REPORT

Supporting Environmental Information Report

Proposed Battery Energy Storage System, Rigifa

Client: Field Rigifa Ltd

Reference: PC3506-RHD-07-XX-RP-Z-0011

Status: Final/01

Date: 30 September 2024

Royal HaskoningDHV

Enhancing Society Together

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Abbreviations and Acronyms

AIL	Abnormal Indivisible Load
BESS	Battery Energy Storage System
BS	British Standard
CEMP	Construction Environmental Management Plan
CTMP	Construction Traffic Management Plan
EcIA	Ecological Impact Assessment
ECU	Energy Consents Unit
EHO	Environmental Health Officer
EIA	Environmental Impact Assessment
GWDTE	Groundwater Dependent Terrestrial Ecosystems
ha	Hectare
HER	Historic Environment Record
HES	Historic Environment Scotland
HGV	Heavy Goods Vehicle
HRA	Habitats Regulation Assessment
HV	High voltage
LCT	Landscape Character Type
LGV	Light Goods Vehicle
LV	Low voltage
LVIA	Landscape and Visual Impact Assessment
MV	Medium voltage
MW	Megawatt
NAL	Noise Assessment Location
NML	Noise Monitoring Locations
NSR	Noise Sensitive Receptors
OBSMP	Outline Battery Safety Management Plan
OCTMP	Outline Construction Traffic Management Plan
PCS	Power Conversion System
PEA	Preliminary Environmental Appraisal
PEAR	Preliminary Environmental Appraisal Report
PIC	Personal Injury Collisions
SEIR	Supporting Environmental Information Report
SLA	Special Landscape Areas
SPA	Special Protection Area
SSEN	Scottish and Southern Electricity Networks
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage System
THC	The Highland Council
TO	Transmission Operator

1 Introduction

1.1 Purpose of document

Field Rigifa Limited (hereby referred as ‘the Applicant’) is seeking to obtain Section 36 consent for the proposed installation of a battery energy storage system (BESS) (the ‘Proposed Development’), on land located to the south of the planned and consented Gills Bay Substation in Rigifa (the 'site’). This Supporting Environmental Information Report (SEIR) provides an overview and summary of the environmental assessments that have been undertaken for the Proposed Development and have been submitted as part of the application.

1.2 Background

The Proposed Development will have a generating capacity of up to 200 megawatts (MW), and therefore is the subject of an application to the Scottish Ministers for consent under section 36 of the Electricity Act 1989. The Proposed Development is classified as an industrial installation for the production of electricity on an area exceeding 0.5 ha, and therefore falls under Schedule 2 of the Environmental Impact Assessment (EIA) Regulations, and thus may require an EIA.

For a schedule 2 development to require an EIA, there must be potential for significant environmental effects. A formal EIA Screening Opinion was requested from the Energy Consents Unit (ECU), acting on behalf of Scottish Ministers, in March 2024. A Screening Opinion (reference ECU00005162) was received from the ECU on 4 December 2024, which confirmed that the Proposed Development would not require an EIA.

Whilst a full EIA has not been undertaken, it is recognised that the assessment of potential environmental impacts, and the identification of appropriate mitigation measures to alleviate the significance of such impacts, is an important part of the planning process. Comprehensive assessments covering all key environmental issues have therefore been undertaken and are submitted as part of the application. This SEIR has been prepared to provide an overview of the potential impacts of the Proposed Development, including associated mitigation where required, to allow the ECU to consider the application in full and with due consideration of planning policy.

2 Project Description

2.1 Site location and surroundings

The site is located on agricultural farmland at Phillips Main, Rigifa, and is characterised by land used for agricultural grazing / forage crops. The site is rural in nature with a small number of neighbouring residential properties. The nearest residential properties include a property 800 m north-east of the site, a cluster of properties approximately 1 km north of the site, and the residential area of Mey approximately 1.5 km north-west of the site.

The site is approximately 45.5 hectares (ha) in size and comprises the land on which the planned and consented Gills Bay substation (currently a mix of agricultural land and planted forestry) is proposed, which is also the agreed point-of-connection for the Proposed Development. The Proposed Development itself will have a smaller final development footprint of approximately 6.4 ha, including an 800 m underground cable route.

The site is located away from most nearby residential areas, which will reduce potential impacts on the amenity of surrounding residents in the form of noise or visual effects. The nearest residential properties include a dwelling approximately 250 m west and another dwelling 400 m north of the Proposed Development's footprint. For those residential receptors that do exist around the site, it is considered that potential noise or visual impacts can be appropriately mitigated through site design, including landscaping and the use of earth bunds and acoustic barriers.

2.2 Environmental designations

The site has been selected to avoid environmentally sensitive areas as much as possible and has been designed to sit sensitively within its environmental context. The site is not located within a designated landscape, nor are there any National Scenic Areas or National Parks in the vicinity.

Early desktop studies and site surveys confirmed the absence of any international, national or locally designated sites within the site boundary. The closest international designated ecological site is the Caithness Lochs Special Protection Area and Ramsar, located 1.8 km north-west of the Site. The closest nationally designated ecological site is the Philips Mains Mire Special Site of Scientific Interest, located 0.5 km to the east of the Site.

The Highland Historic Environment Record (HER) database records two possible structures at the southwestern extent of the Site, although no evidence of either was found in a walkover survey undertaken in February 2024. The closest designated heritage assets are located over 2.5 km of the site boundary and include cairns and designated hut circles. Existing shelter belts and levelling works at the Site will ensure the Proposed Development is screened designated heritage assets.

2.3 Description of development

The Proposed Development principally comprises the construction and operation of a battery energy storage system (BESS) with a capacity of up to 200 megawatts (MW). The Proposed Development would charge and discharge from the electricity transmission network via the adjacent planned and consented Gills Bay substation.

Exact battery specifications are still to be determined and will be confirmed as part of the detailed design stage during pre-construction, however the principal components of the Proposed Development which inform the application for planning consent include:

- A BESS compound comprising:
  - Individual battery storage units arranged into rows / strings.
  - Medium voltage (MV) skids (i.e. one MV skid per battery string), each of which houses two power conversion system (PCS) units and one medium-voltage transformer.
  - Ancillary infrastructure including low voltage (LV) cabinets, auxiliary transformers and underground ducting and cabling.
- A high voltage (HV) substation compound comprising:
  - Two HV grid transformers
  - Auxiliary transformers and LV distribution infrastructure
  - An on-site substation building, comprising a control room, high voltage switch room and welfare facilities.
  - Air-insulated switchgear
- An interface substation between the batteries and the Gills Bay substation site, comprising switchgear and a metering building to be operated by the Transmission Operator (TO).
- An underground 132 kV grid connection cable between the HV substation and the planned Gills Bay substation, via the interface substation.
- 3-metre-high pallisade security fencing around electrical equipment, as required.
- Cut and fill / earthworks and foundational civil structures to create level compounds upon which the batteries, substation and other ancillary structures will be located.
- Access arrangements, including a 1.8 km upgraded access road and internal junctions and access points to each compound, parking spaces and 5-metre-wide internal access tracks throughout the site.
- CCTV and lighting columns across the site.
- Drainage infrastructure, including an attenuation basin.
- Landscape and biodiversity mitigation and enhancement measures.

2.4 Site Selection

The location of the Proposed Development has been driven by several factors, including connectivity and proximity to the grid; the availability of land; and environmental constraints.

2.4.1 Grid Connectivity

Energy storage facilities import and export energy from the existing electricity network. For an energy storage facility to connect, the substation must have available capacity and a grid connection agreement must be secured with the network operator.

Early grid analysis for the Proposed Development involved the identification of substations that have available capacity suitable for a new BESS. This analysis concluded that the future Gills Bay substation has available connection capacity. Field has since secured a grid connection agreement with Scottish and Southern Electricity Network (SSEN) for 200 MW at Gills Bay substation. The grid connection date for the

Proposed Development is 2031, however it is expected that this will come forward to 2029 as part of the Accelerated Offers process with SSEN.

From an electrical perspective, it is most efficient to locate an energy storage facility as close as possible to the point of connection to reduce electrical losses that occur when electricity is transported along electricity cables. The site for the Proposed Development was therefore selected based on its close proximity to the Gills Bay substation site.

2.4.2 Land Availability

An energy storage facility of the size proposed requires approximately 5-10 hectares of land to accommodate the development, including electrical infrastructure (and required safety separation distances), access, drainage, and earthworks, together with any on-site compensatory planting or landscaping.

The land is also required to be as close to the proposed connection substation as possible to reduce the need for unnecessarily long and intrusive underground grid connection cables. After the confirmation of grid availability, a search was conducted for potentially available land of a suitable size, around the planned Gills Bay substation site.

Land immediately east of the substation site was unavailable as it is subject to a separate planning application currently under consideration by the ECU (ECU00004838). Land immediately north and west of the site are unsuitable for development as they either comprise established woodland areas, unsuitable topography and ground conditions, or are too close to nearby houses.

2.4.3 Environmental Constraints

BESS, as with any development, should wherever practicable avoid being sited on land which is designated for landscape, heritage, ecological or other environmental reasons, or on land where development is restricted by local planning policies. Early desktop studies and site surveys confirmed the absence of any international, national or locally designated sites within the site boundary.

The site has also been selected based on its location away from nearby residential areas to reduce potential impacts on the amenity of surrounding residents in the form of noise or visual effects. Whilst some residential receptors do exist approximately 800 m east of the site, any potential impacts can be appropriately mitigated through site design, including landscaping. Large areas of existing woodland surrounding the site also offer natural screening from longer range views.

The site has also been chosen for its suitable access arrangements, which provide access to the A836. The site benefits from access to an existing road to the east of the site which, with proposed upgrades, is suitable from a road safety perspective and also allows multiple external access points to the BESS compound for emergency access.

2.5 Design considerations

The final design of the Proposed Development is the culmination of an iterative design process responding to the completion of baseline studies and surveys, technical assessments and stakeholder consultation over the pre-application period.

Field's aim is to optimise land use, operational capacity and efficiency of the facility whilst responding to the site's topography, environmental constraints, safety requirements and constructability. Feedback from stakeholder consultation has also informed the design.

Key design considerations that have informed the final design are summarised in **Table 2-1**.

Table 2-1 Design considerations that have informed the final design

Topic	Design Considerations
Land use	• The land is positioned adjacent to an existing farm track, avoiding the need for additional land-take to accommodate new access roads. • Ground investigations have been undertaken and confirmed that there is no risk to future site users and the water environment. Siting of the Proposed Development also avoids peat and won materials will be reused across the broader land holding wherever practicable.
Transport / access	• All access points, junctions and internal access tracks have been designed to accommodate all required emergency and construction vehicles, including an Abnormal Indivisible Load (AIL) desktop study to ensure any AIL deliveries can be safely made, including the HV transformers. • The design includes the widening of the existing approximately 2 km private access road into the site, including the introduction of seven new passing places every 200 m to ensure safe site access and egress • Separate external access points are provided into the substation compound, the interface substation, and two accesses into the BESS compound for emergency access. An internal looped access track around all BESS equipment also ensures safe internal access arrangements.
Fire risk / Safety	• The design of the Proposed Development has been informed by the National Fire Chiefs Council's *Grid Scale Battery Energy Storage System Planning – Guidance for FRS* (2023), including their Draft Guidance (2024) currently on consultation. • The design adheres UK and international standards in relation to fire separation distances between equipment, all of which are described in an Outline Battery Safety Management Plan (OBSMP) submitted with this application.
Noise	• Site selection has been informed by the ability to locate noise generating infrastructure (BESS compound) as far from noise sensitive receptors as possible (approximately 800 m).
Drainage	• The Proposed Development will maintain its existing outfall point into the Burn of Horsegrow via an existing ditch along the existing access road north of the site. • An attenuation basin is proposed north of the substation compound and a swale is proposed south of the interface substation to ensure greenfield run-off does not exceed pre-development rates. • A site-wide drainage design forms part of the Proposed Development and has been informed by a Flood Risk Assessment and Drainage Impact Assessment.
Ecology / Heritage	• Specialist ecological advice has ensured that native species are used for landscape planting to ensure the provision of significant biodiversity enhancements. • An additional area of land directly south of the BESS compound has been designated for biodiversity enhancements.

Topic	Design Considerations
	• To offset the removal of hedgerows at passing places along the eastern access road, existing / retained hedgerows are proposed to be enhanced. • The Proposed Development has been designed to retain an area of bog alongside development. In addition, a Construction Exclusion Zone with a 15 m buffer from the edge of the habitat will be established and demarcated with Heras fencing or similar.
Landscape and visual	• Proposed landscape planting has been informed by landscape and visual analysis to screen the most visually prominent infrastructure from surrounding viewpoints. This has resulted in: ○ Levelling of the BESS compound to reduce the finished floor levels of the BESS compound ○ The siting of the tallest equipment (substation equipment) at the lowest lying point of the site. ○ The introduction of a 1.5-metre-tall landscaping bund adjacent to the substation compound ○ Landscape planting along the BESS compound's outer edges and around the substation compound.

2.6 Construction, operation and decommissioning

2.6.1 Construction

The construction phase is estimated to take up to two years and would involve the following key activities:

- Site preparation and establishment activities, including vegetation removal and the erection of temporary fencing;
- Earthworks and establishment of site compound;
- Construction of equipment platforms and foundations, including underground ducting and cabling;
- Delivery and arrangement of equipment;
- Cabling and connection works between battery equipment, ancillary equipment and substation compound;
- Installation of underground cabling between substation compound and Gills Bay substation;
- Testing and commissioning; and
- Landscape planting, earthworks and site restoration.

The final construction sequencing and programme will be determined subject to detailed design following the appointment of a suitable construction contractor. Landscaping and site restoration would be programmed and carried out as early as possible following construction to ensure landscape planting is given suitable time to establish, and any temporary working areas are returned to their pre-development condition.

The majority of construction traffic would be limited to the initial 12 months of the construction period during the civils stage and equipment deliveries. A Transport Statement and Outline Construction Traffic Management Plan (OCTMP) has been prepared to support the application which outlines expected traffic movements and traffic management measures. Subject to a consent being granted, a final CTMP would be prepared for approval by the Local Planning Authority prior to any construction works commencing.

2.6.1.1 Environmental Management

Construction Environmental Management Plan

A Construction Environmental Management Plan (CEMP) will be prepared for the Proposed Development. The CEMP would outline all appropriate measures required to minimise the risk of, and control any potential environmental impacts associated with the construction phase of the Proposed Development.

The CEMP would ensure the suitable management of relevant environmental issues, including but not necessarily limited to:

- Site operations, including working hours and maintenance of construction compounds;
- Protection of sensitive on-site areas, including archaeology, trees and ecology protected by clearly demarcated buffer areas / construction exclusion zones;
- Surface water drainage, including water quality;
- Waste management in accordance with a Site Waste Management Plan;
- Dust and noise; and
- Pollution prevention.

Health and Safety

High standards of health and safety will be established and maintained at all times, including compliance with all applicable health and safety legislation and adherence to industry best practice.

The Proposed Development would not result in any unacceptable production of waste, pollution or nuisance, and would not create risk of accidents or risks to human health.

Contaminated Land

Geo-environmental surveys and intrusive ground investigation works have confirmed that there are no potential sources of contamination on site; the risks to future site users and the water environment are therefore low and there is no requirement for further management measures.

2.6.2 Operation

The Proposed Development would be available to import and export electricity on a 24/7 basis. During normal operations, the BESS would be operated entirely remotely. It would only be necessary for a maintenance engineer to visit the site during routine maintenance visits (approximately monthly) or in the rare event that emergency maintenance is required.

On-site security, including security fencing around and gated accesses into site compounds would ensure the site is secure and not accessible to the public or trespassers. On-site CCTV cameras, motion sensors and security lights would be arranged to provide full coverage of the site. An off-site 24/7 security contractor would be appointed to ensure any security breaches are responded to, including police notification.

To reduce light pollution, the site would not be lit at night, and lighting would only be used when accessed by maintenance staff or if triggered by a security breach. Lighting would be low level directional LED lighting with shrouds to prevent any upward light spill.

2.6.2.1 Fire and Safety Management

During operation, safety measures would be in place to ensure the protection of people, the surrounding environment, and the Proposed Development in the unlikely occurrence of a fire related incident. These measures are outlined within the Outline Battery Safety Management Plan and include:

- Adherence to all relevant UK and international standards: The Proposed Development has been designed in accordance with UK and internationally recognised best practice standards, guidance and codes of practice. The design has also been informed by the National Fire Chiefs Council's *Grid Scale Battery Energy Storage System Planning – Guidance for FRS* (2023), including their Draft Guidance (2024) currently on consultation.
- Minimised risk through equipment selection: The Applicant only works with BESS suppliers that have relevant quality certifications. Smoke and heat detectors will be fitted within battery units, as well as internal electrical protection, separation layers, thermal monitoring and fire detection and suppression systems.
- Site design: Best practice measures have been implemented into the design of the Proposed Development, including:
    - Separate external access points into each site compound, including two separate accesses into the BESS compound;
    - Looped internal access tracks within the BESS compounds to ensure emergency vehicles can safely traverse the site; and
    - Minimum separation distances between infrastructure based on relevant best practice standards.
- Implementation of a firefighting and emergency strategy: The Applicant is in consultation with the Local Fire and Rescue Service and will prepare a detailed firefighting and emergency strategy in consultation with them.

2.6.3 Decommissioning

The Proposed Development would have an operational life of 30 years, after which the site would be restored to its former use. Decommissioning works and site rehabilitation would be subject to a Decommissioning Strategy which would be prepared in consultation with and approved by the local planning authority prior to the commencement of any works.

