Annex 1 Pre-application Presentation and THC Response Pack

Phillips Mains BESS

Pre-Application Consultation
Meeting with THC and Stakeholders

Client: SAE

18th April 2023

Agenda

- Introductions
- The Proposed Development and Site
- Policy and Targets
- Initial Feasibility Study
- Preferred Locations
- Landscape and Visual
- Environmental Assessment
- Proposed Approach and Timeline

SAE - Introduction

- SAE has been at the forefront of developing new, sustainable energy projects for many years.

- SAE's sustainable energy projects contribute towards tackling climate change and protecting the planet.

- SAE is the owner/operator of the 6MW tidal stream project currently operating in the Pentland Firth
- MeyGen has secured a CFD for an additional 28MW and is seeking to secure further capacity to build out the remainder of the consented 86MW through future CFD auctions
- The next 28MW is scheduled to commence operation in late 2027

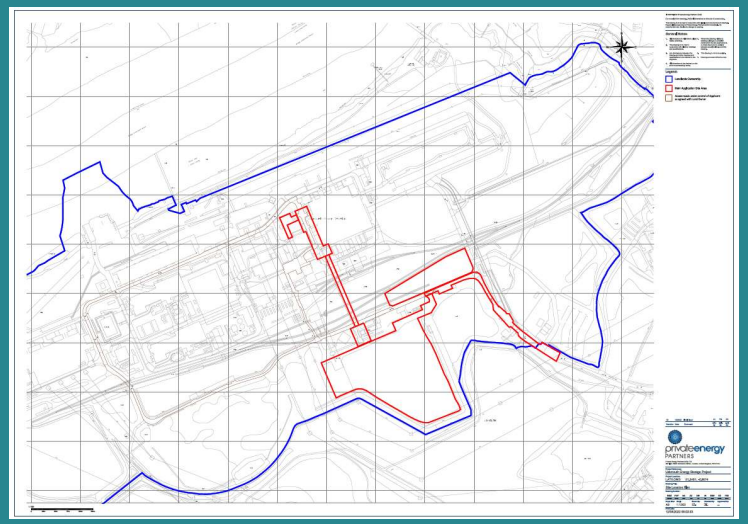
- **SAE's Vision:**
- To be a global leader in the creation of new, sustainable energy projects for the benefit of our planet.

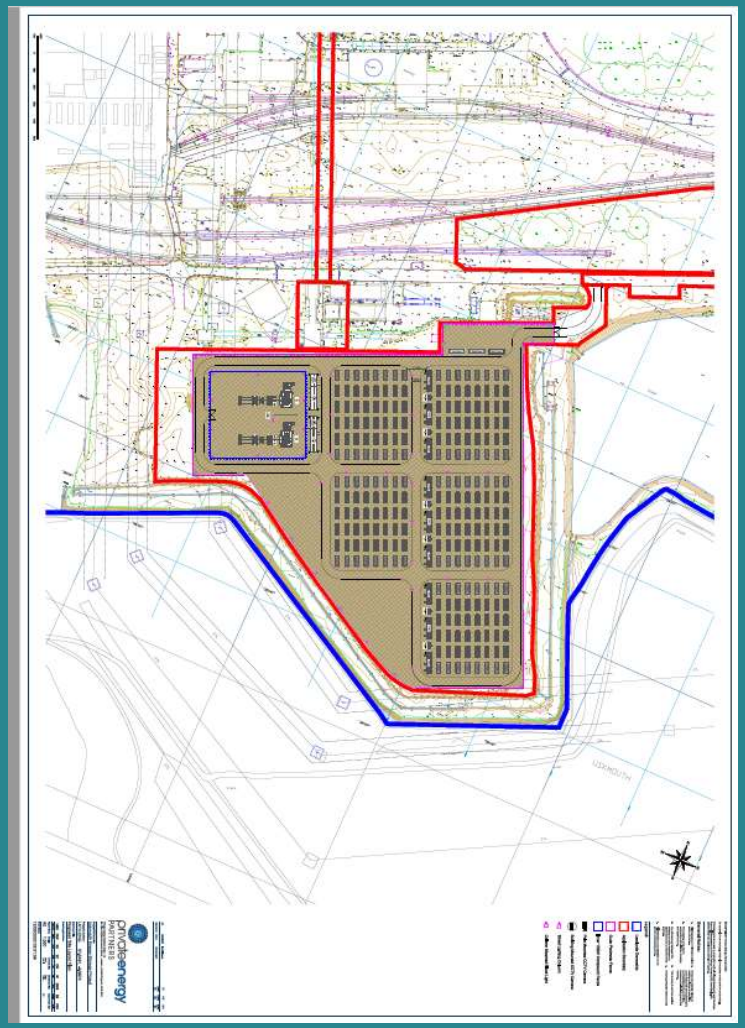
- **SAE's Mission:**
- To collaborate and innovate to reduce costs and deliver sustainable energy projects.

- **SAE's Values:**
- Today – We are an innovative and dedicated team.
- Tomorrow – Through collaboration and teamwork we will become truly global and achieve our vision.
- Always – We always value the safety of each other, our communities and the environment.

SAE – Uskmouth BESS site

- One of the UK's largest BESS projects, located at Uskmouth Power Station in Newport
- Screened as non EIA, planning permission (22/0823) acquired Dec 2022
- Application Type: Full (Major) Uskmouth Power Station, West Nash Road, Nash, Newport, South Wales, NP18 2BZ,
- Enabling construction activity commenced Feb 2023
- Expected to be operational by 2024.





Further Introductions

SAE

ITPENERGISED

- Formed in 2013. Delivered, or are currently working on, EIAs and environmental planning support for a number of BESS sites in Scotland/the UK. Team have experience collectively of working on many more in previous employment.
- Current BESS projects include:
  - Whitehill, c.200MW, N Lanarkshire (with TGP)
  - Hagshaw Energy Cluster, c.30MW, S Lanarkshire
  - Confidential Site, c.45MW, Dumfries & Galloway
- Numerous renewable energy EIAs in Highland
- EIA Project Managers and technical lead on Ecology, Hydrology and Noise.

TGP
LANDSCAPE ARCHITECTS

- TGP has undertaken a landscape and visual review of the proposed project. TGP has been successfully involved in numerous environmental projects across the UK including battery storage.

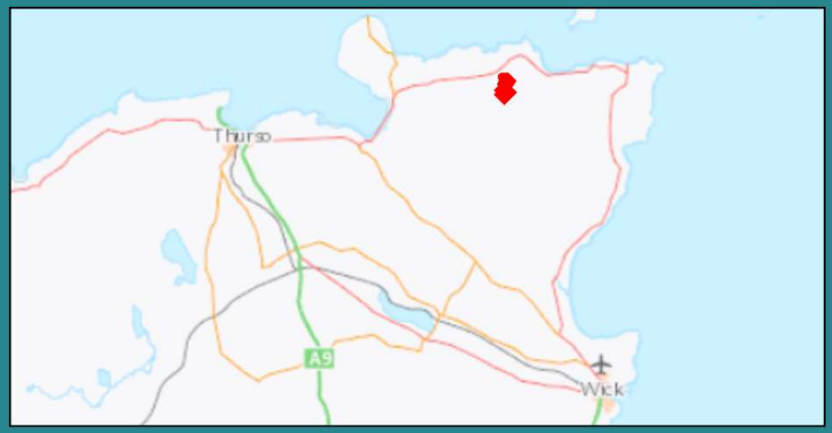
Proposed Development

- Electricity generating station with a capacity greater than 50MW (requires consent from Scottish Ministers via the ECU).
- Containerised battery units c. 2.6 m high, with a likely site area of 10 ha.
- Building to house a 132 kV transformer (c. 6 m high)
- Proposed to connect to the National Grid at the recently consented Gills Bay switching station.
- Security fencing and landscaping (inc BNG)
- Access to the local road network.

Indicative BESS development

The Site

- Approx. 800 - 1,500 m southeast of the small village of Mey, Caithness, close to Phillips Mains Farm.
- A mixture of arable land, grassland.
- Mostly flat land, with slightly steeper terrain towards the south of the site.
- Field drains north and centre of the site and along north-eastern boundary.
- No ecological or heritage designations onsite. A few within 5km.
- Class 1 peatland adjacent to the south and north-west.



Policy & Targets

- Contribution towards wider climate change and renewable energy targets.

- Scotland's greenhouse gas and energy production targets:
  - 100% reduction in GHG emissions to Net Zero by 2045.
  - Interim targets for GHG emission reductions:
    - 75% by 2030
    - 90% by 2040

- Highland Council Policy:
  - Highland-wide Local Development Plan:
    - 'Ensuring that development of renewable energy resources are managed effectively with clear guidance on where renewable energy developments should and should not be located.'
    - 'Providing opportunities which encourage economic development and create new employment across the area focusing on the key sectors including renewable energy.'

  - Caithness and Sutherland Local Development Plan:
    - Vision in 2035: 'Employment: A strong, diverse and sustainable economy characterised as being an internationally renowned centre for renewable energy, etc.'

- NPF4:
  - 'Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, these include battery storage.'
  - 'LDPs should take forward proposals for National Developments where relevant and facilitate their delivery.'
  - 'Supporting emerging low-carbon and zero emissions technologies.'

Initial Feasibility Study

- Review and analysis of ecological & heritage designations, watercourses, peatland, physical and technical constraints, residential receptors, as well as a suggestion of preferred locations within the Site for development.

- Assessment of landscape character and designations, identification of landscape and visual receptors, as well as cumulative sites within 4 km of the Site.

- Main benefits:

  - No ecological and heritage designations on-site.
  - Mostly flat terrain with a slightly steeper land towards the south of the site (can be avoided).
  - Proximity to the recently consented Gills Bay switching station.
  - Easy access to local road network.
  - No Class 1 & 2 peat on-site.

Possible Locations

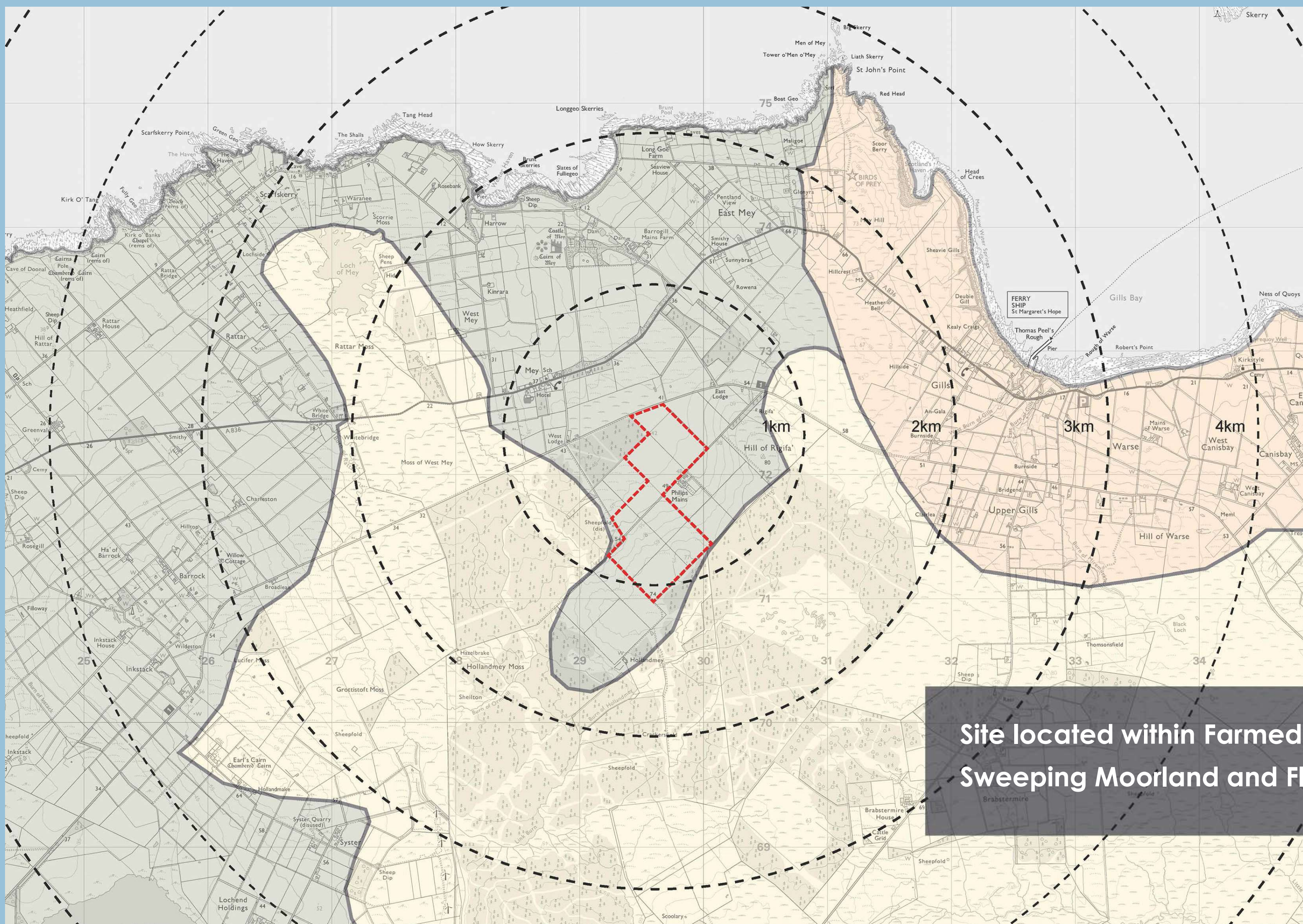
Onsite constraints and preferred location

Key considerations in determining preferred location:

- Topography / slope
- Watercourses
- Preliminary Ecological Appraisal
- Closest residential properties
- Confirmation of any areas of peat
- Feedback from statutory, technical and community consultees.

- Seeking to strike the balance between generation, economics and environmental impacts.

Landscape Character



Site located within Farmed Lowland Plains LCT, Sweeping Moorland and Flows LCT to the south.

Landscape Character

- Farmed Lowland Plains LCT

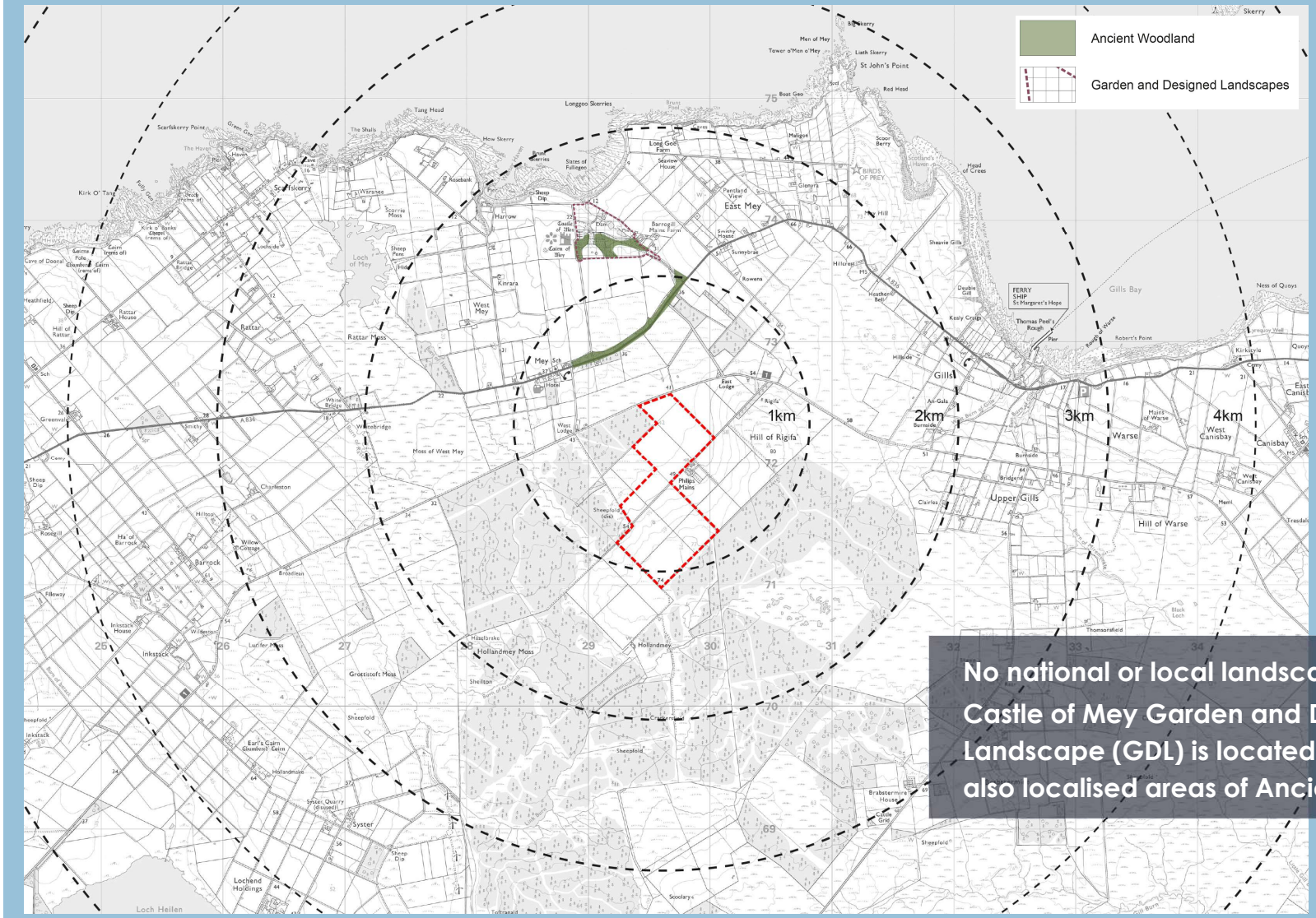
- Key characteristics (NatureScot 2019):

- *'A generally open, low-lying plain…agriculture the predominant land cover.'*
- *'Larger conifer woodlands located at the transition with the Sweeping Moorland and Flows.'*
- *'Farm buildings…clusters of croft houses…small groups of large wind turbines.'*
- *'Extensive views due to the openness of the landscape.'*

- Landscape Sensitivity Appraisal 2017 (addendum to THC Wind Energy Supplementary Guidance):

- *'Typically wide views...but few scenic views'*
- Recognised scope for Medium, Small and Micro turbines.
- Lower susceptibility to Small turbines: *'their small scale sits well within the undulating folds of the landscape, reducing their impact.'*

Landscape Designations



No national or local landscape designations.

Castle of Mey Garden and Designed Landscape (GDL) is located 1.2km to the north, also localised areas of Ancient Woodland.

