



Pre-Application Forum

Report by Development Management Manager

Meeting Date: 25th May 2023

Site Address:	Land at Newton of Pitfodels, Aberdeen, AB15 7AL,
Description of Proposal:	Proposed installation of a grid battery energy storage facility (up to 40MW) with associated development
Notice Ref:	230411/PAN
Notice Type:	Proposal of Application Notice
Notice Date:	31 March 2023
Applicant:	Flexion Energy UK Storage
Ward:	Lower Deeside
Community Council:	Cults, Bieldside and Milltimber
Case Officer:	Gavin Clark



RECOMMENDATION

It is recommended that the Forum –

- a) note the key issues identified;
- b) if necessary seek clarification on any particular matters; and
- c) identify relevant issues which they would like the applicants to consider and address in any future application.

APPLICATION BACKGROUND

Site Description

The application site relates to an equestrian / agricultural field extending to approximately 2.1 hectares in size, located on the southern side of Countesswells Road. The site is bound by a number of trees to the north, east and west. The surrounding area is predominantly equestrian and agricultural in nature, but does include a number of residential dwellings, Robert Gordon's College playing fields and a garden centre and nursery to the north.

Relevant Planning History

- The applicant submitted a Proposal of Application Notice (230411/PAN) in March 2023, notifying the planning authority of their intention to submit a planning application for the proposed development and seeking confirmation of the public consultation required. The Planning Service confirmed that some further consultation would be required, in addition to that proposed by the applicant.

APPLICATION DESCRIPTION

Description of Proposal

The proposals relate to a future application for planning permission for a battery energy storage system (BESS) facility and associated infrastructure. The applicants have advised that the potential electrical capacity would not be confirmed until a detailed design stage, but it is not expected to be more than 40MW. They have also indicated a development such as this would typically include:

- battery energy storage racks typically with indicative size of 2.73m high x 1.3m wide x 1.3m long.
- MV Skids (power conversion system, transformer and rig main unit together) with an indicative size of 3.35m high by 2.5m wide x 6.1m long.
- A switch room, control room and welfare container with an indicative height of 3.5m and indicative size of 5m x 15m for the switch room and 5m x 5m for the control room.
- Fencing around the site boundary, which would be 2.4m high "V" mesh security fence.
- Security lighting and infrared CCTV system columns with an indicative high of 4.5m; and
- Associated infrastructure, which would include an access onto Countesswells Road.

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.

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate, Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 5 (Soils)
- Policy 6 (Forestry, Woodland and Trees)
- 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 (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within five years after the date on which the current plan was approved. The ALDP is beyond this five-year period.

The following policies are relevant –

- Policy D1 (Quality Placemaking by Design)
- Policy D2 (Landscape)
- Policy NE1 (Green Space Network)
- Policy NE2 (Green Belt)
- Policy NE5 (Trees and Woodland)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T5 (Noise)

Proposed Aberdeen Local Development Plan (2020)

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on the relevance of these matters to the application under consideration.

The following policies are relevant –

- Policy D1 (Quality Placemaking)

- Policy D2 (Amenity)
- Policy D4 (Landscape)
- Policy D5 (Landscape Design)
- Policy NE1 (Green Belt)
- Policy NE2 (Green and Blue Infrastructure)
- Policy NE3 (Natural Heritage)
- Policy NE5 (Trees and Woodlands)
- Policy R7 (Renewal and Low Energy Developments)
- Policy T2 (Sustainable Transport)
- Policy WB3 (Noise)

POLICY CONSIDERATIONS

Principle of Development

Policy 11 (Energy) of National Planning Framework 4 (NPF4) expresses support for all forms of renewable, low-carbon and zero emissions technologies, including battery energy storage systems. The Policy goes on to state that:

- Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated businesses and chain supply opportunities.
- In addition, project design and mitigation will demonstrate how the following impacts are addressed:
 - impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker.
 - 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.
 - public access
 - impacts on aviation and defence interests including seismological recording.
 - impacts on road traffic and on adjacent trunk roads, including during construction.
 - effects on hydrology, the water environment and flood risk.
 - biodiversity including impacts on birds.
 - proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.
 - the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans, and cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Policy R8 (Renewable and Low Carbon Energy Developments) of the ALDP 2017 advises that *“the development of renewable and low carbon energy schemes where the technology can operate efficiently and the environmental and cumulative impacts can be satisfactorily addressed will be supported in principle, if proposals: do not cause significant harm to the local environment, including landscape character and the character and appearance of listed buildings and conservation areas; do not negatively impact on air quality; do not negatively impact on tourism and do not have a significant adverse impact on the amenity of dwelling houses.”*