Decommissioning works would be undertaken in accordance with a statement of operations covering safety and environmental issues, including the safe removal of electrical equipment and foundations down to 1 m below ground level, to ensure the site can be effectively returned to its former use. The works will consider all relevant environmental legislation and technology available at the time of decommissioning.

2.7 Cumulative Developments

Several other energy schemes are proposed in the area surrounding the Proposed Development. These have been considered within the section 36 application, where relevant, for any disciplines which may result in cumulative impacts.

Information relating to each scheme has been sourced from publicly available information, including the Highland Council (THC) and the ECU planning portals.

The list of surrounding schemes considered in the application is summarised in **Table 2-2**.

Table 2-2: List of cumulative developments considered in relation to the Proposed Development

Scheme (Application No.)	Description	Status
Hollandmey Renewable Energy	Construction and operation of a renewable energy development, known as Hollandmey Renewable Energy Development, at Hollandmey, located within Caithness in the Highlands. The	Consented

Scheme (Application No.)	Description	Status
Development (ECU00003353)	proposed generating station has an installed capacity of up to 65 MW, comprising 10 wind turbines with a ground to blade tip height of 149.9 m with a generating capacity of around 50 MW, and around 15 MW of ground mounted solar arrays. The proposed Development also includes approximately 15 MW of battery energy storage.	
Mey BESS (ECU00004838)	Construct and operate a Battery Energy Storage System (BESS) with installed capacity of up to 300MW, and associated/ancillary works and development	Under consideration
Gills Bay Substation (21/05536/FUL)	Construct and operate a 132 kilovolt (kV) switching station and associated infrastructure	Consented
Slickly Wind Farm Connection (ECU00005075)	Connection of the Slickly Wind Farm into the electricity transmission network via trident wood poles (approximately 8.5km in length).	Scoping
Gills Bay Radial 132 kV Overhead Transmission Line (ECU00005260)	132 kV alternate current overhead double-circuit transmission line carried on steel-lattice towers (approximately 52) between proposed sealing end compounds at Weydale, Caithness and Reaster, Caithness; and for ancillary development including about 10 km of underground cables, access works including new tracks and junctions, and temporary protection measures at roads and water crossings during construction.	Lapsed

3 Consultation

3.1 Stakeholder consultation

Extensive consultation has been undertaken with relevant stakeholders and government agencies to inform the development of the planning application. This consultation is summarised in **Table 3-1** below, and additional information is available within each relevant technical assessment.

Table 3-1 Stakeholder consultation summary

Consultee	Summary	Field's Response
The Highland Council, planning	A pre-application meeting was held with THC via their Pre-Application Advice Service for Major Developments on 15 May 2024. The Applicant presented the Proposed Development, including the key planning and environmental issues, the surveys and assessments undertaken to-date to inform the latest design, and the final suite of assessments that would accompany the planning application. On 12 June 2024, THC (24/00186/PREMAJ) provided written advice about the Proposed Development and the key issues that should inform the planning application, including inputs from other relevant stakeholders (e.g. Transport Scotland, NatureScot, Historic Environment Scotland, Scottish Environment Protection Agency, etc.). This feedback is included in Appendix A. In summary, the feedback included: • Consideration of cumulative landscape and visual impacts as a result of the clustering of electrical infrastructure; • Transport access, including construction traffic management and trunk road access; • Consideration of flood risk and drainage matters; • Consideration of impacts on the natural environment and biodiversity enhancement; • Consideration of noise impacts; and Information about landscaping, including native screen planting, maintenance requirements and compensatory planting for any vegetation removal.	All technical assessments and planning drawings have been informed by the feedback received in THC's pre-application advice relating to planning and environmental considerations and information requirements.
The Highland Council,	On 8 February 2024, the Applicant engaged with the relevant Environmental Health Officer (EHO) at THC	The submitted Noise Impact Assessment has been

Consultee	Summary	Field's Response
Environmental Health Officer (North)	in relation to potential noise impacts associated with the Proposed Development. This included a letter outlining the Applicant's proposed noise assessment methodology. On 13 February 2024, the EHO confirmed that the noise assessment methodology is acceptable and recommended further discussion once background sound levels were established. On 2 August 2024, the Applicant re-engaged with the EHO to share background sound levels and confirm the Applicant's approach to cumulative impacts. On 9 August 2024, the EHO confirmed that the background sound levels and proposed methodology are acceptable, and this advice has informed the preparation of the submitted noise impact assessment.	informed by the feedback received by THC's EHO regarding the proposed noise assessment methodology and information requirements.
The Highland Council, Transport Planning	On 7 March 2024, the Applicant engaged with THC's Transport Planning team to introduce the Proposed Development and the proposed approach to site access, and seek advice regarding potential transport issues application requirements. During the meeting, THC advised about preferred transportation routes and information requirements for the OCTMP. This consultation has informed the preparation of the submitted transport statement and OCTMP.	The Transport Statement and OCTMP, site access design and the selected transportation routes has been informed by the advice received by THC's Transport Planning team.
The Highland Council, Landscape Officer	On 7 August 2024, the Applicant engaged with THC's Landscape Officer to confirm the methodology for the landscape and visual impact assessment, including relevant viewpoints and the extent of the study area. On 8 August 2024, THC's Landscape Officer confirmed that the proposed study area is acceptable and provided feedback on the proposed viewpoints. The advice received has informed the preparation of the landscape and visual impact assessment and supporting photomontages.	The Landscape and Visual Impact Assessment, including the selected viewpoints, study area and assessment methodology has been informed by the advice received by THC's Landscape Officer.
Historic Environment Scotland (HES)	Based on initial advice received within THC's pre-application advice, further consultation was undertaken with HES in relation to potential impacts on the setting of the Castle of Mey.	The Archaeological Desk-Based Assessment, including the study area and the consideration of the nearby

Consultee	Summary	Field's Response
	On 23 August 2024 and 6 September 2024, the Applicant provided HES with the zone of theoretical visibility (ZTV) and draft wirelines of the Proposed Development from the Castle of Mey. On 10 September 2024, HES confirmed that the Proposed Development would not have an adverse impact on the Castle of Mey and its associated inventory garden. This advice has been reflected within the supporting archaeological desk-based assessment.	Castle of Mey was informed by HES' feedback. HES' written confirmation that the Proposed Development would not have an adverse impact on the Castle of Mey has ensured that this potential impact was addressed at pre-application stage.
NatureScot	On 6 August 2024, the Applicant engaged with NatureScot to confirm their approach to potential impacts associated with wintering birds, breeding birds and groundwater dependent terrestrial ecosystems (GWDTE). On 4 September 2024, NatureScot confirmed that the approach to wintering birds and breeding birds is acceptable to inform the planning application. No advice was provided regarding GWDTE, which has been informed instead by consultation with SEPA.	The Ecological Impact Assessment and Shadow Habitats Regulations Assessment has been informed by feedback received by NatureScot as part of THC's written advice. This included the carrying out of additional survey work and consultation to confirm the approach to wintering and breeding birds. The feedback received by NatureScot is reflected within the full application.
Scottish Environmental Protection Agency (SEPA)	Based on initial advice received within THC's pre-application response, further consultation was undertaken with SEPA with respect to GWTDE. On 29 August 2024, the Applicant engaged with SEPA to confirm the methodology for the GWTDE assessment. On 13 September 2024, SEPA responded to confirm the proposed approach to assessing GWDTE.	The Ecological Impact Assessment has included an assessment of potential impacts on GWDTE and proposed mitigation measures based on the advice received by SEPA.

3.2 Public consultation

Public consultation for the Proposed Development was carried out in accordance with the ECU's Good Practice Guidance for Applications under Section 36 and 36 of the Electricity Act 1989 (updated July 2022).

The full consultation process is outlined in the Pre-Application Consultation Report (Alpaca Communications, 2024) and in summary, included:

- **12 June 2024:** The Applicant sent information brochures to 420 addressees within a minimum 2 km radius of the Proposed Development and relevant political stakeholders (community councillors, THC's local ward councillors, Members of Scottish Parliament and Members of Parliament). The brochures also included invitations to in-person public consultation events.
- **12 June 2024:** The consultation website (https://www.fieldrigifa.co.uk) for the Proposed Development went live, which includes an overview of the Proposed Development, details about public consultation events and a feedback form.
- **13 June 2024:** The Applicant submitted a Proposal of Application Notice (PAN) to THC and relevant stakeholders as required as part of the PAN process.
- **14 June 2024:** An advertisement for both public consultation events (25 June 2024 and 22 August 2024) was displayed in the John O'Groats Journal.
- **25 June 2024:** The first in-person public consultation event was held at Mey Village Hall from 2:00 PM – 7:00 PM. Eight people attended this event.
- **9 August 2024:** An advertisement for the second public consultation event was again displayed in the John O'Groats Journal.
- **22 August 2024:** The second in-person public consultation event was held at Mey Village Hall from 2:00 PM – 7:00 PM. Five people attended this event.
- **30 August 2024:** The final date for which written feedback by feedback form, post or email could be considered.

Across the two events, there were a total of 13 attendees. In total, four feedback forms were received, three of which were in favour of the Proposed Development and one of which was not in favour.

Feedback was received in relation to fire safety and the removal of trees associated with the construction of the Gills Bay substation. These issues, where relevant, have all been considered across the package of supporting planning and environmental assessments.

4 Landscape and Visual

This section summarises the conclusions of the Landscape and Visual Impact Assessment (LVIA) (Stephenson Halliday, 2024), which considers how the construction and operational phases of the Proposed Development will impact physical landscape features, as well as any effects on landscape character and views.

4.1 Study area

The focus of the LVIA is the main built form of the Proposed Development (comprising a BESS compound, substation compound and interface substation).

The study area was derived from Zone of Theoretical Visibility mapping, site observation and review of published information. Potential for significant effects on landscape and visual receptors are not expected beyond a 3 km zone of the Proposed Development.

4.2 Baseline

The site comprises an agricultural field which slopes gradually from (71 m AOD) south-east to (53 m AOD) north-west. The site is located approximately 1.5 km south-east of the A836 and the settlement of Mey. An existing hedgerow forms the field boundary that runs parallel to the northeastern site boundary. Blocks of forestry at various stages of rotation surround the site to the northwest, west, south, and east.

The presence of forestry, woodland and associated forestry operations limit views towards the site. Uninterrupted views towards the site can be gained from the landscape within 1 km to the north-east of the site between Phillps Mains and Hill of Rigifa and the landscape around East Mey between 2-3 km.

The majority of the site is in Landscape Character Type (LCT) 143 Farmed Lowland Plain. Parts of the of the site boundary are within LCT 134 Sweeping Moorland and Flows-Caithness and Sutherland. Both of these LCTs are considered further in the appraisal of landscape effects. There would very limited theoretical visibility from LCT 144: Coastal Crofts and Small Farms; this is therefore not considered further.

The site is not located within any landscape designations. Two Special Landscape Areas (SLAs) (SLA 04 Dunnet Head and SLA 05 Duncansby Head) are located approximately 7 km northwest and 9 km northeast respectively, beyond the study area.

Analysis based on ZTV mapping identified five key visual receptor groups and two key routes that have visibility of the site and are potentially sensitive to changes associated with the Proposed Development. These are:

- Rigifa area (1-2 km northeast)
- East Mey Area (3 km northeast)
- Visitors to the Castle of Mey (3 km north)
- Barrock Area (2.8 km west)
- Lochend Area (3 km south-west)
- National Cycle Route 1 (Inverness to John O'Groats)
- North Coast 500 (A836).

Cumulative visual effects were also considered in relation to the surrounding schemes outlined in **Table 2-2**.

4.3 Impacts

The LVIA concludes that there would be no notable effects on surrounding landscape character. Potential effects would be confined to the site and its immediate surroundings, within around 1 km. These would be limited to the host LCT 143 Farmed Lowland Plain.

Visual effects within close proximity to the Proposed Development would be classified as Moderate / Minor Adverse effects at construction, reducing to minor adverse effects at operation. Visual effects at other receptor groups and key routes would be minor / negligible adverse effects due to localised landform and existing vegetation.

In relation to cumulative landscape impacts, there would be a slight intensification of energy infrastructure within the area immediately surrounding the Proposed Development, leading to a minor adverse effect on LCT 143. Cumulative visual impacts would have minor / negligible adverse effects in localised areas around the Proposed Development. Given the scale of the Proposed Development, it would be recessive in comparison to the larger, surrounding schemes.

4.4 Mitigation

Siting of the Proposed Development has ensured that landscape and visual impacts remain low, including the location of the tallest equipment in the lowest lying part of the site (i.e. the substation compound); and the location of the Proposed Development in an area that is readily screened by existing surrounding forestry. To further mitigate potential landscape and visual effects, the following measures have been implemented as part of the Proposed Development, which form part of a landscaping plan:

- Levelling of the site to reduce finished floor levels;
- Landscape planting comprising native species around the perimeters of the substation compound and BESS compound, which accommodate the most visually prominent infrastructure;
- The introduction of a 1.5-metre-tall earth bund adjacent to the substation compound. The bund has been designed to ensure that it sensitively fits within the surroundings; and
- Retention of existing hedgerows along the BESS compound’s western boundary and along the eastern access road.

Landscape planting as detailed in the Landscape Masterplan will be scheduled as early as possible during the construction programme to ensure sufficient time is allowed for establishment. A Habitat Management and Monitoring Plan will also be delivered post consent to ensure the appropriate management of habitats within the Site during construction, operation and decommissioning of the Proposed Development.

4.5 Conclusion / Summary

The LVIA concludes that there would be no notable effects on landscape character. Potential effects would be confined to the site and its immediate surroundings, within around 1 km. These would be limited to the host LCT 143 Farmed Lowland Plain.

Visual effects, including when considered cumulatively alongside other proposed schemes, would be moderate / minor adverse effects during construction and would reduce to minor / negligible effects during operation. As receptor groups move further away from the site, these effects would be further reduced.

Landscape mitigations, including the long-term establishment of perimeter planting would further reduce landscape and visual effects and ensure the Proposed Development effectively blends into its landscape setting and overall landscape character to ensure there are no significant landscape and visual impacts.

5 Ecology and Biodiversity Enhancements

This section outlines the findings of assessment work related to ecology and biodiversity enhancements. The following documents are submitted as part of the application related to this topic:

- An Ecological Impact Assessment (EcIA), which evaluates the potential ecological receptors and constraints present within the site, in addition to appropriate avoidance, mitigation and compensation measures, and provided an assessment of the significance of any residual effects. The EcIA also included a GWDTE assessment, an evaluation of biodiversity enhancements and habitat creation, and a Breeding Bird Appraisal to identify the likely importance of the site for breeding birds.
- Shadow Habitats Regulation Assessment (HRA) to assess the potential impact on protected species and habitats.

5.1 Study area

The study area for the EcIA was informed by a desk study comprising a review of online resources and biological records centre data, and field survey undertaken in March 2024. Furthermore, a Breeding Bird Appraisal was carried out in June 2024.

The following designated ecological sites were considered in the study areas:

- Caithness Lochs Special Protection Area (SPA) and Ramsar site,
- North Caithness Cliffs SPA,
- Caithness and Sutherland Peatlands Special Area of Conservation, SPA and Ramsar site.
- Loch of Mey Site of Special Scientific Interest (SSSI); and
- Phillips Mains Mire SSSI.

5.2 Baseline

To assess whether the Proposed Development is able to deliver positive effects for biodiversity, in accordance with NPF4, the baseline biodiversity value of the Ecology Study Area has been calculated using the Statutory Biodiversity Metric[1].

The majority of the Proposed Development footprint comprises winter stubble habitat of negligible ecological importance. Other habitats of greater importance present within the Site include bog, types of woodland and grassland and standing water habitats, the majority of which will be retained alongside the Proposed Development.

The potential for the Site to support protected and notable species is limited. However, some opportunities for birds and amphibians (common toad) have been noted within the Site.

There are no GWDTE within the Site. However, the GWDTE mire and rush pasture have been confirmed as present adjacent to the north-western Site boundary.

[1] *Defra (2024). Statutory biodiversity metric tools and guides. Available at: https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides. Last accessed June 2024.*

5.3 Impacts

With regards to European Sites, it is considered that the Proposed Development would not result in an Adverse Effect on Integrity of any of the assessed sites, assuming the mitigation measures detailed within the Shadow HRA are implemented.

In the absence of mitigation, the Proposed Development is anticipated to result in a range of adverse ecological effects significant at the Local and County Level. However, subject to the implementation of the mitigation and precautionary measures proposed, as discussed in **Section 5.4**, no significant adverse ecological effects are anticipated.

The scheme will deliver significant biodiversity enhancement, this will comprise 51.08% for Hedgerow habitats and 5.39% for Area habitats. The biodiversity enhancements will be delivered through the provision of new landscaping alongside the Proposed Development and enhancement of the existing retained hedgerows.

5.4 Mitigation

All works associated with the Proposed Development will follow the mitigation hierarchy set out by the Chartered Institute of Ecology and Environmental Management (2018) in their Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. The hierarchy is as follows:

- **Avoidance**: Seek options that avoid harm to ecological features;
- **Mitigation**: Negative effects should be avoided or minimised through mitigation measures, either through the design of the project or subsequent measures that can be guaranteed – for example, through a condition or planning obligation;
- **Compensation**: Where there are significant residual negative ecological effects despite the mitigation proposed, these should be offset by appropriate compensatory measures; and
- **Enhancement**: Seek to provide net benefits for biodiversity for avoidance, mitigation or compensation.

