

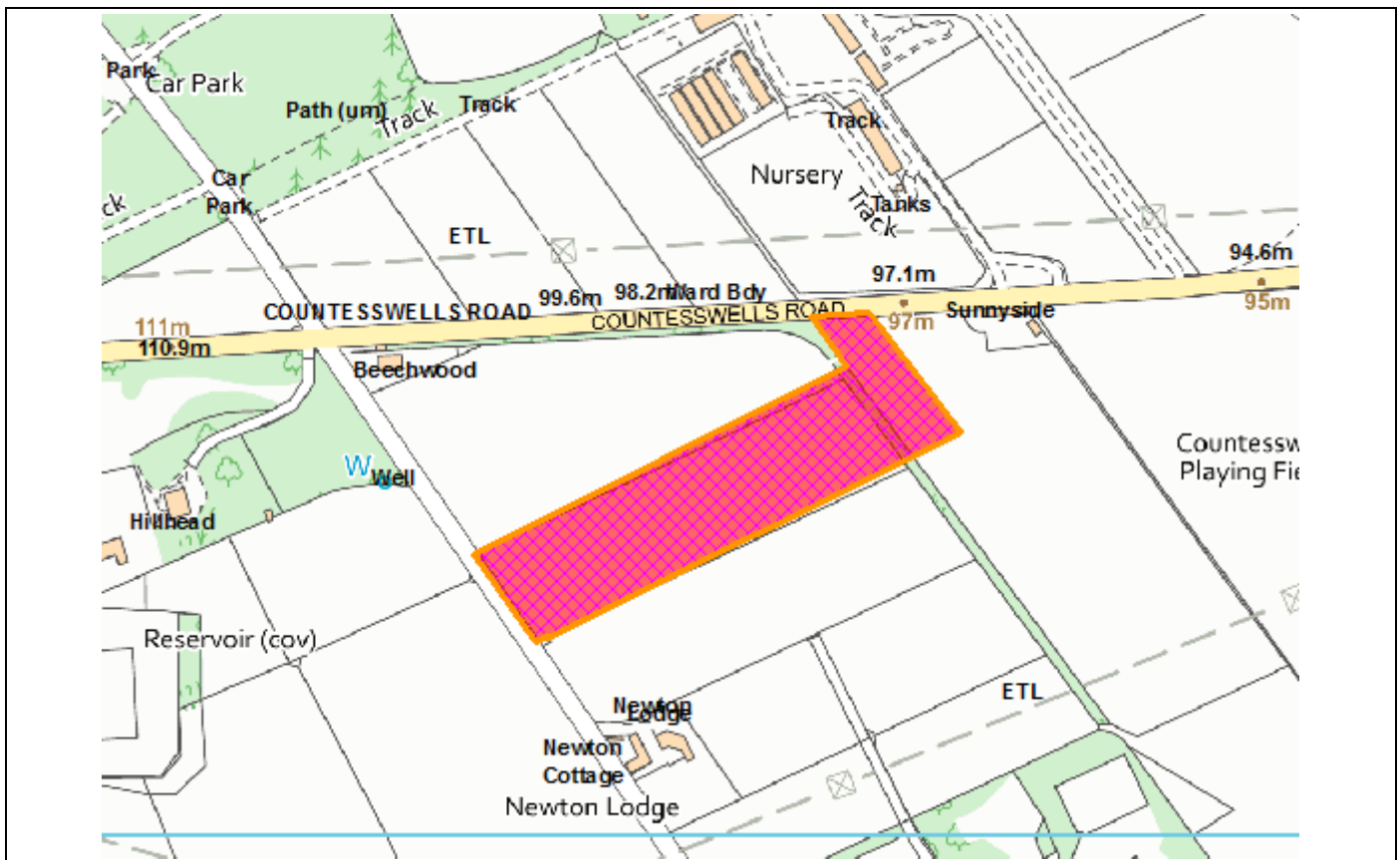


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 19 September 2024**

<b>Site Address:</b>	Land at Newton of Pitfodels, Aberdeen, AB15 7AL
<b>Application Description:</b>	Installation of a grid battery energy storage facility (up to 40MW), with associated development
<b>Application Ref:</b>	240614/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	20 May 2024
<b>Applicant:</b>	Flexion Energy UK Storage
<b>Ward:</b>	Lower Deeside
<b>Community Council:</b>	Cults, Bieldside and Milltimber



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## **RECOMMENDATION**

Refuse

## **APPLICATION BACKGROUND**

### **Site Description**

The application site relates to a field currently used for grazing purposes extending to approximately 1.9 hectares in size, located on the southern side of Countesswells Road, west of Aberdeen. The site is bound by a several of trees to the east and west. The immediate surrounding area is predominantly equestrian / agricultural in nature, but there are a number of residential dwellings and their associated curtilages in proximity of the site. The property at Beechwood, is located 114m to the north; Newton Cottage and Newton Lodge are both located 66m to the south and Sunnyside is located 82m to the north east. Robert Gordon's College playing fields are located to the east and Ben Reid garden centre and nursery sit to the north beyond Countesswells Road. The site sits approximately 500m to the north of the Pitfodel's Conservation Area.

The site gradually slopes down from the west to east, with the lowest point being the north east corner, with the overall difference being c. 5m. There is a further slope from south down to the north, but this is gradual. As per NatureScot's guidance on Landscape Character Assessment, the site is located within the Wooded Estates Landscape Character, which is characterised as being a gently undulating landform becoming more rolling to the west, while views tend to be short range being strongly contained by woodland.

### **Relevant Planning History**

230411/PAN – Proposal of Application Notice for the proposed installation of a grid battery energy storage facility (up to 40MW), with associated development – Further Consultation Required, 6 April 2023.

230633/ESC – Environmental Impact Assessment Screening Opinion for the proposed installation of a grid battery energy storage facility (up to 40MW), with associated development – Environmental Impact Assessment Not Required, 26 June 2023.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Permission is sought for the installation of a grid battery energy storage facility (up to 40MW), with associated development on Land at Newton of Pitfodels. The main components of the proposed development would be contained within a 2.4m high fenced compound which extends to an area of c.0.7ha. Most of this area would be covered with gravel, the access would be covered by crushed stone and the only areas of hardstanding would be the pillars or stilts on which the development components sit.

Contained within the wider 2.4m high fenced area would be:

- 240,000 litre Water Tank;
- Low Voltage (LV) auxiliary transformer (2.2m x 1.8m x 2.3m);
- LV auxiliary control cabinet (1.2m x 450mm x 1.6m);
- Customer switchroom (15m x 5m by 3.2m);
- Distribution Network Operators (DNO) substation (5m x 5m x 3.2m);
- Welfare container and storage container (6.1m x 3.3m x 2.6m).
- Infrared CCTV / floodlight columns measuring 4.5m high would be located at regular intervals around the edge of the site compound and these would be the tallest component on site.

A further compound would sit within this and behind the proposed 3m high acoustic fence. This compound would contain:

- Forty eight (48) blocks of battery units (7.8m x 1.7m x 2.9m);
- Twelve (12) associated PCS inverters (3.7m by 2m by 2.5m);

- Twelve (12) battery interface cabinets (1.9m x 746mm x 2m); and
- Six (6) MV skids (5.3m x 2.1m x 2.4m).

The proposed 2.4m high compound fence would be 'V' mesh security fence. It is proposed to plant a willow screen on the north and west facing facades of the 3m high acoustic fence and further planting is proposed along the southern boundary.

The site would be served by an existing single access which would be altered to suit the development providing access to Countesswells Road. Within the site, the access track will be surfaced in asphalt for the first 10m followed by crushed stone / aggregate, ensuring the access road is permeable. Once operational, it is advised that the proposed traffic generation to the site would be low, with smaller vehicles accessing the site on an infrequent basis to carry labour / spares for inspection and maintenance purposes. This is estimated as one vehicle every fortnight.

