Planning, Design and Access Statement

Drum Farm Energy Storage Facility

Applicant	Renewable Energy Systems Limited
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Internal Ref	04872-3786364

Contents

1 Introduction

1.1 The Application

Renewable Energy Systems Limited (RES) ("the Applicant") has prepared this Planning Statement, including a Design and Access Statement, in support of a full planning application to Moray Council for an Energy Storage Facility (ESF) ("the Proposed Development") on land at Drum Farm, Keith, AB55 5NP ("the Site").

This statement outlines the context of the application site and surrounding area, and the need for the proposed development, including an assessment of how it accords with relevant national, regional and local planning policies as well as material considerations. It is supported by a number of drawings, technical documents and survey reports, a schedule of which has been included in Appendix A.

1.2 The Applicant

1.2.1 RES Group Experience

RES is the world's largest independent renewable energy company with 40 years' experience developing, constructing and operating renewable energy assets. RES has delivered more than 21GW of renewable energy projects across the globe and supports an operational asset portfolio of over 7GW worldwide for a large client base all under long term contracts.

The Group's head office in Kings Langley, near London, is complemented by other offices across the UK including Glasgow, Gateshead, Truro, Cardiff and Larne. Internationally, RES has overseas subsidiary offices in France, Scandinavia, Australia, New Zealand, Canada, Turkey, Germany, and across the USA. The RES Group employs 3,000 staff. RES is a privately-owned company that grew out of the Sir Robert McAlpine group, a family-owned firm with over 130 years of experience in the construction and engineering sector. RES has strong in-house engineering and technical capability and operates in five main technology areas: on/offshore wind, solar, storage, green hydrogen and transmission & distribution.

1.2.2 RES Battery Energy Storage Systems Experience

Globally, RES is an industry leader in the delivery and operation of energy storage projects with 412MW of projects operational or in construction, and over 155MW of these in the UK and Ireland. RES has been named number 4 globally in energy storage integration by Navigant Research in 2019. RES has multiple professionals dedicated to energy storage and many others supporting across technologies, including in-house capability across all the following functions:

- Energy storage engineering and design
- Control systems (our RESolve platform)
- Procurement
- Construction/delivery
- Asset management and operations

RES's first battery storage facility in the UK was in 2016 and consisted of the 330kW Copley Wood Project. This was designed, constructed and operated by RES for Western Power Distribution and was integrated into the existing solar farm infrastructure. In 2018, RES successfully handed over the Broxburn Battery

Storage facility (20MW), the Port of Tyne Battery Storage facility (35MW) and Tynemouth Battery Storage facility (25MW) which RES designed and constructed using Samsung batteries and SMA inverters with associated civil and electrical works. RES has been retained as both the Asset Manager and O&M service provider for the projects which has been successfully delivering frequency response services to National Grid since 2018.

More recently, between 2020-2022, RES has successfully developed, consented and secured investment for: the 50MW Roaring Hill Project, in Fife; the 80MW Stoney Project, in Buckinghamshire and; the 100MW Lakeside Project, in North Yorkshire. This year, RES has also successfully completed the development, construction and handover of Gorey, a 9MW project in ROI using Narada batteries and Power Electronic inverters.

2 The Proposal

2.1 Site Description

The site is located within an agricultural field, currently used for sheep grazing, and covers an area of approximately 2.06ha. It is located approximately 245m east of the existing Keith Electrical Substation and approximately 1.2km from the centre of Keith itself. The northern and western edges of the site are adjacent to field boundaries defined by post and wire fencing whilst the eastern and southern edges extend into the open field. The site boundary extends up to Drum Road to the north, following the existing core path (KT07) which will serve as the access to the site. There is also an overhead electricity line which crosses the wider field and borders the southern corner of the site.

Outside of the site boundary, the landscape includes the Keith Electrical Substation complex, which has a number of large-scale pylons and associated overhead powerlines radiating from it, a number of which lie in proximity to the site. Other prevalent electrical infrastructure is located to the south of Keith, namely Blackhillock Substation and Beatrice Onshore Substation for offshore windfarm connections, with associated connecting large-scale pylons and associated overhead powerlines crossing the landscape.

The landform of the site is generally gently undulating to the north, with the highest point located to the north-west along the core path at approximately 155m AOD, sloping gently down towards Drum Road to the north-west and towards the main area of the site to south-east. The main part of the site is situated at around 150m AOD, with south-eastern parts falling steeply to 115m AOD toward the Burn of Drum.

The site is easily accessible from the A96 which runs north to south through Keith itself. The A96 branches to the west as it reaches the northern end of Keith whilst Drum Road branches off to the east; Drum Road is a minor single lane road which serves as access for Drum Farm and other properties further to the east to Keith. Prior to Drum Road reaching Drum Farm, an existing core path (KT07) heads south, directly to the main site.

2.2 Development Description

The proposed development comprises the installation of an energy storage facility, including battery enclosures, power conversion units, transformers, substations, grid connection infrastructure, vehicular access and associated works.

The proposed system utilises proven lithium-ion battery technology which RES has deployed at multiple projects at locations including England, Scotland, Ireland, the USA and Canada.

2.2.1 Amount, Scale and Appearance

Battery Containers

Approximately 36 battery storage enclosures would be installed to provide approximately 49.9MW of capacity. The battery enclosures will be one of two types depending on the final choice of supplier, both of which are shown in drawing 04872-RES-BAT-DR-PT-001. The first type are simply modified ISO-style shipping containers set on concrete foundations, with typical dimensions of 13.7m long, 2.4m wide and 2.9m high. Heating Ventilation & Air Conditioning (HVAC) units are located at each end of each container. The containers are generally finished in a shade of white or grey.

The second type are modular battery containers, also set on concrete foundations, which are 'packed' together to form similar dimensions to that of the container mentioned above. These modular battery storage enclosures have a white finish.

Power Conversation Systems and Transformers

Approximately 18 PCSs and transformers would be required with typical dimensions of 10.3m long, 6m wide and 2.5m high (see drawing 04872-RES-PCS-DR-PT-001). They would also be set on concrete block foundations and would be finished in a shade of white or grey.

Substations

Two containerised substation units would be required. Located adjacent to each other, these would measure a maximum of 17.5m long in total, 5m wide and 4.5m high (see drawing 04872-RES-SUB-DR-PT-001). The units would be set on a concrete foundation and finished in a shade of grey or green.

Auxiliary Transformer

An auxiliary transformer with typical dimensions of 1.9m long, 1.9m wide and 2.1m high would be installed adjacent to the energy storage containers (see drawing 04872-RES-SUB-DR-PT-003). This would be set on concrete foundations and would be finished in a shade of grey or green.

Grid Compliance Equipment

It is expected that two grid compliance equipment units will be required. They will measure up to approximately 4m long, 2.8m wide and 2.7m high (see drawing 04872-RES-SUB-DR-PT-002) and be finished in a shade of grey or green. They will each be set on a concrete foundation up to approximately 4.3m long and 3.1m wide.

Spares Container

One additional ISO-style shipping container will be located adjacent to the battery enclosures with typical dimensions of 13.7m long, 2.4m wide and 2.9m high. It would be finished in a shade of white, grey or green.

Security

Stands for CCTV cameras will be installed on site. The CCTV cameras are mounted on galvanised steel posts (or similar) measuring up to approximately 4m high and set in concrete foundations. The cameras may have pan, tilt and zoom functions. They will be located adjacent to the security fencing around the edge of the energy storage compound (see drawing 04872-RES-SEC-DR-PT-001).