Appropriate bespoke mitigation measures for each designated site, species and habitat assessed, as defined by the mitigation hierarchy, will be secured through the following documents:

- **CEMP** – to avoid impacts to breeding and non-breeding birds during the construction phase. The CEMP will also include a Pollution Prevention Plan to avoid impacts on statutory designated sites, water quality, bog habitat and GWDTE.
- **Habitat Management and Monitoring Plan** – to include management and monitoring measures for all habitats retained, created or enhanced within the Site as part of the Proposed Development. Management and monitoring activities should last a minimum of 30 years with responsible parties and funding mechanisms secured.
- **Lighting Plan** – to avoid potential impacts on bats.
- **Species Protection Plan** – to avoid potential impacts to amphibians, badgers and birds.

Full details of the mitigation measures are provided in the EcIA.

5.5 Conclusion / Summary

The EcIA and Shadow HRA concludes that subject to the implementation of mitigation measures and safeguards detailed within the reports, no significant adverse ecological effects are anticipated as a result of the Proposed Development.

The Proposed Development will also result in significant biodiversity enhancement through the enhancement of hedgerows and area habitats.

6 Transport and Access

This section summarises the findings of the combined Transport Statement and OCTMP, outlining the potential impact of the Proposed Development on the road network within the local areas, alongside appropriate mitigation measures.

6.1 Study area

The site of the Proposed Development is located approximately 2 km south of the village of Mey and the trunk road A836, and approximately 1.9 km southwest of the settlement at Rigifa.

Existing vehicular access to the site is via agricultural tracks located off private access roads located to the north of the site. The primary access is via Philips Mains private access road which extends approximately 1.8 km northeast from the site to link with the C1033 (Everley-Crockster Toll Road) at a priority junction in the vicinity of the settlement of Rigifa.

From the Philips Mains private access road junction, the C1033 extends approximately 375 m to the west to link with U1633 (East Lodge Road). The U1633 is an unclassified road which extends approximately 750 m to the northwest to link with the A836, which provides access to the village of Mey and the settlement of Whitebridge to the west, with links to the A9(T). To the east, the A836 provides access to the villages of East Mey and Gills, with links to the A99 at John O'Groats.

6.2 Baseline

Baseline traffic flows and average vehicles speeds were obtained from planning applications for surrounding developments, which highlighted that the minor rural roads (C1033 and U1633) to the north of the Proposed Development are subject to very light levels of daily vehicular traffic. The existing access road to the Site is used for agricultural purposes only.

A review of Personal Injury Collisions (PICs) recorded in the vicinity of the site, revealed no PICs were recorded on the C1033 or U1633 in the vicinity of the site.

6.3 Impacts

The highest volume of traffic associated with the Proposed Development would occur during the construction phase, which is anticipated to be approximately 24 months. Daily deliveries would peak in the first year of construction.

Operational traffic is anticipated to be very low, resulting in a negligible impact on the local road network. One Light Goods Vehicle (LGV) would require access to the site each month for routine checks and maintenance, with an occasional Heavy Goods Vehicle (HGV) requiring access to replace batteries when necessary.

Traffic during the decommissioning stage would be managed with similar methods to construction of the site.

Five potential developments have been identified that could result in cumulative traffic impacts to the Proposed Development, including the Gils Bay Substation and Hollandmey Renewable Energy development, which encompass the site boundary. However, these projects are likely to use a separate access road and junction to the Proposed Development. Any potential cumulative traffic impacts would be considered at the pre-construction stage, in liaison with the other schemes and THC. This approach allows

the impacts to be determined accurately and appropriate mitigation to be established once detailed information is available to all parties.

Abnormal Indivisible Load (AIL) deliveries will be required to deliver the high voltage transformers to the Site. An assessment of the proposed new access design for the Site has determined that it can accommodate the required HGV deliveries and limited number of AIL to the Site.

6.4 Mitigation

Impacts associated with construction traffic will be mitigated by the implementation of a Construction Traffic Management Plan in line with best practice, which would aim to mitigate the potential impacts of construction traffic associated with the Proposed Development. Mitigation measures include the establishment of hours of construction from 08:00 – 18:00 Monday to Friday, and 08:00 – 13:00 Saturday, with no work or deliveries undertaken on Sundays and/ or Bank Holidays. Car shares would be encouraged with core construction staff and all staff parking would be accommodated at the site.

HGV movement associated with the construction phase would be scheduled and routed in order to mitigate potential conflict as a result of two-way HGV movements. A Logistics Manager would be appointed to engage with local residents and act as a point of contact. Should any complaints or concerns arise during the construction phase, appropriate mitigation would be implemented as soon as practicable.

Details regarding AILs would be provided in a separate AIL-CTMP prior to construction. An AIL Access Report is provided as part of the application and has informed the preparation of the Transport Statement.

6.5 Conclusion / Summary

The combined Transport Statement and CTMP outlines the measures that would be adopted to maintain high standards of construction safety and limit disruption to other motorists, local residents and businesses. The Proposed Development would only generate a low level of traffic during the construction phase and the impact of operational traffic is expected to be negligible. A final CTMP would be provided post-planning consent and before commencement of construction.

7 Archaeology

This section summarises the findings of the archaeological desk-based assessment, providing an archaeological and historical baseline summary and context for the Proposed Development. This section also assesses the likely level of impact the Proposed Development may have on known and potential heritage assets.

7.1 Study area

A 3 km study area was established for designated heritage assets using data from Historic Environment Scotland. For the purpose of assessing the potential physical impact of the Proposed Development, a study area based on a 1 km buffer from the site was used to gather Historic Environment Record Data from THC for non-designated heritage assets.

7.2 Baseline

A review of existing information was used to provide archaeological and historical baseline context within the study area.

Four designated heritage assets were identified within 3 km of the Proposed Development. This includes two Listed Buildings and an Inventory Garden associated with the Castle of Mey, approximately 2.6 km from the Site, and a Scheduled Monument (Mey Battery) 3km from the Site. There are also non-designated heritage assets within 1 km of the Site, including a farmstead and farmhouse at Hollandmey.

Two previous archaeological investigations have been undertaken within the Site, in support of renewable energy developments, notably the Hollandmey Renewable Energy Development and proposed wind farm at Schoolary, Caithness.

7.3 Impacts (direct and setting)

Due to the intervening topography, undulating landscape and existing woodland areas, it is not anticipated that any potential impacts to the setting of the identified designated heritage assets will arise as a result of the Proposed Development, including the Castle of Mey.

Groundworks associated with the Proposed Development have the potential to impact known and unknown heritage assets, with a low to moderate potential for archaeological remains for non-designated assets to be encountered. Further monitoring of the works, such as an archaeological watching brief, would be required at the construction stage.

It is considered that there is no potential for a material impact to the cultural significance of heritage assets as a result of changes in their setting.

7.4 Mitigation

An agreed programme of archaeological works secured via a suitably worded condition attached to any planning permission would be appropriate to mitigate impacts to surviving above and below ground archaeological remains.

Where an agreed scheme of archaeological mitigation is in place, it is considered that any loss of the informative value of those archaeological remains would be effectively mitigated to an acceptable level.

7.5 Conclusion / Summary

The assessment concludes that there is not anticipated to be a material impact on the cultural significance of heritage assets within the site as a result of changes in their setting. The physical disturbance of heritage assets would be appropriately recorded and managed through appropriate mitigation.

8 Noise

This section provides a summary of potential operational noise impacts associated with the Proposed Development, as determined by a Noise Impact Assessment (TNEI, 2024) which is included within this planning application.

8.1 Study area

The study area has been determined based on the identification of the closest noise sensitive receptors (NSRs) to the Proposed Development.

The nearest identified NSRs are existing residential properties located to the north and north-east of the Proposed Development. The curtilage of the closest residential receptor is approximately 900 m to the north-east of the nearest noise emitting plant. Other residences are located approximately between 1.2 km and 1.8 km away. Based on the location of NSRs, Noise Assessment Locations (NALs) were determined which are representative of the noise impacts likely to be experienced at each NSR.

8.2 Baseline

8.2.1 Background Sound Levels

To characterise the existing background noise conditions at the site, an unattended baseline sound level survey was undertaken at two Noise Monitoring Locations (NMLs) over a 12-day period between the 8th and 20th of February 2024. Due to the presence of a nearby watercourse near one of the NMLs, its survey results were omitted as unrepresentative, and the results from the second NML were used instead.

The remaining NML's background sound levels recorded daytime results of 35 dB $L_{A90\ (15\ min)}$ and nighttime results of 35 dB $L_{A90\ (15\ min)}$. It was agreed with THC's Environmental Health Officer (EHO) that these results are representative of the soundscape surrounding the Proposed Development in the absence of watercourse noise.

It was also agreed with THC that the Noise Impact Assessment should contain evidence that no tonal characteristics are expected in the immission levels incident at any nearby NSRs within the 100 Hz One-Third Octave frequency band.

8.2.2 Noise Emitting Equipment

Noise emitting equipment associated with BESS facilities generally includes:

- Battery storage units;
- MV skids; and
- HV transformers.

The noise data used to inform noise modelling has been informed by thorough engagement with a candidate BESS supplier, and is provided as part of this planning application.

8.2.3 Cumulative Impacts

Regarding cumulative effects, surrounding energy schemes with the potential to cause cumulative noise impacts were identified based on the full list described in **Table 2-2**. The identified schemes include Mey BESS, Hollandmey Renewable Energy Development and Gills Bay substation.

8.3 Impacts and mitigation

Noise impacts were evaluated in accordance with relevant guidance, comprising British Standard (BS) 4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound and PAN1/2011 Planning and Noise.

Noise modelling indicated that predicted noise levels would not exceed 21 dB(A) at the nearest NAL, which is 14 dB lower than the background sound level of 35 dB(A).

With regard to cumulative noise impacts, a cumulative assessment determined that the Proposed Development will not materially contribute to the cumulative noise levels. This is due to the sound level from the Proposed Development on its own being very low at all NALs (at least 10 dB below the cumulative predictions of the other schemes), which means there are no differences in cumulative predictions with or without the Proposed Development.

Regarding THC's concerns about noise levels at a frequency of 100 Hz, it has also been confirmed that the Proposed Development is not expected to have any tonal characteristics present in any frequency band (100 Hz or otherwise).

Based on the low noise impacts predicted as part of the Noise Impact Assessment, no mitigation measures are required.

8.4 Summary

Based on baseline noise surveys, noise modelling informed by supplier-verified BESS data, and engagement with THC's EHO, noise associated with the Proposed Development is not predicted to exceed background sound levels and therefore no significant noise impacts are predicted, and no mitigation measures are proposed.

9 Flood Risk and Drainage

This section considers the potential flood risks associated with the Proposed Development. A full Flood Risk Assessment (Haydn Evans, 2024) and Drainage Strategy (Haydn Evans, June 2024) have been prepared which include all detailed modelling and relevant surface water drainage design information.

9.1 Flood Risk

In accordance with NPF4, the following sources of flooding have been assessed:

- Tidal and fluvial;
- Pluvial;
- Groundwater;
- Sewers; and
- Reservoirs or other artificial sources.

A desktop assessment of all publicly available information confirmed that the site is at no or low risk of all forms of flooding. The Proposed Development does not increase on or off-site flooding risk and is therefore acceptable.

9.2 Drainage

Ground investigations confirmed that infiltration drainage is not feasible for the Proposed Development. Surface water runoff currently drains north-west from the BESS compound's southern high point towards an existing outfall into the Burn of Horsegrow.

A Sustainable Drainage System (SuDS) has been implemented to satisfy national and local flood risk and surface water management guidance, including NPF4. SuDS control the flow rate and volume of water leaving the development area and reduce pollution by intercepting silt and cleaning run-off from hard surfaces.

Proposed drainage infrastructure would direct all surface water towards an existing ditch alongside the existing access road adjacent to Gills Bay substation, which would then continue to outfall into the Burn of Horsegrow, thereby mimicking the existing drainage regime.

For attenuation purposes, an attenuation basin is proposed to the northwest of the substation compound, and a swale is proposed along the southern boundary of the interface substation. These areas will be predominantly dry and will be planted with suitable wet meadow mixes which will contribute to the delivery of biodiversity enhancements at the Site.

At the BESS and substation compounds, surface water would be intercepted by filter drains which would collect and direct the surface water through a network of pipes to the attenuation basin and then to the outfall point. At the interface substation, surface water would also be intercepted by filter drains and attenuated via the swale at its southern boundary. Due to the topography of the site, surface water run-off at the interface substation is required to be pumped eastward towards the existing ditch and then to the outfall point.

Surface water will be discharged at the restricted greenfield run-off rate (and including the 1:200-year event) to the existing discharge point into the Burn of Horsegrow. The passing of surface water through the filter drain and collection within the attenuation basin will ensure pollution mitigation prior to discharge.

A SuDS Management and Maintenance Plan is provided as part of the application to ensure that the SuDS components are regularly inspected and maintained. This ensures efficient operation and reduces the likelihood of failure.

9.3 Conclusion / Summary

All potential sources of flooding have been considered in accordance with relevant national and local planning policies and guidance. It has been confirmed that the site is at low risk of flooding from all sources, and therefore no bespoke mitigation measures are required.

A surface water drainage strategy and design has been prepared to manage potential increase in surface water runoff attributed to the Proposed Development. The strategy has been prepared in accordance with sustainable drainage principles and ensures the site will remain free of flooding during storm events, prevents the risk of any off-site flooding, and maintains the protection of the water environment

10 Conclusion

A suite of technical studies and environmental assessments have been undertaken to inform the final design layout for the Proposed Development.

This has included early environmental studies (including ground investigations) to inform site selection and early design; extensive pre-application consultation with relevant stakeholders including the local community; and an iterative design process to ensure all potential environmental impacts have been avoided where possible or mitigated as far as practicable.

This work has informed the final environmental assessments and technical studies which support the final planning application and identify and quantify potential impacts and describe suitable mitigation measures.

The environmental assessments that have been undertaken conclude that subject to the implementation of appropriate mitigation measures where required, the Proposed Development is not anticipated to result in any significant adverse effects.

Appendix A – Pre-application Response from The Highland Council

The Highland Council
Comhairle na Gàidhealtachd

PRE-APPLICATION ADVICE FOR MAJOR DEVELOPMENTS

Reference no:	24/00186/PREMAJ	**Date of Issue**:	12 June 2024
Proposal:	Construction and operation of a 200 MW Battery Energy Storage System (BESS) and associated infrastructure, access and ancillary works. (Section 36 Application to ECU)	**Address:**	Land 625M SW Of 1 Phillips Mains Mey
Case officer:	[redacted]	**Email and phone no:**	[redacted]
Confidentiality Requested	Yes		

This pre-application advice has been specifically prepared for DBPLanning as the applicant and DBPLanning as the agent for the proposed development at Land 625M SW Of 1 Phillips Mains Mey

Description of proposal
Construction and operation of a 200 MW Battery Energy Storage System (BESS) and associated infrastructure, access and ancillary works. (Section 36 Application to ECU)
Summary of Key Issues
The Council is broadly supportive of renewable energy related developments and as such the principle of a battery energy storage system may be considered acceptable. In this instance however the potential impact on designated natural heritage sites, transport infrastructure, visual impacts and other material issues would need to be satisfactorily addressed, as discussed in more detail below. The proposed BESS site is approximately 2.5km from the Caithness Lochs SPA and Loch of Mey SSSI, to which the site is also hydrologically connected. Both sites are protected for ornithological interests, especially Greenland white fronted geese, which are site faithful to the area. Given their restricted feeding regime and small population, any impacts to this species could be significant. These matters will require careful consideration to ensure there are no adverse effects during installation, operation or decommissioning. Any future proposals to come forward should include detailed consideration of the safety implications of the BESS technology, particular in terms of fire risk. The design of the proposed drainage measures should include methods of detaining fire fighting water on site for safe disposal, particularly given the potential hydrological connectivity of the site to the Loch of Mey SSSI.

In landscape terms, the site is not a visually prominent one, but the proposed BESS will nonetheless, result in extension of industrial scale renewables into a previously undeveloped area of land. Screening will be key to integrating the proposals within their surroundings and could include a suite of measures, incorporating for example, planting, sensitively considered bunding to complement the contours of the existing landscape as much as possible, fencing and colouring the proposed battery storage units in a recessive shade to match the surrounding landscape.

Note - There are differences in the redline boundary, between the applicant's presentation and location maps, and the boundary as digitised for the case in the Council's system; for the avoidance of doubt, the maps and advice included in this response are based on the redline boundary in the Council's system.

