reay, Thurso, KW14 7RE. <i>(Provisional)</i>	21 March 2025 at 3pm to 7pm <i>(Provisional)</i>

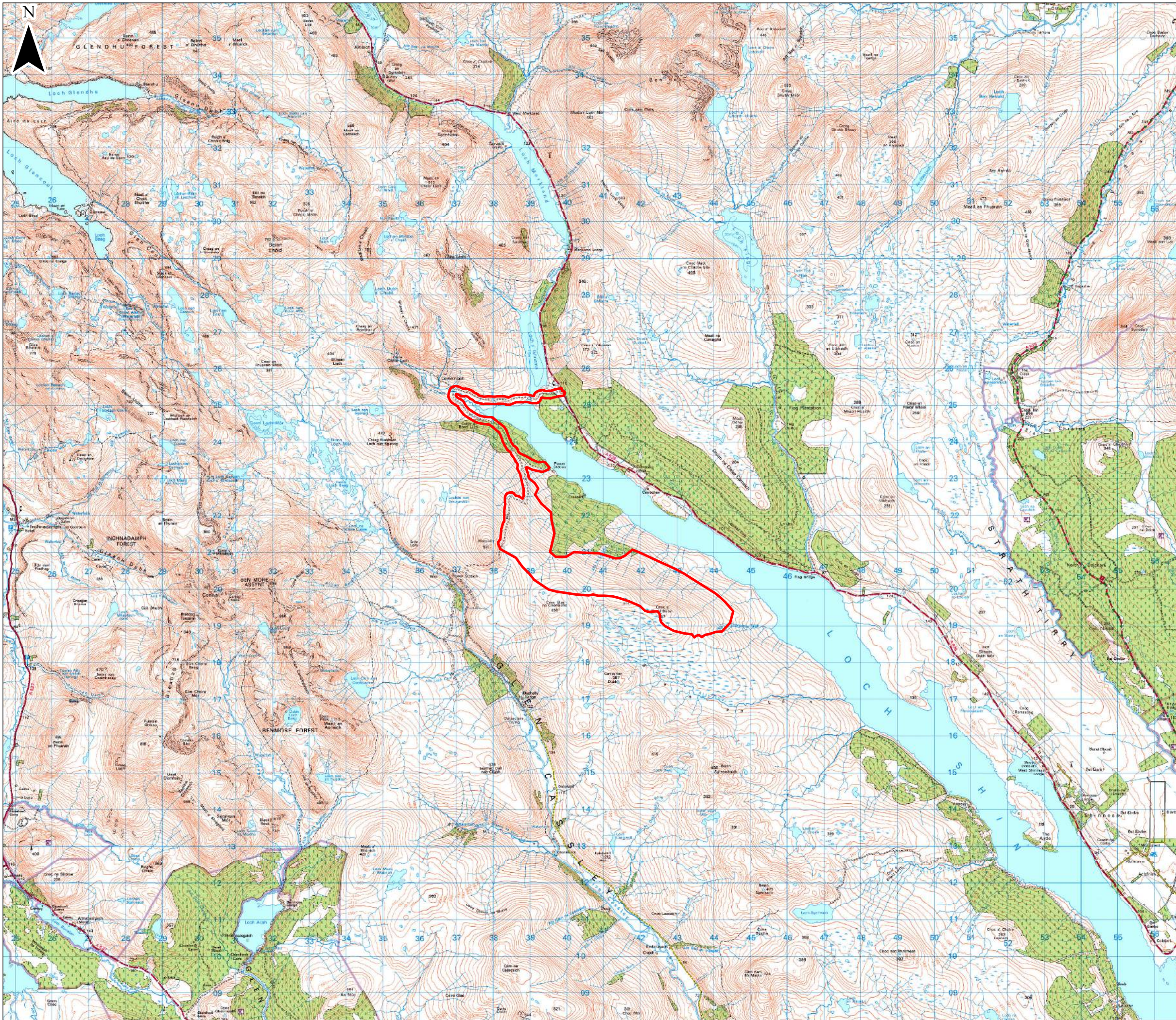
Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
Newspaper advert for Public Consultation Event 1.	Caithness Courier, published every Wednesday.	22 January 2025.
Newspaper advert for Public Consultation Event 1.	John O’Groat Journal, published every Friday.	17 January 2025.
Details of any other consultation methods (date, time and with whom)		
All information from the Proposed Public Consultation Event 1 will be available on: www.titanesf.com . This also allows for comments to be submitted.		

As the Site lies outside a settlement development area, letters have been dropped to addresses within 2.5 km of the Proposed Development. These letters have set out detail of the Proposed Development and the Proposed Consultation. The letters also set out the mechanism by which individuals can provide feedback on the proposal.

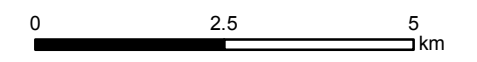
Additional to the newspapers listed in the above the Applicant intends to request all parties, those which the PAN has been distributed to, to confirm whether there are additional newspapers within which the consultation events should be advertised. The Applicant will also seek to include the advertisement within both the published newspaper and online version.