Surface water would be attenuated via a new sustainable urban drainage system (SuDS) then infiltrated to the ground via a soakaway. Given the access track runs uphill from Countesswells Road to the platform, it will be allowed to drain freely, with surface water percolating through its permeable subbase before running off the subgrade following existing overland flow paths.

### **Amendments**

None.

### **Supporting Documents**

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SDMXP1BZFPB00>

- Design and Access Statement
- Ecological Impact Assessment
- Flood Risk and Drainage Strategy
- Landscape and Visual Impact Assessment
- Noise Impact Assessment
- Outline Battery Safety Management Plan
- Pre-Application Consultation Report
- Planning Statement
- Tree Survey and Arboricultural Impact Assessment
- Transport and Access Statement
- Site Selection Report
- Visualisations

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee (PDMC) because it is a Major Development in terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. The application therefore falls outwith the Council's Scheme of Delegation.

### **Pre-Application Consultation**

Following the submission of the Proposal of Application Notice 230411/PAN, the applicant undertook statutory pre-application consultation as required for all planning applications for major developments.

Two public consultation events were held in excess of two weeks apart, both in the Airyhall Community Centre, Countesswells Road on 11 May and 8 June 2023 respectively. The events

were advertised in the local press at least seven days prior to the event. Due to difficulties placing leaflets in the Aldi store on Countesswells Road and the Pavillion at Countesswells Playing Fields, the applicant suggested that in addition to placing a leaflet in the Airyhall Community Centre and sending copies to the five neighbouring properties, they would circulate leaflets to all properties within a 750m radius of the site (646 properties) as an alternative. This was agreed by the Planning Service in April 2023.

### **Pre-Application Forum**

The applicant presented to the Pre-Application Forum on the 25 May 2023, during which the following was discussed:

- Information on the site selection process;
- Engagement with Roads Development Management Officers and undertake any required actions suggested;
- Vehicular Movements;
- Tree loss;
- Screening;
- Acoustic fencing and noise;
- Construction durations;
- Expected lifespan of the proposed development;
- The site would be remotely maintained in most instances, and should anything happen, it would be embedded in the system to contact emergency services. Further liaising with local emergency services; and
- Retention of the drystone dykes.

Minute of the meeting is available [here](#).

### **CONSULTATIONS**

**ACC - Developer Obligations** – has assessed the proposal and given its scale, it is not considered that the infrastructure (Core Paths and Open Space) would be impacted to the extent that further mitigation is required in the form of financial contributions.

**ACC - Environmental Health** – has assessed the submitted Noise Impact Assessment and consider it acceptable subject to mitigation outlined in the document, which would be required via condition should the application be approved. The Service also provides details regarding construction noise, which would be an advisory of any approval.

**ACC - Structures, Flooding and Coastal Engineering** – has no comments to make on this application.

**ACC - Roads Development Management Team** – has advised that it has no objection to the development. The proposed internal layout is acceptable given that there is adequate area for the low volume of maintenance vehicles that would be required to access the site once operational. There is also access to each battery storage unit for emergency service should that be required. The proposed access, via Countesswells Road, is considered acceptable given the low volume of traffic associated with the development. However, the access would be subject to a Section 56 Roads Construction Consent application.

In relation to the construction of the development, temporary measures may be required, but this falls under the remit of the Roadworks Coordination Team, the applicant is requested to liaise with them on matters relating to construction requirements.

With respect to drainage, the Team has no comments to make but note other Services will provide comments.

**Archaeology Service Aberdeenshire Council** – has advised that there are no archaeological considerations for this site and there is no further comment to make.

**Cults, Bielside and Milltimber Community Council** – has objected to the proposal. While the Community Council supports energy storage in principle, there are concerns Battery Energy Storage Systems that are not currently addressed in UK or Scottish Government legislation. It is not clear there is a need to locate this development close to populated areas. Policies within the Aberdeen Local Development Plan 2023 and National Planning Framework 4 do not consider such proposals. The development does not justify the destruction of the Green Belt in Lower Deeside, with the site selection report not providing sufficient information. There is no mention of battery chemistry mentioned in this application which the National Fire Chiefs Council Best Practice Guidance on these developments advises is significant. A full Health and Safety Executive Risk Assessment has not been submitted and should be provided. The aforementioned guidance mentions the spacing of battery containers but the plans provided show no indication of what this distance is. Furthermore, only one access is proposed when the guidance recommends two.

With respect to the Flood Risk and Drainage Assessment, there is no mention of how contaminated water will be dealt with in the event there is a fire, if the capacity of the on-site holding basin is exceeded. There has been no consideration given to toxic fumes and groundwater contamination.

Finally, there is no community benefit with this proposal with no mitigation by way of financial contributions required.

**Scottish Environment Protection Agency (SEPA)** – has advised that the site falls under the thresholds for which SEPA provide site specific. SEPA has referred to standing advice.

**Scottish Fire and Rescue Service** – has no comments, but has provided details of the National Fire Chiefs Council Best Practice Guidance on Battery Energy Storage System.

**Scottish Water** – has no objection, however has noted that the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Further discussions would be required between Scottish Water and the application should the application be approved.

## **REPRESENTATIONS**

One hundred and eight (108) representations have been received (107 objecting and 1 in support). The matters raised can be summarised as follows –

### Support

1. Site is suitable and accessible
2. Away from immediate housing
3. If granted conditions will be required for safety
4. Disruption during construction will be short lived and in proportion to benefits
5. Project offers considerable environmental benefits

### Objections

#### *Site*

6. Development is located in the Green Belt, but there are other more appropriate sites available.
7. Development only permissible in this location if there is an overriding environmental need.

8. Development is highly inappropriate in this location.
9. Environmental argument invalidated by site choice.
10. Development would be located too close to residential properties, other local amenities.
11. Land is currently used for farming (prime agricultural land).
12. Industrial site would be more appropriate.
13. Brownfield site would be more appropriate.
14. Development would be best located at the site of energy generation for maximum efficiency.
15. Development would be better located at the foot of wind turbine generators.
16. Development would set a precedent for further industrialisation of the rural character and landscape.

#### *Health and Safety*

17. Health and safety risk during transport of battery to site.
18. Health and safety risk to nearby residents and children during operation.
19. Concerns due to thermal runaway.
20. Impact on public health and wellbeing of nearby residents.
21. Development located close to Robert Gordon's School playing fields.
22. Fire risk due to batteries overheating.
23. Type of development not researched fully and will contain and generate toxic material.
24. Concerns regarding toxins into the air.
25. Concerns regarding toxins in surface water run off should safety features fail.
26. Highly dangerous development.
27. Risk of contamination.
28. Outline Battery Safety Management Plan does not fully meet the requirements of the best practice guidance.
29. The National Fire Chiefs Council guidance requires suitable access with a suggested minimum standard of 6m unless justified, no sufficient justification has been provided.
30. Pollution from vehicles.
31. UK Government have identified failures with such storage systems and well as risks from thermal runaway.

#### *Noise and Disturbance*

32. Noise and disturbance during construction and operation, especially at night.
33. This has potential to impact playing fields during construction.
34. Concerns regarding the need for 3m high acoustic fencing when it is stated there will be little noise impact.

#### *Road Network/Access*

35. Roads network/infrastructure not suitable for construction vehicles or any vehicles travelling to the site.
36. High level of traffic currently utilising Countesswells Road, but not sufficient.
37. Risk of further damage to the roads network.
38. Development would impact all road users.
39. Impact of the grid connection on the nearby playing fields as the suggested route crosses the only vehicular and pedestrian access to that facility.
40. Route is used by walkers, cyclists and horse riders - activity and noise will result in discouragement of users.
41. Site is directly in the way of a path/ borders a walking trail and is close to recreational paths and woodland.
42. Limited access to site may affect fire vehicle access.