Background Information

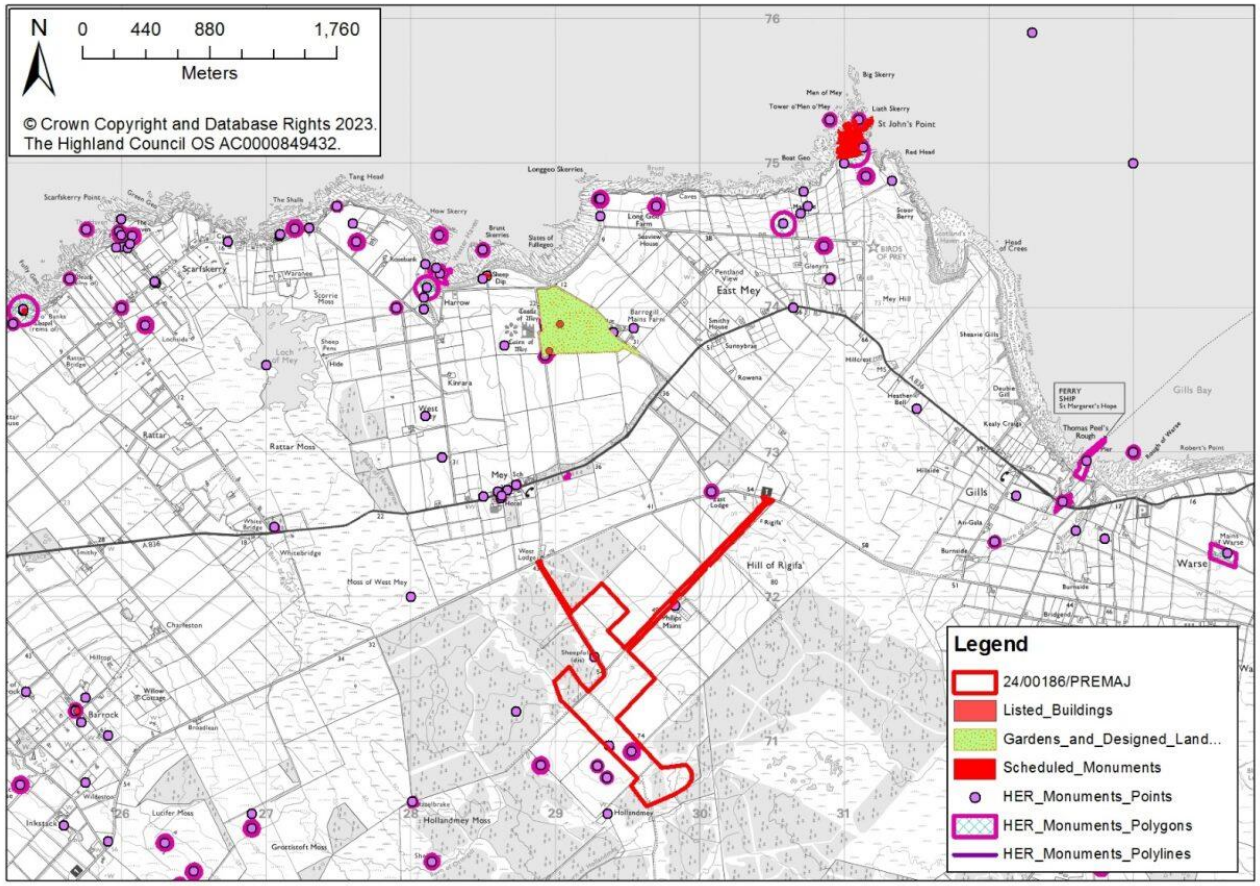
Site Area	**51.7 ha**	
Land Ownership	**Private**	
Existing Land Uses	**Forestry / Agricultural Land**	
Grid Reference	**329461 (E)**	**971391 (N)**

Consents Required

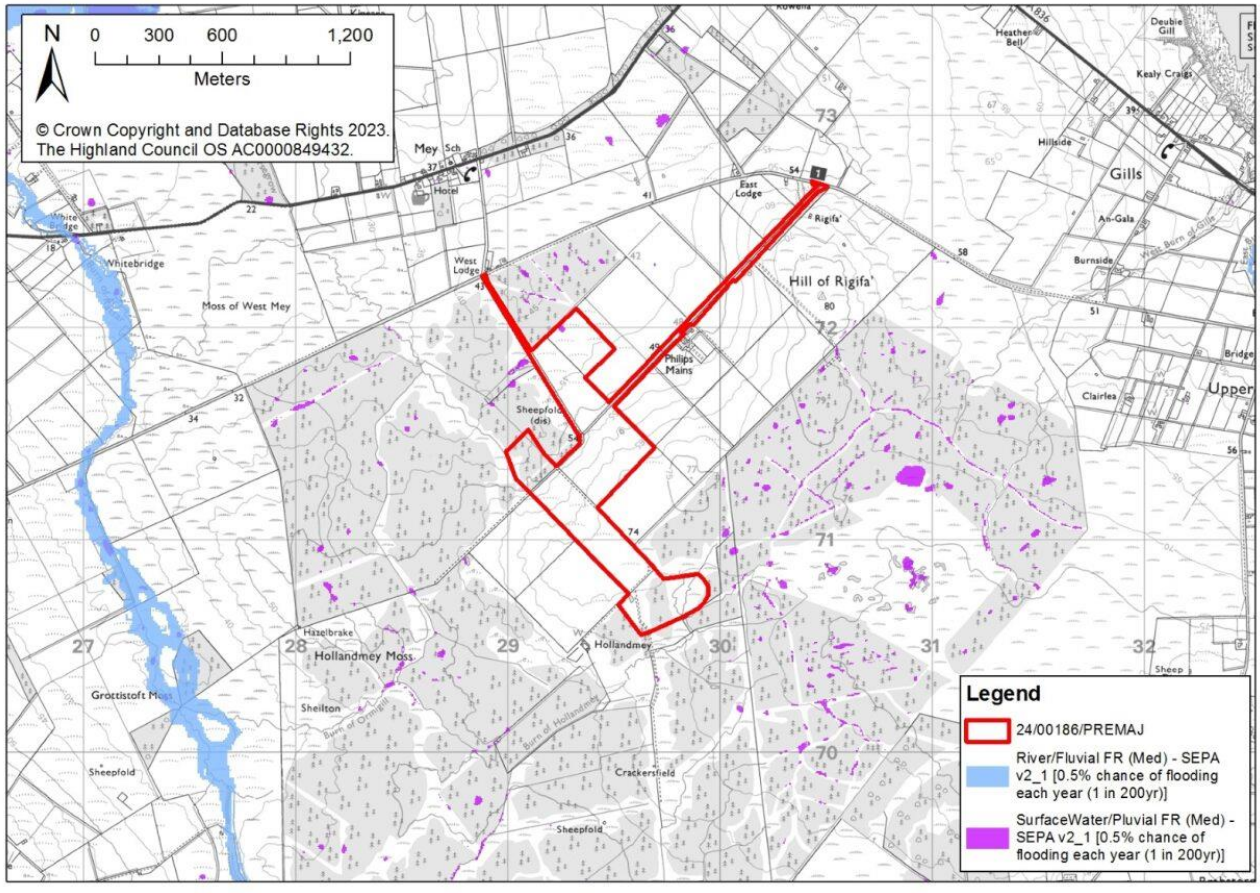
You are advised that the following consent(s) will be required for the proposed development:
Planning Permission