Security fencing will be installed around all four edges of the energy storage compound. Following acoustic analysis of the proposed system, this fencing will be closed board wooden acoustic fencing up to 3m in height (see drawing 04872-RES-SEC-DR-PT-002).

The only lighting within the proposed development would be PIR 'infrared' lighting associated with the CCTV system which would not be visible to the naked eye together with PIR operated external lights mounted above doorways. The proposed development does not incorporate any visible, permanent artificial lighting.

Grid Connection

Cabling will connect all equipment within the energy storage compound to the on-site customer substation. An additional run of underground cable(s) will then connect the on-site customer substation to the existing Keith Electrical substation located toward the west of the site. This latter run of cable does not form part of this planning application.

Drainage

A Sustainable Drainage System (SUDS) will be utilised to manage on-site surface water run-off. The proposed water attenuation pond, located to the southeast of the energy storage compound, and associated drainage route are shown on the infrastructure layout drawing (04872-RES-LAY-DR-PT-001). Further details are provided in Section 5.5 of this document and in the supporting Flood Risk Screening and Drainage Management Plan.

2.2.2 Layout

The proposed layout of the site is shown in the Infrastructure Layout Plan (04872-RES-LAY-DR-PT-001). The layout has been guided by a number of factors, but primarily by the operational requirements of an energy storage facility combined with site constraints.

The battery storage enclosures and associated PCS and transformer units have been sited in close parallel rows to reduce the amount of cabling required between each unit and to condense the area required for the overall development. Space between the equipment on site and surrounding fence has also been left in order to provide sufficient space for a crane during construction and in case of repair and augmentation.

The attenuation basin has been located to the southeast of the site, at the lowest point, in order to utilise the existing topography of the land to assist with drainage of the site.

2.2.3 Access

Access to the site would be via the existing Core Path (KT07), which connects the field within which the site is located, to Drum Road to the north. The Core Path currently exists as a grassed track which shall be upgraded as part of the initial works. These works will include construction of a new asphalt junction with Drum Road, upgrading of the existing grassed track to an unbound granular track, and upgrading of existing ditches either side of the core path to shallow filter drains. Access from Drum Road to the site is shown in drawing 04872-RES-LAY-DR-PT-001.

Once inside the site, a short access track will be constructed, usually of compacted stone, leading from the site entrance to the gated storage compound area.

2.2.4 Landscaping

A landscaping plan has been submitted (see 'Detailed Landscaping Proposal' plan) which takes account of the identified areas of sensitivity by providing additional planting where required and maintenance notes for the proposed planting. Care has been taken to utilise species which will help to encourage biodiversity within the site, with a focus of including fruit bearing species to provide foraging and nesting habitat for birds and other protected species, such as badger.

The landscaping proposals include the following:

- Creation of new native tree and woodland planting on earth bunds to the northwest and southwest of the compound to provide visual enclosure to the development, particularly from residential properties on the outskirts of Keith.
- Provision of new native tree lined hedgerow planting along boundaries to the northeast and southeast of the development.
- Provision of native scrub on earth bund to the southwest, where in proximity to the overhead powerlines.
- Enhancement of other areas surrounding the compound through proposed grassland.
- Ongoing landscape management of planting during the lifetime of the proposed development.

2.3 Site Selection

Energy storage projects require certain conditions in order to be feasible. The requirements are listed here as well as a short explanation of how they shaped the selection and design of this site.

Viable grid connection: An energy storage facility needs to be able to both import and export energy to the grid network. Due to the issues facing the grid network (discussed in Section 3 below), the availability of sites where the required amount of import and export capacity is available is diminishing.

The existing electrical substation at Keith has a viable amount of both import and export capacity available which RES has secured for this project. Identifying a substation which can provide a viable grid connection was the first step to selecting this site.

Proximity to substation: Energy storage facilities need to be located as close as possible to the substation from which its grid connection is provided in order to limit electrical losses and ensure greater efficiency of the system. The distance between potential energy storage sites and the nearest suitable grid connection is often a major barrier to the deployment of renewable and low carbon energy due to the high costs involved. The longer the distance, the higher the cost, rendering many projects unviable.

Identifying land as close as possible to the Keith electrical substation was therefore the second step in selecting this particular site. This is a key factor in the choice of location for the proposed development.

Availability of land: An energy storage facility of this capacity requires an area of land of at least 4 acres to accommodate the batteries and supporting electrical infrastructure. Land of this size, as close to the substation as possible, which is free from other development and obtainable from a third-party landowner is required. Additional space for drainage, landscaping and access is also required.

Land around the Keith substation was therefore assessed with regard to its size and availability. The selected site provides ample space for a storage development of this size and is free from any other forms of current or future development.

Environmental and policy constraints: Energy storage facilities, where possible, should avoid being sited on land which are designated for landscape, heritage, ecological or other environmental reasons, or on land where development is restricted by local planning policy.

This particular site has been chosen as it is not located within any statutory designated areas and is not located within close proximity to any these areas. The site is also located outside any restrictions placed on

the area by local planning policy; particularly this site has been specifically located outside the Countryside Around Towns (CAT) area, as designated by Moray Council.

Other considerations: When a site with all the previous factors considered has been identified, several other environmental and technical constraints must be assessed. These include, but are not limited to:

- Proximity to existing overhead lines and underground utilities
- Ground conditions
- Distance to nearest residential properties
- The existence of any protected species
- The flood risk status of the site
- Ease of access

This specific site has therefore undergone rigorous assessment to ensure that it is suitable to accommodate the development of an energy storage facility. Given the unique locational advantage of the site, in close proximity to an existing electrical substation with an available grid connection, and lack of sensitive receptors in the immediate vicinity, the site is therefore considered particularly suitable for this type of development.

2.4 Need for the Development

There is now an undisputed need for additional renewable and low carbon energy infrastructure, including energy storage, in order to meet the challenge of climate change. In June 2019 the UK became the first major economy in the world to legislate a binding target to reach net zero emissions by 2050, whilst Scotland's Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 went even further, targeting a date of 2045 to reach net zero, with interim targets for reductions of at least 75% by 2030; one of the world's most ambitious targets.

To reach these ambitious, legally binding targets, the increased development and deployment of renewable energy technologies such as wind and solar are required. However, these renewable energy technologies generate electricity intermittently depending on weather conditions, which ultimately causes imbalances in the electricity network; at any one time, the amount of energy being generated needs to be balanced with the amount of energy being used. If this balance is not achieved, the function of the grid network is compromised, and the possibility of power outages is high. The more renewable energy generation is added to the grid network, the harder this balancing act becomes.

Energy storage therefore provides this vital balancing role to ensure that the grid remains stable at times of stress; this proposal is therefore for a battery energy storage system which is able to store energy at times when generation exceeds demand and then release electricity back to the national grid network when demand exceeds generation. Electricity is not physically generated on site.

Consequently, this form of development is crucial in enabling the continued rollout of zero carbon energy and is vital to ensuring that Scotland's ambitious net-zero emissions target is met, as well as making Moray Council carbon neutral by 2030. The development will provide valuable infrastructure to meet these targets, while supporting CO2 reduction to combat climate change and increasing the security of supply of electricity.