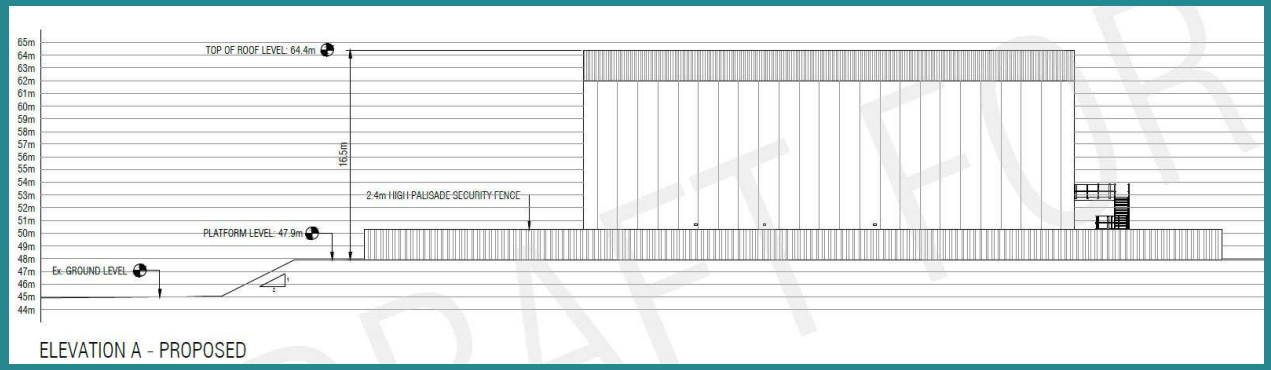
Landscape Context

- Local Context
- The Site comprises pastoral farmland demarcated by drystone walls, open in character.
- Terrain within the northern part of the Site is flat (ranging from 41m AOD to 50m AOD). The southern part of the Site is gently sloping, and rises to 77m AOD.
- The surrounding area incorporates expansive forestry to the west, south and southeast.
- The local landform rises to the east towards the summit of the Hill of Rigifa (80m AOD), resulting in the containment of the Site on most sides.
- Accordingly, the Site is most open to the north.

Cumulative Context

- Existing Infrastructure:
- Lochend Wind Farm (4no turbines) 2.4 km to the southwest;
- Rattar Mains Turbine (1no turbine) 4.0 km to the northwest;
- Masts at Brabstermire, 2.6 km to the southeast, and at Barrock, 3.8 km to the west.

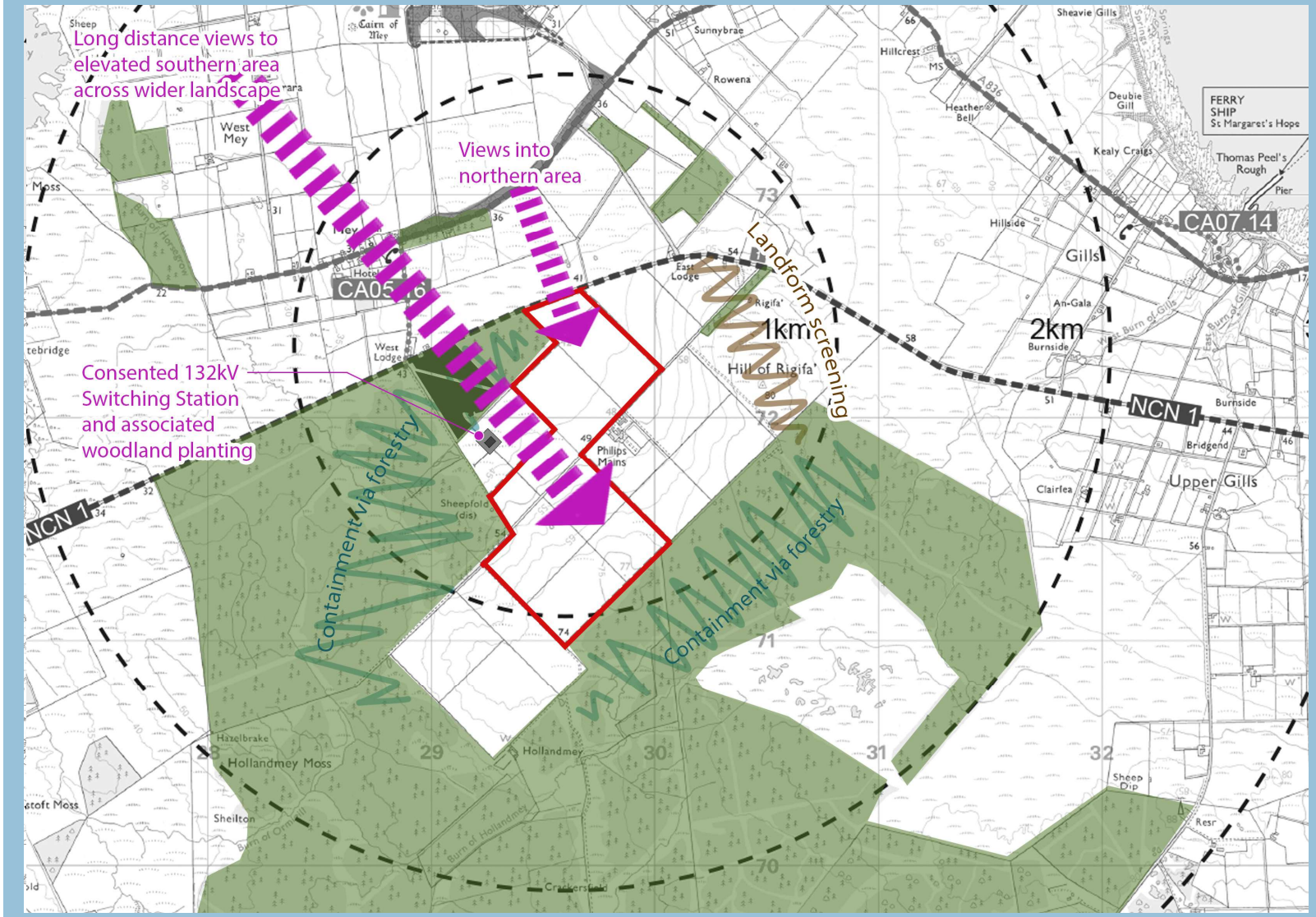
- Future Baseline Development
- 132kV Switching Station (consented) to the northwest of the Site;
- Slickly Wind Farm (consented) (11no turbines) 4.9 km to the south.



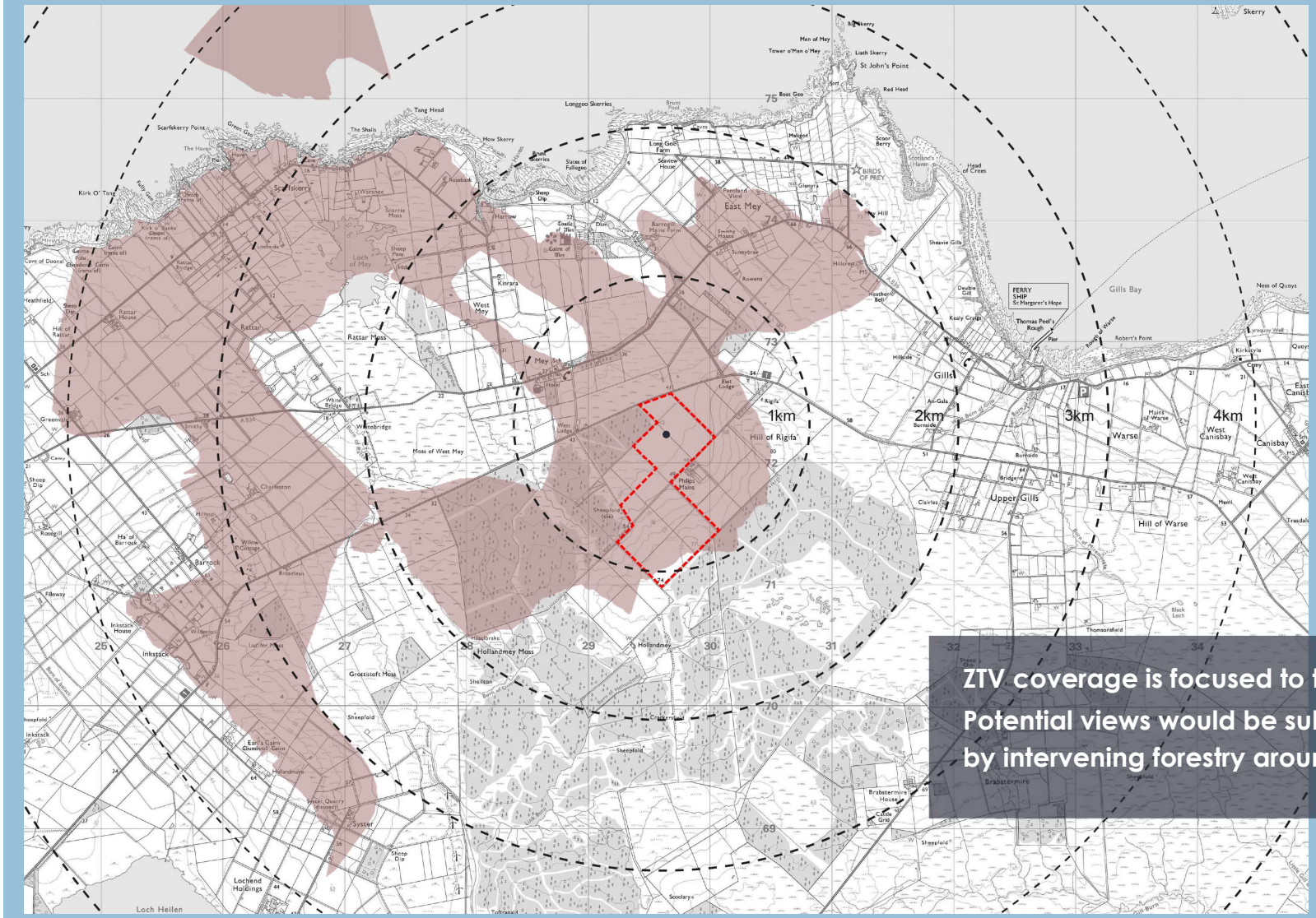
132kV Switching Station: Elevation
Extracted from SSEN drawing no. LT22_GILB_0802_0018 rev 0A

- Other Potential Cumulative Development
- Hollandmey Energy Development (S36 Application) to the south / west;
- Lochend Wind Farm Extension (scoping stage) (5no turbines) 3.3 km to the southwest.

Site Analysis



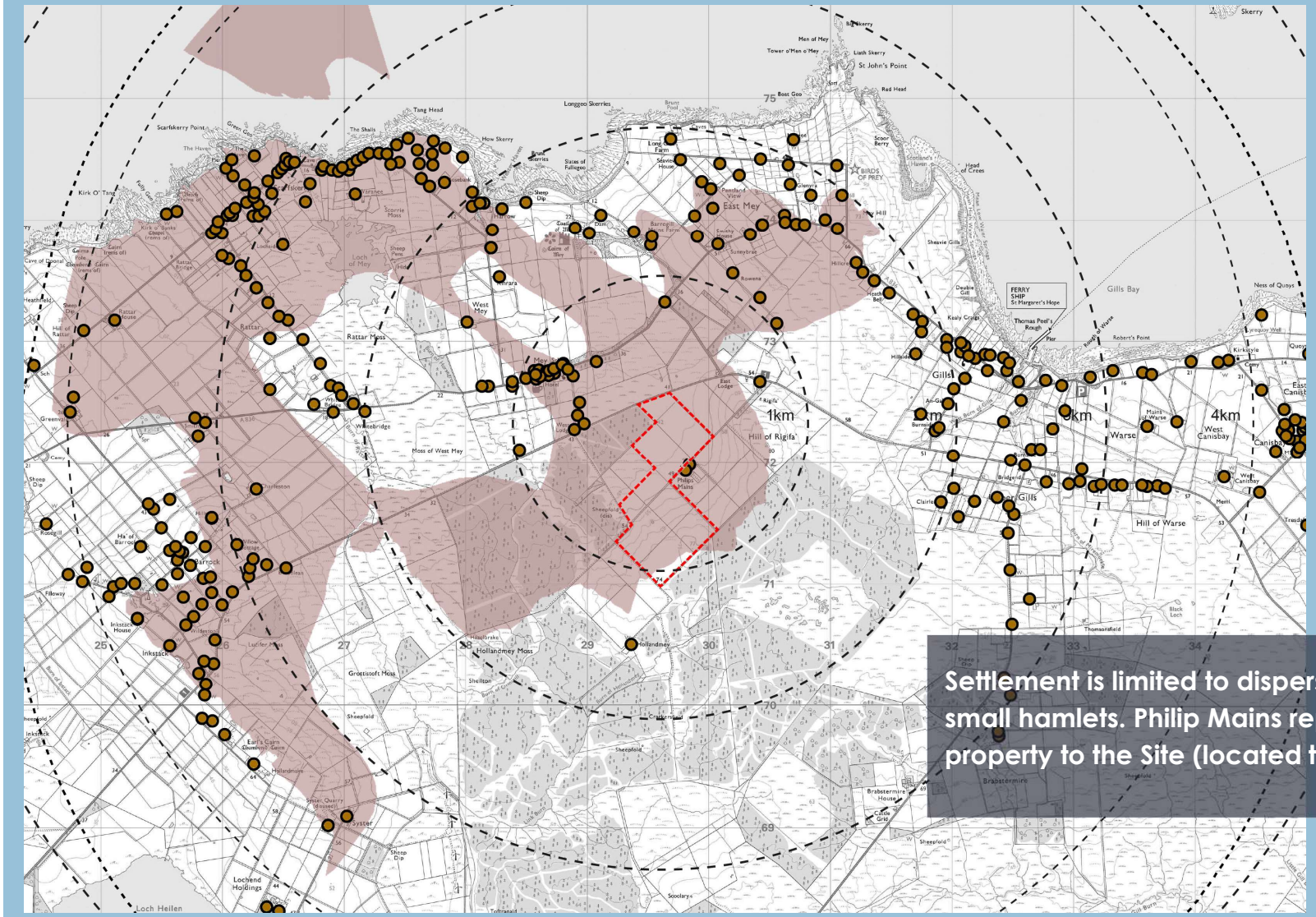
Visual Analysis



Theoretical visibility based on building height of 6.0m at location shown.

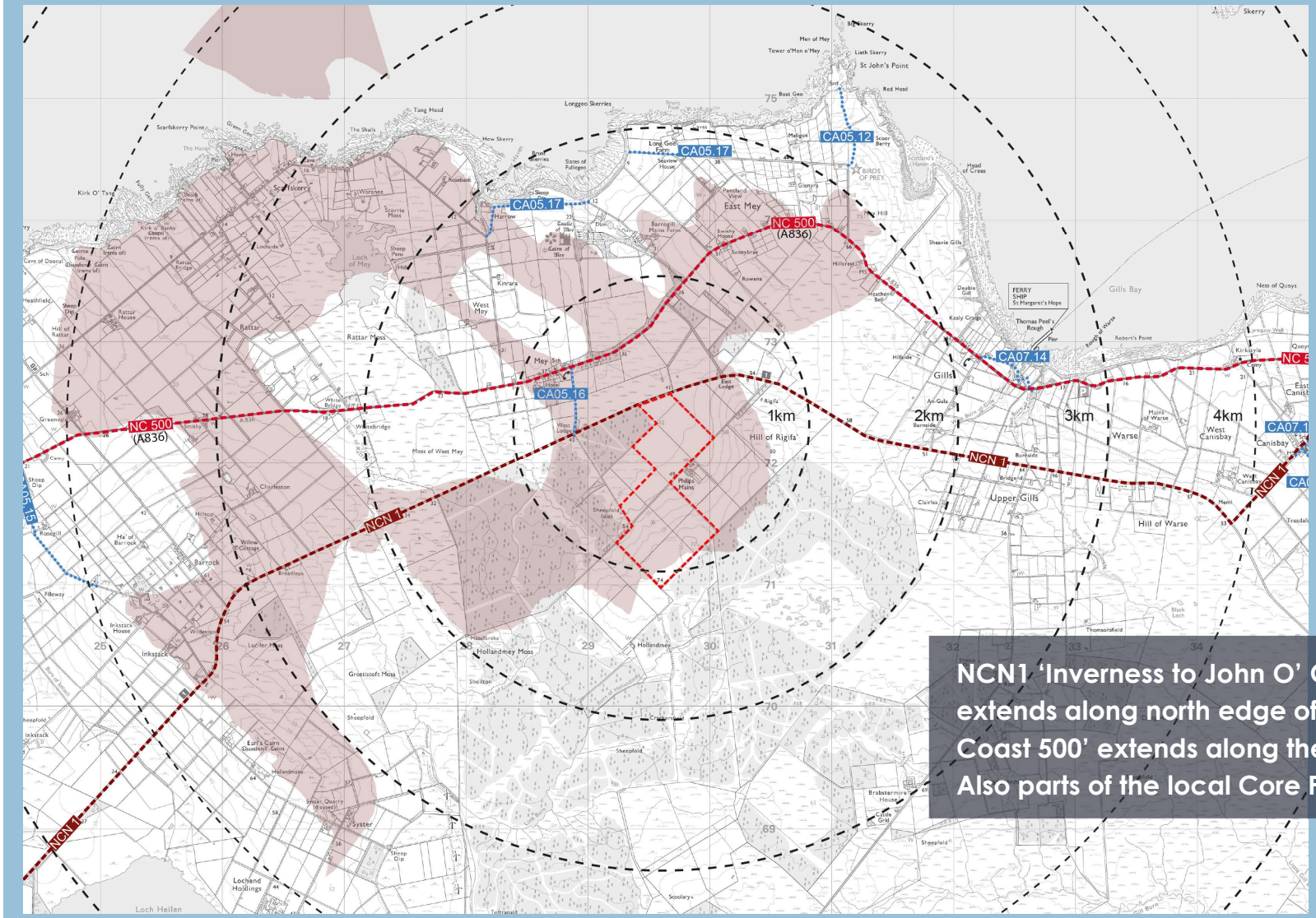
ZTV coverage is focused to the north and west. Potential views would be subject to screening by intervening forestry around the Site.

Residential Receptors



Settlement is limited to dispersed houses and small hamlets. Philip Mains represents the closest property to the Site (located to the east).