Site Constraints Map

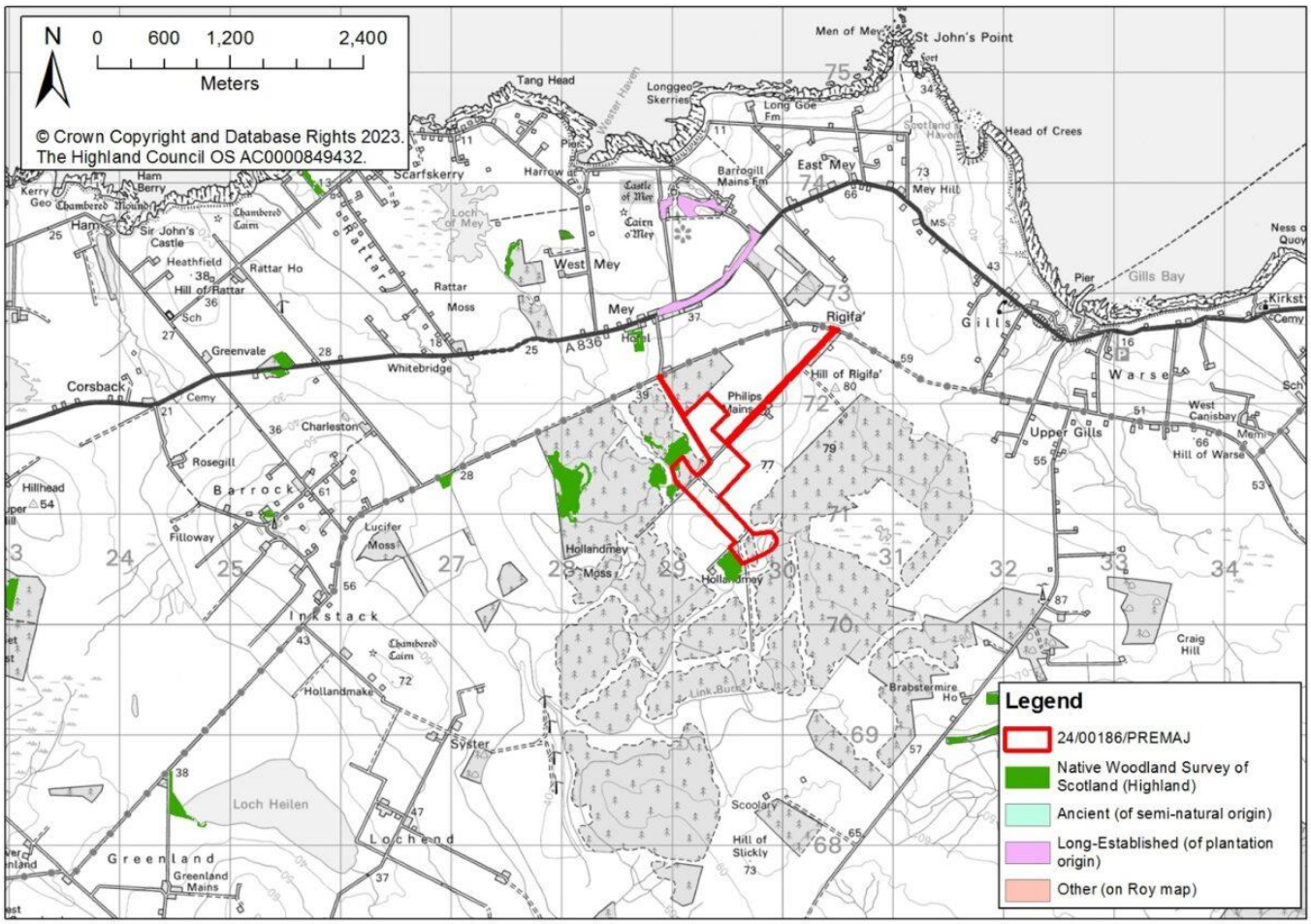
Built Heritage



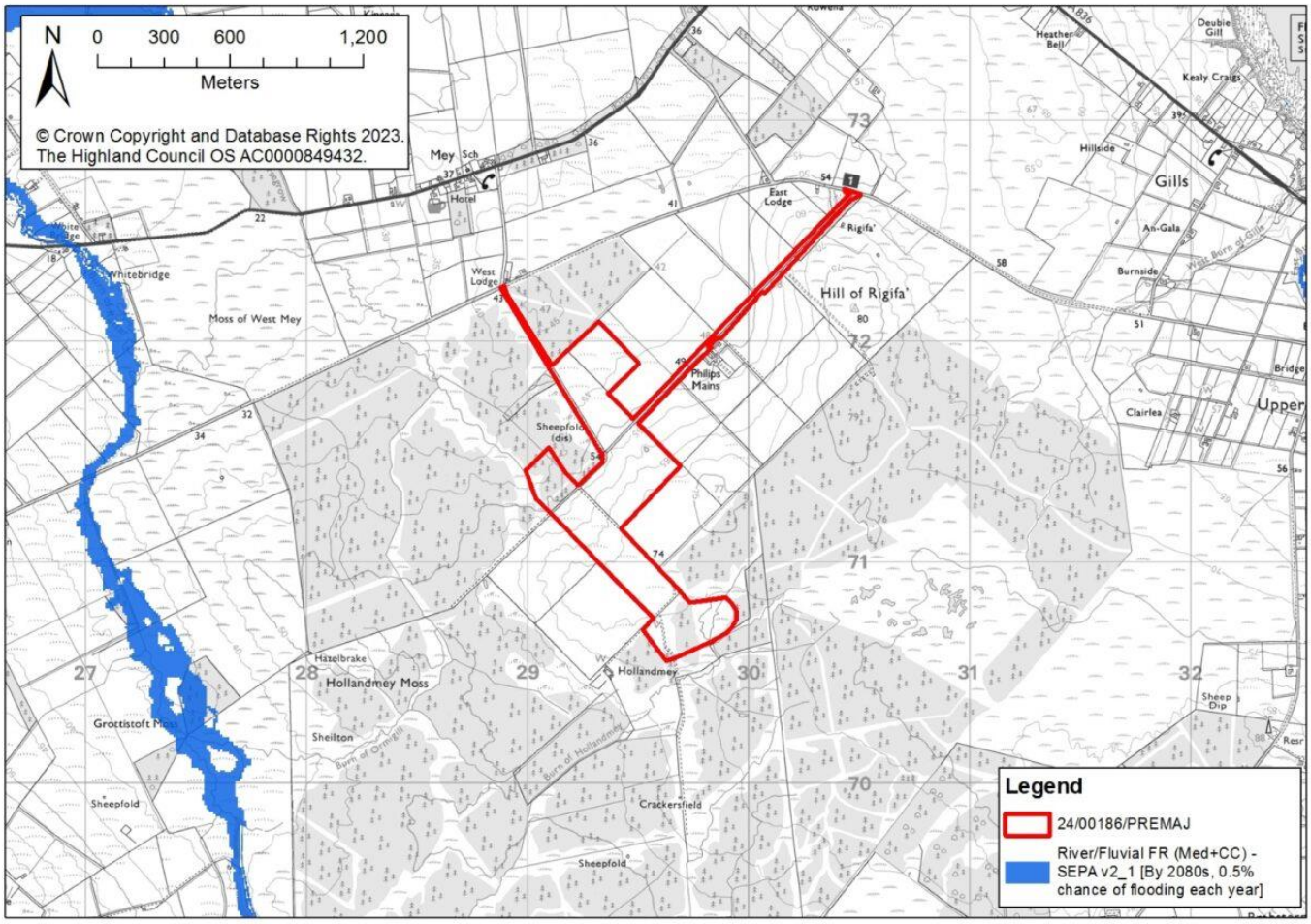
Flood risk



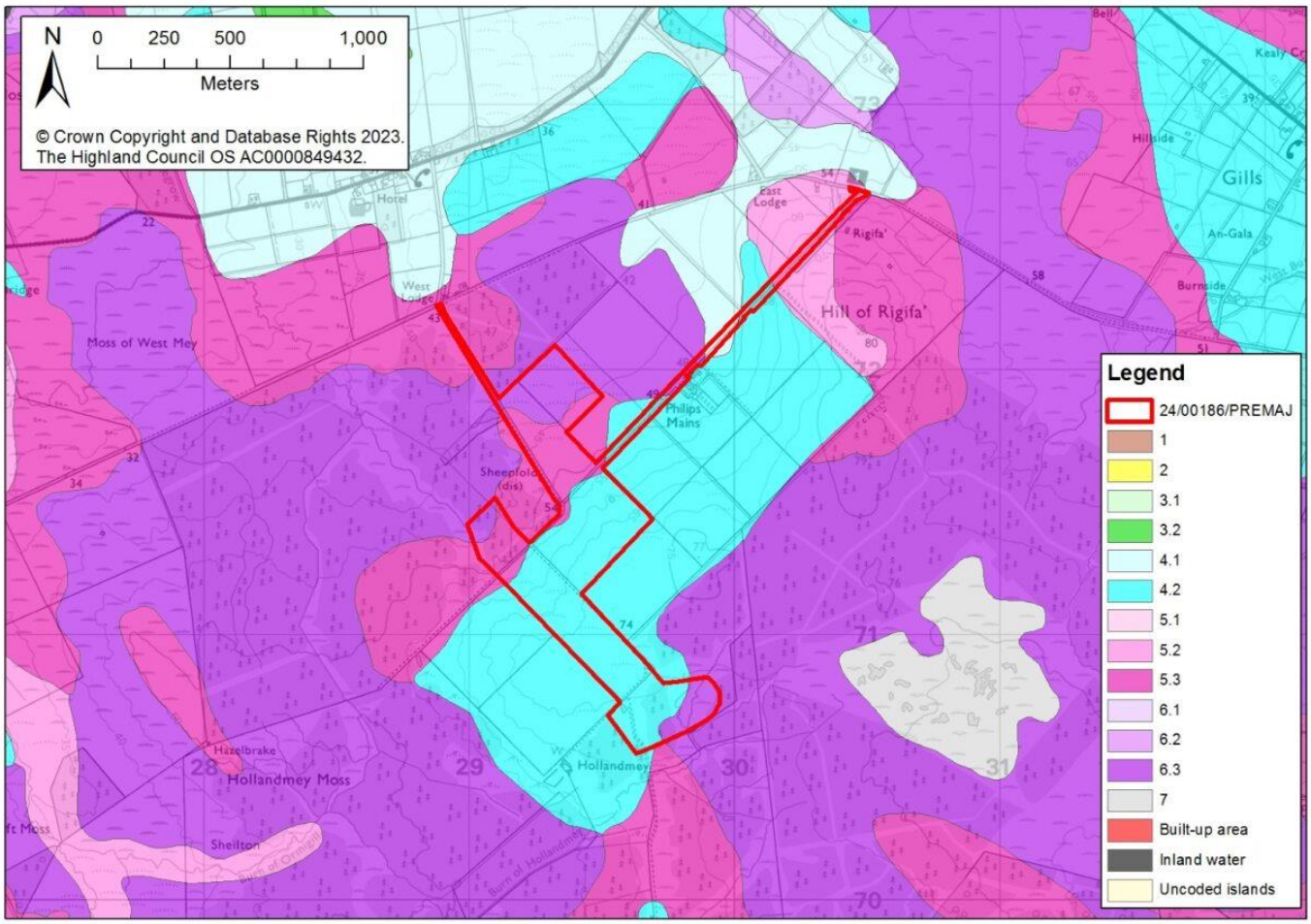
Forestry



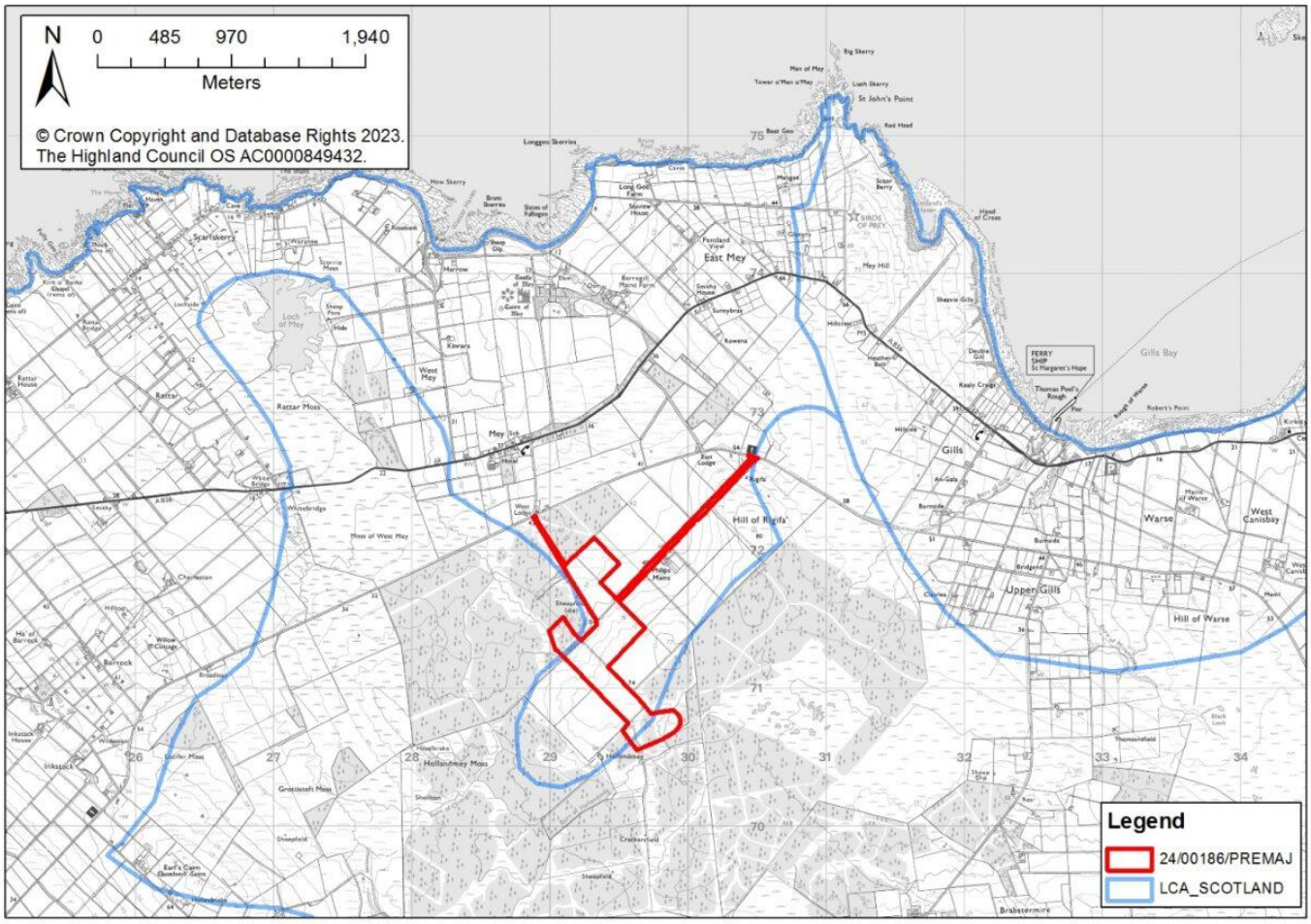
Future flood risk



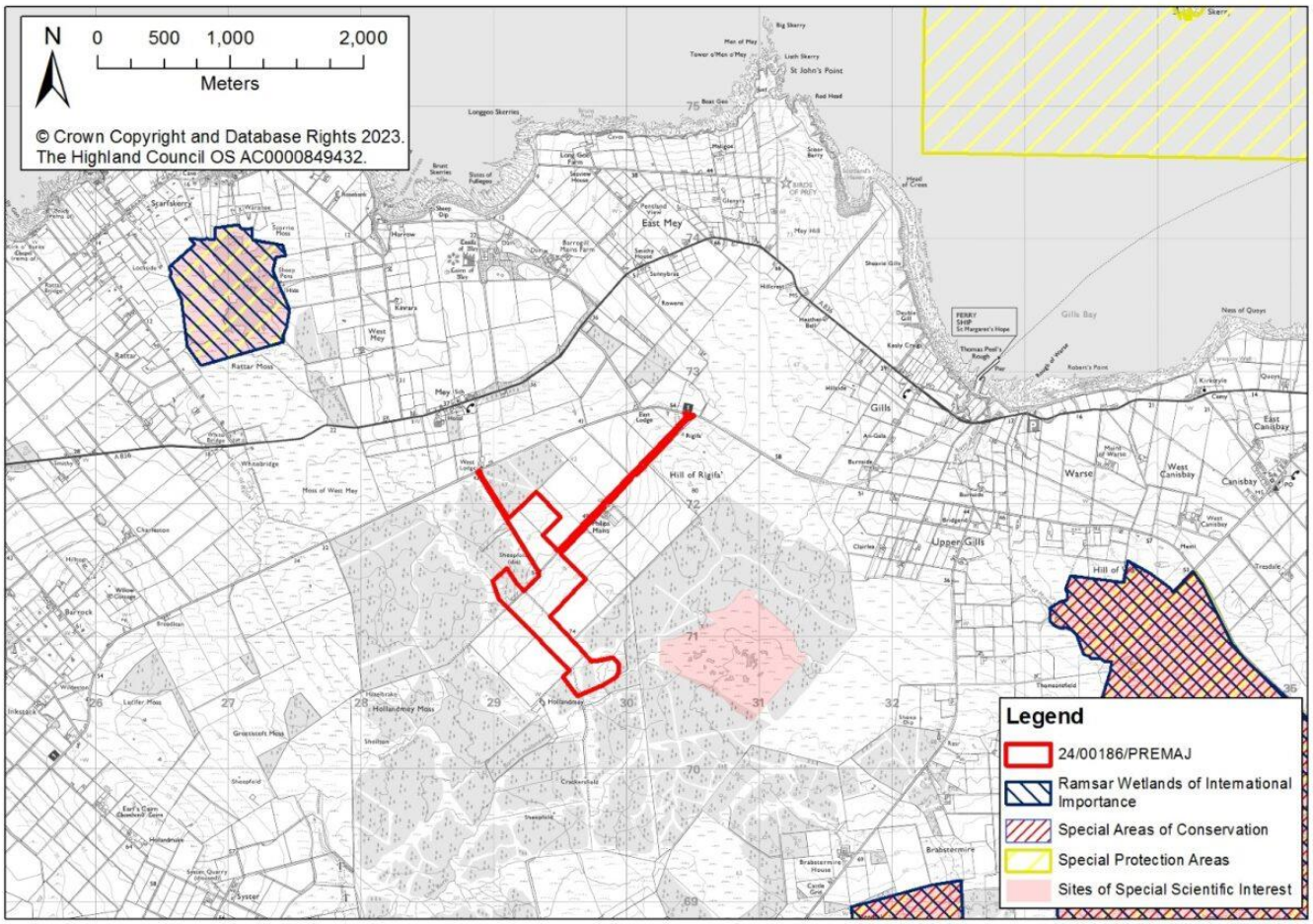
Land Capability for Agriculture 50K



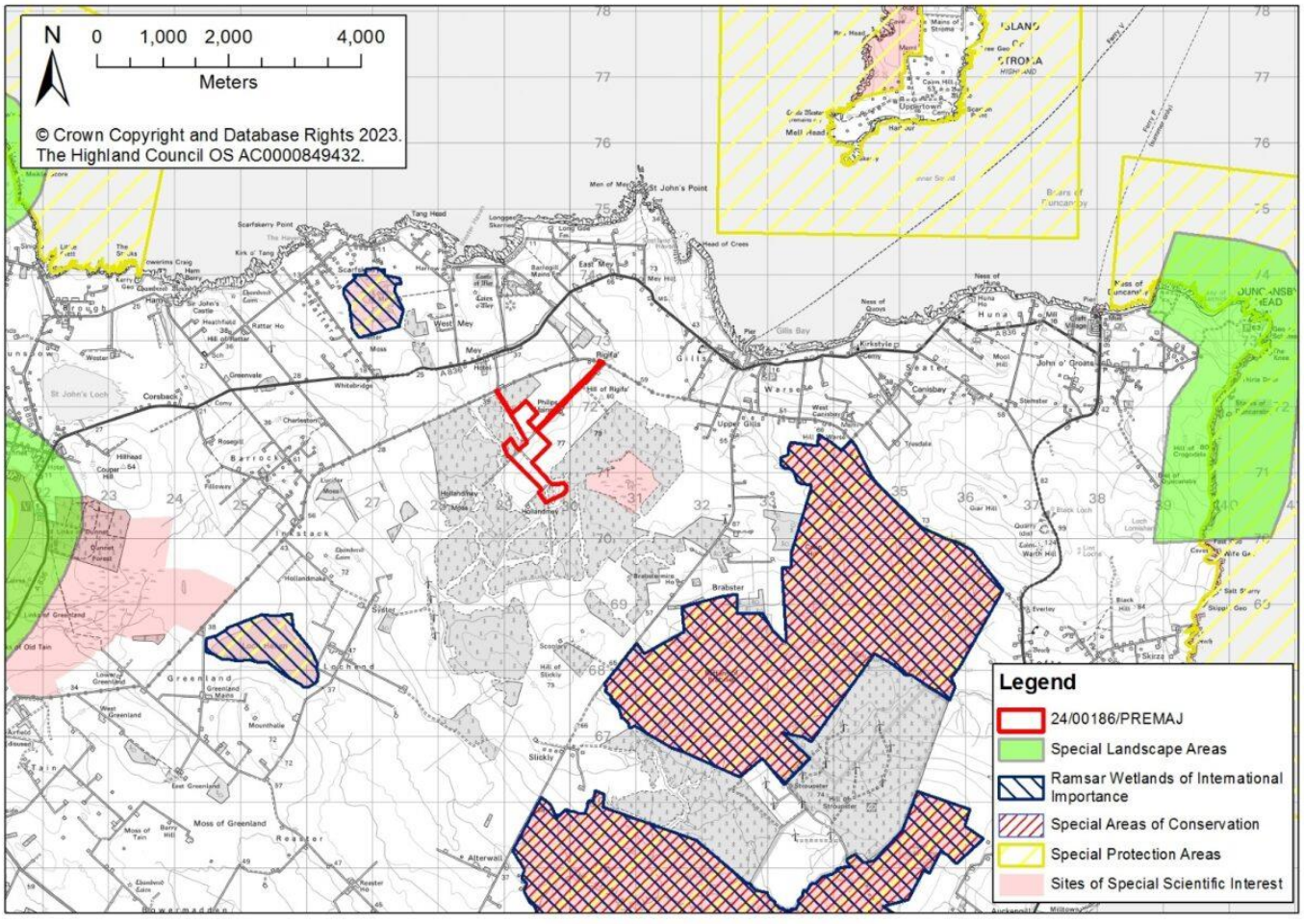
Landscape Character Type



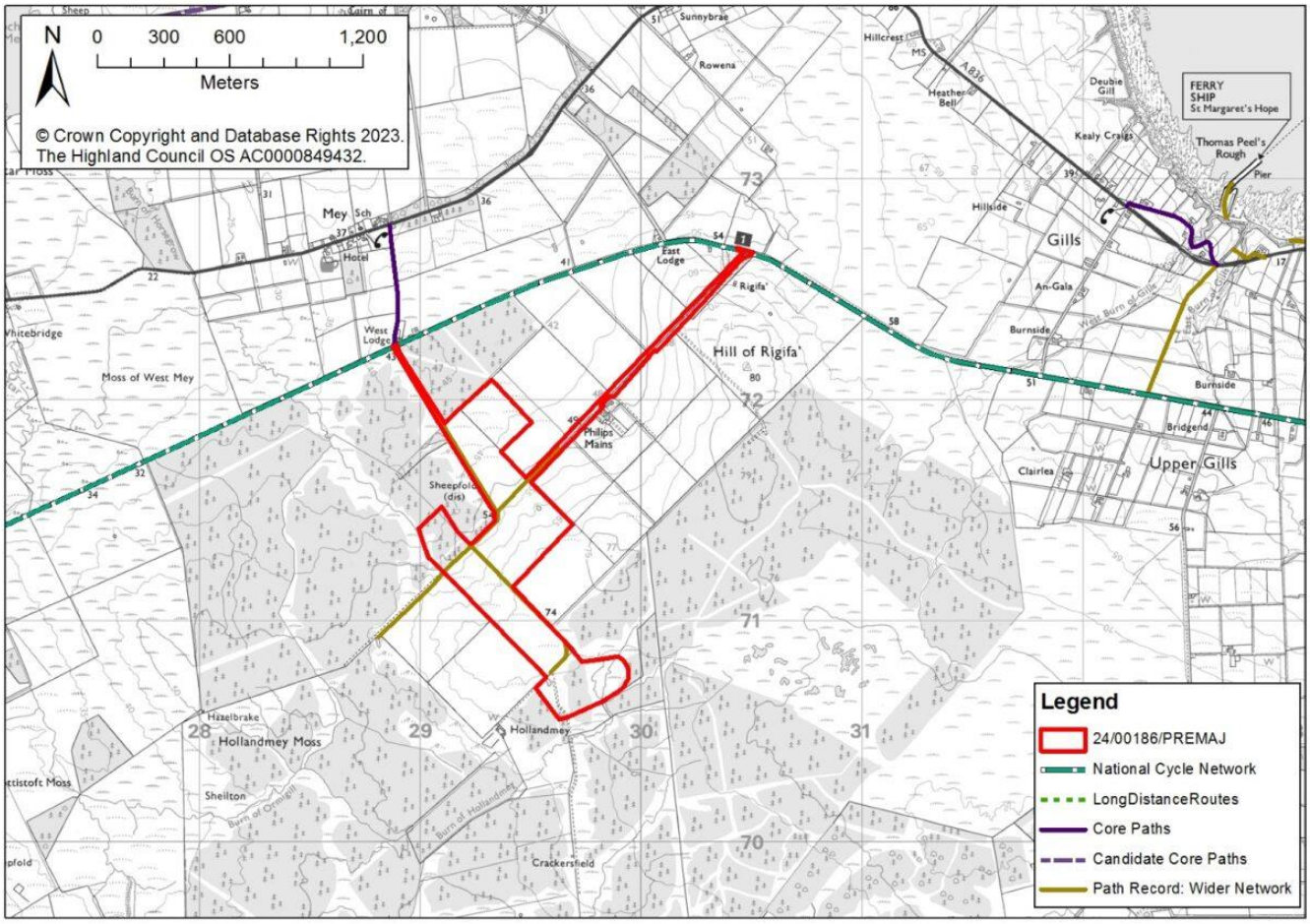
Natural Heritage 1



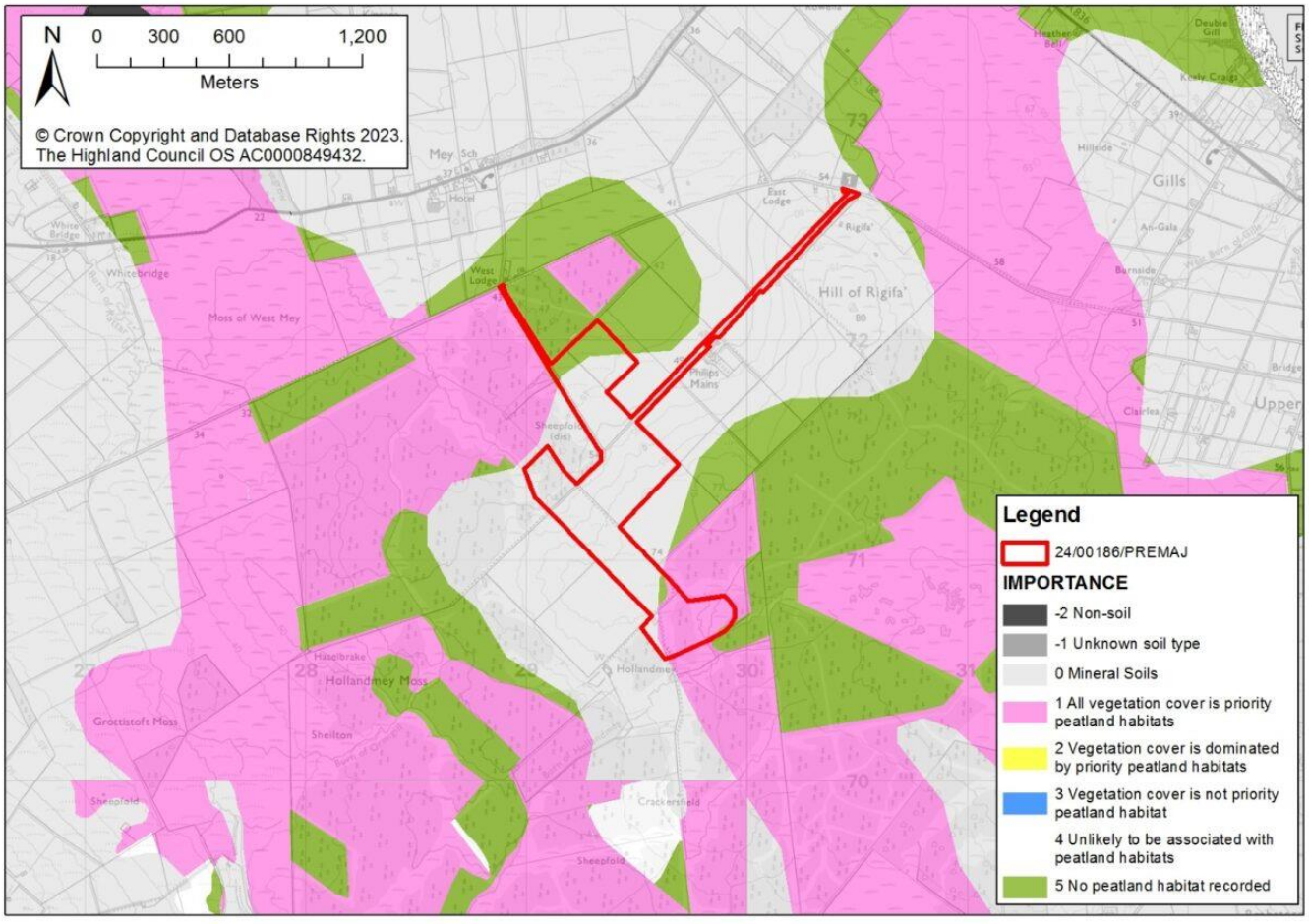
Natural Heritage 2



Outdoor Access



Soils



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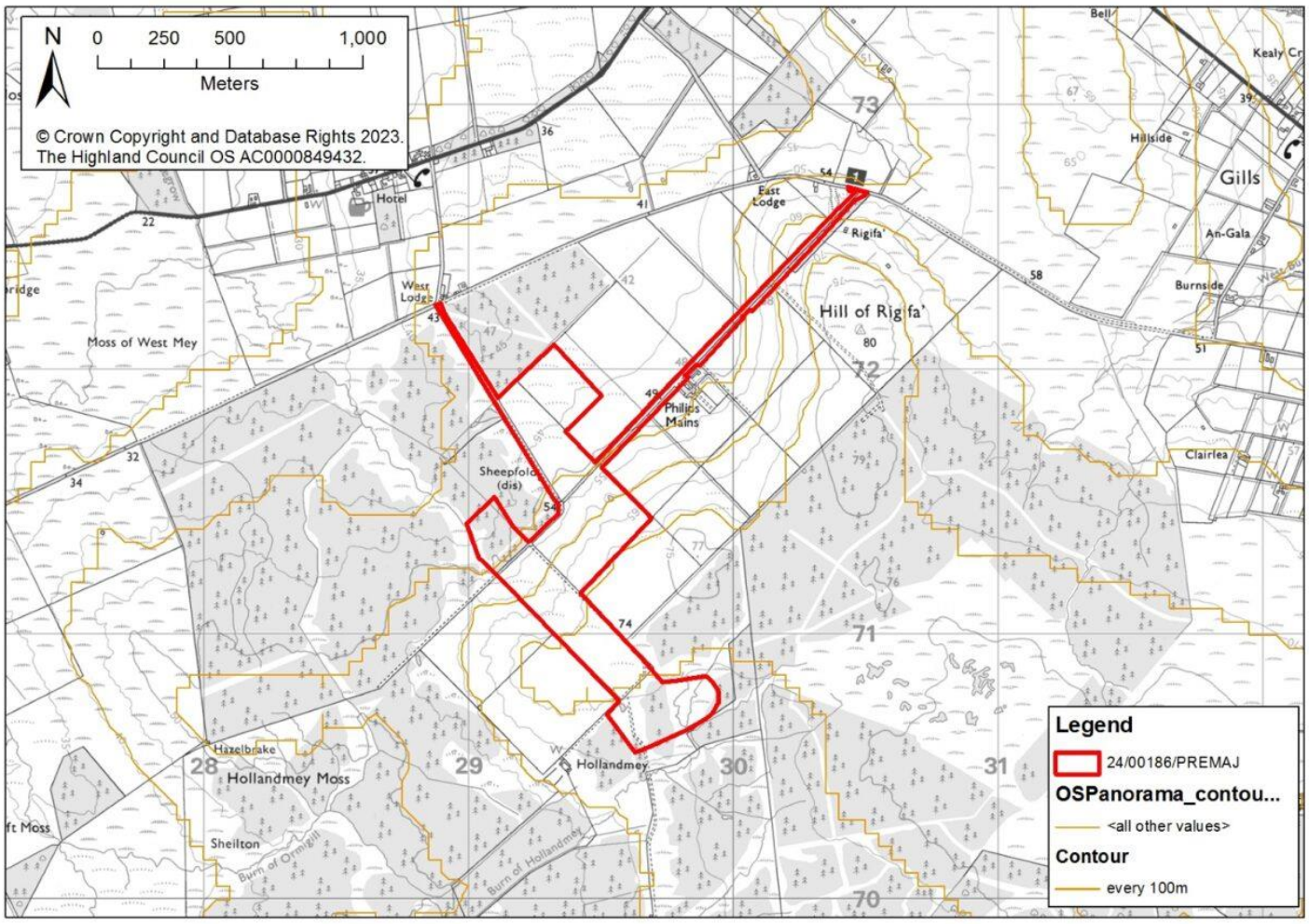
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Moss of West Mey
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Sheepfold (dis)
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Hollandmey Moss
Hollandmey
Sheilton
Burn of Ormigill
Burn of Hollandmey
Hillside
Gills
An-Gala
Burnside
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Kealy Cr
Bell
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Supporting Information Requirements			
Abnormal Load Assessment	X	Open Space Strategy	
Access Management Plan		Operational Noise Assessment	
Arboricultural Impact Assessment		Peat Management Plan	X
Archaeological Site Investigations		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	
Carbon Balance Assessment		Protected Species Survey	X
Compensatory Planting Plan	X	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	X	Swept Path Analysis	X
Electric Car Charging Strategy		Transport Assessment	X
Flood Risk Assessment	X	Transport Statement	X
Forest Residual Waste Strategy		Tree Constraints Plan	
GWDTE Assessment	X	Tree Protection Plan	X
Habitat Management Plan		TV / Radio Impact Assessment	
Landscape and Visual Impact		Vibration Assessment	
Landscape Maintenance/Management Plan		Visualisations	X
Landscape Plan		Waste Strategy	
Masterplan		Other (Please Specify): Buffers to water environment Fire Safety Management Plan	 X X

Planning history			
Previous Reference	**Description**	**Date of Decision**	**Outcome**
24/01424/SCOP	Slickly Wind Farm - 132kV overhead electricity transmission line connection, comprising approximately 8.5km of trident wood poles	23 May 2024	EIA Scoping Decision Issued
21/05591/S36	Hollandmey Energy Development - Erection and Operation of Renewable Energy Development in perpetuity comprising 10 wind turbines with a ground to blade tip height of 149.9m, ground mounted solar arrays, battery energy storage system, access tracks, permanent met mast and LiDAR, two temporary met masts, up borrow pits and associated infrastructure	28 November 2022	Raise Objection (Currently Awaiting Appeal Decision)
15/03392/FUL	Formation of development platform and erection of 132/33kV Gas Insulated 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

Planning Policy

National Planning Framework (NPF) 4

Policy 1 - Tackling the climate and nature crises
Policy 2 -Climate mitigation and adaptation
Policy 3 - Biodiversity
Policy 4 - Natural places
Policy 5 - Soils
Policy 7 - Historic assets and places
Policy 11 - Energy
Policy 29 - Rural development

Highland-wide Local Development Plan (Adopted 2012)

Policy 28 - Sustainable Design
Policy 29 - Design Quality & Place-making
Policy 56 - Travel
Policy 57 - Natural, Built & Cultural Heritage
Policy 58 - Protected Species
Policy 61 - Landscape
Policy 64 - Flood Risk
Policy 65 - Waste Water Treatment
Policy 66 - Surface Water Drainage
Policy 67 - Renewable Energy Developments

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

No site specific polices apply

Highland Council Supplementary Guidance)

Developer Contributions (November 2018)
Flood Risk & Drainage Impact Assessment (Jan 2013)
Highland Historic Environment Strategy (Jan 2013)
Highland's Statutorily Protected Species (March 2013)
Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
Roads and Transport Guidelines for New Developments (May 2013)
Standards for Archaeological Work (March 2012)
Sustainable Design Guide (Jan 2013)
Trees, Woodlands and Development (Jan 2013)

Policy Appraisal

Introduction

The broad principle of energy storage is welcomed and supported, with considerable potential benefits for energy generation (avoiding or reducing curtailment), diversity, decarbonisation, efficiency and supply and for the economy. However, the Council does have concerns about the further industrialising effect of storage proposals at the local level and on wider landscapes, potential health and safety considerations and any potential implications for planning considerations. In assessing energy storage proposals, it is helpful to consider whether sufficient information has been provided on: the type and nature of storage facility proposed, such as scale and appearance and whether any associated buildings are designed in a way which is sympathetic to the local area and existing pattern of development; the electricity network benefits and capacity proposed (noting that energy storage is typically considered to be 'generation'); the potential impacts, for example any pollution risks and particular requirements for decommissioning.

Policy Background
Any future application(s) will be considered and determined against National Planning Framework 4 (NPF4) 2023, and the Council Development Plans relevant to this pre-application, which are the Highland-wide Local Development Plan (HwLDP) 2012, the Caithness and Sutherland Local Development Plan (CaSPlan) 2018, and associated Supplementary Guidance.

This response does not attempt to detail all the policies within NPF4 or the Council Development Plans that may be relevant; instead, it is limited to the most salient to the assessment of any future application relating to this pre-application. It is recommended that the applicant fully reviews and considers all relevant documents prior to a formal submission.

www.gov.scot/publications/national-planning-framework-4/
www.highland.gov.uk/hwldp
www.highland.gov.uk/casplan
www.highland.gov.uk/directory/52/a_to_z

National Planning Framework 4 (NPF4) (2023)
NPF4 was adopted on 13 February 2023 and is now part of the Development Plan. It replaces NPF3 and Scottish Planning Policy. Full details of NPF4 are available on the Scottish Government website.

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

Many of NPF4's policies are relevant to consideration of the pre-application, 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) is an overarching policy that gives 'significant weight' to the global climate and nature crises.

Policy 2 (Climate mitigation and adaptation) intends to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 3 (Biodiversity) intends to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. Under NPF4's policy emphasis on biodiversity, development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal complies with requirements of Policy 3a), Policy 3b)(i-iv), and Policy 3d) to conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention.

Scottish Government published Draft Planning Guidance: Biodiversity on 30 November 2023 setting out the Government's expectations on biodiversity enhancement, which is to be demonstrated by a development site being in "an overall better state than before intervention, and that this will be sustained in the future".

NatureScot recently invited views on the Development of a Biodiversity Metric for Scotland's Planning System. In September 2023, the Scottish Government released independent research conducted by SRUC on 'Approaches to Measuring Biodiversity in Scotland'. The report's findings and recommendations propose practical steps for achieving a consistent, cross-government approach to measuring biodiversity at the site level. Specifically targeting the planning sector, NatureScot has initiated efforts to create an adapted biodiversity metric tailored for supporting the implementation of Policy 3b in NPF4. This new tool aims to assist developers and planning authorities in evaluating the biodiversity enhancements resulting from developments. It will be applicable to major development projects, aligning with the goals of National Planning Framework 4. While based on a metric utilized in England, it will be refined to suit Scotland's requirements. The NatureScot consultation inviting input from stakeholders interested in biodiversity metric development for planning purposes closed on Friday 10 May 2024.

