



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 15
FEBRUARY 2023**

**SUBJECT: 24/00001/PAN – PROPOSED CONSTRUCTION AND
INSTALLATION OF A BATTERY ENERGY STORAGE SYSTEM
(BESS) WITH A GENERATING CAPACITY OF UP TO 50
MEGAWATTS AND ASSOCIATED INFRASTRUCTURE ON LAND
TO THE WEST OF KEITH SUBSTATION, WESTERTON ROAD,
KEITH**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 22 December 2023 on behalf of Keith Storage Solutions Ltd.
- 1.2 This report is submitted to Committee in terms of Section III (E) (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that:

- (i) in noting the terms of this report, the Committee advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and
- (ii) the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.

3. **BACKGROUND**

- 3.1 Scottish Government has published guidance which encourages elected members to highlight any issues with a proposed development at the pre-application stage which they would wish to see taken into account within any formal application for planning permission.
- 3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that these matters be reported back to applicant (paragraph 4 of the Minute refers).
- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.4 This PAN relates to the construction and operation of Greener Grid Park (GGP) infrastructure, in the form of a Battery Energy Storage System (BESS), with a generating capacity of up to 50 megawatts (MW) and associated infrastructure. A plan is appended showing the location and extent of the site (**Appendix 1**). The site extends to 3.87 hectares and is situated on land to the south of Westerton Road, adjacent to the Keith Substation. The Proposed Development would share the constructed access for the existing GGP, previously consented under permission references 20/00237/APP and 20/00877/APP, of which the approved Synchronous Condenser has been implemented. Aside from the previously approved GGP site, the remaining land area in the proposal (i.e., southern part of the site) is in agricultural use and allocated within the Moray Local Development Plan (2020) for industrial development, identified as I11 Westerton Road East Expansion. Overhead electricity lines cross this area. The site also lies within a study area covered by the Keith Green Energy and Infrastructure Framework, which was approved by the Council in December 2023 for development management purposes and will be a material consideration in the determination of any prospective planning application (para 16 of the draft minute refers).
- 3.5 Planning permission is required for this proposal. The proposal is for an energy installation with a capacity of up to 50 MW, and therefore under the current hierarchy regulations the proposal would comprise a major development for planning purposes. As such, the proposal will be subject to PAN and pre-application consultation procedures with the local community.
- 3.6 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient. The applicant proposes to consult with the Keith and Strathisla Community Councils, local councillors, MSPs and the MP. In this case the applicant's

agent has been advised that no additional parties require to be notified with a copy of the PAN.

- 3.8 The PAN advises that two public events will be held with the venue and dates yet to be confirmed. The events require to be advertised locally in advance and allow an opportunity for feedback upon the proposal. For validation purposes for a major application, the applicant is required to submit a pre-application consultation report setting out the steps taken to consult with the local community together with details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

(b) Policy and Legal

Scottish Government guidance on the role of councillors in pre-application procedures affords elected members the opportunity to offer general provisional views on forthcoming developments which are the subject of a PAN where the details of the development have yet to be finalised.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

None.

(h) Climate Change and Biodiversity Impacts

None.

(i) Consultations

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning & Delivery Manager, and

Lissa Rowan (Committee Services Officer) have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on this Committee have also been consulted and any views received on the proposal will be made known at the meeting.

5. CONCLUSION

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a major development proposal, in this case for permission for the development of a battery energy storage system. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

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Background Papers:
Ref: 24/00001/PAN