#### *Flooding and Drainage*

43. Risk of flooding on site.
44. Private Drainage could be impacted upon.

45. Road network currently floods, issues could be exacerbated.
46. Extensive drainage would be required.
47. Model flood depth needs to be addressed.

#### *Built and Natural Heritage*

48. Impact on Pitfodel's Conservation Area.
49. Close proximity to areas rich in biodiversity.
50. Negative impact on environment, biodiversity and wildlife, such as bats.
51. Impact due to loss of trees.

#### *Other Matters*

52. Proposal contravenes Aberdeen Local Development Plan and National Planning Framework 4.
53. Further clarification needed on principal policies.
54. Life span of batteries may be as short as 5 years and batteries require replacement posing an ongoing risk.
55. No economic benefit to the local area.
56. Argument that this is needed to support development of sustainably produced energy is disingenuous.
57. Too much Green Belt lost to other developments already.
58. The pursuit of net zero emissions should not serve as an excuse to destroy the countryside or harm the local area.
59. A balanced approach is needed that respects and preserves our natural landscapes while advancing environmental goals.
60. Loss of view and amenity.
61. Connections required for ingoing and outgoing current supplies, but no details of intended connection to network.
62. Responses from consultees are brief and lack detail.
63. Key stakeholders have declined to comment or not been contacted.
64. Drawings and supporting information cannot be assessed or not online.
65. Quality assurance of supporting documentation required.
66. Consultation process (21 days) not appropriate.
67. Planning process not fit for purpose when it comes to accessing these applications.

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

### **Development Plan**

#### **National Planning Framework 4**

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaption)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 5 (Soils)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 7 (Historic Assets and Places)
- Policy 8 (Green Belts)
- Policy 11 (Energy)

- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 22 (Flood Risk and Water Management)
- Policy 23 (Health and Safety)

#### Aberdeen Local Development Plan 2023

- Policy WB3 (Noise)
- Policy NE1 (Greenbelt)
- Policy NE2 (Green and Blue Infrastructure)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy D1 (Quality Placemaking)
- Policy D4 (Landscape)
- Policy D6 (Historic Environment)
- Policy T2 (Sustainable Transport)
- Policy R7 (Renewable and Low Carbon Energy Developments)
- Policy I1 (Infrastructure Delivery and Planning Obligations)

#### **Aberdeen Planning Guidance**

- Noise
- Landscape
- Transport and Accessibility
- Open Space and Green Infrastructure
- Natural Heritage
- Flooding, Drainage and Water Quality
- Trees and Woodland

#### **Other National Policy and Guidance**

- Energy Storage: Planning Advice (Scottish Government)

#### **Other Material Considerations**

- Grid Scale Battery Energy Storage System Planning – Guidance for Fire and Rescue Services (National Fire Chiefs Council)

### **EVALUATION**

#### **Background**

Renewable energy sources, such as wind and solar power rely on the weather to generate electricity. This means that renewable sources cannot adjust to demand from consumers and businesses as easily as fossil fuels and nuclear power can. Therefore, with the national energy system increasingly relying on renewable sources, it will need to be underpinned by technologies that can respond to fluctuations in supply and demand, such as battery energy storage, gas with carbon capture and storage, and hydrogen.

Grid scale battery energy storage systems (BESS) store energy that is produced when demand is lower than supply. The energy stored in batteries can be released when energy demand exists but there is little wind and sun, to ensure the demand can always be met, a process known as “grid balancing”. Without such facilities, excess energy is wasted as any surplus cannot be stored in the electricity network.



The Scottish Government's planning advice on energy storage states that *"A clear case has been made that, if the energy sector is to maximise environmental, economic and social benefits, renewable energy will need to be linked to energy storage. Energy storage technologies can counteract intermittency associated with certain energy supplies, can ensure excess power is not lost at times of high production, can provide energy on demand off-grid in a variety of ways. Oversupply is likely to become more prevalent the closer Scotland gets to realising its 100% electricity from renewables target. It is also expected that energy storage will be essential if Scotland is to realise its ambition to become a renewable energy exporter and to attract the economic advantages of ensuring that the energy storage supply chain locates in Scotland."*

According to the UK Government's Renewable Energy Planning Database, in Scotland as of January 2024, there were 15 operational BESS and 124 BESS that were awaiting a planning application determination or were under construction. Across the UK there were 105 operational BESS and 596 have been given planning consent and are awaiting or were under construction.<sup>1</sup>

## Principle of Development

### Energy Developments

Policy 11 (Energy) of National Planning Framework 4 (NPF4) at a strategic level seeks to encourage, promote, and facilitate all forms of renewable energy development onshore and offshore. In terms of considering planning applications, Policy 11 states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, with battery energy storage being listed as one of these technologies.

Similarly, Policy R7 (Renewable and Low Carbon Energy Developments) of the Aberdeen Local Development Plan 2023 (ALDP) encourages and supports renewable and low carbon energy schemes in principle, where the technology can operate efficiently, and the environmental and cumulative impacts can be satisfactorily addressed.

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires that when considering all development proposals, significant weight will be given to the global climate and nature crises. With the generation of energy being a significant generator of carbon emissions, the decarbonisation of the energy system is an important element of addressing the global climate and nature crises.

These policies establish that the principle of renewable energy developments, such as the proposed BESS, is acceptable and indeed in recognition of their importance in achieving net zero targets, such developments are lent substantial support at both national and local level.

### Green Belt

The site is zoned as green belt where Policy 8 (Green Belts) of NPF4 applies and has the aim of encouraging, promoting and facilitating compact urban growth and use the land around our towns and cities sustainably. Development in the green belt is strictly controlled. For proposals to be supported, they must fall into one or more of the categories of development which are acceptable in the green belt as policy exceptions. Thereafter, should they fall into one of these categories, they must also meet a range of other requirements to ensure the integrity of the green belt is retained.

In terms of being an acceptable development type, the proposal falls into two categories of development which are generally permitted in the green belt. The first relates to essential infrastructure, which under Policy 8 of NPF4 is described as *'essential infrastructure or new cemetery provision'* and in Policy NE1 (Greenbelt) of the ALDP as development that *"is directly associated with essential infrastructure such as telecommunications, electricity grid connections,*

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<sup>1</sup> [Renewable Energy Planning Database, Department for Energy Security and Net Zero, GOV.UK](#)

*transport proposals identified in the Plan or roads planned through masterplanning of sites, if they cannot be accommodated anywhere other than the Green Belt’.*

The second category relates to renewable energy, which under Policy 8 of NPF4 is categorised as ‘*minerals operations and renewable energy developments*’ and in Policy NE1 of the ALDP as development that ‘*is related to the generation of renewable energy (wind turbine, solar farm, or hydro scheme) and/or heat*’

As described earlier in the report, given the emphasis placed on achieving net-zero targets and the essential role battery energy storage plays in decarbonising the UK’s electricity network, such developments are therefore considered to be essential infrastructure and related to renewable energy development. Therefore, with it established that the development is of a type acceptable as an exception within the green belt, consideration moves to the second element of Policy 8 of NPF4. This requires five other matters to be demonstrated and addressed, these are highlighted below.

1. Reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;
2. The purpose of the green belt at that location is not undermined;
3. The proposal is compatible with the surrounding established countryside and landscape character;
4. The proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible; and
5. There will be no significant long-term impacts on the environmental quality of the green belt.

Such matters are considered in the subsequent sections.