3 Screening & Pre-Application Consultation

Prior to the submission of this application, a formal pre-application enquiry to Moray Council, including an EIA Screening Request, was submitted by RES. A Screening Response was issued by Moray Council on the 11th November 2021 (ref: 21/01786/SCN), which confirmed that, when screened against the selection criteria outlined in Schedule 3 of the *Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017*, (including cumulative impact, pollution, impact on natural resources/the natural environment, environmental quality and the historic environment), the potential impact on the receiving environment was considered not to be significant. Consequently, the proposed development does not constitute 'EIA development' and an Environmental Impact Assessment (EIA) has not been required.

A pre-application response was then received on 15th December 2021 (ref: 21/01609/PEMAJ). The response provided comments on the proposal from several consultees and highlighted a number of key points and relevant local development plan policies to consider in further detail before progressing to a full planning application.

Following this, RES has discussed the proposal in further detail with relevant consultees in order to clarify any points raised within the pre-application response and to ensure that all points have been fully addressed in this full planning application.

4 Planning Policy Appraisal

4.1 Introduction

Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended by The Planning etc. (Scotland) Act 2006 and, more recently, the Planning (Scotland) Act 2019, states that:

> *'Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan'.*

Section 37(2) of the Act states:

> *'In dealing with such an application the authority shall have regard to the provisions of the proposed development plan, so far as material to the application, and to any other material considerations'*

For this proposed Drum Farm Energy Storage Facility, the development plan comprises the Moray Local Development Plan (MLDP) 2020. Relevant policies within the Plan are assessed below and a summary of relevant material considerations are provided.

4.2 Moray Local Development Plan 2020

The Moray Local Development Plan is the statutory development plan and the starting point for determining applications as set out in the Town and Country Planning (Scotland) Act 1997 Section 25. The MLDP was adopted in July 2020 and sets out the policies and land use proposals to guide development across Moray up to 2030 and beyond.

4.2.1 Plan Aims and Objectives

Importantly, one of the key objectives of the MLDP is to:

> *'Encourage efficient use of land and promote low carbon and sustainable development.'*

The proposed development will provide balancing services to the National Grid Electricity Network that will help to encourage and accelerate the roll out of renewable energy sources which is critical to achieving national and local decarbonisation targets. More discussion on the wider need for the proposed development can be found in section 2.4 of this Planning Statement. Therefore, the proposed development is in line with the objectives of the MLDP.

4.2.2 Policies

Specific policies within the MLDP which are relevant to this proposal are analysed in turn below and an explanation as to how this proposed development complies with each policy is provided.

Policy PP3 – Infrastructure and Services

This policy requires developments to be planned and co-ordinated with infrastructure to ensure that places function properly and proposals are adequately served by infrastructure and services.

The development has been designed specifically to include safe transport and access routes linking to existing networks, as well as a Sustainable Urban Drainage System (SUDS) to manage surface water, both of which are required by Policy PP3.

The development is also compliant with Policy PP3 as it:

- Does not create a new access onto a trunk road or key route.
- Does not adversely impact on travel routes, including Core Paths. Whilst the proposal will create some impact on the Core Path during construction, this will be limited to a short period of time. Once the path has been upgraded to a surfaced track and the landscaping surrounding the proposal is in place, the lasting impact upon the Core Path will be minimal.
- Does not adversely impact blue/green infrastructure, including green networks important for wildlife.
- Does not adversely impact on community and recreational sites, buildings or infrastructure.
- Is not incompatible with key waste sites.
- Does not adversely impact on flood alleviation and mitigation infrastructure.
- Does not compromise the economic viability of bus or rail facilities.

The proposed development is therefore considered to be compliant with Policy PP3.

DP1 – Development Principles

Policy DP1 sets out detailed criteria to ensure that proposals meet siting, design and servicing requirements, provide sustainable drainage arrangements and avoid any adverse effects on environmental interests.

The proposed development is in accordance with this policy due to the following:

- It is of an appropriate scale, density and character in respect of its surroundings, given that the site is located in close proximity to a network of existing electrical infrastructure, including the existing Keith substation and large-scale pylons and associated overhead powerlines radiating from it.
- Is sited as close as possible to the existing Keith substation (the point at which it will connect to the grid network), demonstrating a clear locational need, whilst the siting of overland structures within the Countryside Around Towns (CAT) area around Keith has been avoided.
- It includes the planting of native trees and hedgerows, as well as wildflower grass areas, which will not only significantly reduce the visual impact of the development but will importantly help to enhance the surrounding environment through the creation of new habitat and promotion of biodiversity.
- It accounts for the safe entry and exit from the development as well as the provision of passing places to assist with the safety and visibility of road users. It also includes the upgrading, and maintenance, of a short stretch of Core Path.
- It is designed to accommodate the required parking provision and turning area within the site itself to avoid access routes being blocked and parking on main highways.

- It is designed to include a suitable sustainable urban drainage system (SUDS) for dealing with surface water. It is also not located in an area at risk of flooding and will not adversely impact the risk of flooding elsewhere.
- It will not adversely impact upon air quality, water quality, local amenity, cultural heritage assets or the built and natural environment.

Policy DP1 also requires developers to provide impact assessments in order to determine the impact of a proposal. Assessments regarding landscape, ecology, built heritage and archaeology, noise and drainage have been completed and submitted in support of this application. The suite of assessments conclude that no significant adverse impacts are expected to arise due to the proposed development. Where the potential for moderate impacts has been identified, mitigation has been proposed to address the impact.

The proposed development is therefore in accordance with policy DP1.

DP9 - Renewable Energy

Policy DP9 states that all renewable energy proposals will be considered favourably where they meet the following criteria:

i) They are compliant with policies to safeguard and enhance the built and natural environment;
ii) They do not result in the permanent loss or permanent damage of prime agricultural land;
iii) They avoid or address any unacceptable significant adverse impacts including:
   a. Landscape and visual impacts.
   b. Noise impacts.
   c. Air quality impacts.
   d. Electromagnetic disturbance.
   e. Impact on water environment.
   f. Impact on carbon rich soils and peat land hydrology.
   g. Impact on woodland and forestry interests.
   h. Traffic impact -mitigation during both construction and operation.
   i. Ecological Impact.
   j. Impact on tourism and recreational interests.

In addition to the above criteria, Policy DP9 requires that a detailed assessment of impact will include consideration of the extent to which the proposal contributes to renewable energy generation targets, its effect on greenhouse gas emissions and net economic impact, including socio-economic benefits such as employment.

The site of the proposed development has been chosen because of its low environmental sensitivity, its proximity to an available grid connection which is essential to delivering new electrical energy infrastructure, and the minimal impact it would have on the surrounding community, being at some distance from the nearest properties. Detailed surveys regarding landscape, ecology, heritage, noise and transport have been completed and are summarised in Section 5 of this document. They conclude that the proposal will have no significant adverse impacts upon the surrounding environment. Where moderate impacts have been identified, mitigation has been proposed to ensure that they do not become adverse.

The benefits of energy storage and how it contributes to renewable energy targets have been discussed in section 2.4 of this document and addressed further in sections 4.3.4 - 4.3.7 below. The proposed

development's contribution to renewable energy generation targets and its effect on greenhouse gas emissions is substantial and this should be given significant weight in this planning balance.

The use of the site as an energy storage facility will not result in the permanent loss or permanent damage of prime agricultural land; the proposal will instead diversify and strengthen the existing agricultural business at Drum Farm by providing a stable, long-term income from the land while agricultural activity will continue in the vast expanse of fields which form part of the farm in the wider area.

For these reasons, the proposed development is in accordance with policy DP9.