In addition to the above, Policy R7 (Renewable and Low Energy Developments) of the Proposed LDP (in which any likely application would be assessed) states that *“renewable and low carbon*

energy schemes will be encouraged and supported in principle, where the technology can operate efficiently, and the environmental and cumulative impacts can be satisfactorily addressed". Of the relevant criteria that the policy contains, it goes on to explain that proposals are required *"to not – cause significant harm to the local environment, including landscape character and the character and appearance of listed buildings and conservation areas; or have a significant adverse impact on the amenity of dwellinghouses"*.

In addition, Policy 1 (Climate and Nature Crises) of NPF4 requires decision makers to give significant weight to the global climate and nature crises when considering nature proposals. Battery storage would support Scotland's transition to renewable energy, a major part of addressing climate change. The proposal would therefore attract support from this policy.

Policy 2 (Climate mitigation and adaptation) requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change and Policy 3 (Biodiversity) of NPF4 requires proposals for local development *"to include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development."*

Policy 4 (Natural Places) advises *"Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported."* Policy 5 (Soils) advises that: *"Development 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 in a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing."*

Land Use Zoning

The site is zoned as Green Belt in the Aberdeen Local Development Plan and sits immediately adjacent to the Green Space Network. NPF4 Policy 8 (Green Belts) applies and has the aim of encouraging, promoting and facilitating compact urban growth and use the land around our towns and cities sustainably. More specifically, development proposals will only be supported if they fall into one of the categories listed and particular requirements are met. In the case of the current proposal, it would likely fall into the category of *"minerals developments and renewable energy developments"*. Given the emphasis placed on achieving net zero targets, it is accepted that battery storage could be considered as essential infrastructure or as a renewable energy development. That being said, it is not entirely clear it would not be definitively guaranteed that the energy stored at the site would be generated in a renewable way, rather than being generated in a renewable way, rather than being generated from traditional power stations. Further information should be submitted in regard to a supporting statement to determine whether this part of policy would support the development.

The second element of Policy 8 requires the following to be demonstrated –

1. why a green belt location is essential any why it cannot be located on an alternative site out with the green belt
2. the purpose of the green belt at this 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 on 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.

Policy NE2 (Green Belt) of the ALDP 2017 advises *“no development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal.”* Policy NE2 does include the following exemption: *“essential infrastructure (such as electronic communications infrastructure, electricity grid connections, transport proposals identified in the LDP or roads planned through the masterplanning of opportunity sites) will only be permitted if it cannot be accommodated anywhere other than the Green Belt.”*

In addition to the above, Policy NE1 (Green Belt) of the Proposed Aberdeen Local Development Plan advises that *“development in areas defined as Green Belt on the Proposals Map will not be supported. Exceptions to this general presumption will only be supported where the proposal... is directly associated with essential infrastructure such as telecommunications, electricity grid connections, transport proposals identified in the Plan or roads planned through masterplanning of sites, if they cannot be accommodated anywhere other than the Green Belt”.*

Policy NE1 (Green Space Network) of the ALDP 2017 advises that *“The Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network”.* In addition, Policy NE2 (Green & Blue Infrastructure) of the Proposed LDP advises *“development proposals will seek to protect, support and enhance the Green Space Network (identified on the Proposals Map). This broadly encompasses the wildlife, biodiversity, ecosystem services & functions, access, recreation, landscape and townscape value of the Green Space Network. Development that does not achieve this will not be supported.”*

Layout, Siting and Design & Impact on Trees

In terms of design, Policy 14 (Design, Quality and Place) of NPF4 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.

In addition, issues of layout, scale and design will need to be considered against Policy D1 Quality Placemaking, D2: Amenity and D4: Landscape of the Proposed Aberdeen Local Development Plan. Policy D1 advises that all development must ensure high standards of design and have a strong and distinctive sense of place which takes into account the context of the surrounding area and will require to offer opportunities for connectivity which take account the character and the scale of development. Developments that contribute to placemaking will help sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against six essential qualities: distinctive, welcoming, safe and pleasant, easy to move around, adaptable and resource efficient.

