



REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 16 AUGUST 2022

SUBJECT: 22/00935/PAN – PROPOSED ENERGY MANAGEMENT AND STORAGE FACILITY (WITH CAPACITY OF UP TO 50 MW) COMPRISING BATTERY ENERGY STORAGE SYSTEM, TRANSFORMERS, INVERTERS, CABLES, ACCESS TRACK AND BOUNDARY LANDSCAPING ON LAND SOUTH OF 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 20 June 2022 on behalf of Statkraft UK 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 a proposed energy management and storage facility (described as a Greener Grid Park) with a capacity of up to 50MW, which would include battery energy storage system/containers, transformers, inverters, cables, access tracks and boundary landscaping. A plan is appended showing the location and extent of the site (**Appendix 1**). The site extends to approximately 3.95 hectares and currently comprises an existing energy management facility within the northern part of the site (approved in 2020 and partly constructed/operational) and grassland and overhead power lines within the southern part. As outlined within the applicant's cover letter the PAN has been submitted due to advances in grid management demand since the facility was first consented, which in turn has facilitated the need to increase the capacity of the development through provision of a larger Battery Energy Storage System (BESS) on the site. The site is bounded to the southwest by the existing Westerton Road South/Bridge Road Industrial Estates, the north by the Westerton Road North Industrial Estate, the northeast by the existing Keith Electricity substation, and the south by agricultural land (identified as LONG2 Westerton Road Strategic Reserve, long term industrial land in the Moray Local Development Plan 2020). A narrow section of land which project southwards at the eastern corner of the site lies outwith settlement boundary of Keith and within the Countryside Around Towns designation.
- 3.5 Planning permission is required for this proposal. The proposal is for an energy installation with a capacity of up to 50MW, 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. The applicant has used the Council's pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.

- 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 Community Council, Strathisla Community Council, Ward 2 Councillors and the Convenor, and to conduct two Public Consultation Events - one virtual and one in-person public exhibition (with details/dates to be confirmed and to be advertised in the local press). The applicant also proposes to set up a dedicated webpage detailing the information that would be present at the public events and to distribute letters and leaflets to local residents within an appropriate catchment area.
- 3.8 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 an energy management and storage facility. 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: 22/00935/PAN