Key Routes



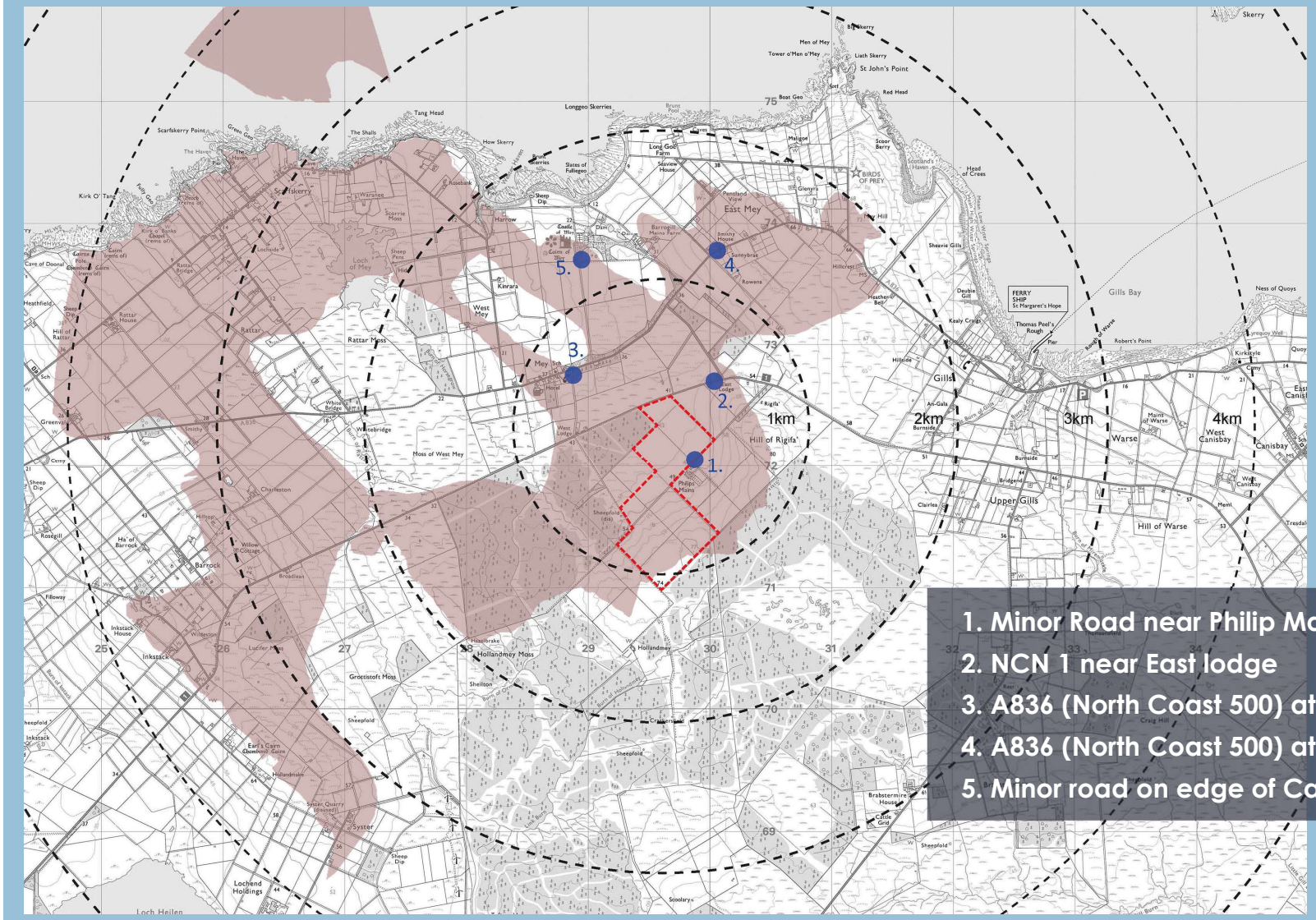
NCN1 'Inverness to John O' Groats' cycle route, extends along north edge of the Site. The 'North Coast 500' extends along the A836, to the north. Also parts of the local Core Path network.

Visual Context Summary

- Key Views into the Site:

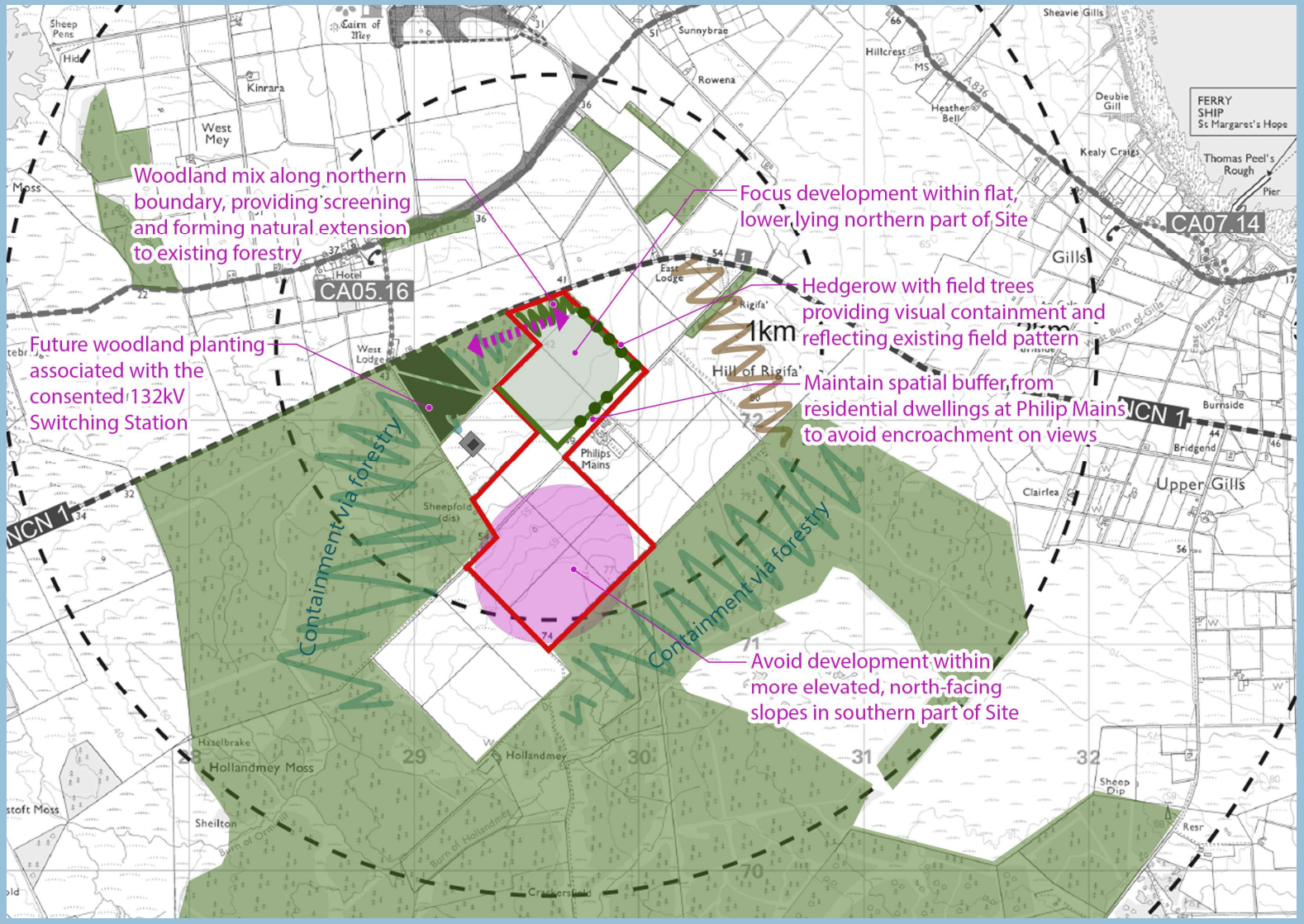
- The Site is contained by surrounding tree cover and landform to the west, south and east.
- Key views are likely to be experienced by receptors located to the north.
- The ZTV illustrates potential longer distance views from more distant vantage points to the west. However, within such views the Proposed Development would be screened by intervening plantation forestry.
- Provisional viewpoint locations are shown on the following ZTV.

Provisional Viewpoints



1. Minor Road near Philip Mains
2. NCN 1 near East lodge
3. A836 (North Coast 500) at Mey
4. A836 (North Coast 500) at East Mey
5. Minor road on edge of Castle of Mey GDL

Landscape Mitigation



Landscape Mitigation

- Tree / Hedge Planting: Mixed native species in accordance with the surrounding context, with input from project ecologist to further increase biodiversity value.
- Ground Cover Planting: Reinstatement to native ground cover in accordance with surrounding landscape context, with input from ecologist to determine most suitable species.
- Drainage: Design to utilise existing topography / drainage ditches as part of the wider SUDS approach. Species-rich wetland meadow focused around seasonally flooded retention basins to provide an additional habitat type.
- Planting Approach: Advanced planting prior to / during the construction phase where practicable to ensure early establishment and screening of the Site.
- Management: Hedgerows to be allowed to establish to a height of approximately 3 m to ensure maximum screening, and creation of a soft green interface with the surroundings.
- Materials: Building materials and exterior colours to match those of the consented 132kV Switching Station for consistency.

Wider Environmental Assessment

To address:

- EIA Screening
- Assessment of potential significant effects, mitigation measures, residual effects.
- Cumulative assessment

Key Technical topics:

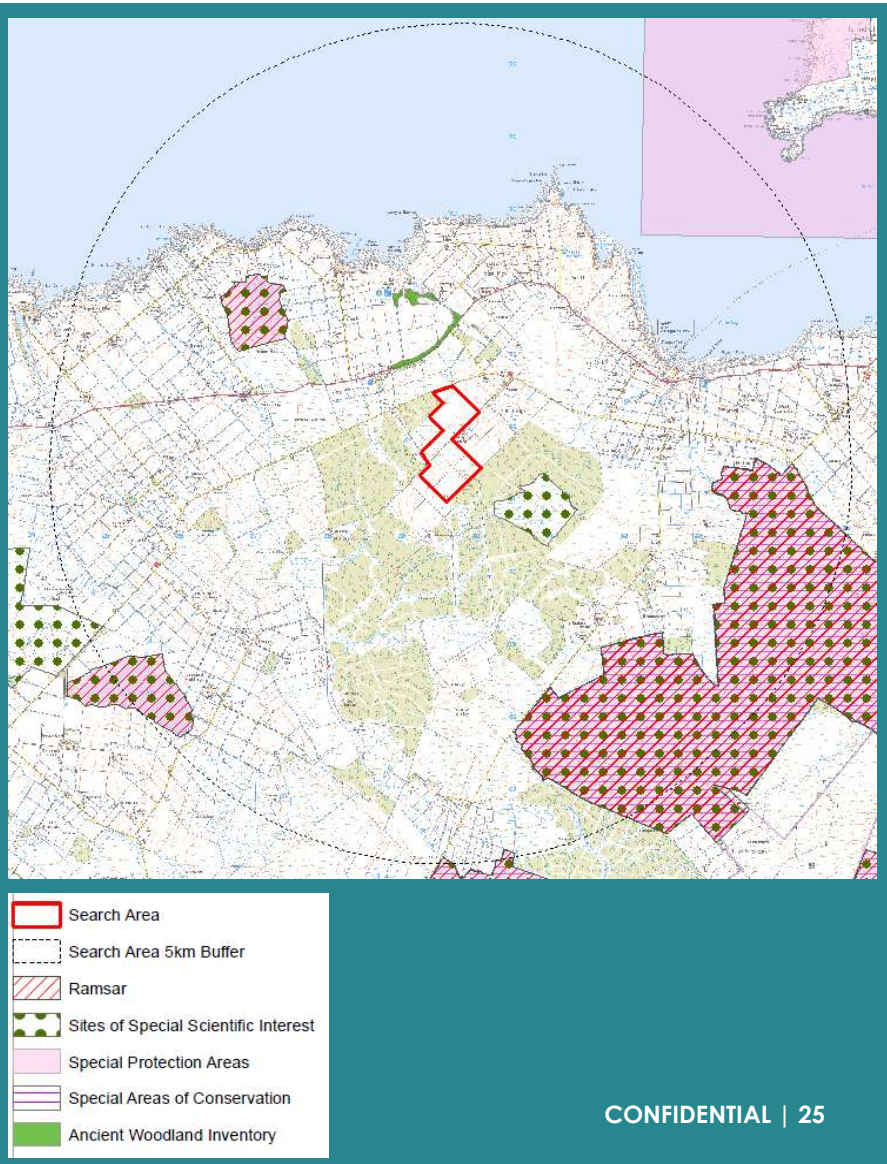
- Landscape and Visual
- Ecology and Nature Conservation
- Archaeology and Cultural Heritage
- Hydrology, Geology, Hydrogeology and Peat
- Traffic, Transport and Access
- Noise

Ecology

- Some ecological designations (SSSIs, SPAs, SACs, Ramsar and Ancient Woodland sites) within 5 km of the site, but none on-site and no significant effects on these receptors are anticipated.

- **Proposed mitigation and enhancement:**
  - Biodiversity Net Gain;
  - Planting for biodiversity;
  - Exact mitigation and enhancement to be determined regarding biodiversity and habitat creation opportunities.

- **Next Steps:**
  - Preliminary Ecological Appraisal
  - Ecological Impact Assessment
  - Outline Habitat Management Plan.



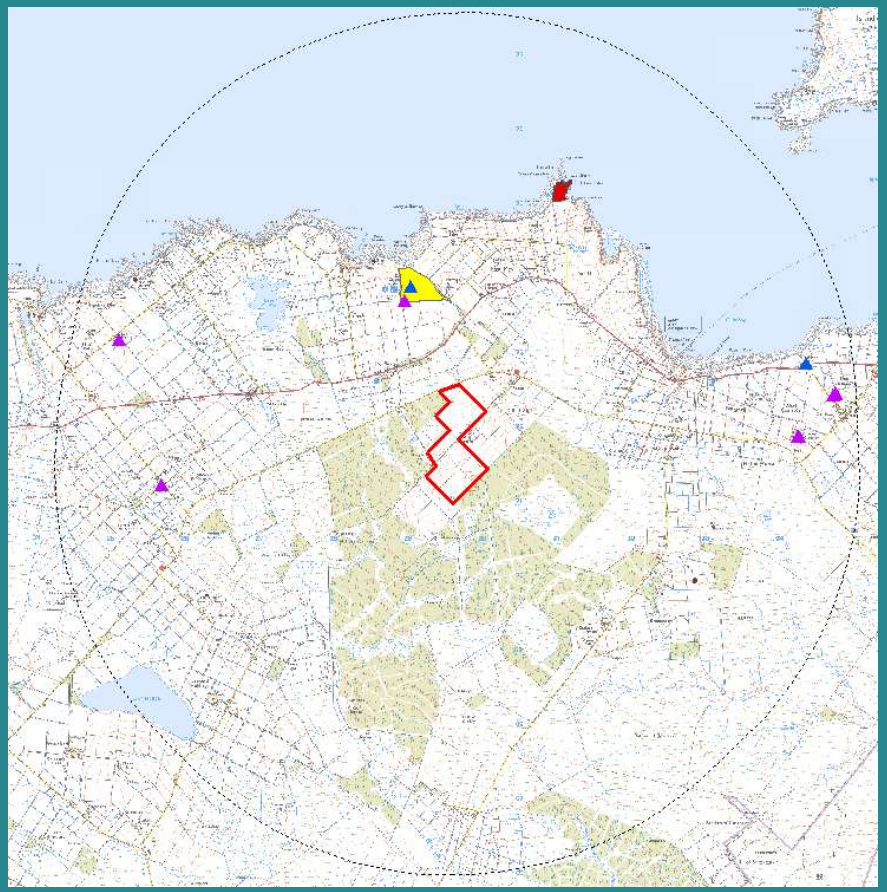
Archaeology and Cultural Heritage

No archaeology and cultural heritage sites directly on site.

- Listed Buildings:
  - Closest are Category A c.1.5 km north and Category B c.1.4 km north.

- Garden and Designed Landscape:
  - Castle of Mey (Barrogill Castle) Garden and Designed Landscape – c.1.1 km north.

- Scheduled Monuments (SMs):
  - Nearest SM (Mey Battery) is located c.2km northwest.



Hydrology, Geology, Hydrogeology and Peat

- Hydrology:

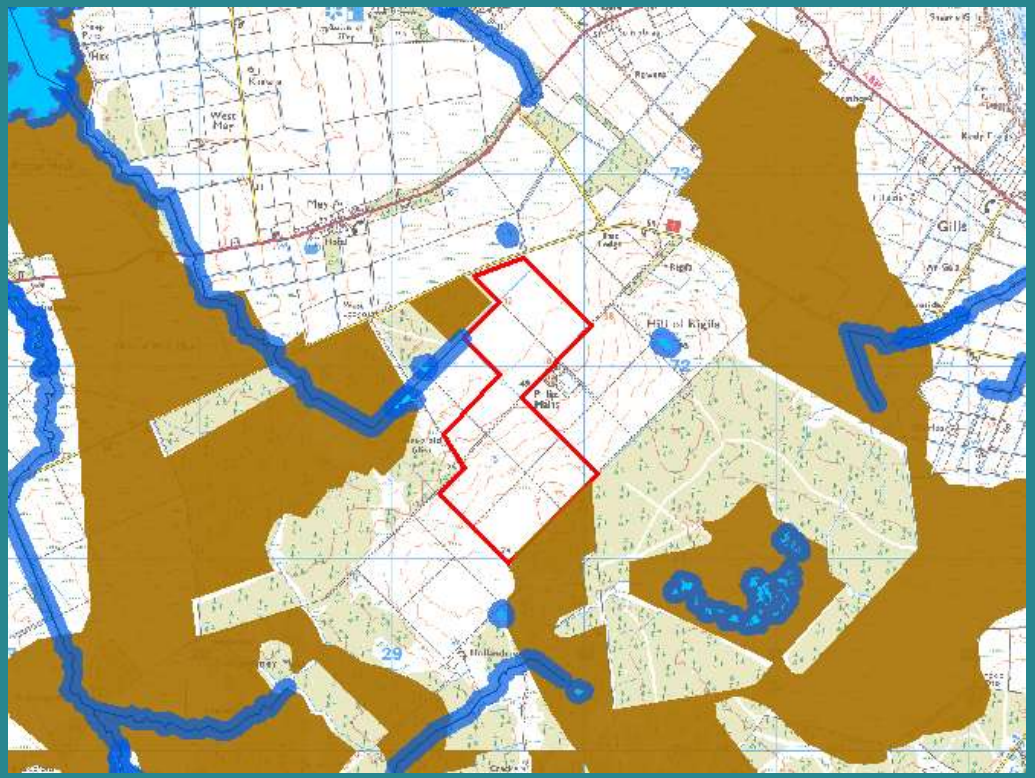
- Drains in north and central parts of site and along north-eastern boundary.
- Small watercourses close to site(medium to high likelihood of flooding - SEPA Online Flood Map).
- 50m buffer for all watercourses.

- Peat:

- No Class 2 peat in the area.
- Class 1 peat adjacent to south and north-west.
- Extensive areas of Class 1 peat in wider area, but none on-site.

- Next steps:

- Peat survey.
- Flood Risk Assessment and outline drainage strategy.



