



SUPPORTING & PLANNING STATEMENT

PROPOSED 80MW BATTERY ENERGY STORAGE SYSTEM (BESS) & ALL ASSOCIATED INFRASTRUCTURE INCLUDING CABLING & SCREENING LAND TO THE NORTH EAST OF GAGIE HOME FARM, DUNTRUNE, DD4 0PR



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1. INTRODUCTION

1.1 THE APPLICANT

Sirius EcoDev (Tealing) Ltd (“the Applicant”) is proposing to develop an 80MW Battery Energy Storage System as Phase 1 of a Solar and Storage Farm development, utilising lithium ion batteries for the storage of electricity to provide a balancing and back up supply facility to the National Grid.

(“The Application”) will encompass container units with associated infrastructure components, such as transformers, Inverters, DC and AC converters, switchgear and controllers, as well as requisite substations which will be housed within units as determined within the site layout plan.

Sirius EcoDev (Tealing) Ltd is dedicated to working to achieve sustainable, ecologically aligned developments. With over two decades of experience in the renewable energy sector, solar, Reserve Power and Battery Storage, they have an excellent understanding of how beneficial, sustainable development can be achieved within the right environments. With a strong ethos and dedicated charter Sirius EcoDev are committed to minimise environmental impact, enhance biodiversity and contribute to a cleaner, greener economy.

1.2 THE DEVELOPMENT

This application has been prepared and submitted under section 36 of the Electricity Act 1989 (‘the Electricity Act’) to construct and operate the Tealing Energy Farm, to be located within the vicinity of Duntrune; in the planning authority area of Angus Council (‘the proposed development’) and also asks that Scottish Ministers give a direction under section 57(2) of the Town and Country Planning (Scotland) Act 1997 that planning permission for the development be deemed to be granted. The proposed Phase 1 of the development consists of an 80MW energy storage facility. The city of Dundee lies in the region of 6 miles to the south with the A90 approximately 600m to the west. The village of Wellbank lies 1.58km to the east.

The proposal, Phase 1 of a two phase solar and battery storage farm development, screened for consideration of an EIA development, under Energy Consent Unit reference ECU00002167 was deemed by The Scottish Ministers as well as Angus Council, not to constitute an EIA development and that any application submitted for the solar and battery storage development will not require to be accompanied by an EIA Report. Phase 1, the battery energy storage solution, extends to approximately 4.5 acres of agricultural land. The land is Grade 3 (2) (James Hutton Institute). To the north the site has an existing access track which also serves as a foot, bridle and cycle path. This pathway will not be obstructed or closed for use by the general public.

The highest levels of environmental protection and development design will be ensured in order to protect residential, landscape and visual amenity and the natural and cultural environment.

Phase 1 of the development alone will as a minimum store and supply 116,800,000 kWh of electricity per year as an enabling technology for renewable generation. In renewable generation terms this equates to 33,000 CO2 metric tonnes saved annually and the availability to provide electricity to over 33,000 homes every year.

The development, will consist of 32 battery storage units, 32 invertors, 16 transformers, 4 132/33kV transformers, substations and control room. Internal roadway and set down areas have been

designated to aid the ease of installation and maintenance. An acoustic security fence will surround the development in order to ensure both compliance with noise standards and that there is no impact to residential amenity. Planting, as per the landscape plan will be installed to ensure that the development will be screened when mature and that the planting will add to the biodiversity and habitats in the immediate vicinity adding to and enhancing the green environment.

The compound will be partially levelled with permeable crushed stone. Raft concrete foundations for substation, transformer/inverter stations and battery containers will be constructed alongside concrete/tarmac access tracks and turning areas .

The container units housing the battery storage arrays are secure and designed to protect the contents from the elements. Each of the battery storage containers are fitted with a fire resistant insulation as well as fans acting as automatic cooling systems. It is the fan systems that create the very low level of noise emissions and which have been assessed under the site specific noise report submitted.

The site would be unmanned during operation and would be operated remotely with only rare maintenance visits. Given the compound is unmanned there is no requirement for permanent lighting; the only lighting would be IR invisible for night vision for the security cameras. This avoids unnecessary light pollution.

As we strive to meet critical targets to achieve a carbon neutral economy, as we experience the ever increasing effects of climate change, the need to be able to balance and control flows of power is crucial. It is critical to act now and to develop facilities where grid infrastructure and capacity allow.

