

# **AGENDA ITEM 10**

## **APPENDIX 2**

**PRE/2021/0015**

**CNPA RESPONSE TO  
MAJOR PRE-APP  
PRE/2021/0013**

## Pre Application Advice Service: Response

Planning Ref:	<b>20/03131/PREMAJ</b> <b>CNPA Ref. PRE/2020/0016 (CNPA)</b> <b>Land 380M West Of East Croftmore Boat Of Garten</b>
Proposal Name	Proposal: Erection of an energy storage facility with an installed capacity of up to 49.9 MWh consisting of up to fifty energy storage units and associated equipment. Also including access and peripheral landscaping.
Date of Meeting	5 May 2021
Date of Response	19 May 2021

### Response

#### General and Policy Background

This proposal is for the erection of an energy storage facility with an installed capacity of up to 49.9 MWh consisting of up to fifty energy storage units and associated equipment will be considered in relation to the policies of the Cairngorms Local Development Plan (LDP) 2021 and associated supplementary guidance as well as any other material considerations that may apply including the National Park Partnership Plan and Scottish Planning Policy.

The LDP and associated guidance are available on this web link:

<http://cairngorms.co.uk/park-authority/planning/>

#### Principle of development

The principle of development must be considered against the relevant policies and guidance as contained within the Cairngorms National Park Local Development Plan (LDP) 2021, the Cairngorms National Park Partnership Plan 2017 – 2022 and Scottish Planning Policy (SPP, 2020).

Part 7.1 of Policy 7: Renewable Energy of the LDP sets out the criteria that all renewable energy developments must meet. Of specific relevance to this project, is that proposals will be supported where they contribute positively to minimising climate change and support sustainability; conserve and enhance the special qualities of the National Park; include appropriate means of access and traffic management, including appropriate arrangements for construction areas and compounds and adequately minimise all cumulative effects.

SPP is also a key consideration in this proposal, specifically the 'Delivering Heat and Electricity' policy. SPP recognises that 'Energy storage schemes help to support development of renewable energy and maintain stability of the electricity network in areas where reinforcement is needed to manage congestion' (*Para. 168, SPP*).

The principle for electricity storage may be acceptable subject to other relevant policies set out below. However, the planning application must demonstrate the role of this proposal in the wider network, particularly how it will support the renewable energy sources and help to maintain the stability of the electricity network.

## **Landscape Impacts**

Policy 5: Landscape states that there shall be a presumption against development that does not conserve and enhance the landscape character and special qualities of the National Park and states that any significant adverse effects on the landscape character of the Park must clearly be outweighed by social or economic benefits of national importance. Any adverse effects should be minimised and mitigated through appropriate siting, layout, scale and construction.

The CNPA's Landscape Advisor notes that the proposal will be visible from:

- The A95, the Strathspey Railway and some residences of Drumuillie in the north west.
- The property of Aldon Lodge, approximately 180m to the west.

The National Parks Special Landscape Qualities (SLQ) most likely to be affected by the proposal include Broad, farmed straths; Renowned rivers; Pine forest and birch woods; Strong juxtaposition of contrasting landscapes; and The surrounding hills.

Whilst overall 'it is predicted that the landscape possesses capacity for the type of development being proposed, strongly influenced by the existing electricity distribution site' (CNPA Landscape Advisor), the proposal is likely to be visible from the north and west in a way that the existing electricity distribution site is not. Therefore further information relating to the following key landscape issues will be required:

- Topography: The topography of the site is steeply sloping and a topographical study will be needed to inform the detailed layout of the site to minimise landscape and visual effects.
- Tree belt: The proposed 'native tree belt' needs to be extended to provide adequate mitigation of the landscape and visual effects.
- Access track: In considering the final route for the access track (different options were proposed in the initial plans), a key issue is the need to avoid impact on the existing pine trees. Exploring the option to take an access from East Croftmore is encouraged as a track from the east may offer scope to be less prominent from local viewpoints due to the undulating landform on this side, and this may limit the cumulative effects of numerous tracks within the vicinity.

**\*\* Please refer to the Landscape Advisor's detailed response which is attached \*\***

## **Environmental Impacts**

Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan states that development shall only be permitted where the integrity of the area or the qualities for which it has been designated will not be adversely affected, unless any such adverse effects are clearly outweighed by social, economic or environmental benefits of national importance.

The CNPA's Ecology Advisor noted that there is a high risk of run off from the proposed development into the water body which runs directly into the River Spey and will require water management plan/construction method statement etc. In addition, due to the protections on the River Spey (SAC) an HRA is likely to be needed once final site plan is developed.

Based on the drawing provided there is high risk of causing damage to the existing trees and their roots systems and these would need to be retained without damage. These trees which provide existing screening could be improved by under planting with native scrub and tree species which would positively impact landscape and ecological interest. As noted in the Landscape Advisors response, the 'native tree belt' would need to be widened considerably to provide adequate mitigation of landscape and visual effects from the north and west.

Detail on where cable connections, services etc are to be situated is required and existing gaps in vegetation should be utilised for this, avoiding trees before existing planting becomes established. Detail on any possible security lighting is also required to assess any potential impact on biodiversity and landscape impact.

**Process**

It is understood that this proposal will constitute a major application under the Scottish Government's hierarchy of development so appropriate pre application consultation with the community will require to be undertaken.

In addition the proposal will require to be screened to establish if Environmental Impact Assessment is required – the applicant will require to make such a request to the Highland Council who will consult with the Cairngorms National Park Authority (CNPA).