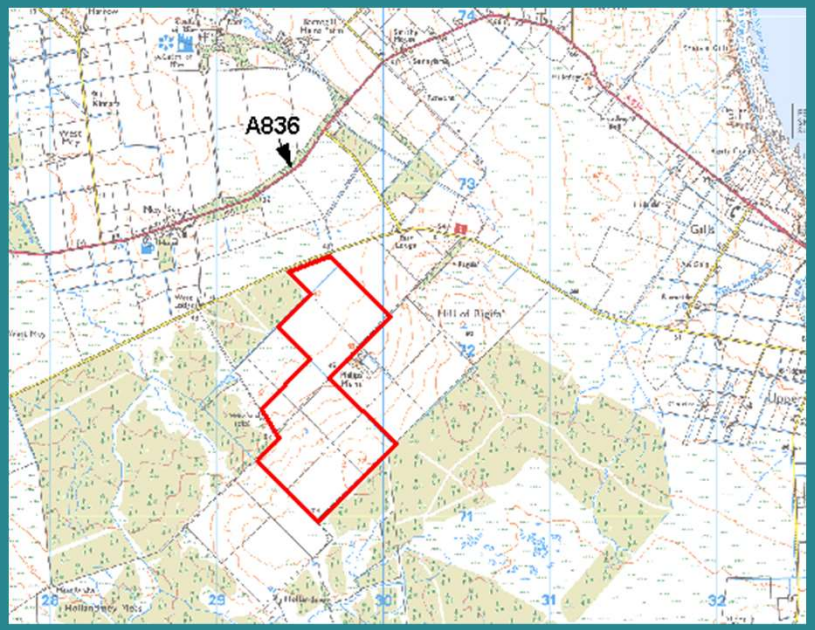
National Scale Land Capability for Agriculture (Online Map)

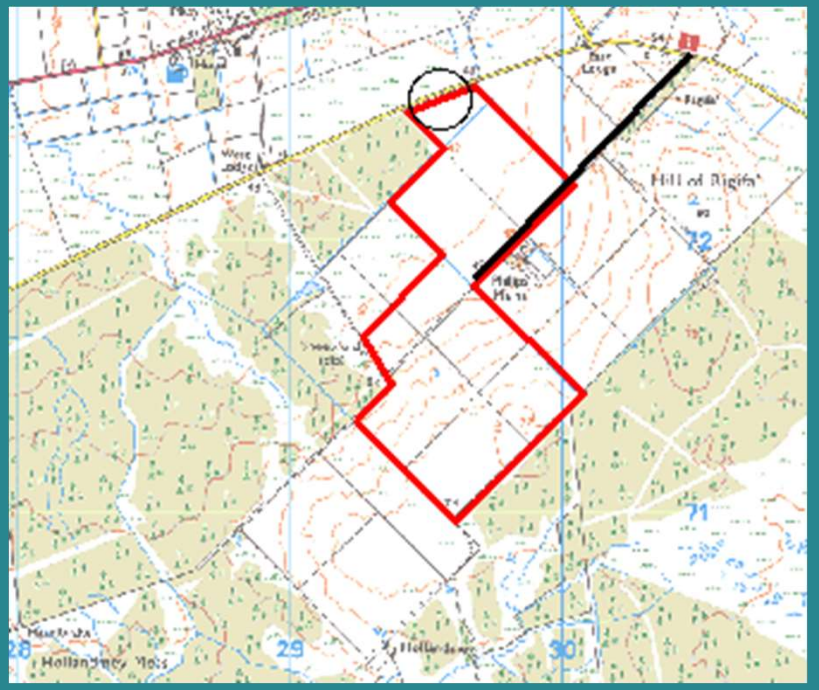
SAE

- 3.1 - Land capable of producing consistently high yields of a narrow range of crops and/ or moderate yields of a wider range. Short grass leys are common.
- 4.1 - Land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.
- 6.2 - Land capable of use as rough grazings with moderate quality plants.

Traffic, Transport and Access

- Access from minor road to the north or Phillips Mains access road.
- A836 – nearest A-road
- Some minor increase to local traffic levels during construction, to be managed by a Construction Traffic Management Plan.
- Negligible increase to traffic levels during operation.





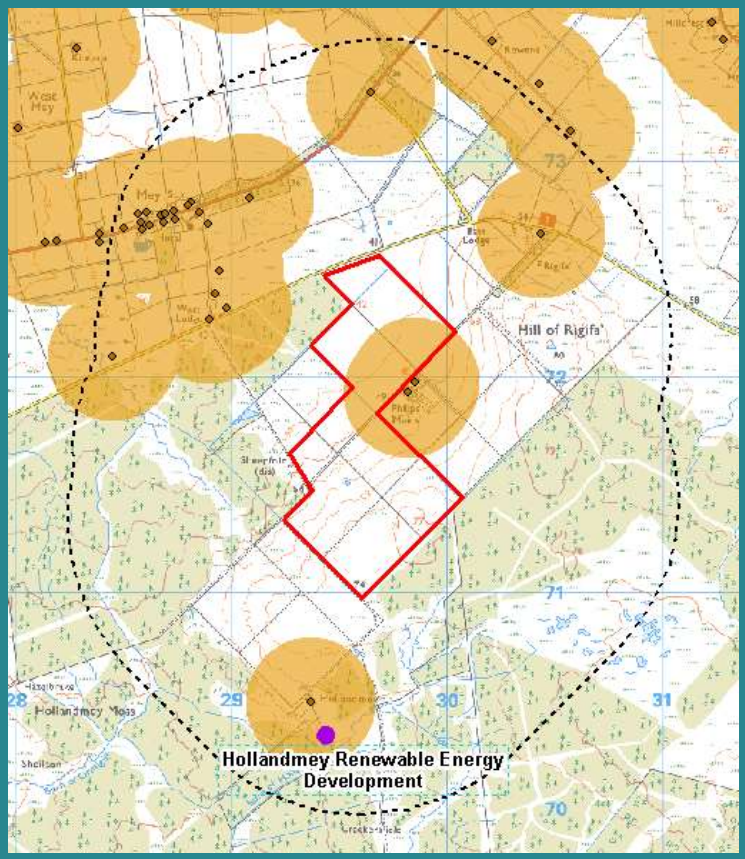
Noise

- **Construction phase:**
- Temporary in duration, to be managed by a Construction Environmental Management Plan.

- **Operational phase:**
- Potential for tonal humming from equipment, hence 300m buffer for all residential properties.

- **Residential properties:**
- Phillips Mains Farm adjacent.

- **Cumulative development:**
- Hollandmey Renewable Energy Development (battery, wind, solar PV)
- Other wind developments further afield
- Cumulative noise not expected to be significant, however noise assessment to support S36 application.



Proposed Approach and Timeline

- Pre-application consultation meeting with THC and stakeholders: 18th April 2023.
- Feedback from the pre-application meeting.
- Prepare screening report.
- Feedback from the screening report (EIA or non-EIA development).
- Commence survey work and writing up of report.
- Submission.
- From screening report up to submission is anticipated to take at least 6 months, depending on consultation timescales, survey requirements and design process.

Questions and Discussion

Thank you
for your attention.

Appendix: Ecological & Heritage Designations

- Ecological designations within 5 km from the site:

- Phillips Mains Mire SSSI, designated for its nationally important blanket bog - c. 460 m southeast from the site;
- Loch of Mey SSSI, Caithness Lochs SPA and Ramsar (all overlapping), designated for various over-wintering bird species including whooper swan – c. 2.1 km northwest from the site;
- Stroupster Peatlands SSSI, Caithness and Sutherland Peatlands SPA, SAC and Ramsar, designated for its upland blanket bog habitat, clear-water lochs and various bird species including dunlin, common scoter and golden eagle - c. 3.1 km southeast from the site;
- North Caithness Cliffs SPA, designated for fulmar, kittiwake, guillemot and peregrine – c. 3.3 km northeast from the site;
- Loch Heilen SSSI, Caithness Lochs SPA and Ramsar, designated for its mesotrophic loch, Greenland white-fronted goose, greylag goose and whooper swan - c 4.3 km southwest from the site;
- Dunnet Links SSSI, designated for its nationally important sand dunes and associated links grassland – c. 4.8 km southwest from the site;
- Ancient woodland areas – c. 640 m, 1.2 km and 1.3 km north from the site.

- Heritage designations within 5 km from the site:

- Listed Buildings: 7 Listed Buildings, 2 Category-A listed and 5 Category-B listed.
- Nearest are Category A c. 1.5 km north and Category B c. 1.4 km north from the site.

- Garden and Designed Landscape: Castle of Mey (Barrogill Castle) Garden and Designed Landscape, designated for its parkland, woodland, formal gardens and walled gardens – c. 1.1 km north from the site.

Appendix: Ecological & Heritage Designations

-Scheduled Monuments (SMs):

- Mey Battery (nearest), remains of a coastal artillery battery constructed around 1866 - located c. 2 km northwest from the site;
- St John's Point Promontory Fort, located c. 2.8 km north from the site;
- Scarfskerry, remains of medieval chapel - located c. 4.4 km northwest from the site;
- Earl's Cairn, chambered cairn - located c. 3.4 km southwest from the site.

The Highland Council
Comhairle na Gàidhealtachd

PRE-APPLICATION ADVICE FOR MAJOR DEVELOPMENTS

Reference no:	23/00635/PREMAJ	**Date of Issue**:	16 May 2023
Proposal:	Battery Energy Storage System (BESS)	**Address:**	Land 500M West Of Philips Mains Mey
Case officer:	Mark Fitzpatrick	**Email and phone no:**	Mark.Fitzpatrick@highland.gov.uk
Confidentiality Requested	Yes		

This pre-application advice has been specifically prepared for Saerenewables as the applicant and as the agent for the proposed development at

Land 500M West Of Philips Mains,
Mey

Description of proposal

Installation and operation of a Battery Energy Storage System (BESS) on land approximately 600m southeast of Mey.

The development is anticipated to comprise:

- Laying out of containerised battery units (around 2.6 metres high) along with associated inverters, switchgear units, closed loop cooling units, control units and associated electrical infrastructure mounted on concrete piers;
- Laying out of containerised substation units and associated electrical infrastructure mounted on concrete piers;
- Transformers within bunded compounds (building around 6 metres high to house a 132 kV transformer);
- Auxiliary power supplies for the batteries, control systems mounted on concrete piers;
- Security palisade fence around the BESS substation and battery compound with access gates to the
- compound entrance from the road network;
- Erection of CCTV cameras;
- Laying out of a hard surfaced site access into the BESS substation and battery compound from the local road network. Car parking bays. Uncompacted gravel as a surface cover between the containerised units and equipment. Construction laydown area;
- Landscaping (including Biodiversity Net Gain).

Summary of Key Issues

Note: Maps provided in the advice pack by the Council use the pre-application boundary provided by the developer with the pre-application submission. However, as mentioned at the pre-application meeting, it is noted that the boundary shown within the developer's presentation at the meeting differs, extending further southwards. Notwithstanding that, it is understood from the meeting that those boundaries depict a search area and it is anticipated that the development site will be significantly smaller, with initial indications being that the northern part of the search area is likely to be preferred.

It is anticipated that the proposed development would have a capacity greater than 50MW and therefore be subject of a Section 36 application to Scottish Ministers under the Electricity Act 1989.

The principle of all forms of renewable, low carbon and zero emissions technologies, including energy storage, such as battery storage, is given strong 'in principle support' by NPF4 Policy 11. In addition, the Council is supportive, in broad principle, of proposals for energy storage as part of the energy system. However, this in principle support has to be taken in balance along with all other considerations of a particular site. It is appreciated that the proposal could add to the efficiency, flexibility and responsiveness of renewable energy generation to meet demand; however, energy developments should still comply with relevant wider NPF4 and Highland local development plan policies.

Consequently, the development will be assessed for impacts on landscape character and visual amenity, impacts on the amenity of the local community and the residential amenity of nearby properties, as well as on historic assets, natural heritage, woodland, and health and safety.

In addition, the Council would require further information to understand the capacity of the proposal and its benefits to the electricity network. The potential impacts must be understood and carefully assessed, for example any pollution risks and particular requirements for decommissioning. These details will be important for understanding the effects of detailed proposals and to assist in the consideration of whether they are able to be supported.

Based on the submitted information it is likely that the Planning Authority would be in a position to support the proposed development, subject to matters set out in this pre-application advice pack being satisfactorily addressed.

Background Information

Site Area	**100000 m2**	
Land Ownership	**Unknown**	
Existing Land Uses	**Agriculture / forestry**	
Grid Reference	**329526 (E)**	**971842 (N)**

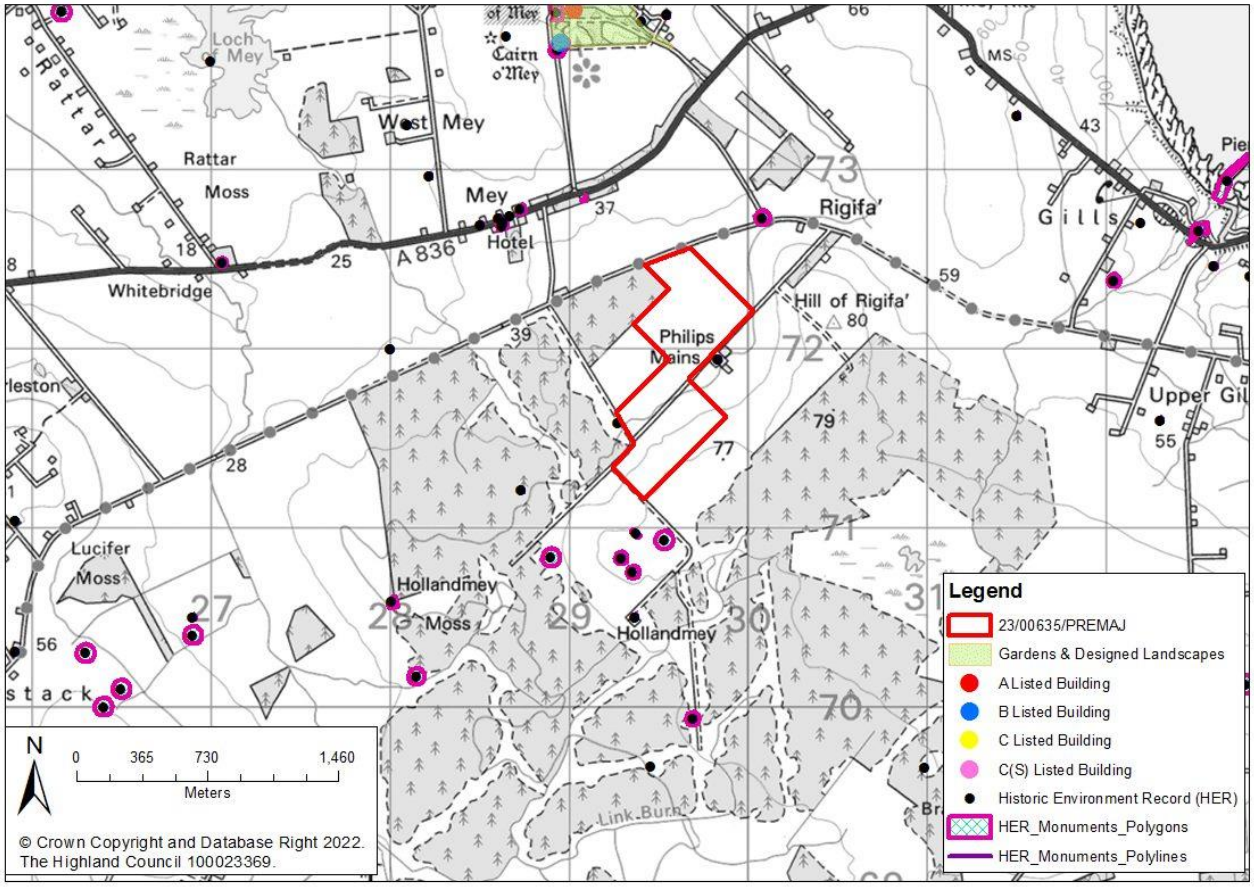
Consents Required

You are advised that the following consent(s) will be required for the proposed development:

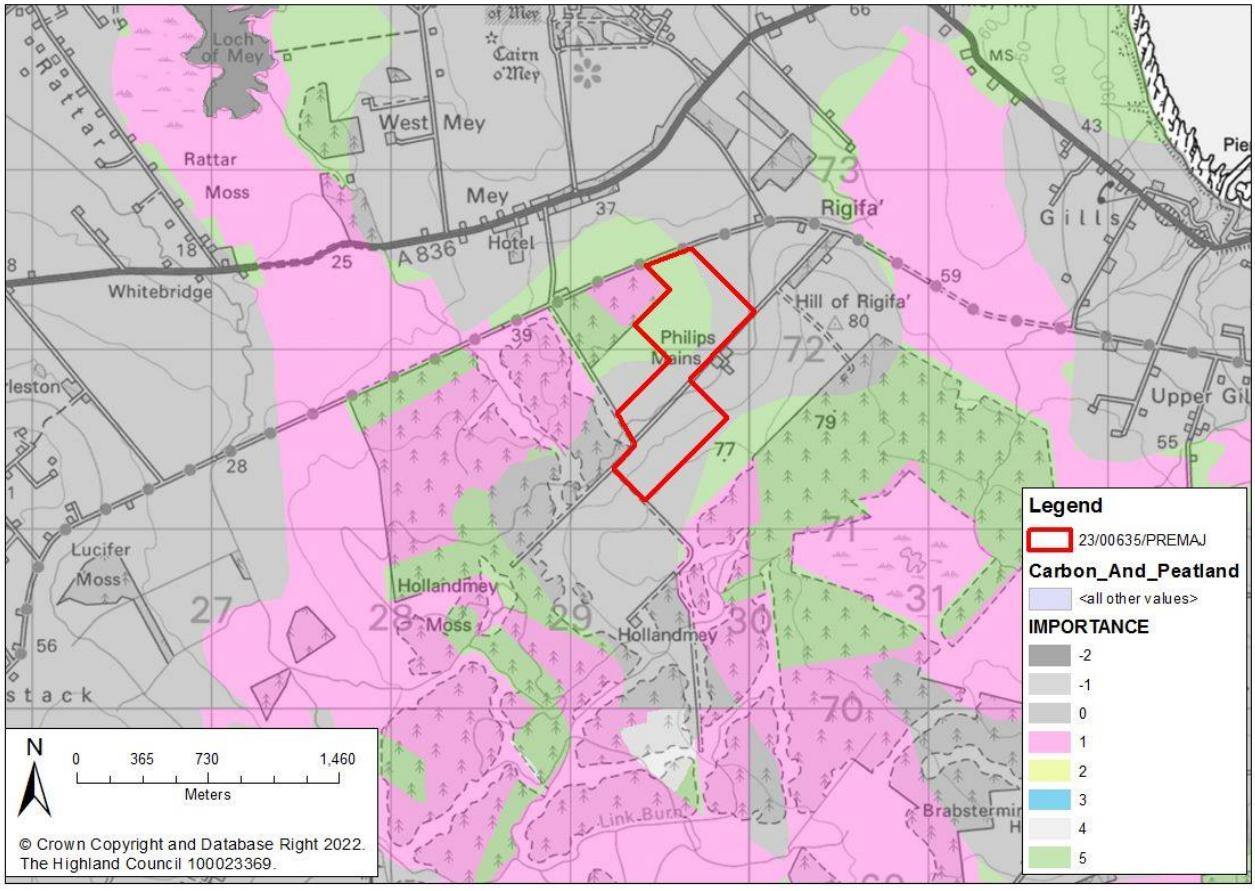
Section 36 of the Electricity Act 1989
Roads consents