Battery storage facilities cannot be developed in just any location and development sites are limited. There are certain site specifics that required for such a facility principally in relation to grid capacity and points of connection onto the electricity transmission network and if the development of such specialised sites is denied then this will in turn limit the potential to reach Net Zero.

1.3 NEED FOR DEVELOPMENT

The benefits of Battery Developments are three fold.

There is an increasingly urgent requirement to assist the National Grid with balancing issues throughout the electricity transmission network brought about by various sources such as fluctuating power generation as well as surges and dips in consumption. Smooth grid operation relies on the provision of rapid reactive power services either by generation or dedicated facilities to enable frequency stabilisation. Battery technology provides sub-second response times, so offer a reliable solution to a number of the Grid's balancing issues.

Balancing demand and supply in real time can be complex as the number of intermittent generators increases (renewables such as wind and solar). The need for cyclical and reactive "peaking" generation has historically been met by generation sources able to stop and start to some degree on demand. Due to advancements in technology, battery storage is now a viable and reliable instrument to provide a faster service supplementing the generation required to meet peak daily demand.

It is important to note that Battery Storage does not emit Carbon Dioxide. Further, it does not generate electricity but draws electricity (charging) when levels on the Network are above that of demand. When levels of electricity on the grid are below that of demand the electricity stored in the batteries

can be fed back (discharged) onto the network to meet the demand so that there is no loss of power to end users. It is however noted that on 27 August 2020, the Scottish Government's Chief Planner issued a letter in relation to electricity storage and the consenting regime. In this letter the Chief Planner stated that the Scottish Government considers that a battery installation generates electricity and is therefore to be treated as a generating station.

In addition, the need for standby peaking capacity has grown to meet demand when intermittent sources are not generating, or to shift electricity which is generated at times of low demand to peak periods when demand is greater (generation from wind, for example, tends to be greater at night when electricity demand is at its lowest).

There is a need by The National Grid for battery storage facilities to come on line to ensure the fluctuations within the grid supply are combatted by a reactive source which will enable the smooth operation of The Grid.

By using batteries 'smartly' an uninterruptible power supply can be provided to the local network giving a reliable and sustainable flow to any required facility such as residences, factories, hospitals, local authority buildings, commercial industries etc.

As we move forward and aim to meet targets to a carbon neutral economy, as the risks and effects of climate change are impacted upon everyday life, as cleaner and more sustainable methods of power generation are brought online, the need to be able to balance these different fluctuating generation methods, to control flows and hold essential power is crucial. For a power hungry, technologically advancing world, an intelligent method of control of generated power is an indispensable tool in modern day life. This tool has to provide a viable, sustainable, and low impact solution. Battery storage facilities are particularly important as it is a 'clean' solution to power balancing.

There is an ever increasing reliance on renewable forms of energy generation, such as wind and solar, to supply the UK's energy demands. Renewable energy sources are highly variable due to their weather dependency. As a result of the intermittent nature of renewables and the continuous requirement for National Grid (NG) to balance grid frequency (within $\pm 1\%$ of nominal system frequency, which is 50.00Hz) supporting energy balancing solutions need to be incorporated into the UK's energy strategy.

System frequency is a continuously changing variable that is determined and controlled by the second-by-second (real time) balance between system demand and total generation. If demand is greater than generation, the frequency falls while if generation is greater than demand, the frequency rises. If the transmission system is not maintained within the required frequency tolerance system stress can result in wide spread power supply issues and damage to network infrastructure.

Battery storage is a key part of this energy strategy and provides NG with balancing services to help accommodate the increasing level of renewable energy generation.

1.3.1 Electricity Market Reform

EMR brought about in the Energy Act 2013, was a major change to the UK's energy policy to make sure that the UK can generate enough electricity for everyone in the future through cleaner sources of generation. Coal powered facilities and aged nuclear facilities are being brought to end of life and

a rise in renewable energy technologies bring on line a power source that can be unpredictable in levels of generation.

The UK is generating more electricity from renewable, low carbon sources to meet climate change commitments.

With all the necessary investment and progressive developments, electricity can remain affordable for UK households and businesses.