Policy D2 (Amenity) (which is a new policy) of the Proposed Aberdeen Local Development Plan also seeks that *“development will be designed to: make the most of any opportunities offered by the site to optimise views and sunlight through appropriate siting, layout and orientation; ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook; ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook; have a public face to the street to ensure natural surveillance, and active street frontages; ensure that refuse and recycling facilities, cycle storage, low and zero carbon technology, plant and services are sensitively integrated into the design; ensure that external lighting minimises light spillage into adjoining areas and the sky.”*

Policy D4 (Landscape) outlines that new developments will have a strong landscape framework that improves and enhances the setting and visual impact of the development, unifies urban form, provides shelter, creates local identity, and promotes biodiversity. To secure high quality

development, new development should include a landscape strategy and management plan incorporating hard and soft landscaping design specifications. The level of detail required will be appropriate to the scale of development.

Policy NE5 (Trees and Woodlands) of the ALDP 2017 advises that *“there is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation.”* Policy NE5 (Trees and Woodland) of the Proposed ALDP advises: *“development should not result in the loss of, or damage to, trees and woodlands. Development proposals will seek to increase tree and woodland cover and achieve the long-term retention of existing trees and woodlands that the planning authority consider worthy of retention. Where tree removal takes place or is necessary for good arboricultural reasons, replacement planting will be required to ensure an overall net gain in tree cover. Development that does not achieve this will not be supported”.*

Noise

Policy 23 (Health and Safety) of NPF4 indicates 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. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.”*

Policy T5 (Noise) of the ALDP advises *“there will be a presumption against noise generating developments, as identified by a NIA, being located close to noise sensitive developments”.* Policy WB3 (Noise) of the PALDP requires that there will be a presumption against noise generating developments, being located to noise sensitive developments, such as existing or proposed housing, with suitable mitigation measures in place to reduce the impact of noise to an acceptable level.

Transport

Policy T2 (Managing the Transport Impact of Development) of the ALDP 2017 advises that *“new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.”* Similar advice is provided by Policy T2 (Sustainable Transport) of the Proposed LDP.

Health and Safety

Policy 23 (Health and Safety) of NPF4 aims to protect people and places from environmental harm and mitigate risks arising from safety hazards. The Planning Service is aware of concern surrounding battery storage and their associated fire risk, as well as recent incidents with such facilities in the UK and abroad. Therefore, as part of any planning application the applicant has been asked to submit details of the measures which would be employed to mitigate such a risk.

Flooding and Drainage

Policy 22 (Flood Risk and Water Management) of NPF4, Policy NE6 (Flooding, Drainage and Water Quality) of the ALDP 2017 and Policy NE4 (Our Water Environment) of the Proposed LDP relate surface water drainage and in summary require all new developments to incorporate sustainable urban drainage systems (SUDS) to manage surface water; presume no surface water connection to the combined sewer; and to minimise the area of impermeable surface.

PRE-APPLICATION CONSULTATION

The applicants proposed to undertake a drop in exhibition on the 11th May 2023 between the hours of 12pm and 7pm, followed by a second event on the 8th June 2023 between the hours of 12pm and 7pm at Airyhall Community Centre. Two Community Councils have received a copy of the Notice (Cults Bieldside and Milltimber and Craigiebuckler and Seafield) and local Councillors in both the Hazlehead and Lower Deeside wards have been notified of the events.

In addition, the applicants proposed a leaflet drop of approximately 750m around from the site, which included 656 properties plus Robert Gordon's College as a neighbouring landowner. A leaflet was also to be posted at Airyhall Community Centre two weeks prior to the consultation event and an advert would be placed in the Press and Journal at least 7 days prior to each public consultation event.

The results of the pre-application consultation will be included in the Pre-Application Consultation Report, which will form part of the planning application submission.

NECESSARY INFORMATION TO SUPPORT ANY FUTURE APPLICATION

As part of any application, the applicant has been advised that the following information would need to accompany the formal submission –

- Arboricultural Survey and Assessment
- Design and Access Statement (statutory requirement)
- Drainage Assessment
- Noise Assessment
- Phase 1 Ecological Survey
- Planning Statement
- Pre-Application Consultation Report (statutory requirement)

RECOMMENDATION

It is recommended that the Forum –

- a) note the key issues identified;
- b) if necessary seek clarification on any particular matters; and
- c) identify relevant issues which they would like the applicants to consider and address in any future application.