

PROPOSAL OF APPLICATION NOTICE (PAN)

Reference: 23/01276/PAN

Applicant: Ylem Energy Ltd

Proposal: Proposal of Application Notice for: Installation of 50Mw battery energy storage system to balance the electricity network and facilitate renewable energy deployment

Site Address: Ardencaple Farm, Rhu, Helensburgh, Argyll and Bute

1.0 INTRODUCTION

This report informs the Planning Committee of the submission of a Proposal of Application Notice (PAN). The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was made valid on 14.08.23. The development which is subject to the PAN is of a scale which will be an application to The Planning Authority as the capacity of the storage facility will not exceed 50Mw in total capacity. (Above 50Mw would require a Section 36 Application under the Electricity Act)

The submitted information includes:

- Proposal of Application Notice
- Location Plan
- Copy of newspaper adverts
- Community Consultation Presentation Dated 10.8.23

The applicant has set out in detail their proposals to ensure sufficient opportunity is provided for the community to view and comment on the proposals in advance of the submission of a formal application. The applicants have confirmed in the PAN form that the following consultation steps will be undertaken:

- Consultation with Helensburgh Community Council
- Notification of the following Parties,
Cllr Mark Irvine
Cllr Maurice Corry
Cllr S I Paterson
Jackie Baillie MSP
- Undertaking three community consultation events
- Advertising events within the Helensburgh Advertiser

In addition to the above, the applicants have stated that they will write to all residents within a 750m radius of the proposed site and put up posters in local shops and community facilities.

Officers consider that the steps set out in the PAN are acceptable and in accordance with the requirements of the Regulations to ensure appropriate community consultation is undertaken.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The PAN provides notice of the developer's intention to submit a planning application for the erection and operation of a 50Mw battery storage facility. The proposed compound boundary comprises some 1.2 acres (120m x 40m). By means of general background the applicants submit that:

Battery Energy Storage Systems ("BESS") are rechargeable batteries which are used to store electricity imported from the grid at times of surplus. This power can come from different sources, such as solar PV, during periods of excess supply or wind generation at night when demand is low. This electricity is then discharged at times when there is demand which exceeds supply....BESS sites are similar conceptually to reservoirs which hold drinking water, or gas holders which store natural gas for heating.

The applicants have submitted a copy of their community presentation of 10.8.23 which contains additional information on the proposals, and also an illustrative layout of a similar facility to provide a general indication of the likely scale and appearance of the development. This is available to view on the public access system. (Document 22986637)

3 SITE DESCRIPTION

The proposals will be located in a field north of the West Highland Railway Line and south of existing high voltage overhead lines operated by Scottish Power. It is within the general field patterns of Ardencaple Farm located some 350m to the south east of the main farmhouse buildings.

The application site currently comprises part of a large field which appears to be used as pasture land. A band of trees is located along the Western Boundary of the site and also in the south eastern corner of the field. The applicants submit that the development is approximately 300m from the nearest residential property.

The site slopes from north to south from a high point of 100m AOD down to 75m AOD with the application site being on the lower lying part of the site adjacent to the railway line which forms the southern boundary of the site.

For Members general information, the application site is located within the Green Belt. It is not located within either the Duchess Woods or Highlandman's Wood Local Nature Conservation sites, which are located to the south, east and north of the proposed site.

4 DEVELOPMENT PLAN POLICY

In considering the merits of this PAN, a number of Development Plan Policy considerations are relevant. The policies to be considered include:

[National Planning Framework 4 \(Adopted 13th February 2023\)](#)

Part 2 – National Planning Policy

NPF4 Policy 1 – Tackling the Climate and Nature Crises
NPF4 Policy 2 – Climate Mitigation and Adaption
NPF4 Policy 3 – Biodiversity
NPF4 Policy 4 – Natural Places
NPF4 Policy 5 – Soils
NPF4 Policy 6 – Forestry, Woodland and Trees
NPF4 Policy 7 – Historic Assets and Places
NPF4 Policy 11 - Energy
NPF4 Policy 14 – Design, Quality and Place
NPF4 Policy 22 – Flood Risk and Water Management
NPF4 Policy 23 – Health and Safety
NPF4 Policy 25 – Community Wealth Building