It is estimated that over the next decade, the UK will need around £100 billion of capital investment in its electricity infrastructure to accommodate projected future increases in electricity demand and to prevent electricity blackouts.

The Development is proposed in response to the requirement for continuity of supply of electricity, particularly during periods of peak demand.

The UK's electricity grid has historically relied on large, centralised power plants such as coal or nuclear. However, old coal power plants are in the process of reducing capacity with a view to long term closure and existing nuclear power plants are reaching the end of their design lives, again with a view to long term closure.

In order to maintain the level of energy requirements and meet rising demands including long term forecasts with net zero targets, there is an obligation to meet this by means of renewable energy sources. These technologies, such as solar and wind, are intrinsically difficult to predict, which in turn makes it more difficult to balance and predict the production and flow of energy onto and off the network.

Through the Energy Act 2013 the Capacity Market (CM) mechanism was introduced to ensure security of electricity supply at the least cost to the consumer. This Development will be able to participate in the Capacity Market and a number of balancing mechanisms for the National Grid.

1.3.2 The Capacity Market

To deliver a supply of secure, sustainable, and affordable electricity, the UK needs not only investment in new generation projects and innovative technologies but to get the best out of existing assets on the network. The Capacity Market aims to deal with both these issues by bringing forward new investment while maximising current generation capabilities.

The Capacity Market aims to balance the difference between demand and supply and to bring forward investment in new generation projects and innovative technologies, in parallel to maximising the utilisation of the existing generation capacity. The Capacity Market operates alongside the electricity market, which is where most participants will continue to earn the majority of their revenues. The Capacity Market revenues are decided by auctions. In order to qualify for the auctions planning permissions need to be secured in advance of sites being entered into the auctions.

1.3.3 Balancing the Network

National Grid has a constant supply of 'extra power' available for use when the power required by customers is not equal to the power generated and a reserve supply. The Balancing Mechanism is used

to ensure that the network is in balance and reserve power is then used when the network comes under 'stress'.

When unforeseen demand is put on the network, such as when a large power station suddenly comes off line, then the National Grid control room need an alternative source of power. This is achieved from rapid responding facilities such as that proposed by the Development which can supply or absorb energy from the grid as instructed.

1.3.4 Enhanced frequency Response

Enhanced Frequency Response (EFR) is defined by NG as being: "a dynamic service where the active power changes proportionately in response to changes in system frequency. This service was aimed at improving the management of the system frequency pre-fault to maintain system frequency closer to 50Hz." EFR is borne out of the NG procurement exercise, which allows tenders to be submitted to deliver balancing services. On recognising the benefits of Battery Storage Facilities (BSFs), one procurement round solely awarded services to battery storage technologies as opposed to technologies that deliver power via diesel, gas or hydro-electrical generation.

1.4 BENEFITS OF THE DEVELOPMENT

1.4.1 Clean, Efficient and Flexible Energy Source

The battery array will provide a very flexible and rapid release of electricity to the grid without any emissions of Carbon Dioxide to the air or detrimental impact to the environment.

By importing excess energy, renewable or otherwise, from the grid and storing it, batteries can capture energy that would otherwise be lost / unutilised. In respect of their storage ability, batteries offer opportunities to support the intermittent nature of renewables by storing the excess energy they produce and importing it back into the grid when demand requires.

During situations when primary power sources (e.g. traditional power stations) are interrupted, battery storage can bridge the gap in production, thus avoiding potential blackouts.

It should be noted that the UK electricity network is wholly interconnected and issues in one geographic location can have far reaching implications on the network. Accordingly, BSFs offer additional capacity to deal with system stress and any variations in grid frequency at both a local and national level.

As recognised by NG's System Operability Framework (SOF) 5 a: "Faster response is more effective and so less response is needed if speed can be increased." Battery storage facilities are able to respond more rapidly than other types of balancing services, as they have no start-up delays. As such BSF can balance the real-time requirements of the national grid more efficiently.

1.4.2 Embedded Distributed Power

The Development has been specifically sited to ensure a viable and sustainable connection for the development. The close proximity to the network infrastructure and overhead pylon is a positive attribute to the development.

The Development constitutes Embedded Distributed Power (EDP) as it supplies power to the local distribution network at or near the point of use. By doing so it results in lower transmission losses which occur when power is transmitted over long distances; at a national level transmission losses can amount to up to 14% dependant on the region.