Site Constraints Map

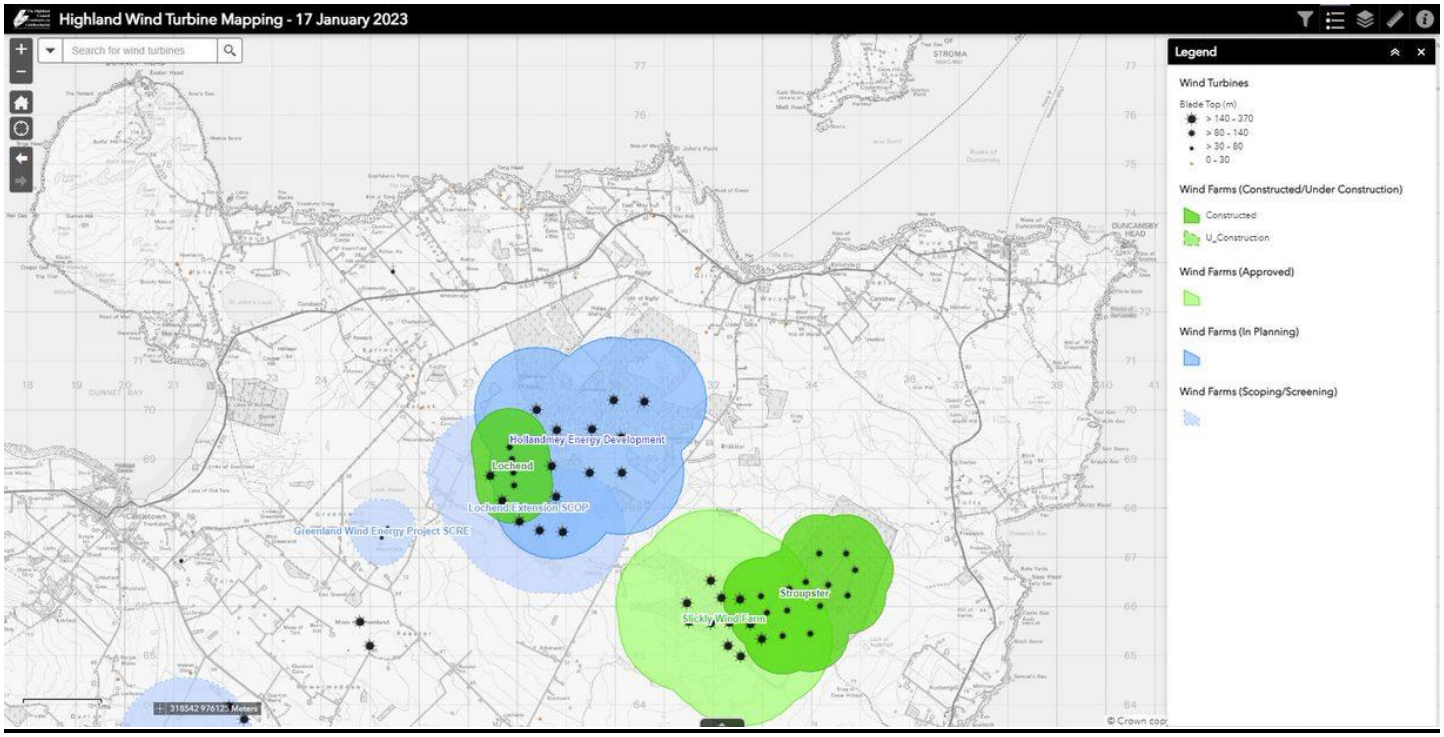
Built Heritage



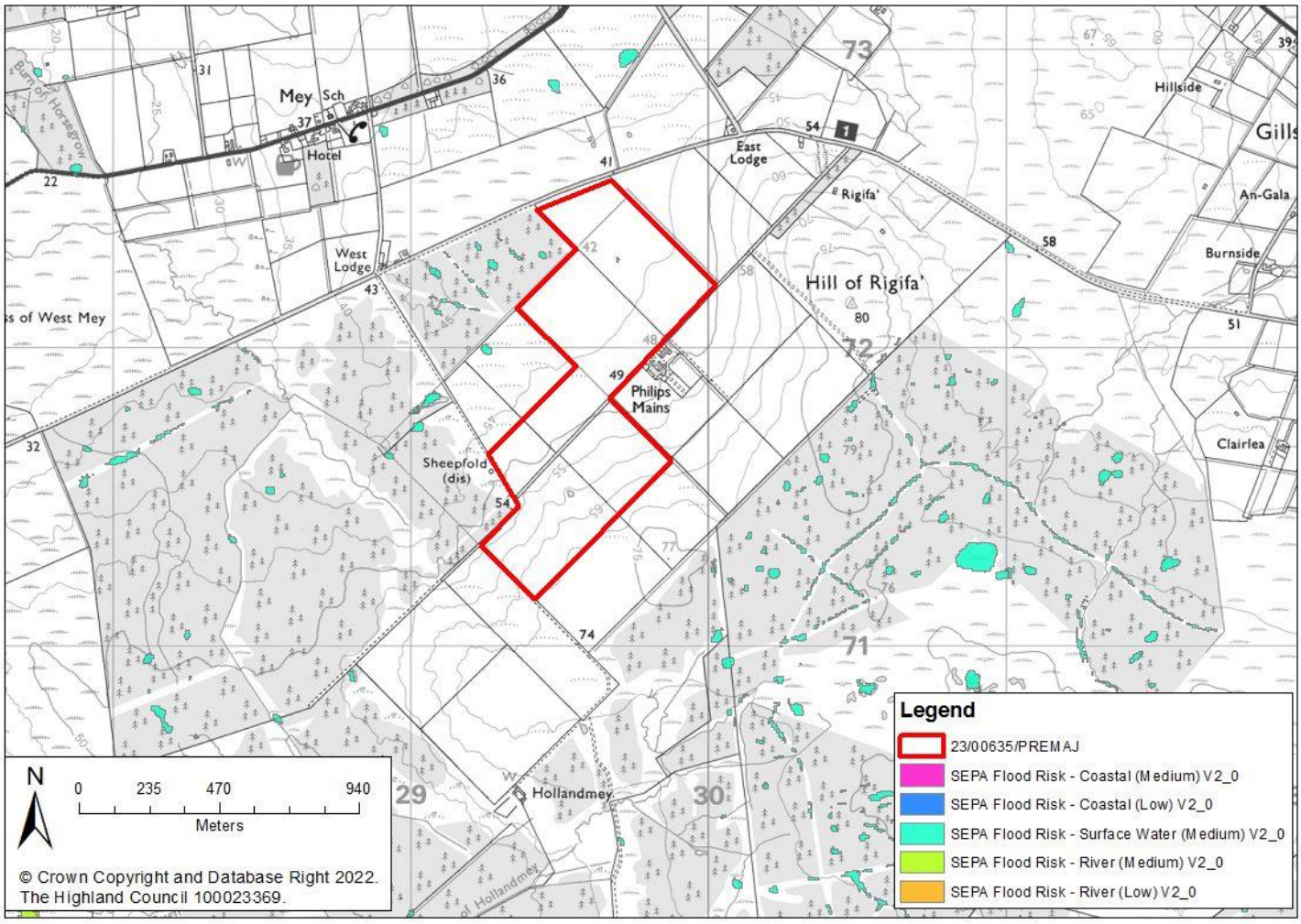
Carbon and Peatland



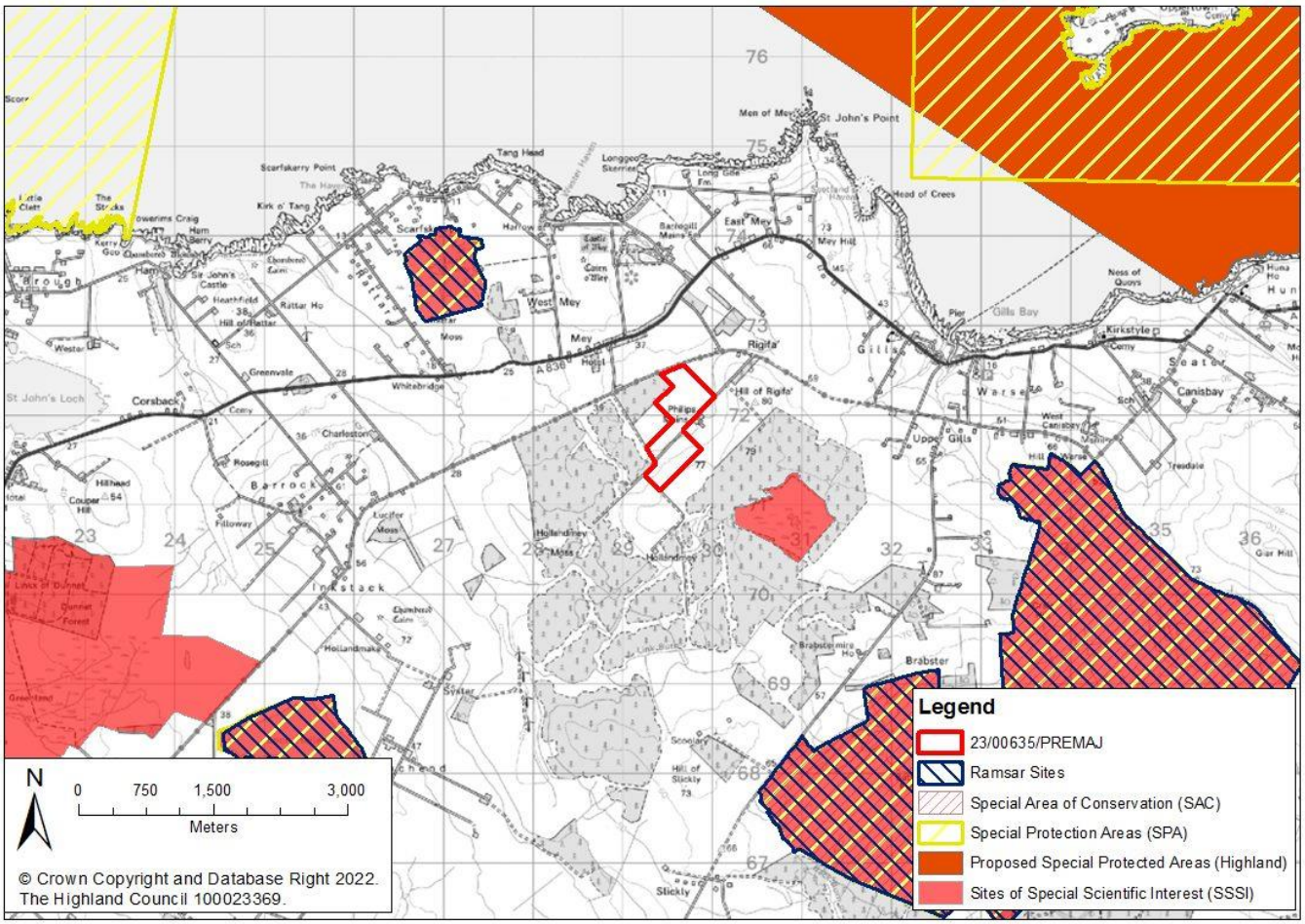
Development Context Wind Turbine Mapping



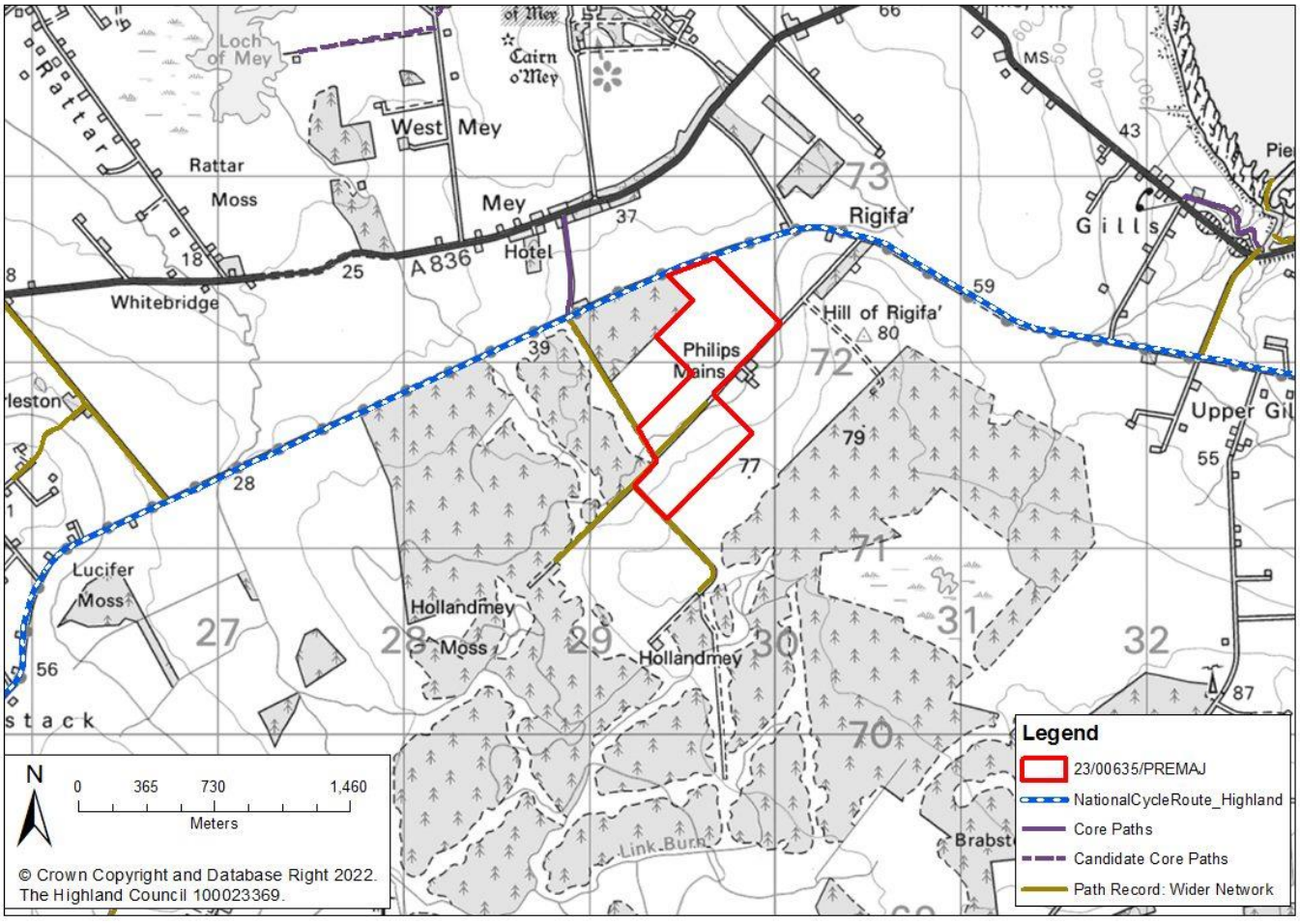
Flood Risk



Natural Heritage



Outdoor Access



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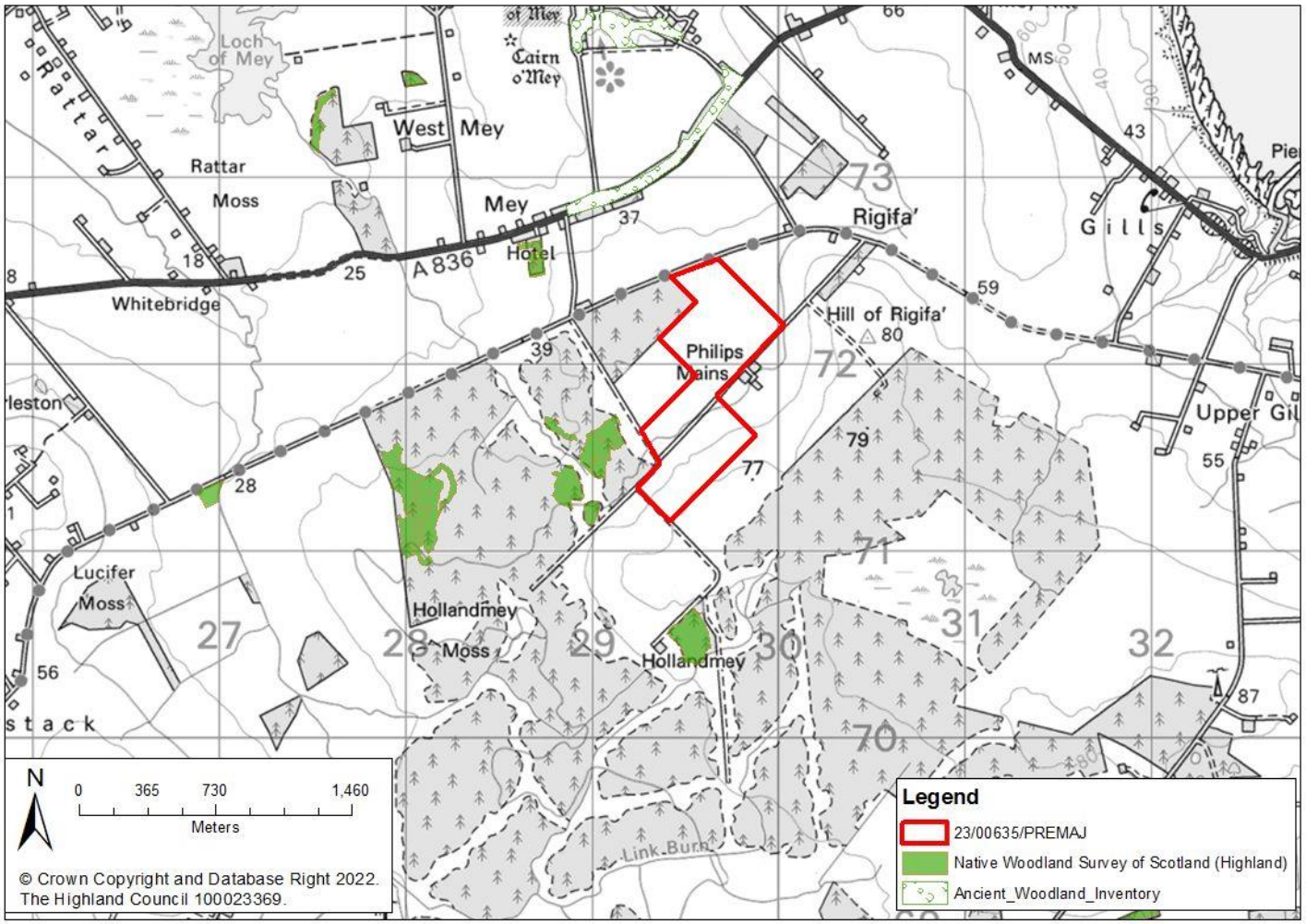
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West Mey
Rattar
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Whitebridge
Rigifa'
Hill of Rigifa'
Philips Mains
Gills
Upper Gil
Lucifer Moss
Hollandmey
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The Highland Council 100023369.
Legend
23/00635/PREMAJ
Native Woodland Survey of Scotland (Highland)
Ancient_Woodland_Inventory

Supporting Information Requirements			
Abnormal Load Assessment	X	Open Space Strategy	
Access Management Plan		Operational Noise Assessment	X
Arboricultural Impact Assessment		Peat Management Plan	X
Archaeological Site Investigations	X	Planning Statement	
Assessment of Impact on Historic Environment		Pre-Application Consultation Report	
Aviation Impact Assessment		Private Water Supplies/Mitigation scheme	
Borrowpit Management Plan		Protected Habitat Survey	X
Carbon Balance Assessment		Protected Species Survey	X
Compensatory Planting Plan		Restoration / Decommissioning Plan	
Construction Noise Assessment – Scheme of best practicable means	X	Retail Impact Assessment	
Construction Traffic Management Plan	X	Schedule of Mitigation	X
Contaminated Land Report		Shadow Flicker Assessment	
Design and Access Statement	X	Street Elevations	
Development Brief		Structural Survey	
Drainage Impact Assessment	X	Sustainable Design Statement	
Dust Survey		Swept Path Analysis	X
Electric Car Charging Strategy		Transport Assessment	
Flood Risk Assessment	X	Transport Statement	X
Forest Residual Waste Strategy		Tree Constraints Plan	
GWDTE Assessment		Tree Protection Plan	
Habitat Management Plan	X	TV / Radio Impact Assessment	
Landscape and Visual Impact	X	Vibration Assessment	
Landscape Maintenance/Management Plan	X	Visualisations	X
Landscape Plan	X	Waste Strategy	
Masterplan		Other (Please Specify): Biodiversity Enhancement and Management Plan Detailed construction noise assessment Dust Suppression Scheme Protected Site Assessment(s)	 X TBC X X