Annex B – National Statements of Need

3. Strategic Renewable Electricity Generation and Transmission Infrastructure

Argyll and Bute Local Development Plan adopted March 2015

LDP STRAT 1 – Sustainable Development
LDP DM1 – Development within the Development Management Zones
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment
LDP 4 – Supporting the Sustainable Development of our Coastal Zone
LDP 5 – Supporting the Sustainable Growth of Our Economy
LDP 6 – Supporting the Sustainable Growth of Renewables
LDP 8 – Supporting the Strength of our Communities
LDP 9 – Development Setting, Layout and Design
LDP 10 – Maximising our Resources and Reducing our Consumption
LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 1 – Development Impact of Habitats, Species and Our Biodiversity (i.e. biological diversity)
SG LDP ENV 2 – Development Impact on European Sites
SG LDP ENV 4 – Development Impact on Sites of Special Scientific Interest (SSSIs) and National Nature Reserves
SG LDP ENV 6 – Development Impact on Trees / Woodland
SG LDP ENV 7 – Water Quality and the Environment
SG LDP ENV 11 – Protection of Soil and Peat Resources
SG LDP ENV 14 – Landscape
SG LDP ENV 16(a) – Development Impact on Listed Buildings
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance
SG LDP PG 1 – Planning Gain
SG LDP BAD 1 – Bad Neighbour Development
SG LDP Sustainable - Sustainable Siting and Design Principles
SG LDP SERV 5 – Waste Related Development and Waste Management
SG LDP SERV 6 – Private Water Supplies and Water Conservation
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP TRAN 1 – Access to the Outdoors
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
SG LDP TRAN 6 – Vehicle Parking Provision

These appear to be the most relevant policies. However this cannot be finalised until such time as a formal application has been submitted and the details of the proposals finalised.

Other Relevant Policy Considerations:

Emerging Local Development Plan (LDP2)

The emerging Local Development Plan (LDP2) will replace the current Local Development Plan 2015, once adopted. On 13th June 2023, the Scottish Government's Planning and Environmental Appeals Divisions issued their Report of Examination on the Council's LDP2. At the time of writing this Pre-application report, the LDP 2015 remains the adopted Local Development Plan, however, the Examination Report of the Draft LDP2 is a material consideration of significant weight and may be used as such until the conclusion of the LDP2 adoption process. (It is likely that this will form the statutory plan before the end of 2023 although this is subject to ongoing reporting to Members and adoption procedures).

Policy 02 – Outwith Settlement Areas
Policy 04 – Sustainable Development
Policy 05 – Design and Placemaking
Policy 06 – Green Infrastructure
Policy 08 – Sustainable Siting
Policy 09 – Sustainable Design
Policy 10 – Design: All Development
Policy 14 – Bad Neighbour Development
Policy 15 – Supporting the Protection, Conservation and Enhancement of Our Historic Built Environment
Policy 18 – Enabling Development
Policy 21 – Sites of Archaeological Importance
Policy 22 – Economic Development
Policy 30 – The Sustainable Growth of Renewables
Policy 35 – Design of New and Existing, Public Roads and Private Access
Policy 36 – New Private Accesses
Policy 37 – Development Utilising an Existing Private Access or Existing Road
Policy 39 – Construction Standards for Private Access
Policy 48 – Developer Contributions
Policy 55 – Flooding
Policy 58 – Private Water Supplies and Water Conservation
Policy 59 – Water Quality and the Environment
Policy 63 – Waste Related Development and Waste Management
Policy 73 – Development Impact on Habitats, Species and Biodiversity
Policy 77 – Forestry, Woodland and Trees
Policy 78 – Woodland Removal
Policy 79 – Protection of Soil and Peat Resources
Policy 80 – Geodiversity

- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
- UK Government's Ten Point Plan for a Green Industrial Revolution (2020),
- Energy White Paper (2020),
- Carbon Plan (2011),
- The UK Renewable Energy Roadmap (2011) (updated 2012 and 2013) and the
- British Energy Security Strategy
- Scotland's Draft Energy Strategy and Just Transition Plan and the accompanying Ministerial statement (Dated 10.1.23)

- The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009)
- Views of statutory and other consultees;
- Planning history of the site
- Legitimate public concern or support expressed on relevant planning matters

5.0 POTENTIAL MATERIAL CONSIDERATIONS

In respect of this proposal, it is considered that the following matters will be material considerations in the determination of any future planning application:

- a) LDP 2
- b) National Energy Policy Objectives;
- c) Economic Benefits;
- d) Roads, Transport and Access;
- e) Flood Risk, Water Quality and Drainage;
- f) Peat and Soils;
- g) Access and Recreation;
- h) Natural Heritage and Biodiversity (including impact on designated sites);
- i) Impact on Woodland;
- j) Built and Cultural Heritage;
- k) Design and Layout;
- l) Landscape and Visual Impact (including cumulative impacts);
- m) Noise and Vibration;
- n) Telecommunications;
- o) Construction Impacts;
- p) Any other material considerations raised within representations.

Members will note from the file that third party concerns/objections relating to the proposals have been sent to the Planning Authority as part of the PAN Consultation Process. For clarity, it is for the applicant to consider any concerns/objections at this stage and demonstrate by means of a PAC report to accompany any future major planning application how these matters have been considered.

It is not for the Planning Authority to have regard to these matters at the current time as no determination is sought on the merits of the proposal through the PAN process. Should concerns or objections remain in relation to any future planning application they can be submitted to the Planning Authority and considered at the appropriate time.

6.0 CONCLUSION

The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will most likely be considered as well as potential material considerations and key issues based upon the information received to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

7.0 RECOMMENDATION

That Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the applicants in finalising any future application submission.

Author of Report: David Moore

Date: 05.09.2023

Reviewing Officer: Peter Bain

Date: 05.09.2023

Fergus Murray
Head of Development and Economic Growth