Local small-scale embedded distribution is less susceptible to widespread power failure because should a generating plant fail to operate, the net effect is that less generation is lost from an isolated small-scale plant failure because other similarly sized plants should remain operational. In contrast, when a large power station goes 'off line' and all of its output is lost, the effect is far greater.

However, local networks have many constraints, and with an ageing infrastructure requiring continual upgrade and maintenance, it can be difficult to identify suitable connection points with necessary capacity and 'fault headroom' for embedded distributed power.

The Applicant, after in-depth consultation with the DNO, was able to assess the local distribution networks and identify a site where the network could accept embedded distributed power and where there was a benefit to the network of balancing by the inclusion of the development within the network frame.

The Application Site meets the DNO's technical requirements as there is sufficient fault level head room and capacity to accept a connection.

1.4.3 Economic/ Employment Benefits

Potential social and economic effects can be divided into:

- Direct effects: for example, employment opportunities during construction and decommissioning of the Development.
- Indirect effects: such as employment opportunities created down the supply chain by those companies providing services to the Development during construction and decommissioning; and
- Induced effects: for instance, employment created by the additional spend of wages into the local economy.

The Development will result in contract opportunities for local and regional contractors' both for construction activities themselves and throughout the supply chain. These ideally would be sourced locally where possible, subject to professional competency and competitive tendering. The investment in the Development has the potential to generate a range of economic opportunities for local businesses, most notably employment opportunities and local spending.

Direct opportunities for local business' and contractors may include:

- Earth Excavation and ground works
- Cabling;
- Fencing;

- Quarry Products;
- Ready Mixed Concrete;
- Civil Engineering;
- Surveying;
- Plant;
- Haulage;
- Landscape and Renovation;
- Mechanical, Electrical and Supervisory Services;
- Security;
- Accommodation;

It is envisaged that there may be the potential for approximately 20 jobs generated in the local area through the construction period alone.

1.5 SITE SELECTION

Battery Electricity storage sites are primarily chosen for their access to the local electricity distribution network, which must be capable of accepting the export and capable of importing at an acceptable cost and which could then provide valuable support to local customers in times of stress on the local, and wider, electricity network. Other factors include proximity to residential, sites of sensitivity or designated areas, ecological impact, noise impact as well as flood risk and visual impacts. Further considerations are whether the site has safe ingress and access, whether there is sufficient road network and infrastructures to support the development,.

The Application Site was chosen for its proximity to the infrastructure pylon in the area where access to the local electricity distribution network is a viable option without having to travel large distances or cross major infrastructure, minimising transmission losses as well as having minimal impact to the local environs.

The Application Site does not benefit from any formal designation and has no context with any residential areas within the wider locale.

The Application Site, is well situated in relation to noise impact and, as shown within the site specific noise survey undertaken, will have no adverse impact on receptors in the local area.. The low level framework of the Development will have very little visual presence in area. Ecologically the site has undergone an ecological appraisal which conclude that the proposed development will have a negligible impact. By virtue of the installation of screen planting new habitats will be introduced and the biodiversity increased.

On completion of Phase 2, the solar farm development, an integral part of the development is the enhancement of the green environment with the creation of wildlife corridors where walkers, cyclists and riders can also safely enjoy the local environment. Tree and vegetation planting, as well as the creation of a dog walking area and a play park for the local residents of Duntrune.

This aforementioned factors clearly illustrate the suitability of the site to accommodate the proposed development.

1.6 DESIGN EVOLUTION

The final design has been achieved following a number of key layout alterations, considering specific onsite constraints. Principally this has involved:

Refinements to design were undertaken throughout the pre-application surveys and discussions as site specific details dictated.

- Consideration of residential amenity;
- Consideration of ecological habitats & biodiversity;
- Consideration of buried services and any requisite buffer zones;
- Consideration of neighbouring use;
- Consideration of existing access of existing points;
- Consideration of surface water/flooding restrictions;
- Consideration of existing infrastructure;

1.7 THE PLANNING APPLICATION SUBMISSION

The following plans and drawings are submitted with the planning application:

Site Location Plan; and Site Layout.

In addition, the following elevation drawings are also submitted:

Technical Data Sheet for candidate containerised electricity storage unit;

Typical DNO Switchroom;

Acoustic Fence.