EP1 – Natural Heritage Designations

Policy EP1 acts to protect the diversity of habitats and species in Moray which contribute towards the overall high-quality environment. Moray's international, national and local designations and protected species are a valuable part of the County's nature conservation and therefore EP1 protects them from inappropriate development.

The proposed development is supported by a Preliminary Ecological Appraisal (PEA) which is summarised in Section 5.2. The appraisal confirms that adverse impacts on international, national or local designations due to the proposed development are not expected.

Whilst the PEA suggests that there is evidence for the presence of badger and otter within and surrounding the site, appropriate mitigation measures and pre-construction surveys are proposed which will provide an updated baseline of badger and otter activity and establish the presence of both protected species. On completion of the pre-construction surveys, suitable avoidance and mitigation measures will be prescribed that are in tune with the works programme and detailed design so that the proposed development does not adversely affect these protected species.

Consequently, with the proposed mitigation and further surveys, the proposed development will not conflict with policy EP1.

EP2 – Biodiversity

This policy aims to deliver biodiversity enhancement, help promote new habitat creation and expansion and help avoid habitat fragmentation.

Measures to enhance biodiversity have been built into the design and layout of this proposal from the outset and can be seen in the supporting '*Detailed Landscaping Proposal*' plan. Measures include:

- Planting of hedgerow to the south and east to comprise of native species, with a focus of including fruit bearing species to provide foraging and nesting habitat for birds and other protected species.
- Linear woodland proposed to be planted to the north and west of the site boundaries on a 1.5m bund to comprise of native species.
- Planting of wildflower meadow mixes in the area surrounding the energy storage compound and wet meadow mix or similar to be used for the attenuation pond.

Whilst locations are not specified on the '*Detailed Landscaping Proposal*' plan, the installation of features such as artificial bat roosts and bird nesting opportunities to provide additional roosting and nesting opportunities for a range of species can also be implemented.

This proposal is therefore in accordance with policy EP2 as the proposed landscaping and planting will have a positive effect on biodiversity by creating new areas of habitat and enhancing features of interest for wildlife at the site. Appropriate management of these features has also been provided.

EP4 - Countryside Around Towns

The Countryside Around Towns (CATs) designation covers areas surrounding the five main towns within Moray which are subject to the highest development pressures. Policy EP4 therefore prohibits development within these CAT areas unless they involve the modification of existing buildings; are necessary for agriculture, forestry, low intensity recreational or tourism use, or; are a designated "LONG" term housing allocation released for development.

A CAT area surrounds the town of Keith, therefore a key consideration within the development of this proposal has been to ensure that it does not fall within a CAT area. The proposed development is therefore specifically located beyond the eastern boundary of the CAT in order to comply with Policy EP4.

EP8 - Historic Environment and EP10 - Listed Buildings

These two policies seek to protect archaeological sites, Scheduled Monuments and Listed Buildings from inappropriate development that would have an adverse impact on their integrity and setting.

A full Historic Environment Assessment has been completed and submitted in support of this application. The assessment concludes that the site has limited archaeological potential and will not impact upon any designated heritage assets. Whilst two non-designated heritage assets are identified in close proximity to the site, it is considered that the proposed development would likely generate the lowest level of less than substantial harm, meaning that no adverse impacts are expected. The proposed development is therefore in accordance with policies EP8 and EP10.

EP12 - Management and Enhancement of the Water Environment

Policy EP12 firstly seeks to direct development away from areas at risk from flooding. A full Flood Risk Screening and Drainage Management Plan has been completed in support of this application and it concludes that that the proposed development is not at risk of flooding from any of the sources assessed and will not increase the probability of flooding elsewhere.

This policy also requires that all sites must be drained by a sustainable drainage system (SUDS) designed in line with current CIRIA guidance. Drainage systems must also contribute to enhancing existing "blue" and "green" networks while contributing to place-making, biodiversity, recreational, flood risk and climate change objectives. A full assessment of various SUDS designs has been completed and, whilst further site investigation will be completed to inform the final design, it is expected that infiltration will not be possible at this site. Consequently, the proposal incorporates an above ground attenuation pond solution, designed to accommodate the 'worst case' to ensure that the 1 in 200-year event + a 35% climate change allowance can be accommodated, as requested by Moray's Drainage Officer during pre-application consultation. The attenuation pond will also be vegetated in order to increase the infiltration of flows but also to increase its contribution to biodiversity gains.

The discharge point for the restricted flow from the attenuation pond will be to the Burn of Drum to the southeast of site, therefore matching existing drainage routes. Surface water will receive a minimum of three stages of treatment before being discharged overland to the Burn of Drum in order to remove any contaminants. Furthermore, during the construction phase, temporary silts fences will be installed, providing an additional treatment stage of water filtration.

Overall, the proposed development would neither be at unacceptable risk of flooding, nor increase flood risk on or surrounding the site, and includes a suitable SUDS design, therefore it is considered in accordance with policy EP12.

EP14 – Pollution, Contamination and Hazards

This policy seeks to ensure that new developments do not create pollution which could adversely affect the environment or local amenity, including pollution in various forms such as run off into watercourses, noise pollution, air pollution and light pollution.

The proposal has been specifically located a sufficient distance away from residential properties to ensure that it will not create an unacceptable impact upon the health and living conditions of nearby residents. This is supported by the submitted Acoustic Assessment which also demonstrates that no unacceptable levels of noise or vibration will occur because of this proposal.

With regard to air quality, once operational, the proposed development will create very limited vehicle movements, generally one every month for maintenance purposes. Furthermore, the infrastructure itself will not release any emissions to the air, therefore the development will not lead to an adverse impact upon air quality. Potential impacts upon air quality during the construction phase have been assessed in the supporting Construction Environmental Management Plan (CEMP) which includes information on construction traffic movements and dust mitigation measures, all of which indicate that no unacceptable impacts will occur.

The only lighting within the proposed development will be 'infrared' lighting associated with the CCTV system and PIR operated security lighting above doors. The proposed development does not incorporate any permanent, visible artificial lighting and is therefore in accordance with the provisions of policy EP14.

EP16 – Geodiversity and Soil Resources

Policy EP16 seeks to prevent the disturbance of some soils, particularly peat, which may lead to the release of stored carbon or damage and destroy important geological features.

The proposed development is not located on an area of peat, carbon-rich soil or an area of known geological importance. Soil utilised during construction will be reused to create the soil bunds proposed around the perimeter of the development which can then be used to restore the site at the end of its operational life; the proposal is fully reversible and can be restored back to its previous state.

The proposed development is therefore in accordance with policy EP16.

4.3 Material Considerations

4.3.1 National Planning Framework 3 (NPF3)

The National Planning Framework 3 (NPF3), published on 23rd June 2014, sets the context for development planning in Scotland and is a framework for the spatial development of Scotland as a whole. NPF3 outlines the Scottish Government's development priorities over the next 20-30 years and focuses on supporting sustainable economic growth and the transition to a low carbon economy. Together with the Scottish Planning Policy (SPP), NPF3 provides a clear national vision of what is expected of the planning system and the outcomes that it must deliver for the people of Scotland.