Any application would be submitted to the Highland Council for validation. Thereafter once valid, an application for this type and scale of development would be called in by the Cairngorms National Park Authority (CNPA) for determination as it constitutes a Type 1 development under our criteria for call in – more detail on this link:

<http://cairngorms.co.uk/wp-content/uploads/2016/02/151218PANApplyingForPlanningPermissionV22.pdf>

The CNPA would then offer a processing agreement setting out a timetable towards determination and identifying which Planning Committee it would be considered at. All applications determined by the CNPA are decided at Committee. The CNPA would welcome ongoing discussion on the proposals prior to submission of an application.

**Conclusion**

In order to fully consider any application detailed supporting information as set out below will be required. Submission of a *complete* package of information will help to facilitate processing, avoiding the need for re consultation with other parties and importantly enable the public to comment fully. It will also avoid, in the event of the application being supported, the need for extensive use of "suspensive" planning conditions. Information set out below represents our initial assessment and we will of course be guided by the responses of other statutory consultees who it is expected will be seeking additional information.

Key Points	Assessments to be carried out and/or submitted with application
Detailed Plans	<u>All standard plans to be provided.</u>

	<p>A proposed site layout plan, sections and elevations showing both existing and proposed ground levels in addition to proposed structures such as the battery storage containers, control building and transformers. In addition, it should include where cable connections, services etc are to be situated.</p>
<p>Landscape Impacts</p>	<p><u>Landscape reports:</u></p> <p><u>Topographical survey</u>  A detailed topographical survey of the site which should be set in context with the levels of the surrounding landscape. This topographical information needs to inform the proposed layout and design of the site. Key issues include: the height and extent of earthworks; how the earthworks would need to avoid effects on the RPAs of existing trees; how the levels of the site in combination with planting would affect visibility of the site from key receptors to the west and north; whether it is possible to have split levels across the site to fit better with the landform.</p> <p><u>Landscape design details</u> for all aspects of the proposal including proposed buildings, battery storage containers, transformers, control building, store, site office, access routes, boundary treatments (including fences, hedges or walls), lights and drainage works.</p> <p><u>A landscape plan</u> (upon a base with site contours) and specification, including plant details, sizes, numbers and locations. This information should be prepared to meet BS11091.</p> <p><u>Landscape maintenance and management proposals</u> for the site.</p> <p><u>A Construction Method Statement</u> including the approach to site preparation, soils management, restoration and reinstatement.</p> <p><u>A programme of works</u>, including information on phasing if relevant.</p> <p><u>A Landscape and Visual Impact Assessment (LVIA)</u> of the proposed development, including some computer generated visualisations from the north and west. It is advised that the LVIA would not</p>

	<p>need to be an onerous assessment or produce a lengthy report and, given the sensitivities already identified, it could be scoped to be a focused study. We would be happy to advise further on this scope.</p> <p><u>Full Tree Survey and Protection Plan</u> As set out below in Environmental Impacts.</p>
<p>Environmental Impacts</p>	<p><u>Natural Heritage / Ecology Reports:</u></p> <p><u>Extended Phase 1 Survey</u> Requirements include:</p> <ul style="list-style-type: none"> <li>• Phase 1 habitat survey</li> <li>• Walk over survey for European protected species including otter (as a SAC qualifying feature and will form part of the HRA) badger, pine marten, wildcat, red squirrel and water vole.</li> <li>• Birds of conservation concern (e.g. waders, S1 raptors, crested tit, crossbill) will be required to inform any more detailed surveys.</li> <li>• Suitability surveys for bat roosts and breeding sites as existing trees could contain suitable features.</li> </ul> <p>This survey work must be done by a properly qualified ecologist and in accordance with current best practice.</p> <p><u>Species Protection Plans</u> - If protected species are found then a SPP is required, this might also include reptiles.</p> <p><u>A Tree Survey and Tree Protection Plans</u> A tree survey and tree protection plan for the existing pine trees adjacent to the proposed development site (in accordance with BS5837). This should identify the Root Protection Areas of existing trees which will need to be protected. This needs to consider how the existing trees will be retained/ replaced over time.</p> <p><u>Habitats Regulations Appraisal</u> - There is a high risk of run off from the proposed development into the water body which runs directly into the River Spey. Due to the protections on the River Spey (SAC) an HRA is likely to be needed once final site plan is developed. Walk over survey for</p>

	<p>European Protected Species will also be required to complete the HRA.</p> <p><u>Construction Method Statement</u> - this will include:</p> <ul style="list-style-type: none"> <li>• Management of run off from proposal into the water body which runs directly into the River Spey.</li> <li>• Tree protection measures</li> <li>• Species protection plans</li> </ul> <p><u>Lighting</u> Details of any proposed security lighting are required to consider any impacts on biodiversity such as bats.</p>
Drainage	<u>Drainage Impact Assessment</u> , including information on foul and surface water drainage arrangements.
Residential Amenity	<u>Noise Impact Assessment</u> - Construction and operational noise assessments will be required.
Pre Application Consultation with the community (PAC)	<u>Pre Application Consultation Report</u> as required by Scottish Government legislation explaining how the public consultation process has informed development of the proposal and the measures taken to inform the public. It is also recommended that, (aside from the neighbour notification process which will be carried out by the Highland Council), the developer advise residents in the area of the submission of the application in the interests of good practise and public relations as it is our experience that this type of proactive work is usually beneficial.
Financial guarantee bond	A Financial guarantee bond will be required to reinstate the site at the end of consented period and will be a condition of the planning consent. It will be required to be in place prior to the commencement of development to ensure that it is able to secure the full restoration, aftercare and decommissioning of the site and is in force for the lifespan of the development.

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*Please attach any additional information as a separate file and send to  
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