1. *Reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt.*

As requested, the applicant has submitted a Site Selection Report which explains the site selection process undertaken, identify any potential points of connection to the grid network and any subsequent development sites. The report advises that ‘*BESS facilities can provide a number of services, each of which have a locational factor meaning that the BESS is more effective if located closer to where the benefits on the network would be realised. The locational factors typically involve proximity to areas of high demand, population density and cable density such as population centres, which makes Aberdeen an ideal location for BESS facilities*’.

Given the power capacity of this proposal, it has been identified that approximately 40MW of power capacity could be accommodated on the 33kV network in the Aberdeen area at one of the grid supply point substations. Connection distances depend on the context of the area surrounding the point of connection and the scale of the proposed BESS facility. In this case, a connection distance of 1.5km was determined to be the maximum viable distance for the proposed development. The Site Selection Report identifies all grid point connections with Aberdeen’s administrative area, with only four of seven having suitable capacity for the proposed development. A further three were discounted as there was no suitable land to accommodate the development as any land is either allocated for residential or designated as urban green space.

Within the report, Craigiebuckler substation on Countesswells Road is advised as being significantly less constrained, with extensive land available to its west. As such, it is this substation that the applicant has chosen to progress. In order to identify suitable sites around the Craigiebuckler substation, the applicant has set a number of parameters; the site must be a minimum of 0.8ha site area; be within 1.5km of the grid supply point, i.e. Craigiebuckler

substation; have sufficient access for construction and management; and be located away from sensitive uses. Within the study area nine potential sites have been identified, three of these were identified as falling within the urban area of Aberdeen, of which all were discounted due to the potential impacts on residential amenity in visual and noise terms, flood risk and land being constrained in terms of other extant planning permissions on the site. Of the remaining sites, no brownfield or other sites were suitable to accommodate the proposed development. The report concludes that the applicant believes this to be the best site to accommodate the proposed development, in that it is ready, available and suitable for a BESS, and as such is the preferable site for development.

While the applicant has appeared to provide justification regarding the decision to progress with this site, consideration to the siting of the development in relation to other relevant planning policy, the potential for landscape and visual impact as well as amenity impact also requires to be addressed and this will be done in subsequent sections of this report.

## *2. The purpose of the green belt at that location is not undermined.*

Policy NE1 of the ALDP states that the aim of the Aberdeen green belt is to maintain the distinct identity of Aberdeen, and the communities within and around the city, by defining their physical boundaries clearly. Safeguarding the green belt helps to avoid coalescence of these settlements and sprawling development on the edge of the city, maintain Aberdeen's landscape setting, and provide access to open space. The green belt directs planned growth to the most appropriate locations and supports regeneration.

This site has never been developed and has only been used for agricultural purposes and while it is set back from Countesswells Road, it is visible to passing traffic, meaning that this development would also be visible. While mitigation is proposed in the form of a green willow fence to screen the development from the surrounding area, this willow fence is only to be fitted on the north and west façade of the 3m high acoustic fence. The proposed 2.4m high 'V' mesh security fence, would still be prominently visible from the surrounding area. Additionally, the proposal also incorporates an approximately 5m wide access track, for which there is no mitigation.

Such a proposal would result in the creation of a development that is very much industrial in nature and a complete contrast to the site and the landscape pattern of larger agricultural fields in the surrounding context. Furthermore, the screening fence would only partially mitigate the landscape impact of the development as it would only be located on the north and western façades of the acoustic fence. The external compound fence would still be highly visible along the site boundaries and from the surrounding area. Additionally this external security fence would not look like a natural addition to the area, being industrial in character and would be much higher than a typical residential fence. Overall, while the sole purpose of the screening fencing is to 'hide' the development, this would not be successful, with parts of the development remaining visible from Countesswells Road, the road to the west and the neighbouring properties. No increase to the height of the proposed 'green fence' would provide sufficient mitigation in this case. It is also noted that further landscaping is proposed along the southern boundary, however this would take years to establish itself with no mitigation proposed in the intervening period. Overall, it is considered that a development of the type and nature, in this location would undermine the purpose of the green belt by eroding landscape character. The applicant has not been able to adequately demonstrate that this exact site in the green belt is the best location for such a facility, given its unspoilt character and it must be noted that no additional information would provide such a justification.

3. *The proposal is compatible with the surrounding established countryside and landscape character; and*
4. *The proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible.*

Policy D4 (Landscape) of the ALDP indicates that development should avoid adversely affecting the character of landscapes which are important for the setting of the city, including the coast, river valleys and hill landscapes. As previously noted, the site is located within the Wooded Estates Landscape Character, which is characterised as being a gently undulating landform becoming more rolling to the west, while views tend to be short range being strongly contained by woodland. In this case, the site, as it currently stands is relatively open, especially along its northern and southern boundaries which currently accommodates low lying stone walls. The eastern boundary is formed of a low lying stone wall flanked by mature trees and along the western boundary is a post and wire fence and some mature trees. As noted in the section above, from the public road the site is visible and will become more visible during the months when the trees are not in leaf. This is a similar situation when viewing the site from the west, which has relatively open sections from which the site is clearly visible.

A supporting Landscape Visual Impact Assessment has been submitted with this application, which provides images from a number of viewpoints in the surrounding area, both long and short range views, along with photomontages of the proposed development within the landscape. In this case and having reviewed the submitted information, it is clear that owing to its scale the long range views are not a concern and this development would have no impact on these. However, it is the short range views that cause concern when considering the potential impact on the established countryside and landscape character.

It is clear that the proposed development would be visible to some degree, this would be the same for any development given the degree of change that would need to take place. However, in this case and despite the fact that the development would be set back from the public road, due to its stark form and nature, being an industrial use in the countryside, it is not accepted that the development would sit comfortably within the surrounding rural and open context. The proposal would result in an 'alien' type development, which would not be adequately screened by the proposed mitigation. This is made evident by the photomontages, submitted in support of this application.

In respect of visualisation for viewpoint 6, which is taken from Countesswells Road to the north west of the site, there is some ambiguity as to whether this shows the true representation of what the site would look like if the development was approved. What can be seen is the top of the 'green' acoustic fence, but there is no reference to the 2.4m high security fence also proposed along that boundary. While the area does slope upwards towards the site and there is a wall currently in place, it is not accepted that these aspects alone would hide the proposed security fence. It is the opinion of the Planning Service that this would still be clearly visible. Additionally, this visualisation does not show the taller aspects of the development, i.e. the CCTV poles.

Turning to viewpoint 7 and its visualisation, it is clear that the proposed development would be clearly visible from the east as you travel along Countesswells Road, regardless of the existing tree belt located along the eastern boundary. Furthermore, there are some inaccuracies with this visualisation as it does not show what impact the proposed 5m wide access track would have on this rural area.

The visualisation associated with viewpoint 8 shows the proposed landscaping along the southern boundary to be established advising that this is what the site will look like in 10 years, however this does not take into account the intervening period, during which the site would be highly visible from the south west.

With regards to visualisations associated with viewpoint 9 and 10, while it is appreciated that to some degree the existing landscaping that abuts the southern part of Countesswells Road would provide some natural screening, this would only be when the trees are in leaf. No consideration has been given to when the trees are not in leaf, which would be a significant portion of the year.

Given the above, it is not accepted that this development would have no impact on the landscape and established visual character of the surrounding area. From the information submitted, it is evident that the development would be clearly visible and this is regardless of any screening proposed, which appears to be inadequate considering the nature of this proposal. It should also be noted that no level of mitigation would be sufficient given the nature of the development and the sites location.

Further to the overall impact on the general character of the green belt and the visual impact caused on the greenbelt which is evident from the visualisations provided, what also needs to be considered is the potential impact on those dwellings that would be sited in close proximity to the development.

While Sunnyside, the property located to the north east of the site, would appear to be unaffected due to the existing tree belt, what has been demonstrated in the visualisation for viewpoint 7 shows otherwise. This visualisation, as noted above, shows that there would be a visual impact and the proposed development would be visible through the existing trees. Additionally, no consideration has been given to the impact the proposed access track would have. Therefore, there are significant concerns regarding the impact on the property at Sunnyside.