The NPF3 confirms the ambition of the Scottish Government to achieve at least an 80% reduction in greenhouse gas emissions by 2050. Whilst the framework does not specifically address battery energy storage, paragraph 3.30 confirms that Scottish Government are currently exploring the potential role of other storage technologies within the future energy mix and acknowledges that:

> *'The low carbon energy sector is fast moving and will continue to be shaped by technological innovation and a changing environment. As a result, our strategy must remain sufficiently flexible to adapt to uncertainty and change so we are well placed to make the most of the new opportunities that will undoubtedly emerge.'*

Furthermore, the NPF3 encourages the rapid development of onshore and offshore wind, wave and tidal energy generation. As stated in Section 2.4 of this document, battery storage allows large amounts of electricity, including that from renewable and low carbon sources, to be stored at times when generation exceeds demand and released back to the electricity network when demand exceeds generation. Battery storage solutions are therefore crucial to enable and accelerate the roll-out of renewable energy generation and are critical if we are to achieve the transition to a low carbon economy in Scotland. The proposed development therefore accords with the aims of the NPF3.

It should also be noted here that in November 2021, a draft of '*Scotland 2045: Our Fourth National Planning Framework (NPF4): consultation*' was published. This draft document expands upon the previous targets set out in the NPF3 and represents an increase in focus from the Scottish Government on achieving sustainable economic growth and a *net zero* economy, rather than a *low carbon* economy currently targeted in NPF3. The draft NPF4 states:

> *'We have set a target of net zero emissions by 2045, and must make significant progress towards this by 2030. This will require new development and infrastructure across Scotland.'*

This is reflective of the growing national investment in renewable energy which must be actioned at a local level by consenting suitable renewable energy developments such as this proposal. Indeed, set out at page 69 in the draft NPF4 is a proposed 'Policy 2', entitled 'Climate Emergency', which states that:

> *'When considering all development proposals significant weight should be given to the global climate emergency'.*

The draft NPF4 also acknowledges the need to diversify and expand renewable energy generation in order to meet this step change in targets, stating:

> *A large increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, alongside developments and increases in storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require.*

Although NPF4 is currently in draft form and can only be afforded limited weight, it is considered that the proposed development is supported by this emerging policy and therefore it should be included as a material consideration in support of this proposal.

4.3.2 Scottish Planning Policy (SPP) 2014

The purpose of the Scottish Planning Policy (SPP), published in June 2014, is to set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. It promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.

The SPP contains four planning outcomes which explain how planning should support the vision for Scotland to become a sustainable economy and a low carbon place. The second of the four outcomes is as follows:

> ***Outcome 2: A low carbon place** – reducing our carbon emissions and adapting to climate change.*

Outcome 2 goes on to state:

> *By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change.*

Given that the proposed development presents an opportunity help accelerate the roll out of a low carbon electricity system and therefore support in meeting emission reduction targets, it is considered that this proposal is strongly aligned with the SPP.

Furthermore, paragraph 154 of the SPP states that the planning system should:

> *'Support the transformational change to a low carbon economy, consistent with national objectives and targets.*
>
> *Support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity – and the development of heat networks.'*

Whilst the SPP clearly encourages the planning system to support proposals such as this, it does also highlight that safeguarding and enhancing the natural and built environments is a key role of the planning system. This proposal is a well-designed development which has not been found to cause significant adverse impacts to the surrounding natural and built environment. It has a clear locational need to be sited as close as possible to a connection point to the national grid network and will assist in the roll out of renewable energy generation across Scotland. As paragraph 168 the SPP states:

Energy storage schemes help to support development of renewable energy and maintain stability of the electricity network in areas where reinforcement is needed to manage congestion.

The SPP therefore demonstrates significant support for the proposed development.

4.3.3 Moray Council Climate Change Strategy 2020–2030

On 27th June 2019, Moray Council declared a Climate Change Emergency, agreeing to prepare and adopt a Climate Change Strategy and declaring the aim of Moray Council becoming carbon neutral by 2030. This resulting Climate Change Strategy, published on 10th March 2021 marks the Council's commitment to taking action locally. The strategy is complimented by a '*Route Map to Net Zero*' document, which outlines how Moray Council plan to achieve carbon neutrality by 2030.

Although the strategy and route map largely focus on reducing the Council's own emissions from its buildings, transport, procurement and waste processes, it importantly acknowledges that the climate agenda needs to be embedded into all decision making, stating:

'The strategy has been designed to mainstream climate change action within our organisation and make it a natural part of decision-making processes'

It also acknowledges that biodiversity should be promoted through the planning system. Given that this proposal will create new habitats and therefore enhance biodiversity on site, it is considered to be supported by this strategy. Furthermore, this energy storage facility supports Moray Council's vision to be carbon neutral by 2030 and as such, this Climate Change Strategy and Moray's increasing focus on the climate agenda should be afforded significant weight in the planning balance.

4.3.4 Scottish Energy Strategy: The Future of Energy in Scotland

Published in 2017, Scotland's first energy strategy sets out the Scottish Government's vision for the future energy system in Scotland through to 2050. The strategy aims to deliver a well-balanced system capable of providing secure and affordable energy to meet Scotland's needs. One of the strategy's six priorities is:

*'**System security and flexibility** – Scotland should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of our homes and businesses as our energy transition takes place.'*

The strategy acknowledges that Scotland's future energy mix needs to be far more flexible than in the past, and recognises the role of newer, emerging technologies, stating:

'Renewables will play a huge part in meeting our future energy needs. But there will be roles too for other sources and technologies – for thermal generation with carbon capture, for pumped storage hydro and other forms of storage, and for smarter, more interconnected networks.'

As discussed in Section 2.4 of this document, the proposed energy storage facility will provide a vital balancing role to ensure that the grid network remains stable at times of stress and balances the peaks and troughs of weather dependant renewable energy sources; this is imperative to the successful transition towards carbon net-zero objectives and a successful energy system for Scotland. The proposed development is therefore thoroughly in line with the Scottish Energy Strategy.

4.3.5 Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

In direct response to the international Paris Agreement, the Climate Change (Scotland) Act 2009 was amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, increasing the ambition of Scotland's emissions reduction targets to net zero by 2045, which is ahead of many other countries, including the UK. There is also an interim target of a 75% reduction in emissions by 2030.

The Climate Change (Scotland) Act 2009 had already established Scotland as a leader in tackling climate change, but the updated Act further asserts the Scottish Government's commitment to being at the forefront of global change.

Projects such as this proposal play a key role in aiding the decarbonisation of the energy sector by supporting the increased roll out of renewable energy generation and therefore being a key asset in the delivery of these ambitious targets. There is a clear need to consent proposals such as this if Scotland's targets are to be met.

4.3.6 Update to the Climate Change Plan: 2018-2032

Published in December 2020, this document provides an update to the Climate Change Plan, originally published in 2018, to reflect the increased ambition of the new targets set in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. The plan sets out Scotland's approach to delivering a green recovery and a pathway to achieving world leading climate change targets as it emerges from COVID-19.

With regard to electricity, the Update to the Climate Change Plan lists a series of policies in order to meet three outcomes:

> *'**Outcome 1**: The electricity system will be powered by a high penetration of renewables, aided by a range of flexible and responsive technologies.*
>
> ***Outcome 2**: Scotland's electricity supply is secure and flexible, with a system robust against fluctuations and interruptions to supply*
>
> ***Outcome 3**: Scotland secures maximum economic benefit from the continued investment and growth in electricity generation capacity and support for the new and innovative technologies which will deliver our decarbonisation goals.'*

In line with the 2018 plan, the focus is on the period up to 2032. By this time, the strategy sees Scotland's electricity system having 100% of electricity demand being met from renewable sources and sees it moving from a low to a zero-carbon electricity system. To do this, the strategy focuses on a substantial and sustained increase in renewable generation, expecting to see the development of between 11 and 16GW of capacity during this period, particularly through an increase in offshore and onshore wind development. As discussed in Section 2.4 of this document and recognised by the Update to the Climate Change Plan, ensuring that the infrastructure is in place to balance out the peaks and troughs of energy generation from these weather dependent sources should be a priority and projects such as this proposal afforded significant support.