Planning history			
Previous Reference	**Description**	**Date of Decision**	**Outcome**
12/02137/SCRE	Construct a new 132kV/33kV substation and assiciated infrastructure.	22 June 2012	SCREENING APPLICATION EIA NOT REQUIRED
14/00972/PAN	Erection of 132/33kV Insulated Switchgear Substation		PENDING CONSIDERATION
15/03392/FUL	Formation of development platform and erection of 132/33kV Gas Insultated Switchgear (GIS) substation and associated development consisting of transformer buildings, site access, SUDS and foul drainage infrastructure, temporary compounds, security fencing and landscaping	27 January 2015	PERMISSION GRANTED
15/04103/S37	Erect a 132kV AC overhead, double circuit, steel lattice tower, transmission line between the proposed Sealing End Tower at Weydale and the proposed Sealing End Tower at Reaster, Caithness	21 February 2017	APPROVED BY SCOTTISH MINISTERS
20/01258/SCRE	Request for EIA Screening Opinion - Development of data centre	25 March 2020	SCREENING APPLICATION EIA REQUIRED
20/04299/PAN	Formation of development platform and erection of 132kV switching station and associated development including switchgear building, site access, SUDS and drainage, security fencing, temporary compound and landscaping	24 November 2020	CASE CLOSED
20/04562/SCRE	Construct and operate a 132 kilovolt (kV) switching station and associated infrastructure	26 November 2020	SCREENING APPLICATION EIA NOT REQUIRED
21/04850/SCRE	Construct and operate a 132 kilovolt (kV) switching station and	21 October 2021	SCREENING APPLICATION EIA NOT REQUIRED

	associated infrastructure		
21/05536/FUL	Construct and operate a 132 kilovolt (kV) switching station and associated infrastructure	26 July 2022	PERMISSION GRANTED

Planning Policy

Highland-wide Local Development Plan (Adopted 2012)

Policy 28 - Sustainable Design (there is Supplementary Guidance related to this policy)

Policy 30 - Physical Constraints (there is Supplementary Guidance related to this policy)

Policy 31 - Developer Contributions (there is Supplementary Guidance related to this policy)

Policy 36 - Development in the Wider Countryside (with respect to non-housing developments that may be proposed in the area)

Policy 51 - Trees and Development (there is Supplementary Guidance related to this policy)

Policy 55 - Peat and Soils

Policy 56 - Travel

Policy 58 - Protected Species (there is Supplementary Guidance related to this policy)

Policy 59 - Other Important Species

Policy 60 - Other Important Habitats

Policy 63 - Water Environment

Policy 64 - Flood Risk (there is Supplementary Guidance related to this policy)

Policy 66 - Surface Water Drainage

Policy 72 - Pollution (there is a Guidance Note related to this policy)

Policy 74 - Green Networks (there is Supplementary Guidance related to this policy)

Policy 78 - Long Distance Routes (noting that whilst National Cycle Route 1 which ran to the north of the proposal is no longer classified as a National Cycle Network route, it is still a recognised long distance cycling route which should be taken into consideration).

Caithness and Sutherland Local Development Plan (2018)

No site-specific policies, refer to NPF 4 and HwLDP.

Highland Council Supplementary Guidance

Developer Contributions (November 2018)
Flood Risk & 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 & Planning Guidelines (May 2006)
Managing Waste in New Developments (March 2013)
Physical Constraints (March 2013)
Public Art Strategy (March 2013)
Roads and Transport Guidelines for New Developments (May 2013)
Special Landscape Area Citations (June 2011)
Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Scottish Planning Policy and Guidance

Developer Contributions (November 2018)
Flood Risk & 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 & Planning Guidelines (May 2006)
Managing Waste in New Developments (March 2013)
Physical Constraints (March 2013)
Public Art Strategy (March 2013)
Roads and Transport Guidelines for New Developments (May 2013)
Special Landscape Area Citations (June 2011)
Standards for Archaeological Work (March 2012)
Sustainable Design Guide (Jan 2013)

Policy Appraisal

Policy Background

The Development Plan comprises National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), the Caithness and Sutherland Local Development Plan (CaSPlan) and relevant Supplementary Guidance associated with these two Local Development Plans.

https://www.gov.scot/publications/national-planning-framework-4/

https://www.highland.gov.uk/download/downloads/id/1505/highland-wide_local_development_plan.pdf

https://www.highland.gov.uk/info/178/local_and_statutory_development_plans/283/caithness_and_sutherlan

d_local_development_plan

https://www.highland.gov.uk/directory/52/a_to_z

The following response does not attempt to detail all the policies within the Development Plan that may be relevant; instead, it is limited to the most salient to the assessment of any future planning application for the proposal. It is however, recommended that the applicant/agent fully reviews and considers all relevant documents prior to a formal submission.

National Planning Framework 4 (NPF4) (2023)

NPF4 was adopted on 13 February 2023 and is now part of the Development Plan. It replaces National Planning Framework 3 and Scottish Planning Policy. Full details of NPF4 are available on the Scottish Government website. www.transformingplanning.scot/national-planning-framework/

NPF4 comprises three distinct parts:

Part 1 - sets out an overarching spatial strategy for Scotland in the future. Outlining that Scotland is facing unprecedented challenges and that we need to reduce greenhouse gas emissions and embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, and build a wellbeing economy while striving to create great places. Therefore, NPF4 sets out that choices need to be made about how we can make sustainable use of our natural assets in a way that benefits communities.

NPF4 outlines 18 national developments that support the plan's spatial strategy. Strategic Renewable Electricity Generation and Transmission Infrastructure is national development number 3 and for electricity generation, including electricity storage, from renewables it accords national development status to

proposals exceeding 50 MW capacity. Therefore, the pre-application proposal's envisaged total capacity (as indicated in presentation for the pre-application meeting on 18 April 2023) of greater than 50 MW means that it would be national development.

The spatial strategy reflects existing legislation by setting out that decision making requires to reflect the long- term public interest. However, in doing so, it is clear that the decision maker must make the right choices about where development should be located, ensuring clarity is provided over the types of infrastructure that need to be provided and the assets that should be protected to ensure they continue to benefit future generations. To that end, the Spatial Priorities support the planning and delivery of sustainable places, which will reduce emissions, restore and better connect biodiversity; create liveable places, where residents can live better, healthier lives; and create productive places, with a greener, fairer, and more inclusive wellbeing economy.

Part 2 - sets out the National Planning Policy which cover three themes: Sustainable Places, Liveable Places, and Productive Places; within which there are a total of 33 policies and many of these consist of distinct sub- policies. These 33 national planning policies form part of the development plan and will be assessed along with the Council's LDP policies for development management decisions. The most relevant policies are outlined below.

Part 3 - provides a series of annexes that provide the rationale for the strategies and policies of NPF4, which outline how the document should be used, and set out how the Scottish Government will implement the strategies and policies contained in the document. With Annex A: 'How to use this document' noting that the policies within Part 2 should be read as a whole and '…it is for the decision maker to determine what weight to attach to policies on a case-by-case basis….' It goes on to state that '…where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies….'.

Many of NPF4's policies are relevant to consideration of the proposal, should it come forward as an application, but attention is particularly drawn here to the following policies:

Policy 1: Tackling the climate and nature crises intends to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis - notably, the policy says: "When considering all development proposals significant weight will be given to the global climate and nature crises."

Policy 3: Biodiversity intends to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. The requirement to deliver biodiversity enhancement is a new duty, with further advice on the proportionate requirements for achieving biodiversity enhancement being outlined in NatureScot 'Developing with Nature Guidance' (2023).

Policy 4: Natural Places intends to protect, restore and enhance natural assets making best use of nature-based solutions.

Policy 5: Soils intends to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.

Policy 6: Forestry, woodland and trees intends to protect and expand forests, woodland and trees.

Policy 7: Historic assets and places intends to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Policy 11: Energy intends to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS). [Notably the policy includes: maximising net economic impact, including local and community socio-economic benefits; assessment in respect of any impact on international or national designations; project design and mitigation demonstrating how the long list of types of impact set out in the policy are addressed, whilst giving significant weight to the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets; consents may be time-limited.]

Policy 20: Blue and green infrastructure intends to protect and enhance blue and green infrastructure and their networks.

Policy 22: Flood risk and water management intends to strengthen resilience to flood risk by promoting

avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Policy 23: Health and safety intends 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.

Policy 25: Community Wealth Building intends to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.

Highland-wide Local Development Plan (HwLDP) (2012)

HwLDP was adopted in 2012 and sets out a range of planning policies applicable for the whole Highland Council area. HwLDP continues to be used alongside NPF4, until it is replaced by a new style LDP. The Council notes that legislation indicates that if there is incompatibility between the LDP and the NPF, whichever is the more recent shall prevail. That requirement does not take away from the fact that the HwLDP must, whilst still part of the adopted Development Plan, be part of the consideration and a number of policies could be relevant.

Though energy storage development is not explicitly addressed within policy of the current local development plan, HwLDP Policies 67 Renewable Energy Developments (as policy for generation proposals) and 69 Electricity Transmission Infrastructure (as policy for major grid infrastructure) may be of some assistance in considering the proposals.

HwLDP Policy 67 Renewable Energy Developments sets out the Council's support in principle for renewable energy developments. This support is subject to addressing key issues and criteria. The Council must be satisfied that the development is located, sited and designed in a way that will not be significantly detrimental to a number of considerations as set out in the Policy. This includes both individual impacts and cumulative impacts with other renewable energy developments. There is Supplementary Guidance associated with this policy; though specifically for onshore wind energy development proposals rather than being aimed at energy storage proposals, it may be of some broad assistance. It may be noted that Policy 67 contains a specific policy test and is likely therefore to remain helpful, given that Policy 11 (Energy) in NPF4 does not contain an equivalent, clear test.

HwLDP Policy 69 Electricity Transmission Infrastructure sets out that regard will be had to the level of strategic significance of proposed transmission infrastructure and that, subject to balancing with this consideration, and taking into account any proposed mitigation measures, the Council will support proposals which are assessed as not having an unacceptable significant impact on the environment, including natural, built and cultural heritage features.

[It may be noted that the Council commenced a review of the Highland-wide Local Development Plan, publishing a Main Issues Report for consultation in 2015 which set out our intention to improve Policy 69 to cover energy storage and distribution infrastructure. However, the review of the HwLDP has been placed on hold and that policy development has therefore yet to be taken forward.]

HwLDP Policy 57 Natural, Built and Cultural Heritage - considers impacts on natural, built and cultural heritage designations and features. All development will be assessed taking into account the level of importance and type of heritage features, the form and scale of development and any impact on the feature and its setting. The HwLDP provides more details on the criteria which apply to each of the three categories of importance: international, national and local/regional. A number of features in the vicinity of the proposals or with potential connectivity may be affected and should be considered. The maps provided in this advice identify a number of such features, including but not limited to:

- Historic Environment Records (HER) adjacent site boundary: Philips Mains (SITE; Cottage); SHEEPFOLD;
- Castle Of Mey (Barrogill Castle) HGDL;
- Philips Mains Mire SSSI;
- Caithness Lochs Ramsar, SPA and component SSSIs;
- Caithness and Sutherland Peatlands Ramsar, SPA, SAC and component SSSIs;
- North Caithness Cliffs SPA.

Other key policies from HwLDP may also be relevant to this proposal, including those referred to specifically in the advice pack and those listed above.

Note: The Council began a review of HwLDP, with the publication of the Main Issues Report in September 2015 and subsequent consideration of comments in 2016. In December 2017 the Scottish Government published a Planning Bill outlining potential changes to the Scottish planning system. The Council took the decision to halt the HwLDP Review until more was known about the changes. The Planning (Scotland) Act 2019 was subsequently made. Further details of new arrangements in the Act for Development Plans are being finalised, together with arrangements for transition to them.

Applicants are advised to monitor the annual Development Plans Newsletter as this provides a timetable of work on the Highland development plan. The March 2023 Development Plans Newsletter is now available on the Council's website.

https://www.highland.gov.uk/info/178/development_plans/1069/development_plans_newsletter

The preparation of a new-style Highland Local Development Plan (HLDP)

Having noted the above background: broadly speaking it is likely that through 2023 we will focus primarily on evidence-gathering for the new HLDP, with the tentative programme including an Evidence Report in quarter 2 of 2024 and subsequent Gate Check, with Proposed Plan stage in 2025. The HLDP will, once adopted, replace all our current LDPs. As part of this programme of work, the Council will review the coverage and content of its current suite of Supplementary Guidance, to establish which aspects should be covered within the new Local Development Plan itself, which aspects should be covered within non-statutory planning guidance and any aspects no longer required.

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

The Highland Council Area Local Development Plan covering the proposed site is the Caithness and Sutherland Local Development Plan. This Plan focuses on the regional and settlement strategies of its area and identifies Settlement Development Areas (SDAs), specific site allocations for development, Growing Settlements (GS) and Economic Development Areas (EDAs). The site subject of the pre-application is outwith these types of settlement, site and area; the pre-application site is in 'wider countryside' and is not directly adjacent to these types of settlement, site and area. As such, much of the content of the plan is not directly relevant to this proposal. However, certain aspects of the strategies for the local area and settlements may help to inform the community engagement and community benefit discussions with local communities.

The CaSPlan also confirmed boundaries (including any refinements) of the Special Landscape Areas (SLAs) within the plan area. The SLA citations webpage provides the most up to date information on the SLAs. However, given the relatively low level nature of the proposals, topography, screening and their location relative to SLAs (the two nearest of which are Dunnet Head SLA around 7km west and Duncansby Head SLA around 9km to the east), effects on SLAs is unlikely to need to be assessed in detail in the case of this proposal.
https://www.highland.gov.uk/downloads/file/2937/assessment_of_highland_special_landscape_areas

Climate & Ecological Emergency

The Council recognises the importance of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, as the legislative tool for addressing Scotland's Climate & Ecological Emergency, which the Council committed to under its own Climate and Ecological Emergency declaration in May 2019.

Furthermore, given Highland's land mass and geography make up and renewable energy resources, it is accepted that the area has enormous potential to significantly contribute to the production of renewable energy. It is appreciated that the energy storage proposal could add to the efficiency, flexibility and responsiveness of renewable energy generation to meet demand. Scottish Government's Draft Energy Strategy and Just Transition Plan (January 2023) includes an ambition for significant additional energy storage to aide energy security and it is understood that this includes realising the potential of grid-scale batteries.

https://www.gov.scot/publications/draft-energy-strategy-transition-plan/

However, notwithstanding that and NPF4's strong position of 'in principle' support for energy storage in Policy 11, it appears that such developments should still be located, sited and designed appropriately and thus comply with the wider development plan policies.

Principle of Development.

This type of development is not explicitly addressed within policy of the current local development plans for this location. Only in recent years has this type of development emerged to a significant degree in the UK and there has been limited experience of such proposals in Highland to date, although experience of such applications is growing. Though battery storage is not a 'first time' electricity generator, it stores electricity and then 'regenerates' it when required. Its location is likely to be influenced by the proximity to and capacity within the electricity network infrastructure, including substation; it may also be influenced by proximity of 'first time' generators, e.g. renewable electricity generators (and hence by proximity to renewable energy sources) in an area such as Highland, but to varying degrees and is not always brought forward directly in association with particular first time generation proposals.

Concepts of developing Energy Storage and/or Major Energy Users (such as Hydrogen production) are of interest to the Council, with considerable potential benefits for energy generation (avoiding or reducing curtailment of generation from windfarms, for example), diversity, decarbonisation, efficiency and supply and for the economy. It may be noted that the Council supports, in broad principle, proposals for energy storage as part of the energy system and that in respect of hydrogen the Council (in March 2021) agreed to prepare a Hydrogen Strategy for Highland.

Any proposals should be considered on their merits having regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

In general terms the need for and potential network benefits of increased energy storage facilities in Scotland are understood. However, in dealing with proposals on their merits it is necessary to consider their impacts

e.g. landscape, visual, heritage (natural, built, cultural), woodland, residential amenity, noise. In considering the planning balance of all the issues it may be beneficial to be furnished by the applicant with more specific information on any particular need, benefit and role of the particular storage scheme proposed - and why that particular site has been chosen.

The following is understood from the preapplication submission and presentation. The Battery Energy Storage System (BESS) would charge with electricity from the grid during periods of low demand and then discharges that electricity during periods of high demand. The BESS is able to contribute to grid stability by offering frequency control services to the National Grid. It is anticipated that the proposed development would have a capacity greater than 50MW (and therefore be subject of a Section 36 application to Scottish Ministers under the Electricity Act 1989), would likely have a site area of around 10 hectares and would connect to the National Grid at the recently consented Gills Bay switching station. It is understood that there may be a particular functional relationship between the proposed BESS and the MeyGen tidal stream generation project, including future phases; this or any other such factor that contributes to this location being chosen for the BESS could usefully be explained, should the proposed BESS progress to an application for consent. It is understood that the proposed BESS development would be anticipated to comprise the following elements of external construction:

- Laying out of containerised battery units (around 2.6 metres high) along with associated inverters, switchgear units, closed loop cooling units, control units and associated electrical infrastructure mounted on concrete piers;
- Laying out of containerised substation units and associated electrical infrastructure mounted on concrete piers;
- Transformers within bunded compounds (building around 6 metres high to house a 132 kV transformer);
- Auxiliary power supplies for the batteries, control systems mounted on concrete piers;
- Security palisade fence around the BESS substation and battery compound with access gates to the compound entrance from the road network;
- Erection of CCTV cameras;

- Laying out of a hard surfaced site access into the BESS substation and battery compound from the local road network. Car parking bays. Uncompacted gravel as a surface cover between the containerised units and equipment. Construction laydown area;
- Landscaping (including Biodiversity Net Gain).

The proposed site (search area) is in the vicinity of Philips Mains and lies immediately south of the road that runs westwards from Upper Gills. The site is approximately 0.6km south-east of the settlement of Mey (which is located on the A836). The developer has indicated that the local topography and/or existing woodland would provide some screening and/or containment of the development in some directions.

If the developer's proposals for energy storage move forward, it should be noted that any associated buildings must be designed in a way which is sympathetic to the local area and existing pattern of development. In considering the detail we would need to understand the type and nature of storage facility proposed, such as scale and appearance, and it would be beneficial to have information to explain electricity network benefits and capacity proposed. However, as indicated above, in dealing with proposals on their merits it is necessary to consider their impacts e.g. landscape, visual, heritage (natural, built, cultural), woodland, residential amenity, noise. The potential impacts must be understood and carefully assessed, for example any pollution risks and particular requirements for decommissioning. These details will be important for understanding the effects of detailed proposals and to assist in the consideration of whether they are able to be supported.