On 2 May 2024, The Highland Council Revised Biodiversity Enhancement Planning Guidance was approved by the Economy and Infrastructure Committee for adoption as non-statutory planning guidance, following which, the Revised Biodiversity Enhancement Planning Guidance is now a material planning consideration. It is largely based upon the English system, although we are not strictly enforcing the use of a metric, as there is not yet an agreed Scottish metric.

However, we are recommending its use for all Policy 3b developments (and large local scale developments of 0.5Ha or larger) to deliver a minimum 10% biodiversity enhancement from the post development state. If the developers use the metric, it allows a rapid assessment of the biodiversity requirements for NPF4; if however, they do not wish to use the metric, they must clearly detail the biodiversity enhancement measures they will employ on or offsite, which must be in addition to all mitigation measures: avoid, minimise, restore, offset (compensation).

The applicant is encouraged to give full details, as far as is possible at application stage, of the planned biodiversity enhancement and what will be done to achieve this enhancement.

www.gov.scot/publications/scottish-government-draft-planning-guidance-biodiversity/

www.gov.scot/publications/research-approaches-measuring-biodiversity-scotland/

www.nature.scot/doc/biodiversity-metric-scotlands-planning-system-key-issues-consultation

www.highland.gov.uk/download/meetings/id/83177/item_13_draft_biodiversity_planning_guidance

Policy 4 (Natural Places) serves to protect, restore and enhance natural assets making best use of nature-based solutions, with the aim to ensuring that natural places are protected and restored, and natural assets are managed in a sustainable way that maintains and grows their essential benefits and services. Under NPF4 Policy 4(a) "Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported." NPF4 Policy 4(b), 4(c), 4(d), and 4(f) include tests according to the impact of a development on a natural designation, including but not limited to Special Area of Conservation, Special Protection Area, National Scenic Area, Site of Special Scientific Interest, and National Nature Reserve.

Policy 5 (Soils) intends to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. Policy 5 a) requires all developments to adopt the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land.

- It is noted, as per the NatureScot Carbon and Peatland 2016 map, that there is an area within the redline boundary to the south that is Importance Class 1 – All vegetation cover is priority peatland habitats. The remainder (majority of the proposed site) is Importance Class 0 – Mineral Soils, while an area within the redline boundary to the north is Importance Class 5 – No peatland habitat recorded.

- It is noted, as per the Land Capability Classification, that the majority of the land within the redline boundary is Class 4.2, with small areas in Class 5.1, 5.3, and 6.3. According to NPF4, prime agricultural land is identified as Class 1, 2 or 3.1.

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

- It is noted that there is some Native Woodland (Upland birchwood) as per the Native Woodland Survey of Scotland (Highland) within the redline boundary to the east and a small area of Native Woodland (Unidentifiable type - regenerating) as per the Native Woodland Survey of Scotland (Highland) within the redline boundary to the south. There are also areas of Long-Established (of plantation origin) woodland as per the Ancient Woodland Inventory to the north of the redline boundary. The applicant is encouraged to give full details, as far as is possible at application stage, of any proposed felling and compensatory planting.

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 replacementtransmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS). Policy 11 a) iii. states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including battery storage.

Policy 11 contains a wide range of criteria for consideration (i. to xii.), including how project design and mitigation addresses impacts. The advice pack identifies a number of considerations for this particular proposal that are relevant to this part of the policy.

NPF4 identifies national developments. National development 3 (Strategic Renewable Electricity Generation and Transmission Infrastructure) includes energy storage. Any proposal would need to be checked against the terms (definition) of national development 3 to determine whether it would have national development status or would be a major development.

Policy 18 (Infrastructure first) intends to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

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. Part a) states that development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported.

Policy 29 (Rural development) intends to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

Highland-wide Local Development Plan (HwLDP) (2012)
The HwLDP sets out a range of planning policies applicable for the whole Highland Council area. The 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 a provision of the LDP and a provision of the NPF, whichever is the more recently dated 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, as such the following policies are considered particularly relevant to this pre-application and this site:

Policy 28: Sustainable Design (see also associated Sustainable Design SG).

Policy 29: Design Quality and Place-Making

Policy 30: Physical Constraints

Policy 31: Developer Contributions (see also associated Developer Contributions SG).

Policy 36: Development in the Wider Countryside

Policy 51: Trees and Development and **Policy 52: Principle of Development in Woodland** (see also associated Trees, Woodlands and Development SG). For more information, see above under NPF4 policy 6.

Policy 55: Peats and Soils – development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. For more information, see above under NPF4 policy 5.

Policy 57: Natural, Built and Cultural Heritage (see also associated Highland Historic Environment Strategy SG). The Natural, Built and Cultural Heritage designations associated with the pre-application site include, but are not limited to, the following:

Natural heritage designations
- No natural heritage designations within the redline boundary.

Within 2km buffer of the proposed site
- Phillips Mains Mire SSSI
- Loch of Mey SSSI
- Caithness Lochs SPA
- Caithness Lochs Ramsar Wetlands of International Importance

(Amongst other considerations, the applicant should have regard to the Burn of Horsegrow, which feeds into the Loch of Mey)

Within 5km buffer of the proposed site
- Dunnet Links SSSI
- Loch Heilen SSSI
- Stroupster Peatlands SSSI
- North Caithness Cliffs SPA
- Caithness and Sutherland Peatlands SPA
- Caithness and Sutherland Peatlands Ramsar
- Caithness and Sutherland Peatlands SAC

Landscape designations
Beyond 5km buffer of the proposed site
Dunnet Head SLA
Duncansby Head SLA

Built heritage designations
Within the redline boundary
HER Monument: MHG18927 - Hollandmey former farmstead and sheep fold.

In the vicinity of the proposed site
Various HER monuments

Within 2km buffer of the proposed site
Listed Building: Castle of Mey and Garden Walls (LB1797), Category A, Historic Environment Scotland: https://portal.historicenvironment.scot/designation/LB1797, approximately 2km to the north.

Listed Building: Castle of Mey Gate Lodge and Gate Piers (LB1798), Category B, Historic Environment Scotland: https://portal.historicenvironment.scot/designation/LB1798, approximately 2km to the north.

Garden and Designed Landscape: Castle of Mey (Barrogill Castle) (GDL00096), Historic Environment Scotland: https://portal.historicenvironment.scot/designation/GDL00096, approximately 2km to the north.