Supporting policies include, but are not limited to:

> - *'Support the development of technologies which can deliver sustainable security of supply to the electricity sector in Scotland and ensure that Scottish generators and flexibility providers can access revenue streams to support investments.*

- *Introduce a new framework of support for energy technology innovation, delivering a step change in emerging technologies funding to support the innovation and commercialisation of renewable energy generation, storage and supply.*

- *Support improvements to electricity generation and network asset management, including network charging and access arrangements that encourage the deployment and viability of renewables projects in Scotland.'*

Importantly, the strategy also recognises the role that the planning system will play in enabling Scotland's ambitious targets and the Update to the Climate Change Plan's outcomes, stating:

> *'Planning has been, and will remain, a critical enabler of rapid renewables deployment in Scotland. The position statement on our fourth National Planning Framework (NPF4), published in November, makes clear the Scottish Government's intention to actively facilitate decarbonised electricity generation and distribution.'*

The proposed development receives significant support from this '*Update to the Climate Change Plan: 2018-2032*' and is strongly in-line with the policies and aims which it includes. The proposal will play a key role in ensuring that the vision for 2032 becomes a reality and should therefore be approved without delay.

4.3.7 Socio-Economic Benefit

Whilst the wider socio-economic benefit of renewable and low carbon developments such as this widely accepted and acknowledged by the policies discussed above, the development also has the potential to generate a range of economic opportunities for local businesses through the construction activities required for the development as well as throughout the supply chain and during decommissioning.

Locally sourced materials and services will be preferred where possible, however this is subject to competitive tendering and is often constrained by the specialist nature of the equipment. However, there remains several benefits and opportunities for the local area including:

- Increased local spending in the area during construction and decommissioning. This includes, but is not limited to, increased spending on local accommodation, building material stores, food outlets and fuel stations.
- The use of local services for activities such as:
    - Pre-construction site investigation
    - Haulage and delivery
    - Landscaping
    - Fencing
    - Tool servicing
    - Stone, concrete and other quarry products
    - Security
- Employment opportunities created down the supply chain by those providing these services to the development during construction and decommissioning.

4.4 Summary of the Planning Balance

As evidenced in this section and the supporting documents, the proposed development will comply with the relevant adopted Local Development Plan policies and, importantly, it draws support from the Local Development Plan given its objectives relating to promoting low carbon and sustainable development. The

proposed development will not create any significant or unacceptable adverse effects on biodiversity, transport, flood risk, landscape, amenity and other sensitive environmental assets; it represents the best use of the site given its unique locational advantage in close proximity to the Keith Electrical Substation which has available grid capacity. It has been designed with siting, design and servicing requirements in mind and has been coordinated with other infrastructure in the local area. Consequently, the proposed development's compliance with the development plan has been demonstrated.

This section has also outlined other relevant material considerations, particularly significant energy policies, to assist in the determination of the planning application and it demonstrates that they provide significant support for the proposed development. These material considerations clearly outweigh any limited contention with the development plan thereby affirming that planning permission should be granted for the proposed development in the wider public interest; the wider social, environmental and economic benefits associated with facilitating the increased production of energy from low carbon renewable sources and achieving net zero is recognised and supported throughout the polices discussed above.

This energy storage proposal represents low carbon energy infrastructure which is crucial to enable the increased installation of renewable energy generation for which there is there is a clear and urgent national need if Scotland is to achieve its world leading net zero target by 2045. This development is therefore strongly aligned with the policies and objectives of the Moray Local Development Plan and is supported by the material considerations discussed in this section, including the NPF3, Scotland's Energy Strategy and its Update to the Climate Change Plan. It is therefore considered that, on balance, the benefits of this proposal significantly outweigh any limited impacts which may arise from the development.

5 Technical Assessments

A number of supporting technical assessments have been carried out to support this full planning application. They have been submitted alongside this document, however, a summary of each of these is provided here.

5.1 Landscape

A Landscape and Visual Assessment (LVA) has been completed by Pegasus Ltd. in order to consider the site and its surrounding context in both landscape and visual terms, to assess the potential effects of the proposed energy storage facility upon landscape features, landscape character and visual amenity. This assessment was completed via a desk study analysis of the site and its policy context, as well as site visits to gain an appreciation of the landscape and visual context of the site. Alongside the LVA, a detailed landscaping proposals plan has been completed and included within the assessment.

Landscape Character

The site sits within Landscape Character Type (LCT) 288 - Upland Farmland Area, as characterised within the Nature Scot Landscape Character Types Digital Map, published in 2019. The character area's key characteristics are as follows:

'Broad shallow valleys.

Large scale, open landscape with a simple vegetation pattern.

Predominance of farming in valleys and the central basin.

Backdrop to farmland provided by the Low Forested Hills, with steeper north and western sides and shallow southern and eastern slopes, covered with extensive conifer forests, and simple, undulating skyline.

Broad, sweeping, rectilinear fields of the central farmland, interspersed with patches of smaller fields, peaty soils, marginal pastures and small plantations.

Relatively well settled farmland area, with an even distribution of farms accessed by a network of rural roads.

Small farmsteads often partially enclosed by isolated woodland pockets.

Views from top areas to Cairngorms and higher moorland edges to south, and to east across Buchan plain.

Limited visual diversity.'

The proposals would constitute a development on agricultural land, perceived in context of large-scale electricity pylons with associated overhead powerlines and other nearby infrastructure. Due to the scale of the development relative to the size of the LCT, the proposed development would only affect a small part of a wider broad character area, which is already influenced by similar land uses. It is therefore predicted that the proposed development would give rise to a no greater than low magnitude of change upon the wider LCT and a Moderate to Minor level of effect, which would reduce over time, as a result of the proposed landscaping mitigation.

More locally, the site is not covered by any landscape designations, has limited vegetation or other landscape features within the site and is influenced by surrounding detractors, including nearby substations, numerous powerlines and in proximity to Keith. The site has limited scenic qualities or conservation interests, however, it is partly accessible and is physically separated from the detracting uses, appearing as part of a wider

agricultural valley setting. On balance, the value of the site is considered to be no greater than medium to low. The magnitude of change to the site itself during construction and at Year 1 of operation is assessed as medium to high, which when combined with its medium sensitivity would result in a Moderate level of effect upon the landscape character of the site. However, the landscape mitigation proposals would provide enhancements to the scheme around peripheral areas, enclosing the proposed development and would have the potential to enhance local landscape character, in particular from the local core path network. In the longer term, the magnitude of change to the site itself would reduce to medium.

Visual

The proposed layout has sought to integrate and minimise harmful visual effects through the introduction of proposed woodland and tree lined hedgerows around its boundaries. It is likely there will be some limited sensitive residential and recreational receptors that could experience adverse effects as a result of the proposed development, most notably, users of the core path network in proximity to the site (KT07, KT08 and KT04), along with some residents either side of the Burn of Drum valley. However, any views towards the proposed development would be seen in context of development within Keith and Keith Substation, as well as numerous pylons crossing the surrounding landscape. The new planting mitigation around peripheral areas of the site will assist with reducing these effects in the long-term, particularly to those residential properties and core paths closest to the site.

In general, other receptors are mostly considered to give rise to minor adverse effects due to the intervening landform, pattern of vegetation, including large scale woodlands and the screening effect provided by development within Keith.