The Applicant will utilise social media to publicise the event, including undertaking an exercise to identify any local social media groups, such as those associated with the proposed venue .

Signed	[signature redacted]	Date	23 December 2024
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KEY
 Site Boundary



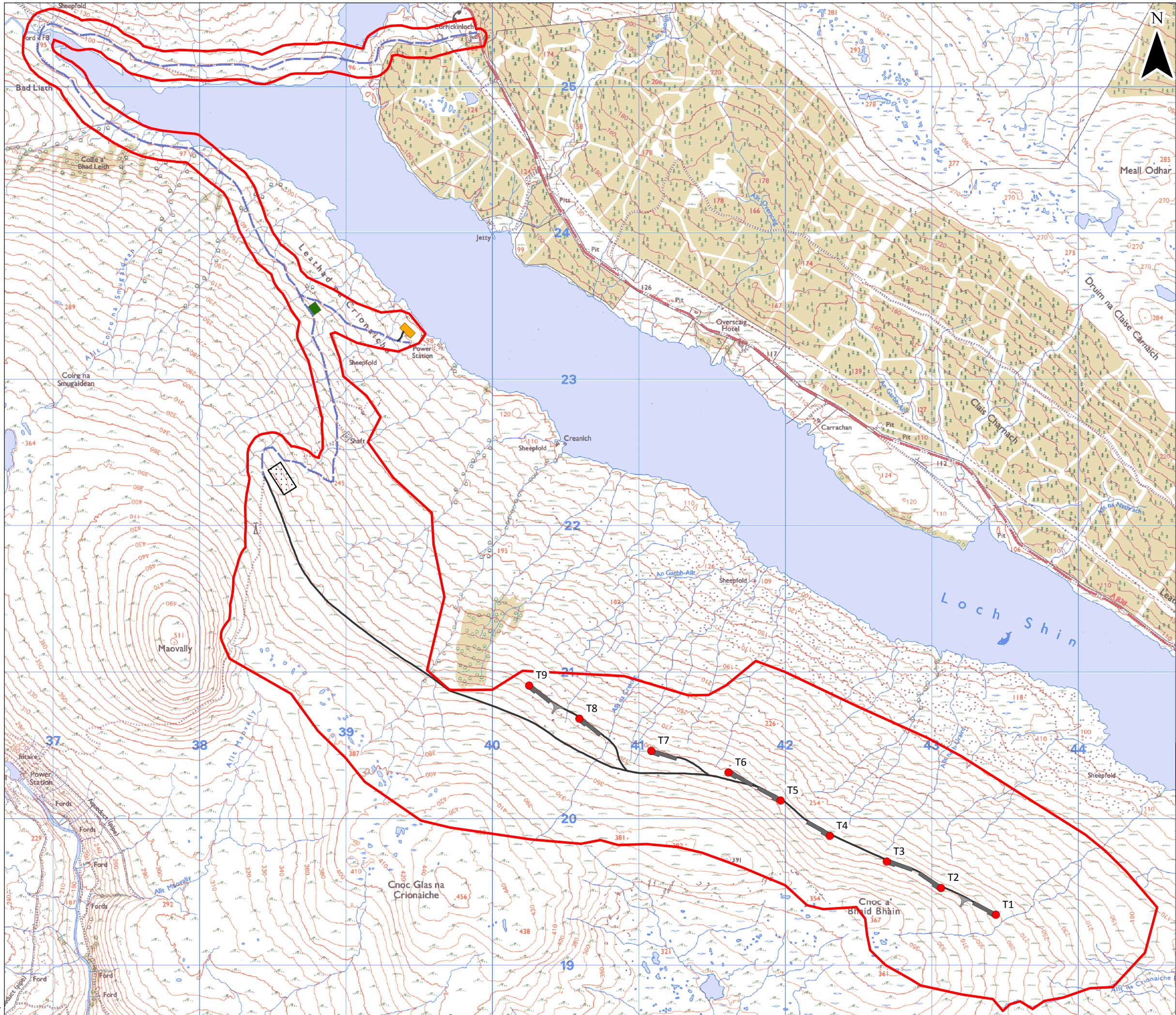
Scale 1:100,000@ A3



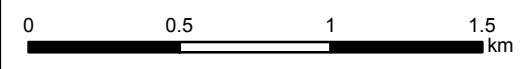
Sallachy Wind Farm
 EIA Report
 Figure 1.1
 Site Location Plan

Date: 16/03/2021 Drawn by: ST Checked by: GS Version: v1

Project Number: 2864



- KEY**
- Site Boundary
 - Turbine
 - Hardstanding
 - Turning Head
 - New Access Track
 - Existing Access Track
 - Indicative Substation Compound
 - Temporary Construction Compound
 - Borrow Pit Search Area



Scale 1:25,000 @ A3



Sallachy Wind Farm
EIA Report
Figure 1.2
Site Layout Plan

Date: 16/03/2021 Drawn by: ST Checked by: GS Version: v1

Project Number: 2864