Scheduled Monument: SM2689 - St John's Point, fort & site of St John's Chapel (http://portal.historicenvironment.scot/designation/SM2689).

Policy 58: Protected Species (see also related Supplementary Guidance) It is noted that the Common Toad has been recorded within 2 km of the proposed site boundary.

Policy 59: Other Important Species

Policy 60: Other Important Habitats

Policy 61: Landscape – The proposed site is mostly located in Landscape Character Type 143 - Farmed Lowland Plain, with parts of the boundary to the south and to the east overlapping into Landscape Character Type LCT134 – Sweeping Moorland and Flows – Caithness and Sutherland. The proposed development is therefore in an area of transition between landscape character types.

www.nature.scot/sites/default/files/LCA/LCT%20143%20-%20Farmed%20Lowland%20Plain%20-%20Final%20pdf.pdf

www.nature.scot/sites/default/files/LCA/LCT%20134%20-%20Sweeping%20Moorland%20and%20Flows%20-%20Caithness%20&%20Sutherland%20-

%20Final%20pdf.pdf

Policy 63: Water Environment – supports development that does not compromise the objectives of the Water Framework Directive.

Policy 64: Flood Risk (see also associated Flood Risk and Drainage Impact Assessment SG).

Policy 66: Surface Water Drainage – requires new developments to utilise Sustainable Drainage Systems (SuDS) to return surface water back to the natural water cycle in a sustainable manner. SuDS provide control over quality and quantity of surface water drainage and provide opportunities for amenity and ecological enhancement, and each drainage scheme design must be accompanied by particulars of proposals for ensuring long-term maintenance of the scheme.

Policy 67: Renewable Energy Developments – sets out the Council's support in principle for renewable energy developments. This support is subject to addressing important key issues and other 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.

Whilst the policy does not specifically cover energy storage, it can assist the design and consideration of the scheme. It is understood that the proposal is intended to play a significant role in reducing curtailment of renewable energy generation and ease energy export and transmission, particularly ahead of major grid reinforcements all being in place which have a substantial lead-in time for delivery. We strongly advise that the role and capacity of the proposed transmission-connected energy storage facility is understood and clearly explained within any application submission (and any pre-application consultation).

Policy 69: Electricity Transmission Infrastructure – highlights the strategic importance the Highlands will play in generating and transmitting electricity from areas of generation to areas of consumption.

Policy 72: Pollution (see also Construction Environmental Management Process for Large Scale Projects:

www.highland.gov.uk/info/198/planning_-_long_term_and_area_policies/152/renewable_energy/2).

Policy 77: Public Access

- Within the redline boundary lies the Caithness Path Record: Wider Network.

- To the north and in some places, adjacent, to the redline boundary lies the Tain-John O'Groats National Cycle Network (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 including much on-road, shared surface sections), it is still a recognised long distance cycling route which should be taken into consideration).

Area Local Development Plan
The Highland Council Area Local Development Plan covering this proposed site is the Caithness and Sutherland Local Development Plan (CaSPlan) which was adopted by the Council in 2018. This plan's focus is on the regional and settlement strategies for Caithness and Sutherland and identifies specific site allocations and as such, much of the content of CaSPlan is not directly relevant to a battery storage proposal. However, certain aspects of the strategies for the local area and settlements may highlight priorities for the local area that should be taken into consideration when designing the development or help to inform plans for community engagement and/or community benefit.

The Area Local Development Plans confirm boundaries (including any refinements) of the Special Landscape Areas (SLAs) within their plan areas. The SLA citations webpage provides the most up to date information on SLAs.

www.highland.gov.uk/downloads/file/2937/assessment_of_highland_special_landscape_areas

The redline boundary is located outwith CaSPlan settlement development areas (SDAs), in open countryside and approximately 10km from the nearest SDA and site allocations at Castletown.

www.highland.gov.uk/casplan

The preparation of a new-style Highland Local Development Plan (HLDP)
Through 2024 we will continue to focus primarily on evidence-gathering for the new, single Highland Local Development Plan (HLDP), with the tentative programme including an Evidence Report towards the end of 2024 and subsequent Gate Check, with the Proposed Plan stage in 2025. The latest edition of our Development Plans Newsletter, which was published in March 2024, provides an update to timescales:

www.highland.gov.uk/developmentplansnewsletter.

The HLDP will, once adopted in 2027, 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.

Other Constraints
For the avoidance of doubt, the redline boundary is outwith the following:

- The Flow Country Proposed World Heritage Site – consideration of impacts on Outstanding Universal Value (WHS) include not only impacts from development proposals within the WHS but also from those outwith, plus impacts on setting (this likely to comprise functional and experiential considerations). The redline boundary is approximately 18km from The Flow Country Proposed World Heritage Site. See www.theflowcountry.org.uk/world-heritage-site
  and
  www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement.

- The A836 150m road buffer – that is to say, the proposal is set back from the Trunk and A-road network, its footprint not directly impacting upon the corridor.

- The Wick John O'Groats airport safeguarding zone.

Draft Energy Strategy and Just Transition Plan (2023)
Scottish Government's route map of actions (www.gov.scot/publications/draft-energy-strategy-transition-plan/) to delivering a net zero energy system, includes the following which relate to the expansion sought in renewable energy generation capacity, which the proposed development would facilitate:

A Just Transition – Community benefits and shared ownership
"We have set an ambition for 2 GW of community owned energy by 2030. We will encourage developers to offer community benefit and shared ownership opportunities as standard on all new renewable energy projects – including repowering and extensions to existing projects."

Energy supplies – Scaling up renewable energy – Onshore Wind
"In the Onshore Wind Policy Statement, published in December 2022, we set an ambition for a further 12 GW of onshore wind by 2030, increasing from 8.78 GW as of June 2022 to 20 GW by 2030, more than double our existing capacity. Our draft Strategy and Plan restates our ambition and provides clear positions on community benefit and shared ownership, including how communities can benefit from repowering of existing sites. The Onshore Wind Policy Statement sets out how we will work with industry to deliver an Onshore Wind Sector Deal in 2023, to ensure we maximise deployment and the economic opportunities that flow from it."

Maximising benefits to our economy, businesses, and workers
"We will work with industry to deliver an Onshore Wind Sector Deal in 2023, to ensure we maximise deployment and the economic opportunities that flow from it. We continue to support the Scottish supply chain and recognise the particular opportunities in the onshore market, for example in operation and maintenance and decommissioning of sites."

Delivering a just transition for communities and regions across Scotland – Communities and places can participate in and benefit from the net zero energy transition.

"We will encourage developers to offer community benefits and shared ownership opportunities as standard on all new renewable energy projects - including repowering and extensions to existing projects."

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 and energy storage. The proposal would add to energy storage capacity. However, this commitment has to be taken in balance along with all other considerations of a particular site, and despite NPF4's strong position of 'in principle' support for such energy developments, they should still be located, sited, and designed appropriately and thus comply with the wider development plan policies.

Fire Risk Management
The applicant should consider fire risk management, fire suppression, fire extinguishing and potential consequential effects. It is understood that the Scottish Fire Service (SFS) 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. Our current expectation is that no development should be consented until a detailed Fire Risk Management Plan and details of emergency procedures to control fire in case of a fire event, have been provided with the application. Effective management of fire risk may require the inclusion of measures within the overall proposals that have a planning implication. In the interim, the Highland Council is in the process of preparing further guidance for developers setting out application information requirements, with this to be made available on our website and to be based upon the principles set out in the National Fire Chiefs Council, National Fire Chiefs Council, Grid Scale Battery Energy Storage System planning – Guidance for FRS (version 1), November 2022:

https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf

Community Wealth Building
The intent of NPF4 Policy 25: Community Wealth Building is 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. NPF4 Policy 25 supports the following proposals:

- Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.

- Development proposals linked to community ownership and management of land will be supported.

The draft Community Wealth Building Strategy 2024-2027 was approved for wider consultation by the Full Council on 14 March 2024. A public consultation is about to be launched, inviting individuals and stakeholders to help refine the strategy and shape the supporting action plan. The updated strategy and draft action plan will be presented to the Full Council for consideration in September 2024. www.highland.gov.uk/download/meetings/id/83024/item_14_community_wealth_building_strategy

Developer Contributions
Planning obligations seek 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, and may require the prospective developer to make contributions towards: transport; green infrastructure; water and waste; public art. For the avoidance of doubt, because this pre-application is for an industrial development, contributions towards affordable housing, education and community facilities are not required.

www.gov.scot/publications/circular-3-2012-planning-obligations-good-neighbour-agreements/
www.highland.gov.uk/developercontributions

www.highland.gov.uk/info/178/local_and_statutory_development_plans/809/delivery_programmes

Community Benefit
Community benefit is a goodwill contribution voluntarily donated by a developer. It is for the benefit of communities affected by developments where this will have a long-term impact on local resources and the local environment and whilst it 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 and the Council would advocate early engagement.
www.highland.gov.uk/communitybenefitpolicy

Although not an application for an onshore wind farm, and the proposed BESS storing energy from a mixed supply of energy sources connecting to the grid network, the proposal is encouraged to provide community benefit which is commensurate to onshore wind technology. At the time that the Council's Concordat and Community Benefit Policy was introduced a contribution rate of £5,000 per MW for installed onshore wind generation was set, with this sum being index linked to reflect the base date of 3 March 2011, with this sum appreciating each year in line with the UK Retail Price Index (RPI). Based on inflation over the intervening 13 years to March 2024, the £5,000 per MW rate currently stands at £8,277. This rate was set based on the anticipated yield from onshore wind. The effect of introduction of multiple BESS developments to effectively bolster grid capacity, means that the anticipated yield from onshore wind developments should increase. Prospective BESS developers are therefore being encouraged to consider how the introduction of their facility compares to the introduction of generation from onshore wind, and provide the equivalent amount of community benefit for the area where the BESS is being proposed, with this community potentially not having received any community benefit from onshore wind generation to date (depending upon the geographical area / location of the host community

Sustainability

The Council's Sustainable Design Guide: Supplementary Guidance 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

Natural Heritage

Impact on Landscape, Landscape Officer
The viewpoint locations appear appropriate, but with no ZTV information available as part of the submitted materials it is not possible to fully assess their appropriateness.

The 'planting/landscaping' strip shown between the fenceline and the red line boundary appears very narrow and more akin to hedging than the substantial screening planting which would be more appropriate for a development of this scale in this kind of landscape. Hedging is not a prominent feature of the landscape character and not appropriate for this location, Tree planting will be more appropriate and require greater depth of planting.

Successful establishment of planting can be challenging in Caithness, therefore the applicants should pay particular attention to ensuring that the plant species, planting and establishment maintenance specifications are all appropriate to the locality.

The landscape and visual impacts are key issues that will inform our position in relation to this proposal. Your assessment should cover impacts of all elements of the development, where they are not covered under a separate application. You are strongly encouraged to provide information on all aspects of your proposal as far as possible at application stage, including information on intended grid connection, in order that the Council has the fullest understanding of the scheme.

In addition to the Landscape Institute Guidance on visualisations the applicants should have regard to the Council's own Standard. While this was drawn up with specific reference to wind energy projects, aspects will still be relevant for other proposals.
https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments

The visualisations should include the scheme at completion and following 10 years of landscaping establishment. The viewpoint locations suggested appear appropriate but the scale of mapping and lack of ZTV information mean no more definitive response cannot be given at this stage. A ZTV of the development with the proposed viewpoints should be shared with the Council for further consideration.

The Council is aware that there is a lot of BESS interest in the wider surrounding area and as such your landscape and visual impact assessment must include an up-to-date assessment of the cumulative effects of the proposal with other similar proposals in the wider area covering an appropriate study area.

Impact on Protected Sites (Nature Scot)
The proposal has the potential to have a significant effect on the Caithness Lochs Special Protection Area (SPA) and Loch of Mey Site of Special Scientific Interest (SSSI) due to connectivity. More information on these sites, their features and conservation objectives can be found on SiteLink at: https://sitelink.nature.scot/home.

Avoiding impacts to these sites should be a key consideration of a battery electricity storage system (BESS) in this area. Where impacts are predicted, the Applicant will need to demonstrate that the proposal can be built without adverse effects to these protected sites.

1. Caithness Lochs SPA
The proposal lies approximately 2.5km south east from this SPA, protected for its wintering populations of Greenland white-fronted geese, greylag geese and whooper swans.

Although the proposal is located away from the SPA roost sites, it will lie within foraging range and suitable foraging habitat for all 3 SPA species. NatureScot advise further assessment will be required in relation to this SPA, as part of any future planning application. NatureScot are aware that SPA species feed in this area. In particular, Greenland white-fronted geese are 'site-faithful' meaning they return to the same roosting and feeding areas each year. Given their restricted feeding regime and small population, any impacts to this species could be significant.

NatureScot advise that the Applicant should gather current information on the use of the proposal site and surrounding fields by these species. This information could then be used to inform their assessment of disturbance and displacement impacts to feeding geese and swans. Current information is available from existing sources such as RSPB, the links provided below and other nearby developments. NatureScot would be happy to provide further advice to the Applicant on the suitability of such information.

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; and

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

2. Loch of Mey SSSI
The proposal lies approximately 2.5km south east from this SSSI, protected for its Greenland white-fronted geese, Breeding bird assemblage and transition grassland.

The site is hydrologically connected to the SSSI via the Burn of Horsegrow and therefore there is potential for water quality to be affected leading to potential significant effects on the SSSI features.

NatureScot advise that the Applicant consider potential siltation/pollution impacts during construction, operation and decommissioning. The Applicant should demonstrate that good water quality can be maintained throughout all phases of the proposal by the production and adherence to an approved pollution prevention plan, including appropriate measures to mitigate risks.

3. Phillips Mains Mire SSSI
The proposal lies approximately 1km west of this SSSI, protected for its blanket bog habitat.

Based on the information provided, it appears unlikely that the proposal will affect this SSSI. However, this advice should be reviewed if the proposal is likely to change (e.g. in scale or location) or if any associated works are likely to affect the SSSI (e.g. nearby tree planting, habitat restoration or enhancements etc.).

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.

Impact on Protected Species (Nature Scot)
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 mitigations 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 licences are required as part of any development and contact the NatureScot Licensing Team ([redacted]) regarding licence applications.

Impact on Peat (SEPA)
It appears that there may be Class 1 Peatland on the Carbon and peatland 2016 map | Scotland's soils (environment.gov.scot) within the site boundary. CRS have not been mapped on the constraints map.

The below therefore sets out SEPA's information requirements and SEPA would welcome discussion around these. There may be opportunities to scope out some of the issues below depending on the site with evidence provided to support why an issue is not relevant for this site.

Where proposals are on peatland or carbon rich soils (CRS), the following should be submitted to address SEPA's requirements in relation to NPF4 Policy 5 to protect CRS and the ecosystem services they provide (including water and carbon storage). Peatland in near natural condition generally experiences low greenhouse gas emissions, is accumulating and may be sequestering carbon, has high value for supporting biodiversity, helps to protect water quality and contributes to natural flood management, irrespective of whether that peatland is designated for nature conservation purposes or not.

It should be clearly demonstrated that the assessment has informed careful project design and ensured, in accordance with relevant guidance and the mitigation hierarchy in NPF4, that adverse impacts are first avoided and then minimised through best practice.

The submission should include a series of layout drawings at a usable scale showing all permanent and temporary infrastructure, with extent of excavation required. These plans should be overlaid on the following:

a. peat depth survey showing peat probe locations, colour coded using distinct colours for each depth category. This must include adequate peat probing information to inform the site layout in accordance with the mitigation hierarchy in NPF4, which may be more than that outlined in the Peatland Survey – Guidance on Developments on Peatland (2017).

b. peat depth survey showing interpolated peat depths.

c. peatland condition mapping - the Peatland Condition Assessment photographic guide lists the criteria for each condition category and illustrates how to identify each condition category.

The detailed series of layout drawings above should clearly demonstrate that development proposals avoid any near natural peatland and that all proposed excavation is on peat < 1m deep.

The layout drawings should also demonstrate that peat excavation has been avoided on sites where this is possible. On other sites where complete avoidance of peat and carbon rich soils is not possible then it should be clearly demonstrated that the deepest areas of peat have been avoided and the volumes of peat excavated have been reduced as much as possible, first through layout and then by design making use of techniques such as floating tracks.

The Outline Peat Management Plan (PMP) must include:

a. A table setting out the volumes of acrotelmic, catotelmic and amorphous peat to be excavated. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes.

b. A table clearly setting out the volumes of acrotelmic, catotelmic and amorphous excavated peat: (1) used in making good site specific areas disturbed by development, including borrow pits (quantities used in making good areas disturbed by development must be the minimum required to achieve the intended environmental benefit and materials must be suitable for the proposed use), (2) used in on and off site peatland restoration, and (3) disposed of, and the proposed means of disposal (if deemed unavoidable after all other uses of excavated peat have been explored and reviewed).

c. Details of proposals for temporary storage and handling of peat - Good Practice during Wind Farm Construction outlines the approach to good practice when addressing issues of peat management on site and minimising carbon loss.

d. Suitable evidence that the use of peat in making good areas disturbed by development, including borrow pits, is genuine and not a waste disposal operation, including evidence on the suitability of the peat and evidence that the quantity used matches and does not exceed the requirement of the proposed use. If peat is to be used in borrow pits on site, SEPA will require sections and plans including the phasing, profiles, depths and types of material to be used.

e. Use of excavated peat in areas not disturbed by the development itself is now not a matter SEPA provides planning advice on. Please refer to Advising on peatland, carbon-rich soils and priority peatland habitats in development management | NatureScot 2023, and the Peatland ACTION – Technical Compendium which provides more detailed advice on peatland restoration techniques. Unless the excavated peat is certain to be used for construction purposes in its natural state on the site from where it is excavated, it will be subject to regulatory control. The use of excavated peat off-site, including for peatland restoration, will require the appropriate level of environmental authorisation. Excavated peat will be waste if it is discarded, or the holder intends to or is required to discard it. These proposals should be clearly outlined so that SEPA can identify any regulatory implications of the proposed activities. This will allow the developer and their contractors to tailor their planning and designs to accommodate any regulatory requirements. Further guidance on this may be found in the document Is it waste - Understanding the definition of waste.