Particular sensitivities in this location could include visual receptors in areas of settlement lying to the north or travelling along local routes predominantly east-west (both directions), and residential amenity and noise at the closest receptor locations in any direction. In terms of screening and containment by woodland, consideration will need to be taken of the extent to which this can be relied upon in the future, particularly if woodland may be removed and not replaced by woodland in those locations. Furthermore, there may be preference towards bog habitats in the area given particular sensitivities including natural heritage designated sites and this may limit the choices for suitable planting. The advice provided here includes an extract of the Council's wind turbine mapping (available at www.highland.gov.uk/windmap and last updated January 2023) as the impacts of and mitigation for proposed windfarms could be relevant here. Furthermore, individual impact of this industrial proposal and cumulative impact with other industrial proposals, in this countryside area (including energy generation and electricity infrastructure proposals) should be considered. As mentioned at the pre-application meeting, it would be helpful if as part of that, clarity could be provided as to whether the BESS is anticipated to be instead of advancing the previous pre-application (EIA Screening) Datacentre proposal for this vicinity (as was suggested at the meeting) or might be in addition to it. It will also be important to understand the sequencing of developments in the area, particularly the relationship between the Gills Bay switching station and the proposed BESS.

Sustainability

HwLDP Policy 29 Design Quality and Place requires development to be designed to make a positive contribution to the architectural and visual quality of the area. Furthermore development proposals must demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layouts of their proposals. A Design and Access Statement is required and should also outline the design principles and concepts that have been applied to the development and:

- explain the policy or approach adopted as to design and how any policies relating to design in the development plan have been taken into account;
- describe the steps taken to appraise the context of the development and demonstrates how the design of the development takes that context into account in relation to its proposed use;
- demonstrate how the increase in the substation's footprint has been minimised by utilising the existing space within the site wherever possible; and,
- state what, if any, consultation has been undertaken on issues relating to the design principles and concepts that have been applied to the development; and what account has been taken of the outcome of any such consultation.

Further advice on the preparation of design statements is contained in the Council's advice note on Design and Access Statements and Scottish Government Planning Advice Note 68.

Energy

The Council's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics, including design, building materials and minimising environmental impacts of development. A Sustainable Design Statement is required.

The Council encourage the inclusion of electric car charging facilities within all new developments. A strategy for the provision of charging points within the development should be submitted with the application.

The Council is currently preparing its Decarbonisation Strategy as part of its ambitions for Net Zero, such as fuel/energy options for its fleet of vehicles, alongside other opportunities. To discuss any opportunities this proposal may bring to the Council strategy, early contact with Neil Osborne, Climate Change Manager (neil.osborne@highland.gov.uk) is advocated.

Design Life and Decommissioning

A Decommissioning Plan would be required with a financial guarantee being required to ensure the removal of any redundant infrastructure, restore the site with the land returning to a productive after use. This would be secured via planning condition to ensure an appropriate financial bond is put in place to secure these works through the lifetime of the development.

Natural Heritage

Impact on Landscape

HwLDP Policy 61 Landscape requires new development to reflect the landscape characteristics and special qualities identified in the relevant, refreshed and published (2019) Nature Scot (formerly SNH) Landscape Character Assessments (LCAs). The site is within Farmed Lowland Plain (LCT No. 143) and is very near both Sweeping Moorland and Flows (LCT No. 134) Coastal Crofts & Small Farms (LCT No. 144). The LCAs are a starting point on which to base assessment of landscape and visual impact. It is important to set out *who* the visual receptors of the development are, *what* the landscape impacts are and *how* these two factors relate. https://www.nature.scot/professional-advice/landscape/landscape-character-assessment

If you decide to proceed towards application then detailed information and assessment will be required in due course, in order to establish the significance of any impacts and you are encouraged throughout the process to explain the site selection and design iterations and how they have responded to assessment of impacts.

In the event that visualisations are required, attention is drawn to the Council's latest Visualisation Standards for Wind Energy Developments. Paragraph 1.7 of the document says*: "The Council may seek to apply the Standards to other types of development* [non wind energy development] *where scale and distance require to be assessed. ……..The principles contained in these Standards may also apply to any submission which requires panoramic photomontages."*

http://www.highland.gov.uk/download/downloads/id/12880/visualisation_standards_for_wind_energy_developments.pdf

NatureScot's guidance is useful in relation to an assessment of landscape and visual impacts when compiling your Landscape and Visual Impact Assessment (LVIA): https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/renewable-energy/onshore-wind-energy/wind-farm-impacts-landscape

Impacts on Peat

NatureScot highlights that the proposal appears to lie adjacent to an area of Class 1 peat, as shown on the Carbon and Peatland 2016 map: https://soils.environment.gov.scot/maps/thematic maps/carbon-and-peatland-2016-map/. Class 1 areas are described as nationally important carbon-rich soils, deep peat and priority peatland habitat likely to be of high conservation value and restoration potential. Further advice for development on peat, peatland habitats and carbon-rich soils is available in NatureScot guidance at: https://www.nature.scot/doc/advising-carbon-rich-soils-deep-peat-and-priority-peatland-habitat-development-management.

Where peat is present, specific peat surveys should be carried out in line with Scottish Government

guidance: https://www.gov.scot/publications/peatland-survey-guidance.

Where proposals are on peatland or carbon rich soils the following should be submitted and we would welcome the opportunity to comment on the draft submission:

a. layout plans showing all permanent and temporary infrastructure, with extent of excavation required, which clearly demonstrates how the mitigation hierarchy outlined in NPF4 policy 5d has been applied. These plans should be overlaid on:
   i. peat depth survey (showing peat probe locations, colour coded using distinct colours for each depth category and annotated at a usable scale)
   ii. peat depth survey showing interpolated peat depths
   iii. peatland condition mapping
   iv. NVC habitat mapping.
b. an outline Peat Management Plan.
c. an outline Habitat Management Plan.

Peat Management Plan: In order to protect peatland and limit carbon emissions from carbon rich soils, the outline Peat Management Plan should demonstrate that development design in line with the mitigation hierarchy (NPF4 Policy 5d) has been achieved and that proposals:

- Include enough peat probing information to inform the site layout. As a minimum this should follow the requirements of the Peatland Survey – Guidance on Developments on Peatland (2017).
- Use peatland condition mapping to identify and avoid peatland in near natural condition, as this has the lowest greenhouse gas emissions of all peatland condition categories, and to identify areas where peatland restoration could be carried out. The Peatland Condition Assessment photographic guide lists the criteria for each condition category and illustrates how to identify each condition category.
- Demonstrate avoidance and minimise the total area and volume of peat disturbance in the infrastructure layout design by avoiding peat > 1m depth and targeting areas where carbon rich soils are absent or the shallowest peat reasonably practicable.
- Detail excavation volumes of acrotelmic, catotelmic and amorphous peat. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes.
- Demonstrate, including reuse volumes in different elements, that all peat disturbed by the development can be used in site reinstatement or peatland restoration (which may include locations outwith the development boundary). Disposal of peat is not acceptable. Catotelmic peat is not suitable for use in verge reinstatement, re-profiling/ landscaping, spreading, mixing with mineral soils or use in bunds.
- Minimise handling and temporary storage of peat. Catotelmic peat should be re-used in its final location immediately after excavation and kept wet and covered by vegetated turves.
- Minimise impact on local hydrology and reduce water loss from the surrounding peat habitats e.g. The faces of cut batters, especially in peat over 1m, should be sealed to reduce water loss which would lead to indirect loss of habitat and release of greenhouse gases. This may be achieved by compression of the peat to create an impermeable subsurface barrier, or where slope angle is sufficiently low, by revegetation of the cut surface.

Habitat Management: The Outline Habitat Management Plan should include:

- Proposals for reuse of disturbed peat in habitat restoration, if relevant.
- Details of restoration to compensate for the area of peatland habitat directly and indirectly impacted by the development.
- Outline proposals for peatland enhancement in other areas of the site.
- Monitoring proposals.

To support the principle of peat reuse in restoration the applicant should demonstrate that they have

identified locations where the addition of excavated peat will enhance the wider site into a functional peatland system capable of achieving carbon sequestration. The following information is required:

- Location plan of the proposed peatland re-use restoration area(s), clearly showing the size of individual areas and the total area to be restored.
- Photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and can support carbon sequestration. This should include consideration of an appropriate hydrological setting and baseline peatland condition.
- In addition, if any proposed re-use restoration areas are outwith the ownership of the applicant, information should be provided to demonstrate that the restored areas can be safeguarded in perpetuity as a peatland.

Impact on Protected Species

The potential for impacts to protected species will need to be fully assessed as part of any future planning application and the Applicant should refer to NatureScot standing advice for the relevant species:

https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species.

Any mitigation proposed for protected species should be outlined in appropriate Species Protection Plans (SPPs) and be included as part of the future planning application. More information is available from: https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-protection-plan.

The Applicant will also need to consider if any species licenses are required as part of any development and contact NatureScot Licensing Team (licensing@nature.scot) regarding licence applications.

Designated Sites

NatureScot advises that the proposal has connectivity with the Caithness Lochs Special Protection Area (SPA) and lies close to Phillips Mains Mire Site of Special Scientific Interest (SSSI).

Full details on these protected sites can be found on SiteLink at: https://sitelink.nature.scot/home.

Caithness Lochs SPA

The proposal lies within foraging range of this SPA, protected for its wintering populations of Greenland white-fronted geese, greylag geese and whooper swans.

Both whooper swans and Greenland white-fronted geese are known to feed in this area. In particular, Greenland white-fronted geese are site faithful, meaning they return to the same roosting and feeding sites each year. Given their small population size and restricted feeding regime, any impacts to this species could be significant.

NatureScot therefore advises that any future planning application should consider the potential for disturbance and/or displacement to feeding SPA geese and swans. Such an assessment could be informed by currently available information, including information gathered for nearby developments (such as the adjacent switching station that this proposal will connect to and the adjacent Hollandmey Wind Farm). The Applicant may also wish to consider the following sources of information to inform their assessment:

- NatureScot Commissioned Report 523b – Survey of the feeding areas, roosts and flight activity of qualifying species of the Caithness Lochs SPA 2011/12 and 2012/13, available at: https://www.nature.scot/doc/naturescot-commissioned-report-523b-survey-feeding-areas-roosts-and-flight-activity-qualifying;
- Greenland white-fronted geese: Land use and conservation at small wintering sites in Scotland, available at: https://greenlandwhitefront.org/wp-content/uploads/2016/04/GWFG-Small-Sites-Project-final-report-2011.pdf; and
- Available information held by RSPB.

Based on the available information, it is NatureScot's initial view that any impacts to the SPA could be

mitigated. However, this will need to be assessed as part of a Habitats Regulations Appraisal and any future planning application should provide sufficient detail to inform such an assessment.

Phillips Mains Mire SSSI

The SSSI is protected for its blanket bog habitat and lies approximately 450m from the proposal boundary. As currently proposed, it appears unlikely that the proposal will directly affect this SSSI. However, NatureScot would expect any development in this area to consider the SSSI within any future planning application. This will be particularly important should planting be proposed within proximity of the site, as this could result in drying effects and/or reseeding of trees on to the SSSI.

NatureScot further highlights that the commercial forestry around the SSSI may be removed and/or restructured during the lifetime of the development and as part of the adjacent Hollandmey Wind Farm (should it be approved). This may therefore affect the current 'screening' of the proposal.

Additional advice relating to protected sites

NatureScot highlights that the comments provided are given without prejudice to a full and detailed consideration of the impacts of the proposal, should it be submitted as a formal application.

Furthermore, should the proposed location or nature of the proposal significantly change, NatureScot advises that connectivity with other protected sites may need to be considered within the future planning application (e.g. with the Caithness & Sutherland Peatlands Special Area of Conservation (SAC) and SPA).

Ecology Assessment

A full assessment of the ecology of the site and a suitable buffer around the site needs to be undertaken to determine if there are any ecological/environmental constraints associated with the proposed development. The assessment should include (but not be limited to):

- Desk study records, from NatureScot Sitelink, the NBN atlas and local biodiversity record groups;
- Specific surveys of the site to identify any protected species, priority habitats and priority species, including those listed within the Highland Nature Biodiversity Action Plan to fulfil Policies 57-60 of the Highland Wide Local Development Plan;
- Assessment of ecological effects; and,
- Relevant mitigation and compensation measures.

NatureScot will lead on advice regarding the protected areas in close proximity to the site.

Surveys should be undertaken by a suitably qualified and experienced Ecologist.

NatureScot's guidance on surveying protected species should be followed

https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species

Policies 57-60 of the Highland Wide Local Development Plan (HwLDP) pertain to the protection of certain species and habitats within the Highland region that must be considered for any developments.

https://www.highland.gov.uk/info/178/development_plans/199/highlandwide_local_development_plan

The Highland Nature biodiversity Action Plan (HNBAP) lists priority species and habitats that are considered to be important within the Highland region. These priority species and habitats must be given consideration for any developments. https://www.highlandenvironmentforum.info/biodiversity/action-plan

Biodiversity

There is now greater policy emphasis on biodiversity for proposals in comparison to the now superseded Scottish Planning Policy and to the current adopted Council development plans. Proposals for major development, will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. No information on potential biodiversity enhancement methods was provided as part of the information provided. It is important this biodiversity enhancement is provided as part of any future

application and further advice can be sought from the Council's Ecology Officer and NatureScot. Guidance has also been prepared by NatureScot for achieving biodiversity enhancement in recently published NatureScot Developing with Nature Guidance (2023).

Biodiversity Enhancement and Management

In order to satisfy Policy 3b a Biodiversity Enhancement and Management Plan that details how criteria i to v will be met, will be required in addition to the Ecology/Environmental Assessment. This will demonstrate that the development will significantly enhance the biodiversity of the site, from its pre-development state. Where the Biodiversity Enhancement and Management Plan is unable to demonstrate to the satisfaction of the planning authority that the development will conserve, restore and enhance biodiversity, the proposal will not be supported.

The Biodiversity Enhancement and Management Plan must demonstrate to the satisfaction of the planning authority that the development will accord with Policies 57-60 of the HwLDP.

The Biodiversity Enhancement and Management Plan will be carried out by a suitably qualified and experienced consultant and will include the Natural England Biodiversity Net Gain Metric (BNG) and demonstrates a minimum of a 10% increase of the biodiversity of the site post construction.

In rare cases where site constraints result in the applicant being unable to deliver one or more of the above criteria, consideration may be given to developer contributions as to enable biodiversity enhancements to be implemented elsewhere in line with the mitigation hierarchy to allow offset, off site measures.

Amenity

Contaminated Land Issues

None expected.

Construction Noise

Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. Generally, people are tolerant of construction noise during typical working hours which are taken to be 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays. Works for which noise is inaudible at the curtilage of any noise sensitive property could still be carried out out-with these times.

If the applicant intends to undertake noisy work out-with the aforementioned times, they will be required to submit a detailed construction noise assessment for the written approval of the planning authority. For the avoidance of doubt, this would include any proposal to run compound generators overnight for the purposes of lighting or drying of PPE etc.

The assessment should include: -

1) A description of construction activities with reference to noise generating plant and equipment.

2) A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations.

3) A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels.

4) A prediction of noise levels resultant at the curtilage of noise sensitive receptors.

5) An assessment of the predicted noise levels in comparison with relevant standards.

Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The applicant will be required to submit a scheme demonstrating how this will be implemented. Particular attention should be given to the use of tonal reversing alarms and ground compaction plant which are often the most intrusive noise generating elements of a large construction project.

Operational Noise

Any application would require to be accompanied by a noise impact assessment which should include but is not limited to the following:

- A description of the proposed development in terms of noise sources A plan showing the location of noise sources, noise sensitive premises and survey measurement locations.
- A survey of the background (LA90,T) ambient noise (LAeq,T), and 1/3rd octave band spectrum levels to determine the existing noise level in the area and at any nearby properties likely to be affected by the noise. Siting of monitoring equipment should ensure results are representative of the amenity for that location. To ensure that values are reliable and suitably represent the periods of interest a minimum of 1 week's continuous background monitoring should be conducted at agreed locations. This should comprise of continuous measurements of normally not less than 15 min intervals which can be continuous or disaggregated
- A prediction of noise levels at neighbouring noise sensitive premises.

  NB Depending on the layout, the noise source may require to be considered as a line source.
- Predicted noise levels should include any relevant penalties for sound characteristics. A description of any noise mitigation methods that will be employed. The effect of mitigation methods on the predicted levels should be reported where appropriate.

The following design criteria for should be used when determining what, if any, noise mitigation measures would be required to protect noise sensitive premises:

- Noise arising from the development when measured and/or calculated as an Leq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB, at noise sensitive premises; and,
- The Rating Level of noise arising from the use of plant, machinery or equipment as a result of this development must not exceed the current background noise levels at noise sensitive premises. The Rating Level should be calculated in accordance with BS 4142: 2014+A1:2019: Methods for rating and assessing industrial and commercial sound.

Dust

Any application should be accompanied by a scheme for the suppression of dust during construction, for the approval of the planning authority.

Fire Risk Management

You will be aware of the inherent fire risk associated with such proposals. Full details of the fire prevention and suppression systems proposed should accompany the submission, including details of an emergency action plan given the proximity of the site to other buildings, forestry and the substation site access requirements. It is understood that the Scottish Fire Service is currently preparing guidance for Battery Energy Storage System developments which should, when available, be of assistance and could identify an arrangement for SFS to be consulted on proposals.

Transport and Wider Access

Impact on the Local Road Network

Transport Planning's interest will relate largely to the impacts of development traffic on the Council maintained road network, particularly during the construction phase, which may include impact on road carriageway, verges, and associated structures, and impacts on road users and adjacent communities.

Transport Statement

A Transport Statement (TS) or a section on traffic and transport within an Environmental Impact Assessment Report for the project will be required. The TS should identify all Council maintained roads likely to be affected by the various stages of the development and consider in detail the impact of development traffic on these roads. Where necessary, the TS should propose measures to mitigate the impact of the development.

A detailed review of the preferred route to site for any Abnormal Indivisible Loads (AIL's) shall be

undertaken. The review should include swept path assessment and consideration of any structures along the route. A trial run to demonstrate the suitability of the route may also be required.

Early consultation with the Council's Structures Section is recommended with regard to any Council maintained structures that could be affected by the movement of AIL's.

The proposed routes for general construction traffic should also be identified and reviewed within the TS.

Prior to preparation of the TS, the applicant shall undertake a scoping exercise in consultation with the Council's Transport Planning team and Transport Scotland.

Further information regarding construction traffic can be found in the Council's Roads and Transport Guidelines for New Developments , Chapter 9 and Appendix 9.

Construction Traffic Management Plan

A Construction Traffic Management Plan (CTMP) to help control and reduce the impact of construction traffic will require to be implemented prior to the development commencing. A Framework CTMP should be included in the planning submission and consultation with stakeholders, including local community representatives, may be necessary regarding the detailed content and implementation of the operational CTMP.

Mitigation

Mitigation required may include new or improved infrastructure, road safety measures, and traffic management. Traffic management shall include measures to ensure that development traffic adheres to approved routes.

Access onto the public road

The proposed site access at its junction with the public road should be clearly detailed on dimensioned drawings related to OS data, and include confirmation of geometry, construction, and drainage as well as junction visibility splays.

Section 96 Agreement

Notwithstanding the above requirements, there will remain a risk of damage to Council maintained roads from development related traffic. In order to protect the interests of the Council as roads authority, a suitable agreement relating to Section 96 of the Roads (Scotland) Act and appropriate planning legislation may be required. The agreement shall include the provision of an appropriate Road Bond or similar security.