Robert Gordon's College playing fields, are located to the east, and while the site and thus the development would be visible, it would not be to a degree that causes undue concern, this is largely owing to the separation between the two.

It is the properties at Beechwood to the north and Newton Cottage and Newton Lodge to the south that will be most affected by the proposed development. While the applicant is proposing to screen the development via the proposed 'green' fence, parts of the development, including the 2.4m high security fence would still be clearly visible and while additional landscaping to the south is proposed, as mentioned above, this would take years to establish itself. Furthermore, as mentioned further in this evaluation, owing to fire risk, this landscaping will have to be maintained and therefore, it would never have a natural appearance like the existing tree belts located to the east and west of the site. Furthermore, the site is in a prominent location in relation to these dwellings and is clearly visible from both the properties and their curtilages. As such, despite the mitigation that has been proposed, which is not accepted as being sufficient, this development would have a clear visual impact on these properties owing to its unnatural appearance.

As has been highlighted above, this site is an undeveloped green belt site, which is located within a largely undeveloped rural setting. Although small scale in terms of the extent of the development and its overall height, this proposal would result in irregular activity and development that is wholly industrial in nature. This would be in stark contrast to the existing situation and its surrounding context, and although national and local policies do support such developments, they still need to be sited appropriately and in this case, the level of change that would be experienced within the surrounding area would be too significant. Due to their urban/industrial appearance battery storage facilities are better located within, or immediately adjoining, the built-up area rather than, as is proposed, in a location remote from built development and alien to the rural landscape character of the immediate surroundings. Overall, the development cannot be supported owing to its impact in terms of visual amenity, especially for those properties located directly to the north and south.

Given the overall form and finish of the development, there would be a significant degree of change for those in the surrounding area, especially the properties that sit to the north and south, which cannot be accepted.

*5. There will be no significant long-term impacts on the environmental quality of the green belt.*

The site, given its open grassland nature, has limited ecological value and the applicant has indicated that the land had not been identified as Prime Agricultural Land (as identified through the James Hutton Institute Agricultural Land Use Maps), as it falls within classification 3.2 - land capable of use as improved grassland. However, the land is recognised as being capable of average production through high yields of barley, oats and grass.

Policy 5 (Soils) of NPF4 relates to impact on soils. Part a) of Policy 5 states that proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land and protecting soil from damage including from compaction and erosion, and that minimises soil sealing. Part b) details that development on Prime Agricultural Land, or land of a lesser quality that is culturally or locally important for primary use, as identified by the ALDP, will only be supported where it is for a limited number of uses, including essential infrastructure and the generation of energy from renewable sources. Given the nature of this development, the proposal complies with part b) of Policy 5 of NPF4, however part a) still needs to be given consideration and this has not been addressed by the applicant. It is considered that, as this development would see a currently undeveloped site disturbed by this development and given the extent of development required, the soil would be impacted upon and fundamentally not protected, resulting in a conflict with Policy 5 of NPF4 and therefore resulting in some impacts on the environmental quality of the green belt as required by Policy 8 of NPF4.

### Representations

Several objections highlighted concerns regarding the site's location in the greenbelt, these are numbered 6 – 16 in the above section. These matters have all been addressed above and no further action is required. In respect to comments 12, 13 and 15, as per legislation requirements, the Planning Service is required to assess this application on its own merits, whether this development would be best placed on other sites is not relevant. In respect to comment 16, as every application is assessed on its own merits and against the considerations of the Development Plan, matters relating to precedent are not relevant.

### Summary

In summary, while these type of developments can be supported in the greenbelt, their location needs to be deemed appropriate, with the main concern of this proposal being that the development would undermine the purpose of the green belt. As has been highlighted above, the proposal is not compatible with the surrounding established countryside and landscape character and will have a significant visual impact on the green belt as well as those properties located to the north and south of the site, this is due to its siting and in general the nature of an industrial development within a rural and largely undeveloped context. As such, the proposal conflicts with a number of criteria of Policy 8 of NPF4 and as a result is also contrary to Policy NE1 (Green Belt) of the ALDP. In light of this, the principle of development cannot be supported.

### Economic Benefit

Policy 11 (Energy) of NPF4 explains that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities.

Battery energy storage makes an indirect but significant contribution to renewable energy generation targets and greenhouse gas emissions reduction targets, by increasing the productivity of renewable

generators elsewhere on the grid. The provision of a secure electricity system brings economic benefits across the national economy. The construction and decommissioning of the development presents supply chain opportunities for business and would contribute to local economic activity.

Economic benefit has been highlighted as a concern as comment 55, but this matter is now addressed.

### **Project Design and Mitigation**

As well as supporting energy developments in general, Policy 11 (Energy) of NPF4 expects the design of projects and any associated mitigation measures to demonstrate how a number of impacts can be addressed. Many of these matters are aimed more towards considering large scale renewable projects, such as wind farms, nonetheless each is considered in relation to this application. Policy R7 of the ALDP also contains such criteria, much of which reiterates that in Policy 11 of NPF4, however where there are additional requirements, they are highlighted in the relevant part of the discussion or considered at the end of this section.

In considering all these impacts, Policy 11 of NPF4 requires significant weight to be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets. The significant weight required to be given to the global climate and nature crises by Policy 1 of NPF4 must also be considered. The substantial support for the principle of the development should not be outweighed by other matters, unless it can be demonstrated that significant harm would be caused.

*(i) impacts on communities and individual dwellings, including, residential amenity, visual impact, noise, and shadow flicker.*

Policy 14 (Design, Quality and Place) of NPF4 is relevant and requires development proposals to be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported. Policy D1 (Quality Placemaking) of the ALDP contains similar provisions.

Given the distance from residential properties, the matter of residential amenity is a significant concern. With respect to visual impact, this matter has been considered above and as noted there are significant concerns regarding the siting of this development and the impact on the closest residential properties to the north and south. While screening is proposed, in the form of a green fence with willow planting, this does not mitigate the development given it only screens part of the development. As such, the proposal does not comply with Policy 14 of NPF4 and Policy D1 of the ALDP.

With respect to noise, there is the potential for the equipment to generate sound which could adversely affect nearby residential properties. Policy 23 (Health and Safety) of NPF4 explains that development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. Similarly, Policy WB3 (Noise) of the ALDP indicates that there will be a presumption against noise generating developments, as identified by a noise impact assessment, being located close to noise sensitive developments, such as existing or proposed housing, without suitable mitigation measures in place to reduce the impact of noise to an acceptable level.

In support of this application a Noise Impact Assessment (NIA) has been submitted and reviewed by the Environmental Health Service and it is deemed to be acceptable with A-weighted sound power levels not exceeding those detailed in Section 3.3.1 of the NIA. However, the Service notes that prior to construction of the BESS, the warranted sound power levels, number of items and location of the chosen plant will require to be checked against the assumptions considered in the

assessment and where the proposed items are found to vary (i.e., in sound power level, location or number) an updated assessment shall be undertaken to confirm that the operational noise levels meet the relevant criteria (noise limits). Such a matter would need to be conditioned.

Additionally, a 3m high acoustic grade fence (minimum surface density of 12 kg/m<sup>2</sup>) is required to be installed around the proposed development as detailed on the submitted plans.

Provided the above works and recommendations have been carried out, it is advised that the proposed development would be acceptable from a noise perspective with no significant impact on the surrounding residential amenity. The proposals would therefore be in accordance with Policy 23 of NPF4, Policy WB3 of the ALDP and its associated Aberdeen Planning Guidance on Noise.

