



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 31
MAY 2022**

**SUBJECT: 22/00523/PAN – PROPOSED BATTERY ENERGY STORAGE
SYSTEM AND ASSOCIATED INFRASTRUCTURE ON LAND
ADJACENT TO ELECTRICITY SUBSTATION WESTERTON
ROAD KEITH MORAY**

**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 30 March 2022 by Keith Renewables 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 the prospective 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 battery energy storage facilities at Westerton Road, Keith. The site will consist of a compound, access roads, CCTV containing infrastructure for up to 49.9mW of electricity storage. The storage usually consists of a series of containers (similar to shipping containers) containing racked batteries. A plan is appended showing the location and extent of the site (**Appendix 1**). The site extends to approximately 3.27 hectares. The site is bounded to the south west by the existing Keith Electricity substation, and on all other sides by agricultural land. The site lies outwith the Moray Local Plan 2020 settlement boundary of Keith and therefore lies within the Countryside Around Towns designation.
- 3.5 The applicant proposes to consult with the Keith and Strathisla Community Councils online, use a dedicated webpage and will hold online consultation events on 1 and 16 June 2022 that will have been advertised in the local press. The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 temporarily suspended the need to hold a public event in relation to PANs from 24 April 2020 provided that the PAN was submitted before the end of the emergency period (including if it was submitted before the emergency period started as was the case here) and that any formal planning application following on from the PAN is lodged within 6 months of the end of the emergency period. In order to be valid a major application must be supported by a pre-application consultation report setting out the steps taken to consult with the local community, 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 the Planning & Regulatory Services 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 the intention that a formal application for planning permission will be submitted for a major development proposal, in this case for the development of an energy storage facility at Westerton Road, Keith, Moray. The Committee (and**

any other member(s)) 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:

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