The assessment also concludes that, from a landscape and visual perspective, any effects on landscape character as a result of the proposed development would be confined to the surrounding local areas, with visual effects reduced by the proposed mitigation planting in both local views within the Burn of Drum valley. In the long-term, the additional planting in the form of new woodland and tree lined hedgerows would enhance the landscape structure of the site and would give rise to minor landscape and wildlife benefits. The creation of new attenuation feature would also give rise to limited beneficial landscape effects. Overall, the total extent of the landscape and visual effects would be localised and limited in nature.

5.2 Ecology

A Preliminary Ecological Appraisal (PEA) has been completed by SLR Consulting Limited to assess the potential impacts on local ecology as a result of the proposed development and to inform further site design, mitigation and assess the need for further survey work. Baseline information within the PEA comprises an initial desk-based study and a field survey.

Statutory and Non-Statutory Designated Sites

The site is not designated as an international or national ecological site. There are five Statutory Designated Sites within 10km of the site, with the nearest being Mill Wood Site of Special Scientific Interest (SSSI) located approximately 1km east of the site. However, the distance of these statutory designated sites from the site paired with their lack of functional connectivity to the site, along with the scope and scale of the development, mean that the risk of adverse effects to statutory designated sites from this development are not expected.

There are no non-statutory designated sites within 2km of the site.

Habitats

A Preliminary Ecological Appraisal of the application site was undertaken in February 2022, which covered all land within the application site and lands surrounding the application site boundary. The site was surveyed to identify the broad habitat types present in accordance with the UK Habitat Survey (UKHab) methodology, this was extended to include preliminary checks for notable, protected, or rare species of both flora and fauna.

The construction of the development will occur over land which has been identified primarily as arable and horticulture habitat. This has value for foraging bird, mammals and invertebrates. Whilst not considered high value, the loss of habitat should be minimised where possible with the landscaping of any features (e.g., bunds) seeking to maximise biodiversity value through planting of a native-species wildflower and grass seed mix of local provenance.

Protected and Notable Species

The observation of field signs indicate that badgers are active and foraging within the wider area and resident outside the site boundaries. Similarly, records of otter within the data search and field signs identified during the walkover survey, including the observation of resting sites (i.e., couches) along Burn of Drum approximately 102m from site, confirm the presence of otter in the wider area. The site itself is dominated by grassland for grazing with limited potential for otter to seek shelter in terrestrial habitats. It is therefore considered that otters are unlikely to be resident on site. However, the following mitigation measures are proposed in order to prevent any impacts upon local populations of these protected and notable species:

- A pre-construction badger survey should be undertaken to provide an updated baseline of badger activity and search for setts. This should be conducted three months prior to works commencing.
- A pre-construction otter survey should be conducted three months prior to site clearance/construction works commencing to establish the presence of newly formed resting sites (i.e., holts and couches). The extent of this survey should include the of the site boundary plus 250m upstream and downstream along the Burn of Drum

With the implementation of the pre-commencement surveys listed above it is considered that there will be no significant adverse effects upon protected or notable species during the construction phase.

Particular landscaping features will also act as habitat creation and enhancements. These include:

- Planting of hedgerow to the south and east will comprise of native species, with a focus of including fruit bearing species to provide foraging and nesting habitat for birds and other protected species, such as badger.
- Linear woodland proposed to be planted to the north and west of the site boundaries on a soil bund will comprise of native species.
- Creation of soil bunds around the perimeter of the site in order to prevent surface runoff into the stream. The ground flora of the bund will be planted with a wildflower mix native to the local environment, comprising of species which would be beneficial to protected/notable invertebrates, including their larval stages.

- Installation of features such as artificial bat roosts and bird nesting opportunities will provide additional roosting and nesting opportunities for a range of species.

With the implementation of these, the potential of the site to support local wildlife will increase and the proposed development is likely to lead to a significant positive effect on a number of protected species during the operational phase.

5.3 Heritage & Archaeology

An assessment of the proposed development's potential impacts on heritage designations and archaeology has been completed by Orion Heritage Ltd. The assessment includes the results of a site survey conducted in January 2022, an examination of published and unpublished records, and charts historic land-use through a map regression exercise. The assessment also considers the setting of heritage assets and provides an assessment of how their settings contribute to their significance.

Following a review of the available evidence, the potential for significant buried archaeological remains within the study site is low; and there is no evidence of buried remains of archaeological interest being present from the Prehistoric, Iron Age-Roman or Medieval periods, with limited potential for finds and features from the post-Medieval period. The area within the proposed development has been of an agricultural nature into the post-Medieval period. Similarly, the site walkover identified no evidence of extant or buried archaeological remains. No discernible areas of truncation were noted, beyond the site's current use.

The study site contains no designated or non-designated heritage assets. As such the assessment considers only heritage assets whose settings may be affected, however, the National and local lists and HER were reviewed and no built heritage assets were identified as having the potential to require assessment.

Whilst Moray has no adopted list of locally important buildings, nor adopted criteria of assessment in relation to identifying these, it is evident from the historic map regression that there are two buildings within the study area, Drum Farm and Ardimannoch, which are likely to qualify as a non-designated built heritage asset.

In the context of Drum Farm, the non-designated status of the heritage asset requires that a balanced judgement be made with regard to levels of harm and the level of significance of the asset. These are both considered to be of a low level and impacts will largely be mitigated by the development being screened from view through the planting of a new hedgerow round the north-east and south-east sides of the site.

The loss of the present open vista from Ardiemannoch is likely to be viewed as harm to the setting of the historic farmstead, however, given the limited significance of the buildings within the area and the relatively low status of the farmstead generally, the loss of this setting would be less than substantial. Similarly, the proposed mitigation in the form of planting, although not the open vista previously experienced, will provide a softer appearance more in keeping with the rural character of the surroundings than the hard edges of the development and mitigate the majority of impacts.

With mitigation in place, it is considered that the proposal would likely generate the lowest level of less than substantial harm, which would need to be weighed against the public benefits arising from the scheme.

5.4 Noise

An assessment in accordance with BS 4142: 2014 has been undertaken and submitted in support of this application in order to determine the acoustic impact of the proposed development.

The main sources of sound within the proposed development are the cooling fans for the inverters housed within the Power Conversion System (PCS) units, air conditioning for the Energy Storage Systems (ESS) and the transformers. The ESS units are expected to be continuously charging and discharging. If there are any rest periods for the PCS units these are likely to be infrequent and the Heating Ventilation and Air Conditioning systems (HVAC) will still be functioning.

The expected acoustic emissions from the equipment within the proposed development has been assessed against the baseline noise level within the vicinity of the site, with specific reference to background noise levels at 12 properties located closest to the proposal.

The impact of the proposed development is low where the rating sound level does not exceed the existing background sound level. This is the case at all properties during daytime periods and at four properties at night. No observed effect on health or quality of life would be expected where the impact is low. The rating level at eight properties at night is above the threshold where minor, non-adverse impacts would be anticipated to start occurring. Some impact is therefore anticipated at these locations although this is not expected to be adverse as the rating level is below the threshold where such impacts would be expected to begin to occur.

5.5 Flood Risk and Drainage Management

A full Flood Risk Screening and Drainage Management Plan has been submitted alongside this application. It has been completed following pre-application advice provided by Moray Council's Drainage Officer, and in accordance with relevant Moray Council compliance checklists and certificates.

The proposed development is deemed at low risk of flooding from all sources and the development is not considered to exacerbate the flood risk of the surrounding area.