Concerns regarding noise have been raised within submitted representations, and these also identify potential for construction noise. In relation to the latter, it is inevitable that there would be some disruption during construction, but the applicant would be required to adhere to reasonable working hours. Where complaints are received enforcement action may be initiated under the Control of Pollution Act 1974 by the Council's Environmental Health Service. Given the above, the concerns identified as comments 32-34 have been addressed above.

With respect to lighting, the CCTV utilises a discrete infra-red system, ensuring that no artificial light will be used on site for security purposes and lighting will only be directed into the site. Furthermore, the Planning Service has been advised that all lighting provision within the site will be switch-activated (with only the column located at the entrance and the column located on the south, next to the welfare container, being motion activated). This means that unless specific maintenance is being conducted on site, all lights within the site will remain off, thus not impacting on the surrounding area.

In terms of other aspects of amenity, the distance between the site and any surrounding uses ensures there would be no impact on daylight availability or overshadowing. Shadow flicker is associated with wind energy development, with none being generated by the proposed facility.

In terms of residential amenity, while some aspects would not have an unacceptable impact on residential amenity, there are likely to be significant impacts due visual impact. Overall, the acceptable matters do not outweigh these concerns.

*(ii) significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable.*

This matter has been considered under the green belt assessment.

*(iii) public access, including impact on long distance walking and cycling routes and scenic routes.*

The public road to the north of the site and the road to the west are at times utilised by both walkers and cyclists, but there would be no significant impact on these as a result of this development. In addition, the site itself does not accommodate any core paths or rights of way, thus there is no conflict with Policy NE2 (Green and Blue Infrastructure) of the ALDP.

A number of representations highlighted concerns with regards to the road network and access, these are highlighted as comments 40 and 41, however given the above assessment, there would be no impact on the usability of the surrounding network.



*(iv) impacts on aviation and defence interests including seismological recording.*

There is no requirement to consult Aberdeen International Airport or helicopter operators in relation to the application. No impact on aviation or defence interests is anticipated.

*(v) impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.*

No impacts on telecommunications and broadcasting installations are expected.

*(vi) impacts on road traffic and on adjacent trunk roads, including during construction.*

Policy 13 (Sustainable Transport) of NPF4 seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably and Policy T2 (Sustainable Transport) of the ALDP has similar provisions.

The submitted Transport and Access Statement indicates that, once operational, the facility would generate very infrequent vehicle trips, with the statement advising that it is unlikely that there would be more than one visit a month to undertake routine maintenance. This would have no discernible impact on traffic levels or road safety on the local road network or trunk roads. The statement has been reviewed and accepted by the Roads Development Management Team.

It is anticipated that there would be an impact during the construction of the development, if approved, however as advised in the supporting statement *'the traffic flows on roads local to the site will be subject to minor increases during the construction period, but this will be a temporary effect, distributed over some 8 months'*. Given that this is a relatively short period of time, the impact associated with the construction phase is unlikely to be significant on the surrounding area.

A number of representations highlighted concerns with regards to the road network and access, these are highlighted as comments 35 to 38, however no concerns were raised by the Roads Development Management Team regarding the impact on the local roads network. This matter was considered in the Transport and Access Statement in terms of trip generations and is deemed to be satisfactory.

*(vii) impacts on historic environment.*

The site, in respect to built heritage, is undesignated and does not accommodate any listed buildings or scheduled monuments. The closest listed buildings are located in excess of 600m south west of the site and thus the proposal would result in no undue harm to their special character.

As noted in the application description, the Pitfodells Conservation Area sits approximately 500m to the south. While this is noted as an area of concern for those who submitted representations, given the low lying nature of the development, the distance of the application site from the northern boundary of the conservation area, the topography of the land and the existing landscaping, there will be no undue harm to the conservation area as a result of this development.

This matter was raised within the representation submitted, comment 48 as highlighted above, however this matter has been considered and the proposal does not conflict with Policy D6 (Historic Environment) of the ALDP and Policy 7 (Historic Assets and Places) of NPF4.

(viii) *effects on hydrology, the water environment and flood risk.*

Policy 22 (Flood Risk and Water Management) of NPF4 expands on these matter and aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Policy NE4 (Our Water Environment) of the ALDP has similar provisions. To address these matters the applicant has produced a drainage impact assessment.

In terms of flooding, the site has not been identified at being at any particular risk from fluvial, tidal or surface water flooding, however it is noted that there is some potential surface water flooding to the west of the proposed access and to the north beyond Countesswells Road.

The proposed drainage scheme has been considered and highlighted within the supporting Flood Risk and Drainage Strategy. The report indicates that surface water runoff from the platform would be discharged to an infiltration basin and infiltrated to the ground through soakaway. Surface water runoff from the road will be allowed to runoff the existing subgrade, with any exceedance flows being conveyed through a cut-off drain to a depression in the north-east of the site to prevent flooding to Countesswells Road. This is considered acceptable given the area of the road is very small (c. 460m<sup>2</sup>, approximately 6.2% of the site developed area) and it will be constructed from a gravel permeable build-up. There are no foul drainage requirements for this proposal/site. Representations with concerns regarding an increase in the risk of flooding as a result of this development, have been received and are highlighted as comments 43 to 47, however this matter has been considered and addressed above and there are no concerns from the Structures, Flooding and Coastal Engineering Team.

Concerns regarding risk of contamination have been raised within the submitted representations, comment 27, but the applicant has advised that in the event of any fire at the development which would require water to be used in order to facilitate firefighting, water emissions from firefighting efforts will be captured by the site's own drainage system, ultimately being collected in the detention basin. Following an event, captured contaminated water would be removed by an appointed contractor, with any necessary remediation works being undertaken. The applicant advises that contaminated water will be disposed of safely and appropriately in accordance with the relevant guidelines and regulations.

The drainage proposals are acceptable and thus in compliance with the above policies.

(xi) *biodiversity including impacts on birds.*

Policy 3 (Biodiversity) and Policy 4 (Natural Places) of NPF4 both seek to protect biodiversity and to protect, restore, and enhance natural assets making best use of nature-based solutions. Policy 4 of NPF4 states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Policy NE3 (Our Natural Heritage) of the ALDP has similar provisions.

The site comprises an area of grassland and a tree belt and an Ecological Impact Assessment has been submitted in support of the proposal. The assessment has been reviewed by the Council's Climate and Environment Policy Team and is found to be appropriate. Overall, the impacts on existing habitats will be minimal owing to the extent of the development and the nature of the site, but it is noted that some mitigation and enhancement is proposed and should this be implemented The proposal is acceptable in terms of impacts and enhancement of the natural heritage on site.

Concerns have been raised regarding any impact on biodiversity and any species, these are highlighted within comment 49 and 50 above. Given the information provided in the submitted

assessment and the comments from the Climate and Environment Policy Team, these concerns have been addressed.

*(x) impacts on trees, woods and forests.*

Policy 6 (Forestry, Woodland and Trees) of NPF4 seeks to protect and expand forests, woodland and trees. It goes on to say that Development proposals that “*enhance, expand and improve woodland and tree cover will be supported*” and that “*Development proposals will not be supported where they will result in adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value*”. Policy NE5 (Trees and Woodland) of the ALDP largely reiterates these aims.

The proposal has been supported by a Tree Survey, which has been reviewed by the Council's Climate and Environment Policy Team. The survey states that only two trees require to be felled, these are identified as trees 47 and 49 on the submitted survey. However, this is due to the condition of the trees rather than felling necessary for the development. The Arboricultural Impact Assessment however, advises that two trees require to be felled for the proposed access, these are identified as 136 and 154 on the submitted plans. The Climate and Environment Policy Team advise that the overall impact will be minimal in terms of impacts on tree. However, as the proposal would see the formation of an access track, which is proposed to break through a gap between trees, this does result in construction taking place within the root protection areas of multiple trees.