Design

The Design Quality and Place Making policy (policy 29) in the HwLDP requires new 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.

Design and Access Statement

The Design and Access Statement should outline the design principles and concepts that have been applied to the development and:

(i) 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.
(ii) 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.
(iii) 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.

Amenity

Noise Impacts (Highland Council Environmental Health)

Firstly there will be the need for a noise assessment and consideration shall be given to the fact that background sound levels are likely to be low in the rural areas of Caithness and that there are concerns regarding "creeping/increasing" background levels. I understand background sound levels have been established.
Generally the noise assessment shall be as follows – The applicant should be asked to submit a Noise Impact Assessment carried out by a suitably qualified and competent person in accordance with BS 4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound.

The noise assessment should include 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 levels at sensitive receptors. Monitoring locations must be agreed beforehand with the Council's Environmental Health Service.
A prediction of noise levels at noise sensitive premises.
A description of any noise mitigation methods that will be employed including the calculated effect of mitigation.
The raw data and equations used in the calculations must be made available on request.

Battery energy storage sites cannot be easily turned on and off and it may not be possible to obtain an accurate background measurement once operational. Given that noise limits will usually be wholly dependent on background levels, it is vital, to ensure that values are reliable and representative. Therefore, a minimum of 1 week's background monitoring would normally be required. Can this be confirmed?
In many cases, a new battery development may be sited beside an existing substation. In such cases, a cumulative noise assessment should be submitted and any noise limits, would apply to the cumulative noise level.

However, in most cases, the owner/operator of the BESS will not be the same as the substation, therefore, it would not be possible to set a cumulative limit as a condition. The noise from any existing substation would need to be ascertained by the applicant and subtracted from the cumulative limit giving the available noise limit for the new development

The main criteria to be applied to BESS developments is for noise from the development not to exceed the background level. This is quite an onerous standard however, given that noise from battery sites will generally be 24/7, a strict noise limit is appropriate.

These developments are often in quiet rural areas and there may be difficulties in complying with the requirement not to exceed background levels. BS4142 does allow for noise to be considered in context and that could include consideration of an absolute limit in areas with very low background levels. However, while not tonal in nature, noise from battery sites is likely to be different to natural noises found in rural locations so this too should be given consideration

Based on this and the noise assessment, planning conditions will be applied and are likely to follow –

1) Noise arising from the development, when measured and/or calculated as an LZeq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB, at the curtilage of any noise sensitive premises.

2) The Rating Level of noise arising from this development as determined in accordance with BS4142 Methods for Rating and Assessing Industrial and Commercial Sound shall not exceed XXdB(A)* at the curtilage of any noise sensitive receptor.

*The sound level to be applied will depend on the measured background level and the predicted sound level at the nearest noise sensitive property. Maybe open to negotiation and agreement.

3) NR20 as a design standard might be used where there is no garden or other external amenity at the noise sensitive receptor, or where background levels are very high (>40dB).

All plant, machinery and equipment associated with the development shall be so installed, maintained and operated such that any associated operating noise does not exceed NR20 when measured or calculated within any noise-sensitive property with windows open for ventilation purposes.

4) The development shall proceed in accordance with the approved Noise Impact Assessment. Mitigation measures identified in the assessment shall be in place prior to the commencement of operation and thereafter maintained in perpetuity.

5) Prior to the development becoming operational, if there are any changes to the proposed equipment or mitigation measures which could result in an increased noise level, a revised noise impact assessment shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall proceed in accordance with the revised assessment.

It is also likely that the following conditions will be applied once the site is operational –
1.Compliance Monitoring on Receipt of Complaint
Within 21 days from receipt of a written request of the Planning Authority, following a complaint to it alleging noise disturbance at a noise sensitive location, the site operator shall, at its expense, employ an independent consultant to assess the level of noise in terms of compliance with consented noise limits.
The site operator shall submit the report of the independent consultant's assessment for the approval of the Planning Authority within 2 months of receiving the written request.
If the noise level exceeds the prescribed noise limits, the assessment report shall include a scheme of mitigation to be enacted, including timescales for implementation, to ensure compliance with consented noise limits.

Details of the proposed compliance monitoring must be agreed in writing beforehand with the Council's Environmental Health Service.

2.Mandatory Compliance Monitoring
Within 21 days from receipt of the development becoming fully operational the site operator shall, at its expense, employ an independent consultant to assess the level of noise in terms of compliance with consented noise limits. The site operator shall submit the report of the independent consultant's assessment for the approval of the Planning Authority within 2 months of the development becoming fully operational.
If the noise level exceeds the prescribed noise limits, the assessment report shall include a scheme of mitigation to be enacted, including timescales for implementation, to ensure compliance with consented noise limits.

Details of the proposed compliance monitoring must be agreed in writing beforehand with the Council's Environmental Health Service

There will also be the following condition relating to the construction phase –

Construction Noise
Prior to construction commencing, the applicant shall submit, for the written approval of the planning authority, a construction noise mitigation scheme which demonstrates how the applicant/contractor will ensure the best practicable measures are implemented in order to reduce the impact of construction noise. The assessment should include but is not limited to the following:

A description of the most significant noise sources in terms of equipment; processes or phases of construction.

The proposed operating hours and the estimated duration of the works for each phase.
A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations if required).
A description of noise mitigation methods that will be put in place including any proposals for community liaison. The best practice found in BS5228 Code of practice for noise and vibration control on construction and open sites should be followed. Any divergence requires to be justified.

Thereafter the development shall progress in accordance with the approved Noise Mitigation Scheme and all approved mitigation measures shall be in place prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority.

Fire Risk Management
The applicant should consider fire risk management, fire suppression, fire extinguishing and potential consequential effects. It is understood that the Scottish Fire Service (SFS) 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. Our current expectation is that no development should be consented until a detailed Fire Risk Management Plan and details of emergency procedures to control fire in case of a fire event, have been provided with the application. Effective management of fire risk may require the inclusion of measures within the overall proposals that have a planning implication. In the interim, the Highland Council is in the process of preparing further guidance for developers setting out application information requirements, with this to be made available on our website and to be based upon the principles set out in the National Fire Chiefs Council, National Fire Chiefs Council, Grid Scale Battery Energy Storage System planning – Guidance for FRS (version 1), November 2022: https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf

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 throughout the lifetime of the development.

Contaminated Land (Highland Council Contaminated Land Service)
A former sheep dip is located within the site at approximate NGR 327271, 971212. There is also the potential for small borrow pits/quarry's within the application area which may have been infilled. Contaminants associated with these former uses may be present.

A Phase 1 Desk Study Report shall be submitted with the Planning Application. Should this indicate the potential for contamination, site investigations and if necessary, remediation and validation reporting may be required prior to development. The requirement for intrusive investigation and remediation/validation can be managed though planning conditions.

Transport and Wider Access

Impact on the Local Road Network (Highland Council Transport Planning Team)
The detailed comments from the Council's Transport Planning Team are to follow separately in due course.

The proposal for the access onto the public road shall be detailed on dimensioned drawings including radii, surfacing and drainage as well as the required visibility splays in accordance with the Highland Council's Roads and Transport Guidelines for New Developments available online at;
https://www.highland.gov.uk/downloads/file/527/road_guidelines_for_new_developments

Requirement for a Transport Statement (or assessment) including scoping
A scoping for a Transport Statement (or Assessment) shall be agreed by the Council (and Transport Scotland where relevant) in writing prior to any analysis or reporting. The routes for construction access and the baseline traffic flows (or any counts required) shall be identified and agreed as part of this scoping.
All structures on the construction traffic routes for HGV and abnormal load traffic shall be highlighted at the scoping stage.

Any cumulative impact of the construction traffic with other developments shall be considered.

Schedule of Mitigation
A schedule of mitigation shall be prepared for any significant environmental or structural impacts related to traffic. Mitigation measures required may include: new or improved infrastructure, road safety measures and traffic management. Where a Construction Phase Traffic Management Plan is required as mitigation it is helpful to set out the heads of agreement / a draft proposal in any application to agree the scope of the Plan

Maintenance Agreement and Bond
Notwithstanding the above requirements, there remains a risk of damage to Council maintained roads from development related traffic. To protect the interests of the Council a suitable agreement relating to Section 96 of the Roads (Scotland) Act and appropriate planning legislation - including the provision of an appropriate Road Bond or similar security - is likely to be required.

Further Information
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 all abnormal loads & vehicles (delivery of components) this shall also include routes to be used by local suppliers and staff. It is expected that the developer submits a preferred access route for the development. All other access route options shall be provided, having been investigated in order to establish their feasibility. This shall clearly identify the pros and cons of all the route options and therefore provide a logical selection process to arrive at a preferred route.

2 Establish current condition of the roads. This work which shall 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 including construction depths and road formation where this is likely to be significant in respect of proposed impacts, including non- destructive testing and sampling as required.

- 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 where it is envisaged that transportation of traffic could be problematic
- 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

Note that the structural impact of the increase (particularly in HGV traffic) is of importance as well as the environmental impact and the threshold value for significance is 10% rather than the 30% for the environmental issues.

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 does not use routes other than the approved routes.

8 Details of residual effects.

The above information is not exhaustive and shall be used as a guide for submission of all relevant information in relation to roads, traffic and transportation matters arising from the development proposals, which shall be in the form of a Transport Statement/Assessment forming part of the Environmental Statement submission.

Impact on the Trunk Road Network (Transport Scotland)

The proposed development comprises the construction and operation of a Battery Energy Storage System (BESS) of up to 200MW and associated infrastructure / ancillary works, including an underground cable route. The site is located at Phillips Mains Farm, Rigifa, Thurso, with the nearest trunk road being the A9(T) at Thurso, approximately 23km to the west. The A99(T) lies approximately 30km southeast at Wick. It is noted that there is Potential for cumulative impacts with Gills Bay substation construction and operation.

The information supporting the pre-app indicates that the application will be a Section 36 (Schedule 2 - Non-EIA) application, and that an Outline Construction Traffic Management Plan (OCTMP) will be prepared to support the application.

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. Transport Scotland would seek a threshold assessment of the trunk road junctions be provided to determine if there will be any impact on the A9(T) or the A99(T) associated with the construction of the BESS. In addition, a threshold assessment of the cumulative impact of the proposed development and the Gills Bay substation should be provided.

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 (Highland Council Flood Risk Management Team)

SEPA's online strategic flood mapping shows that the site lies outwith any areas of fluvial, pluvial or coastal flooding in a 200 year + climate change storm event. The suggests that the flood risk forma these sources may be low.

Desktop mapping shows small, nearby water bodies in all directions, around the site. In The Highland Council's experience, such waterbodies may prove to be sources of significant flood risk.

Given the above and the scale of the development, the Applicant should provide a Flood Risk Assessment (FRA). The FRA should be written by a suitably qualified and experienced engineer, in accordance with the Supplementary Guidance and should consider all sources of flood risk. The scale of the FRA should be guided by the extent of any actual flood risk determined.

As the project may be considered as 'Essential Infrastructure', in accordance with SEPA's guidance, it should be shown in the FRA that the site will remain operational in a 200 Year
+CC storm event. It should also be shown that the site will not increase the flood risk to others.

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.

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/

Guidance on the design of water crossings can be found in Construction of River Crossings Good Practice Guide. http://www.sepa.org.uk/media/151036/wat-sg-25.pdf

Drainage

A Drainage Impact Assessment (DIA) for the development is required. 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. 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.

Runoff from all events up to and including the 1 in 200 year plus climate change event should be managed within the site boundary, with no flooding to critical roads or buildings, and evidence as to how this will be achieved should be included within the DIA.

Refer to the Council's Flood Risk and Drainage Impact: Supplementary Guidance for further detailed requirements.

Water Environment General

Development or landraising 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 close proximity to a watercourse a Flood Risk Assessment should be submitted to demonstrate that the development is not at risk from flooding and will not increase flood risk elsewhere. SEPA's Technical flood risk guidance for stakeholders outlines the information require to be submitted as part of a Flood Risk Assessment:
https://www.sepa.org.uk/media/162602/ss-nfr-p-002-technical-flood-risk-guidance-for-stakeholders.pdf

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. Further information must be provided to justify any smaller structures.

A minimum buffer strip of 50m 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 is available within the water engineering section of SEPA's website:
https://www.sepa.org.uk/regulations/water/engineering/

Guidance on the design of water crossings can be found in Construction of River Crossings Good Practice Guide:
http://www.sepa.org.uk/media/151036/wat-sg-25.pdf

Ground Water Dependant Terrestrial Ecosystems (SEPA)

Groundwater Dependent Terrestrial Ecosystems (GWDTE) are protected under the Water Framework Directive. Excavations and other construction works can disrupt groundwater flow and impact on GWDTE and existing groundwater abstractions. The layout and design of the development must avoid impacts on such areas.

A National Vegetation Classification (NVC) survey should be submitted which includes the following information:

a. A set of drawings demonstrating all GWDTE and existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. The survey needs to extend beyond the site boundary where the distances require it.
b. If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information SEPA requires to be submitted.

Please note that due to discrepancies in habitat definition and ambiguity in correspondence with NVC types we do not accept the use of The UK Habitat Classification System (UKHab) as an alternative to NVC.

Protection of the Water Environment

It appears that there may be a number of small watercourses locally, not all of which have been mapped onto the constraints map.

The proposals should demonstrate how impacts on local hydrology have been minimised and the site layout designed to minimise watercourse crossings and avoid other direct impacts on water features. Measures should be put in place to protect any downstream sensitive receptors.

The submission must include a set of drawings showing:

a. All proposed temporary or permanent infrastructure overlain with all lochs and watercourses;
b. A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works;
c. A map showing the location, size, depths and dimensions of all borrow pits overlain with all lochs and watercourses within 250m and showing a site-specific buffer around each loch or watercourse proportionate to the depth of excavations. The information provided needs to demonstrate that a site specific proportionate buffer can be achieved.

Further advice and our best practice guidance are available within the water engineering section of our website. Guidance on the design of water crossings can be found in our Construction of River Crossings Good Practice Guide.

Water Attenuation – Fire Risk

The Fire Risk Management Plan and details of emergency procedures to control fire in case of a fire event, are required to be provided with the application. This should include details of the intended water source / hydrant to be used, as well as details of how any contaminated fire water would be retained and treated onsite before being discharged from site. It is noted that there are waterbodies in proximity to the site, their suitability for use may be with investigating further, with any potential connection to be included within the application site.

Built and Cultural Heritage

Impact on the Historic Environment - Historic Environment Scotland

CASTLE OF MEY AND GARDEN WALLS (LB1797) CASTLE OF MEY *(BARROGILL CASTLE) (GDL00096)

Category A-listed Castle of Mey and its Inventory garden and designed landscape are located approximately 2km to the north of the proposed development. There are important views south in the direction of the development from both the Castle and its designed landscape.

The current consultation does not include a ZTV, so it is unclear how visible the proposed development would be from these assets. HES notes that the presentation included in the consultation materials has a slide on cultural heritage assessment for EIA which states that there will be no 'discernible change to setting' of any designated assets including Castle of Mey and that topography and existing vegetation will screen the development from scheduled monuments. The submitted Constraints Map shows scheduled monuments but not listed buildings or Inventory sites.

HES understands that a desktop assessment and walkover survey will be carried out. This should include an assessment of potential impacts on both Castle of Mey and its Inventory designed landscape, at ground level and from the principal rooms on the 1st floor level (drawing room and dining room). If a ZTV indicates theoretical visibility from these assets we would also recommend a visualisation is produced demonstrating any predicted visibility in views south from the forecourt of the Castle and/or its first floor.

HES notes the reference to existing vegetation screening the development. HES recommends that long term proposals for the existing woodlands in the vicinity of the development are considered, as some existing forestry might be commercial crops which will be harvested, which would change this assessment.

Other Comments –

Advice on Other Regulatory Requirements

SEPA

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

Each of the drawings requested below must detail all proposed upgraded, temporary and permanent infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. All drawings must be based on an adequate scale with which to assess the information.

SEPA would very much welcome further early engagement with the developer as the project develops and more information is known about the layout. SEPA encourages the developer to keep in contact via [redacted]. SEPA would especially welcome the opportunity to provide advice on a draft layout once peat probing and habitat survey has been carried out and when more is known about supporting infrastructure.

SEPA directs the applicant to their standard advice – which is available from www.sepa.org.uk/media/594101/sepa-triage-framework-and-standing-advice.pdf. This advice covers most of the issues in relation to SEPA's interests for this development and SEPA provides the below site specific advice in this case.

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.

Pre-Application Procedures

Proposal of Application Notice

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 require that for any major development pre-application consultation must be undertaken. This requires a formal Proposal of Application Notice to be submitted to the Planning Authority at least 12 weeks prior to any formal planning application being lodged 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/.

Environmental Impact Assessment Screening

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 requires under Schedule 2, 3.(a) that Industrial installations for the production of electricity, steam and hot water where the area of development exceeds 0.5 hectares must be screened to determine whether an Environmental Impact Assessment (EIA) is required to support a planning application. A formal request for a 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.

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 *Alex Macmanus* 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

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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/