An assessment of the drainage options has also been undertaken and an outline drainage strategy has been prepared, to be refined further following on site testing of ground conditions prior to construction commencing. In line with the drainage hierarchy, infiltration is the preferred drainage option for surface water drainage. Although infiltration testing will be carried out, it is anticipated that the ground on site is unlikely to be able to support drainage by infiltration. As such, the current proposal is to drain the site via an attenuation basin, with a restricted discharge rate into the Burn of Drum. The attenuation basin has been sized to contain the 1 in 200 rainfall event plus a 35% allowance for climate change.

A site investigation, 3D earthworks design, earthing design, and a further assessment of the proposed discharge will be undertaken to inform the detailed design of the site drainage before construction.

Overall, the proposed development would neither be at unacceptable risk of flooding, nor increase flood risk on or surrounding the site.

5.6 Transport

A full Transport Statement has been submitted in support of this planning application. The document gives details of the anticipated traffic movements associated with the construction of the proposal as well as during the operational phase. It also assesses the suitability of the strategic road network to accommodate the development and provides the proposed transport route to the site.

The proposed transport route to site is to utilise the A96(M) to Keith, the head east, onto Drum Road before heading south, along an existing Core Path to reach the site. The A96(M) through Keith has been utilised as the transport route for similar developments and is therefore capable of supporting the delivery of similar infrastructure. Drum Road passes the rear entrance to the grounds of a school and passes several residential properties. Traffic management during periods of peak deliveries will therefore be required. Two passing places will also be constructed along this road to assist. Furthermore, as discussed in earlier sections of this document, use of the Core Path has been recommended by Moray Council's Access Officer. No significant issues with the use of this transport route have therefore been identified.

During pre-application with Moray Council, the Transport Officer requested that two additional large vehicle standard passing places be provided between the outskirts of Keith and the site. It is expected that these will be required via a condition, therefore RES have identified suitable locations for these passing places and will design them in accordance with Moray Council's Passing Place specifications.

Throughout the construction phase there will be a combination of HGVs (for the component and material deliveries) and cars/vans (for construction staff), visiting the site. HGV movements are expected to be most intense throughout the first weeks of construction whilst car/van movements are expected to be constant throughout. Following the construction of the project, vehicle movements to and from the site are expected to be limited to occasional maintenance visits, usually around one per month by a car, van or light goods vehicle.

Overall, the proposed development would not give rise to any severe or otherwise unacceptable impacts on the safety or operation of the local highway network.

6 Pre-application Consultation (PAC)

The proposed development constitutes a 'Major Development' as the proposed capacity is, or exceeds, 20 megawatts. This requires RES to carry out Pre-Application Consultation (PAC) with the local community; a full PAC report has therefore been submitted in support of this planning application, setting out the consultation activities completed to date.

The COVID-19 emergency means that, during the period of Pre-Application Consultation for this proposal, it has not been possible to hold public meetings without unacceptably posing a significant risk to public health. Furthermore, the *Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020* has temporarily suspended the requirement for a public event in relation to PAC during the emergency period. Consequently, an online public exhibition was held in place of an in-person public event. The details of this public event and the advertisement which took place can be found in the supporting PAC report.

RES engaged early with the local community to encourage a constructive consultation process and has undertaken all necessary statutory pre-application consultation. Unfortunately, however, no responses from the local community were received and therefore no specific concerns could be addressed. Nevertheless, RES is committed to being a good neighbour; anyone can contact the company about the development at any stage and RES will respond in a timely manner. Contact details have been made available via the project website which will be updated regularly to enable people to keep up to date with the latest news about the proposed development.

7 Conclusions

It is considered that the proposed development complies with the requirements of all relevant development plan policies and other local and national policy and guidance, and there are no other material planning considerations that suggest that the proposed development should be opposed. The proposed development is, undisputedly, sustainable and low carbon development, which is supported and encouraged by policies within NPF3, Scottish Planning Policy and the Moray Local Development Plan as well as Scotland's current energy policies.

The proposed development has a unique locational requirement to be positioned in this particular site, significantly close to the Keith Electrical Substation, where there is the available capacity to connect to the grid network. Every effort has been made to ensure that any impacts upon the surrounding area are kept to an acceptable level and the supporting technical assessments conclude that:

- Whilst landscape impacts may be possible at nearby sensitive receptors, the total extent of the landscape and visual effects would be localised and limited in nature. The proposed landscaping and planting will significantly help to reduce any impacts and ensure they remain at an acceptable level.
- No observed adverse effect on health or quality of life would be expected due to noise from the proposed development.
- There will be no significant adverse effects on any statutory or non-statutory designated environmental sites as a result of the proposed development. With the implementation of pre-commencement surveys and the proposed mitigation measures, it is considered that there will also be no significant adverse effects upon protected or notable species. The proposed habitat creation and enhancement measures mean that the proposed development will lead to a positive effect on biodiversity.
- There will be no significant adverse effects on any designated or non-designated built heritage assets as a result of the proposed development, particularly with the mitigation proposed. The potential for significant buried archaeological remains within the study site is also low.
- The development will not be at unacceptable risk of flooding, nor increase flood risk on or surrounding the site. A suitable SUDS has been proposed and will be implemented following further site assessment to manage surface water.
- No severe or otherwise unacceptable impacts on the safety or operation of the local highway network would be observed.
- The development is compliant with the policy objectives of the NPF3, Scottish Planning Policy, Scotland's Energy Strategy, Scotland's Update to the Climate Change Plan, and the Moray Local Development Plan.

There is an urgent need for energy storage facilities, such as this proposal, in order to facilitate the increased penetration of renewable and low carbon generation by providing critical flexibility services to smooth out the peaks and troughs of generation and demand, therefore ensuring continuity, security and decarbonisation of Scotland's energy supply. This application therefore must be viewed in the context of a national climate

emergency and Scotland's ambitious net zero emissions targets. It is considered that the significant benefits from this proposed storage development outweigh any limited local impacts which have been satisfactorily mitigated by way of a carefully considered siting and design approach. It is therefore requested that Moray Council grant planning consent for this crucial development without delay.

Appendix A

A.1 Schedule of Drawings

Drawing Number	Drawing Title
04872-RES-MAP-DR-XX-001	Location Plan
04872-RES-LAY-DR-PT-001	Infrastructure Layout Plan
04872-RES-BAT-DR-PT-001	Battery Enclosures
04872-RES-PCS-DR-PT-001	Power Conversion System and Transformer
04872-RES-SEC-DR-PT-001	Lighting and CCTV
04872-RES-SUB-DR-PT-001	Substation Building
04872-RES-SUB-DR-PT-002	Grid Compliance Equipment
04872-RES-SUB-DR-PT-003	Auxiliary Transformer
04872-RES-SUB-DR-PT-004	Spares Storage Container
04872-RES-SEC-DR-PT-002	Acoustic Fencing

A.2 Schedule of Technical Reports and Documents

Report / Document	Author
Landscape and Visual Assessment	Pegasus Ltd
Detailed Landscape Proposal	Pegasus Ltd
Preliminary Ecological Appraisal	SLR Consulting Ltd
Historic Environment Desk-Based Assessment	Orion Heritage Ltd
Acoustic Assessment	RES Ltd
Flood Risk Screening and Drainage Management Plan	RES Ltd
Transport Statement	RES Ltd
Construction Environmental Management Plan	RES Ltd
Pre-Application Consultation (PAC) Report	RES Ltd