It has been highlighted by officers in the Environmental Policy Team that given the species in question, (beech), it is likely that they will not tolerate such disturbance and a significant change to their rooting environment in the long-term. Therefore, it is likely that the trees will decline in health over a period of time. So, while there would be little impact on trees overall due to the number being felled, it is likely that trees will be impacted upon due to the proposed access routes. This is not in accordance with the aforementioned policies.

While the proposal would see the provision of new landscaping along the southern boundary, comprising ten native and naturalised tree species, which would connect the existing tree belts to the east and west, this is not considered sufficient to mitigate against the long term impact on mature trees. As such, the proposal conflicts with Policy 6 of NPF4 and Policy NE5 of the ALDP.

The Arboricultural Impact Assessment notes that a cellular confinement system would be installed where the proposed access route impacts on root protection areas, but in this case no specific details have been provided and such information could be requested via condition should the application be approved. The proposed tree protection plan also shows an extent of tree protection fencing proposed where the new access into the site would be formed, no details of these protection measures have been provided, but this could be dealt with by condition if required.

The loss of trees has been highlighted within several representations as comment 51, but this matter has been addressed above.

*(xi) proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration; and (xii) the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*

Policy 12 (Zero Waste) of NPF4 seeks to encourage, promote and facilitate development that is consistent with the waste hierarchy.

It is anticipated that the proposed facility would be operational for 40 years and would then be decommissioned and the land restored to a suitable state.

*(xiii) cumulative impacts.*

In addition to the matters covered by both Policy 11 of NPF4 and Policy R7 of the ALDP above, Policy R7 also requires that proposals for all energy developments to consider two further factors –

*(i) will not negatively impact on air quality.*

The battery energy storage facility would not emit any emissions and its use in the wider scale would assist in the transition to renewable energy sources, thereby indirectly reducing emissions from non-renewable energy sources and improving air quality.

*(ii) will not negatively impact on tourism*

There are no specific tourist activities associated with the site or surrounding area.

### Summary

In summary, both Policy 11 of NPF4 and Policy R7 of the ALDP require decision makers to give significant weight to the benefit which the development of renewable energy project in terms of reducing carbon emissions. However, the criteria contained within Policy 11 of NPF4 in terms of potential impacts have not been satisfactorily addressed due to the likely significant impact on the landscape character and the rural countryside and due to visual amenity, especially for those residential properties located closest to the proposed site. As such, the proposal fails to comply with Policy 14 (Design, Quality and Place) of NPF4 and Policy D1 (Quality Placemaking) of the ALDP. There are also conflicts with Policy 6 (Forestry, Woodland and Trees) of NPF4 and Policy NE5 (Trees and Woodland) of ALDP due to the loss of trees and the potential long term impact on a number of beech trees located along the eastern boundary. These concerns are not outweighed by any other matters considered above, or the benefit of reducing carbon emissions. As such, the proposal fails to meet the criteria of Policy 11 of NPF4 and Policy R7 of the ALDP.

### **Health and Safety**

Although safety incidents for battery storage energy systems are rare, a common concern is the potential fire risk from the lithium-ion batteries which are used. Lithium-ion batteries can catch fire because of a process known as “thermal runaway” which can occur, if for example, part of a battery is damaged or there is a manufacturing fault. This concern is reflected in numerous representations.

Policy 23 (Health and Safety) of NPF4 does not cover such developments specifically, however it has a general intent to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

There are no specific planning or health and safety laws relating to battery energy storage systems. However, they are typically subject to general health and safety laws that impose obligations on all employers.

Planning Advice Note 51 (Planning, Environmental Protection and Regulation) explains that planning decisions should always be made on planning grounds and in the public interest. The planning system should not be used to secure objectives that are more properly achieved under other legislation. Even where legal or administrative measures outwith the planning system may exist for controlling a particular activity, this can still be a consideration to which weight is given in reaching a planning decision.

Therefore, whilst health and safety is a legitimate material planning consideration, in considering the planning application the focus should be on locational, design and layout aspects of the proposal,

rather than any concern with the principle of using such technology or the technical design of equipment, which is controlled by health and safety and other legislation and industry standards.

To demonstrate that safety has been an integral part of the design process, the applicant has submitted an Outline Battery Safety Management Plan, which provides information on the fire safety management, explaining that the layout has been designed with the 'requirements of firefighting as a key principle', with additional space provided on the site to allow for additional equipment that may be required by the fire service.

Although not a statutory consultee in the planning process, the Scottish Fire and Rescue Service (SFRS) has been consulted on the application. The fire service highlighted the document '*Grid Scale Battery Energy Storage System Planning – Guidance for Fire and Rescue Services*' published by the UK National Fire Chiefs Council's (NFCC) in April 2023, which it would expect the applicant to consider in designing the facility. In respect to this guidance, the applicant has taken its contents into account when designing this facility, however, there are some areas where the proposal does not strictly adhere to it. For example, the guidance suggests that a standard minimum spacing of 6m between batteries, however in this case only 4m is proposed. The guidance goes on to state that if the applicant intends to reduce distances, then a clear, evidence based, case for the reduction should be shown.

In this case, the site layout shows a separation distance of 4m between the battery units. Comments were requested from the agent in response to this and they have advised that '*of all of the operational BESS facilities across the UK (of which we understand there to be c.100 now), we are not aware of any with a spacing of 6m between units. Typical spacing of battery units within BESS sites is 2-3m – less than the 4m proposed here, which has been designed to ensure access for emergency services*'. The agent also advised that '*By contrast, the National Fire Protection Association (NFPA) 855 standard is an internationally recognised and globally implemented benchmark standard for BESS fire safety which is recommended by the UK Department for Energy Security and Net Zero ('DESNZ') in their 'Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems' guidance (published March 2024). For lithium-ion BESS (as is anticipated in this development), the current NFPA 855 standards dictate that a minimum of 1m spacing is permissible between units where mitigation measures such as UL9540A testing has taken place. UL9540A is an internationally recognised battery testing certification which the applicant requires of all of their supply chain partners*'.

The applicant goes on to advise that the NFCC guidance is in the process of being updated, section 17 of the draft guidance considers spacing between battery units and removes the reference to the 6m minimum. Rather, as a backstop, the updated guidance refers to NFPA 855 and UL9540A and a minimum spacing of 1m as described above, which the proposed development exceeds significantly.

In this case, the SFRS has not provided comments specific to the spacing between batteries, however the Planning Service must take into account that this is only guidance, not a legislative requirement and considering the justification provided above and the fact that new guidance is currently being consulted upon which removes the 6m spacing suggestion, then the proposed spacing of 4m can be accepted, noting that it is well in excess of the NFPA 855 requirements.

The NFCC guidance also provides a suggestion of an initial minimum distance of 25m between occupied buildings and the site boundaries. As highlighted above, this minimum distance is exceeded, with the closest properties being 66m away. Representations submitted raise concerns that the site is located too close to the Robert Gordon's College playing fields to the east, however as this is not an occupied building, the above separation distance does not apply. However, as the playing fields are in approximately 70m from the eastern boundary of the site, with the main facility being well in excess of 150m, there are no significant concerns regarding safety.

The guidance goes on to state that *'Areas within 10 metres of BESS units should be cleared of combustible vegetation and any other vegetation on site should be kept in a condition such that they do not increase the risk of fire on site. Areas with wildfire risk or vegetation that would result in significant size fires should be factored into this assessment and additional cleared distances maintained as required'*. This proposal does meet the guidance in this respect, with the battery facilities themselves in excess of 40m from the eastern boundary and in excess of 70m from the western boundary.