Information Required in a Transport Statement

Transport Statement/Assessment Methodology for Public Roads for which Highland Council is the Roads Authority

1. Identify all public roads affected by the development. In addition to transportation of abnormal loads this should include the roads to be used by general construction traffic and staff.

2. Establish current condition of the relevant roads. This work should be undertaken by a consulting engineer acceptable to the Council and will involve an engineering appraisal of the routes including the following:

- Assessment of structural strength of carriageway
- 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

3. Determine the traffic generation and distribution of the proposals throughout the construction and

operation periods to provide accurate data resulting from the proposed development, including:

- Nos. of light and heavy vehicles, including staff travel
- Abnormal loads
- Duration of works

4. Current traffic flows including use by public transport services, school buses, refuse vehicles, commercial users, pedestrians, cyclists, and equestrians

5. Impacts of proposed traffic, including:

- Impacts on carriageway, structures, verges etc.
- Impacts on other road users
- Impacts on adjacent communities
- Swept path and gradient analysis for the transportation of abnormal loads.
- Provision of Trial Runs to be carried out in order to prove the route is achievable and/or to establish the extent of works required to facilitate transportation.

6. Cumulative impacts with other developments in progress and committed developments including other Renewable Energy projects.

7. Proposed mitigation measures to address impacts identified in 5 above, including:

- Carriageway strengthening
- Strengthening of bridges and culverts
- Carriageway widening and/or edge strengthening
- Provision of passing places
- Road safety measures
- Traffic management including measures to be taken to ensure that development
- traffic adheres to approved routes.

8. Details of residual effects.

The above information is not exhaustive and should be used as a guide to submission of relevant information in relation to roads, traffic and transportation matters arising from the development proposed.

Impact on the Trunk Road Network - Transport Scotland

The proposed development comprises a Battery Energy Storage System (BESS) with a capacity greater than 50MW, located approximately 500m west of Philips Mains, near Mey. The site will be accessed via the A836 local road. The nearest trunk road to the site is the A9(T) which lies approximately 23km to the west at Thurso. The A99(T) lies approximately 30km southeast at Wick.

The information supporting the pre-app gives no indication as to the likely number or composition of vehicular trips required during construction of the facility, however, given the distance of the facility to the trunk road network, Transport Scotland considers it unlikely that construction of the proposed BESS would have any negative impact on either the A9(T) or the A99(T). A Transport Statement including a threshold assessment supporting this view will be required.

While no mention of Abnormal Load Deliveries (ALD) is made within the supporting information, we would assume these will be required during the construction of the BESS. It should be noted that in the event that ALDs are to be utilised, Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path. A full Abnormal Loads Assessment report should be provided that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

Water Environment

Flood Risk

SEPA's online strategic flood mapping shows that the site lies outwith any indicated areas of fluvial or coastal flooding during a 1 in 200 year return period storm event. This suggests that the flood risk from these sources may be low.

SEPA's online strategic flood mapping shows that the site lies adjacent localised areas of pluvial flooding during a 1 in 200 year return period storm event. However, given their relatively small and localised nature, it appears that any flood risk from this source could be dealt with via an adequate drainage system and appropriate finished floor levels for buildings and equipment.

Desktop mapping suggests the presence of watercourse/ drains crossing the site which may pose a flood risk - this will require assessment and any existing flood risk should not be exacerbated by the proposed development.

The site could be considered as 'Essential Infrastructure', for planning purposes. Given this a detailed Flood Risk Statement or a Flood Risk Assessment (FRA) considering all sources of flood risk and showing that the site is likely to remain operational in a 1 in 200 year return period will be required. The extent of the statement or FRA will be guided by the level of flood risk found.

Development or land raising within any flood plain should be avoided and proposals should generally follow SEPA's Standing Advice for Flood Risk. Should any permanent infrastructure be located within proximity to a watercourse, a Flood Risk Assessment should be submitted to demonstrate that the development will remain operational during a 200 year +CC storm event and will not increase flood risk elsewhere. SEPA's Technical Flood Risk Guidance for Stakeholders outlines the information required to be submitted as part of a Flood Risk Assessment.

Any small watercourse crossings should be oversized and larger scale watercourse crossings should be demonstrated to be adequately designed to accommodate the 1 in 200 year flow (including an allowance for climate change and freeboard) to avoid increasing the risk of flooding, or information provided to justify smaller structures.

A minimum buffer strip of 6m should be kept free from development from the top of bank(s) of any watercourse or waterbody. Storage of materials within this area during construction is not permitted.

Further advice and SEPA's best practice guidance are available within the water engineering section of SEPA's website. https://www.sepa.org.uk/regulations/water/engineering/

Drainage

A Drainage Impact Assessment (DIA) for the development is required. The DIA should ensure that post development runoff rate is no greater than pre-development runoff rate (i.e. greenfield runoff) for all return periods up to the 1 in 200 year event including an allowance for climate change. It should also show that runoff from all storm events up to and including the 1 in 200-year plus climate change event would be managed within the site boundary, with no flooding to critical roads or buildings. Evidence as to how this will be achieved should be included.

The DIA should include details relating to any existing field drains and the management of surface water drainage, which should be designed in line with general Sustainable Drainage Systems (SuDS) principles. The Applicant should demonstrate, within the proposals submitted, any mitigation measures to manage the residual risk of overland flow/pluvial flooding.

Natural flood management techniques should also be applied to reduce the rate of runoff where possible. Tracks should not act as preferential pathways for runoff and efforts should be made to retain the existing drainage network. Appropriate drainage is required to restrict runoff to pre-development rates and to minimise erosion to existing watercourses.

Refer to *The Highland Council's Supplementary Guidance: Flood Risk and Drainage Impact Assessment* for further detailed requirements.

Built and Cultural Heritage

Impact on the Historic Environment, Historic Environment Scotland

We understand that the proposal is to construct and operate a Battery Energy Storage System (BESS). The BESS would be located in the NE corner of the boundary and would be mainly composed of containerised battery units up to 2.6m high with a building to house a 132 kV transformer (c. 6 m high) plus security fencing and landscaping. We understand that it is also proposed to extend the treeline along the northern edge of the site boundary for additional screening

There are no assets within our remit within the proposed development boundary and therefore we are content that there will be no direct impacts for our remit. There are a number of nationally important designated assets in the surrounding area, including scheduled monuments such as Thomsonsfield, Broch 780m SW of, Brabstermire (SM588), Earl's Cairn, chambered cairn N of Hollandmake, Inkstack (SM449) and Mey Battery, battery 80m NE of Braes of Harrow (SM13649). In addition the category A listed Castle of Mey (LB1797) and its associated garden & designed landscape (GDL00096) are located just over 1km to the north of the proposed BESS site.

We note that the ZTV provided with the pre-application presentation indicates that the majority of these assets will not have visibility of the proposed BESS development, with the exception of Earl's Cairn (SM449) and a small area of the designed landscape at GDL00096 which is wooded. The category A listed castle itself would not appear to have visibility of the site based on the ZTV. The key views from Earl's Cairn (SM449) are not aligned towards the proposed BESS site and there would also be some level of screening from existing forestry.

We are therefore content that the proposed development is unlikely to have significant impacts on the setting of assets within our remit in the surrounding area and the proposal is unlikely to raise issues of national interest for our remit. This advice is based on the information provided at this stage and should the proposals alter significantly and the ZTV, for example, change we may need to reconsider this advice.

Impact on the Historic Environment, Historic Environment Team

No sites are currently recorded within the area of proposed development. However, significant archaeological deposits and sites are known in the wider area and as such, the proposed development location is considered to have moderate archaeological potential. As any further unrecorded remains would be impacted by the proposed development, we recommend that you engage suitably qualified consultants to carry out an archaeological evaluation of the proposed development area in advance of the start of works on site. This could be by trenching or by a combination of trenching and geophysical survey. The evaluation will establish the archaeological content and potential of the site.

Dependent on the results of this work, further study may be required in advance of, and during, construction works. The evaluation will be backed up by desk-based research to produce a report setting out the results and any required mitigation strategy.

The evaluation can be carried out in advance of the submission of a planning application - this is the preferred option. Alternatively, the evaluation could be carried out as a condition of any consent that may be granted.

Pending the mitigation as outlined above, there are no concerns with the proposed development in the location detailed in the plans, provided a suitable programme is in place to mitigate the impact on the archaeological resource.

Developer Contributions

The Council's Developer Contributions Supplementary Guidance will be used in the determination of planning applications and requires all development, including single house developments, make proportionate financial developer contributions towards meeting service and infrastructure needs in areas of Highland where clear deficiencies are identified. For the proposed development, the anticipated developer contribution requirements are outlined below. Please note that requirements can change over time and the exact amount payable will be confirmed at the point that a planning application is determined.

Planning obligations are sought to mitigate the impact of any development which cannot be mitigated through the planning process or through planning conditions. Any planning obligations sought must accord with Scottish Government Planning Circular 3/2012 (Planning Obligations and Good Neighbour

Agreements).

This assessment is made against NPF4 Policy 18 (Infrastructure First), HwLDP Policy 31: Developer Contributions, our Developer Contributions Supplementary Guidance and our most recently published Caithness and Sutherland Delivery Programme (2023). There may be additional obligations that arise during the planning process.

The following developer contributions and/or onsite provision may be required:

- Transport infrastructure improvements as the proposal will result in additional vehicle trips to the site, particularly during construction;
- On site green infrastructure, this should include appropriate measures to conserve, restore and enhance biodiversity;
- Public art - given the scale the proposal public art may be required to be incorporated. This is intended to ensure a high quality of development and can be delivered in a number of ways including street furniture, lighting, fixtures, fittings, landscaping or boundary treatments. Only in exceptional circumstances will developer contributions towards public art be taken rather than direct on site provision; and
- Water and waste.

For the avoidance of doubt, because this application is not for residential development, contributions towards affordable housing, education and community facilities are not required.

Community Benefit

Whilst Community Benefit is a separate issue to planning, the Council wants to make sure that local communities benefit directly from the use of their local resources and are compensated for the disruption and inconvenience associated with large scale development work. The Council's Community Benefit policy contains contacts for any further discussion on this.

Pre-Application Procedures

Proposal of Application Notice

The Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021 came into force from 01 October 2022. The Regs require that for any major development pre-application consultation must be undertaken including submission of a formal Proposal of Application Notice to the Planning Authority at least 12 weeks prior to any formal planning application being lodged. A minimum of two public consultation events must be held and any subsequent planning application must be accompanied by a Pre-application Community Consultation Report. Further information is provided on the Council website, please see the Proposal of Application Notice section here

Public Consultation

Public consultation should be undertaken as the proposals develop to help both gauging the opinion of the local community and also scoping potential areas of conflict which could be addressed prior to submission of the application.

When carrying out community consultation we recommend that full consideration is taken of Scottish Government Planning Advice Note 3/2010 - Community Engagement. This includes the standards for community involvement which should be adhered to. These standards are:

- Involvement
- Support
- Planning
- Methods
- Working together
- Sharing information

- Working with others
- Improvement
- Feedback
- Monitoring and evaluation

It is advisable to take into consideration all of the comments made by members of the public before a planning application is submitted to ensure that the public feel they have had an influence over the proposals. For public consultation it may be useful to use the SP=EED tool developed by Planning Aid Scotland. This builds on the Standards for Community Engagement set out in PAN 3/2010. This is available online at https://www.pas.org.uk/.

SEPA

SEPA welcomes pre-application engagement, but please be aware that its advice at this stage is based on emerging proposals and there may be potential for further information requests as the project develops. Similarly, SEPA's advice is given without prejudice to our formal planning response, or any decision made on elements of the proposal regulated by us, which may take into account factors not considered at the pre-application or planning stage.

SEPA would welcome the opportunity to comment on the draft submission. As SEPA can only process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

Based on the information provided, it appears that this application will fall below the thresholds for which SEPA provide site specific advice. Please refer to our triage framework and standing advice and standing advice which is available on our website: www.sepa.org.uk/environment/land/planning/

SEPA is aware that further legislation regarding battery energy storage facilities is currently under consideration and in the future some aspects of these developments may not fall under SEPA's planning standing advice.

Environmental Impact Assessment Screening

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 requires the proposal to be screened to determine whether an Environmental Impact Assessment (EIA) is required to support a planning application. Whilst electrical energy storage facilities are not explicitly listed within either Schedule 1 or Schedule 2 of the aforementioned regulations, a broad interpretation of the scope of the EIA Regulations must be adopted. Under section 3(a) Schedule 2, 'Energy Industry' projects relating to Industrial installations for the production of electricity, steam and hot water where the area of the development exceeds 0.5 ha, the project must be screened to determine if any significant environmental effects are likely to arise by virtue of the factors such as size, nature or location. A formal request for a EIA Screening Opinion should be made in writing to the Planning Authority. An EIA Screening Opinion form can be downloaded from the Councils website here. At present it is not possible to do this online. Please consider the timing of this request and the provision of sufficient environmental information, as detailed within this response pack, ahead of making this request.

Community Councils

In terms of the appropriate Community Councils to consult, the proposal is located within the Dunnet and Canisbay Community Council area. A development of the nature proposed may affect a number of adjacent Community Councils, as such it is recommended that adjacent Community Councils are also consulted. The Ward Manager Mackenzie Sutherland can provide advice further in this regard if required. Contact details for all community Councils can be found here.

Access

It would be beneficial to at this stage consult with the local Disability Access Panel. The contact details for your local panel are:

Caithness Access Panel,

Caithness Voluntary Group,

Telford House,
Williamson Street,
Wick,
KW1 5ES

Telephone: (01955) 609962.

For general advice in relation to the removal of barriers and the promotion of equal access for all people affected by disability for your development contact the Scottish Disability Equality Forum, 12 Enterprise House, Springkerse Business Park, Stirling, FK7 7UF. Telephone: (01786) 446456.

Application Procedures

Processing Agreements

A processing agreement is a way of helping developers, the Council and relevant stakeholders work together through the planning process. It involves setting out the key stages involved in deciding a planning application, identifying what information is required from whom and setting time scales for the various stages of the process.

The Council actively encourages the use of processing agreements for major applications. You are advised to contact the Council's Major Application Team with a view to agreeing a Processing Agreement at the earliest possible opportunity. Contact details are provided in section 18 towards the end of this pack.

Councillors Code of Conduct

It would be beneficial for you to be familiar with the Councillors' Code of Conduct. This is available online at the Standards Commission for Scotland website.

Scheme of Delegation

All applications will be determined in line with the Council's Scheme of Delegation. It would be beneficial for you to familiarise yourself with the scheme. This is available online.

Any Other Appropriate Information

Gaelic

In line with the Council's ongoing commitment to promote the increased use of Gaelic in developments within the Highlands, you are encouraged to consider the use of bilingual signs - both internal and external - as part of your proposal. Our Gaelic Translation Officers are able to provide additional advice and help with translations, if required.

For further information and guidance, please contact gaelic@highland.gov.uk

To download a copy of the Council's 'Using Gaelic in Signs' advice note, please visit:

https://www.highland.gov.uk/downloads/file/11857/guidelines_on_the_use_of_gaelic_in_highland_council_services

For details on grant funding for bilingual signage, please contact Comunn na Gàidhlig on (01463) 724287 or visit www.cnag.org.

Contacts	
Mark Fitzpatrick - Case Officer	Mark.Fitzpatrick@highland.gov.uk
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Access Officer – Matt Dent	matt.dent@highland.gov.uk
Flood Risk Management – Blair Duncan	Blair.Duncan@highland.gov.uk

Transport Planning - Fred McIntosh	fred.mcintosh@highland.gov.uk
Ecology – Karen Couper	Karen.couper@highland.gov.uk
Development Plans – David Cowie	david.cowie@highland.gov.uk
Environmental Health Officer – Philip Dent	Philip.dent@highland.gov.uk
SEPA – Clare Pritchett	Clare.Pritchett@sepa.org.uk
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Traffic Data - Greg Otreba, Senior Technician	grzegorz.Otreba@highland.gov.uk Tel. (01463) 702234
Local Roads - Jonathan Gunn, Senior Engineer	Jonathan.gunn@highland.gov.uk Tel (01955) 608234
Transport Scotland – Gerard McPhillips	gerard.mcphillips@transport.gov.scot
Historic Environment Scotland – Victoria Clements	Victoria.Clements@hes.scot
Nature Scot – Sian Haddon	sian.haddon@nature.scot

Disclaimer

This advice is based on the information submitted and is given without prejudice to the future consideration of and decision on any application received by The Highland Council.

Pre-application case files are not publicly available but can be the subject of Freedom of Information and Environmental Information Regulations requests.

Useful Weblinks

The Highland Council Development Plans

https://www.highland.gov.uk/info/178/local_and_statutory_development_plans

Highland Council Supplementary and Development Guidance Listed by Category:

https://www.highland.gov.uk/directory/52/development_guidance

Siting and Design Quality:

THC Sustainable Design Guide
https://www.highland.gov.uk/directory_record/683409/sustainable_design

Roads/Access and Transport

More information on access and parking standards (incl. small housing developments) can be found at:
https://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/4

Access Panel

The Council encourages applicants at pre-application stage to engage with the local Disability Access Panel to consider accessibility improvements for physically disabled and sensory impaired people. The Highland Council have published a Planning Protocol for Effective Engagement with Access Panels, which you should take into consideration

Access Panels Contact Info-
https://www.highland.gov.uk/info/751/equality_diversity_and_citizenship/326/equality_and_diversity_contacts/4

Scottish Government

Scottish Government Building, Planning and Design Pages
https://www.gov.scot/building-planning-and-design/

Scottish Government Planning and Architecture Guidance
https://www.gov.scot/policies/planning-architecture/planning-guidance/

Scottish Planning Policy
https://www.gov.scot/publications/scottish-planning-policy/

Scottish Water

Contact Scottish Water for guidance on connections to the public water/drainage network:
https://www.scottishwater.co.uk/en/Business-and-Developers/Connecting-to-Our-Network/Pre-Development-Information/Planning-Your-Development

SEPA

You can find more information on SUDS at: https://www.sepa.org.uk/regulations/water/diffuse-pollution/diffuse-pollution-in-the-urban-environment/

You can view SEPA's small-scale developments guidance here:

https://www.sepa.org.uk/regulations/water/small-scale-sewage-discharges/

You can view SEPA's flood risk map here: https://www.sepa.org.uk/environment/water/flooding/flood-maps/

CAR Licensing - https://www.sepa.org.uk/media/34761/car_a_practical_guide.pdf

Historic Environment

The Highland Historic Environment Record (HER) contains detailed information about listed buildings, conservation areas and archaeological sites in the Highland area:
http://her.highland.gov.uk

General advice on development affecting historic designations can be found at:
https://www.historicenvironment.scot/advice-and-support/

Protected Species -SNH

More information on Scotland's protected species and areas can be found at:
https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/protected-species

https://www.nature.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers/planning-and-development-protected-areas

Trees and Woodland

The Scottish Government's woodland strategy and associated polices can be found here:
https://forestry.gov.scot/support-regulations/control-of-woodland-removal

The Council's guidance on tree/woodland issues can be found here:
http://www.highland.gov.uk/info/1225/countryside_farming_and_wildlife/63/trees_and_forestry/