With respect to the southern boundary, additional landscaping is proposed as highlighted above, however this sits within 10m of the proposed compound. In respect of this, the Outline Battery Safety Management Plan advises that *'Areas within 3m on each side of the outdoor BESS shall be cleared of combustible vegetation or other combustible growth as stated in NFPA 855'*. There appears to be some inconsistencies with regards to the advice provided within both documents, but fundamentally this will be for the applicant to manage to ensure safety within and around the site.

With respect to site access, the NFCC access states that suitable facilities for safely accessing and egressing the site should be provided and designs should be developed to include; at least two separate access points to the site to account for opposite wind conditions/direction; roads/hard standing capable of accommodating fire service vehicles in all weather conditions, with no extremes of grade; a perimeter road or roads with passing places suitable for fire service vehicles; Road networks on sites must enable unobstructed access to all areas of the facility; and turning circles, passing places.

In this case, the applicant has advised that *'The facility design has placed significant importance on the access of the fire and rescue services. Security access, road widths and turning arrangements are designed to allow the fire service to access the site safely and efficiently'*. While only one access point is provided off Countesswells Road, the applicant advises that the access road has been designed to enable fire engine access to all containers and there is suitable space surrounding the site so that in the event that fire services were required to attend the site, there is suitable access. For example, an additional gated entrance is proposed along the site's western boundary, although no vehicular access is proposed here, there is an area to the west of the site which could be utilised if required. So again, while the proposal does not meet the suggested requirements of the aforementioned guidance, the site has been designed in such a way that fire safety and safety in general is of the utmost importance. Once again as this is only guidance rather than a legislative requirement, the Planning Service are unable to require these changes are made.

A number of health and safety concerns have been highlighted in representations; these are identified as comments 17-19, 21, 22, 28, 29, 31 and 42, these matters have been addressed above.

Further to this, the comment 20, raises concerns regarding impact on public health and wellbeing of residences, while this is a material planning consideration, there is no evidence to suggest that such a development would impact upon public health.

In summary, whilst the facility would be located in proximity to residential properties and playing fields, it exceeds the recommended minimum distance from occupied buildings. In the unlikely event an incident does occur, the layout and design of the facility has been planned to limit the impact of such an incident, through the spacing of battery units, enclosure of the compound and providing emergency services with suitable access to respond. Otherwise, as with a wide range of other activities and industries, the health and safety aspects of the design and use of the facility are governed by non-planning requirements which the applicant must adhere to. There are no objections from the SFRS, as such the concerns highlighted above and those identified as 23 -26 and 30 have been addressed.

## Climate Mitigation and Adaptation

Policy 2 (Climate Mitigation and Adaptation) of NPF4 seeks to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. It goes on to require development proposals to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and adapt to current and future risks from climate change. In this regard, the site is not at any known risk of flooding, with drainage proposals designed to accommodate anticipated future rainfall. More generally, the development itself would contribute towards minimising emissions by allowing renewable energy to be used to its full potential.

## Planning Obligations

The Developer Obligations Team has assessed the proposal and given its scale, it will not impact on either the core paths or open space infrastructure to the extent that further mitigation is required in the form of financial contributions. As such, no further action is required in relation to Policy I1 (Infrastructure Delivery and Planning Obligations) of the ALDP.

## Community Council Comments and Representations

The Cults, Bieldside and Milltimber Community Council has objected to the proposal due to lack of the following; a justification regarding its siting within the Green Belt, a HSE Risk Assessment, adherence with the NFCC Best Practice Guidance. Additionally, there is no clarification on the spacing of battery containers and only one access is proposed. With respect to the Flood Risk and Drainage Assessment, there is no mention of how contaminated water will be dealt with in the event there is a fire, if the capacity of the on-site holding basin is exceeded and there has been no consideration given to toxic fumes and groundwater contamination. Finally, there is no community benefit with this proposal with no mitigation by way of financial contributions required. These matters have been addressed above.

In respect to the submitted representations, while several matters highlighted have been addressed above, the following still require to be addressed.

*Comment 39 - Impact of the grid connection on the nearby playing fields as the suggested route crosses the only vehicular and pedestrian access to that facility; and Comment 61 - Connections required for ingoing and outgoing current supplies, but no details of intended connection to network.* The delivery and installation of the cable route would be carried out by a party holding a licence under Section 6 of the Electricity Act 1989 utilising their Permitted Development rights for electrical undertakings under Class 40 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, therefore no details of a connection is required to assess this proposal.

However, information in relation to this aspect was requested from the applicant and to provide some clarification of the likely arrangements, the agent has advised that *'it is currently anticipated that the proposed development will be connected to the Craigiebuckler Substation to the east via an underground cable which is expected to run along Countesswells Road. The cable will most likely be installed by open trenching within the shoulder of the road where other services are located, in the same way that a fibre optic cable or similar would be installed'*.

*Comment 52 - Proposal contravenes Aberdeen Local Development Plan and National Planning Framework 4.*

The proposal has been assessed against the relevant local and national policies, all of which have been addressed above.

*Comment 53 - Further clarification needed on principal policies.*

No further clarification of principal policies is required and these matters have been addressed above.

*Comment 54 - Life span of batteries may be as short as 5 years and batteries require replacement posing an ongoing risk.*

This matter is not a material planning consideration and will not be considered.

*Comment 56 - Argument that this is needed to support development of sustainably produced energy is disingenuous.*

This as it is a matter of opinion and does not raise a material planning consideration.

*Comment 57 - Too much Green Belt lost to other developments already.*

This is not a matter to be considered with this proposal given that every application is assessed on its own merits.

*Comment 58 - The pursuit of net zero emissions should not serve as an excuse to destroy the countryside or harm the local area.*

This comment is noted.

*Comment 59 - A balanced approach is needed that respects and preserves our natural landscapes while advancing environmental goals.*

This comment is noted.

*Comment 60 - Loss of view and amenity.*

The loss of a view is not a material planning consideration. Matters relating to amenity are addressed above.

*Comment 62 - Responses from consultees are brief and lack detail; and Comment 63 - Key stakeholders have declined to comment or not been contacted.*

The Planning Service has consulted with the relevant stakeholders, the information provided is deemed to be sufficient for the purposes of assessing the application.

*Comment 64 - Drawings and supporting information cannot be assessed or not online.*

All drawings and supporting information are available to view online.

*Comment 65 - Quality assurance of supporting documentation required.*

All supporting information has been assessed by the Planning Service and the relevant consultees.

*Comment 66 - Consultation process (21 days) not appropriate.*

This is a statutory process outlined by planning legislation and is deemed to be appropriate.

*Comments 67 - Planning process not fit for purpose when it comes to accessing these applications.*

Planning applications require to be assessed by the local planning authority and due consideration is given to all supporting information, as well as consultee comments and matters raised within representations.

## **RECOMMENDATION**

Refuse

## **REASON FOR RECOMMENDATION**

Whilst developments such as this can be generally accepted within a green belt location, given their classification of being an essential infrastructure, thus complying with part of Policy 8 (Green Belt) and Policy 11 (Energy) of the National Planning Framework 4 (NPF4) and Policy NE1 (Green Belt) of the Aberdeen Local Development Plan 2023 (ALDP), overall it is considered that this development in this location would undermine the integrity and purpose of the green belt. This is due to the



development being sited within an area of rural countryside that is relatively unspoilt by development, particularly developments of this industrial nature. Whilst mitigation measures have been put forward by the applicant which would seek to lessen the visual impact, the concerns related to the siting such a facility in this location remain and it is also expected that there would be a significant negative visual impact of the landscape as well as those residential dwellings that sit in close proximity to the site. The proposal is therefore contrary to Policy 8 (Green Belt), Policy 11 (Energy) and Policy 14 (Design, Quality and Place) of NPF4 and Policy NE1 (Green Belt), Policy D1 (Quality Placemaking), Policy D4 (Landscape) and Policy R7 (Renewable and Low Carbon Energy Developments) of the ALDP.