The following information is appended to this Supporting & Planning Statement:

Appendix 1 – Site Photographs;

Appendix 2 – Typical Development Photo; and

Appendix 3 – Drainage Impact Assessment;

Appendix 4 – Ecological Study

Appendix 5 – Access and Transport Statement

Appendix 6 – Neighbour notification List and Map

Appendix 7 – Site Specific Noise Report

2. THE DEVELOPMENT

2.1 Technology

The battery manufacturing industry is continuously evolving, and designs continue to improve technically and economically. The final selection of battery technology will be chosen prior to installation, through competitive tendering, but it would fit within the maximum dimensions assessed in this planning application.

2.2 Landscape Planting

The existing site benefits from tree planting to the north however further planting, of native species will be undertaken around the whole development to ensure vegetation screening and to compliment the green nature of the area. A security/acoustic fence will be established within the site boundaries and the screening situated out with the fence. Please refer to the Landscape master Plan for full details.

2.3 Access

Access to the Application Site will be gained from the existing access road off Chapel Road, leading from Bucklershead. During construction traffic movements will be split once onto the access road with larger vehicles utilising the road directly to the site and smaller vehicles heading south on the off road leading to a field access. This will reduce the number of traffic movements passing the residential properties. Both internal access routes are shown on the submitted location plan for ease of reference. The use of the second access will allow for less traffic movements across the residential properties at The Larch and Brookdale. This reducing the impact to these residences.

Construction traffic will consist of a small number of heavy goods vehicles (HGVs), light good vehicles (LGVs) and cars.

During the operational phase of the Development traffic would be restricted to occasional maintenance visits. Further information of anticipated vehicle numbers is provided in the full access and transport statement submitted.

2.4 Drainage and Surface Water

The proposed battery storage facility will involve the installation of approximately 0.42 ha of impermeable hardstandings.

Infiltration testing to BRE365 standard has been conducted at the Site and indicates the ground at the Site is not suitable for utilising infiltration as a means of surface water discharge. In accordance with the drainage hierarchy surface water will be discharged to Sweet Burn at the greenfield rate of 1.7 l/s.

A retention pond will be constructed in the east of the Site to intercept surface water runoff up to the 1 in 200 year event plus 35 % climate change allowance and release surface water through a piped system and Hydro Brake (or other flow control device).

For full details please refer to the Drainage Impact Assessment.

2.5 Development Timeline – Construction, Operation and Decommissioning

2.5.1 Construction

The construction process would consist of the following principal activities:

- Construct access track and site preparation/ laying of hardstanding;
- Delivery of containerised units;
- Construct DNO substation building;
- Cable routing, laying and connection;
- Testing and commissioning; and,
- Site restoration.

Most of these operations would be carried out concurrently, although predominantly in the order identified, in order to minimise the overall length of the construction programme. Site restoration would be programmed and carried out to allow restoration of disturbed areas as early as possible and in a progressive manner.

2.5.2 Operation

Maintenance would be overseen by suitably qualified contractors who would visit the Development as required but typically less than twice per month. Online monitoring of performance and identification of issues would be provided on a 24 hour basis.

Ongoing track maintenance would generally be undertaken in the summer months when tracks are dry. Safe access would be maintained all year round.

2.5.3 Decommissioning

Decommissioning will take account of the environmental legislation and technology available at the time of decommissioning. Notice will be given to the Council in advance of commencement of the decommissioning works, with all necessary licenses or permits being acquired. Decommissioning will be timed to minimise its environmental impact.

The Applicant will develop a decommissioning plan, and the works will be undertaken in accordance with a statement of operations, covering safety and environmental issues during decommissioning. This will be submitted for approval at least 6 months prior to full decommissioning of the site.

3. SITE & SURROUNDINGS

3.1 Description of Application Site

The Application Site comprises of an area of approximately 4.5 acres to the north of an agricultural field bounded by a public access track to the north and fields to the east, west and south, approximately 1.39km to the north east of the small settlement of Duntrune. The residents of Duntrune will have negligible visibility and impact from the proposed development. The city of Dundee lies in the region of 6 miles to the south with the A90 approximately 600m to the west. The

village of Wellbank lies 1.58km to the east. None of the aforementioned settlements will experience any impact from the proposed development. The small settlement of Bucklershead will experience some impact from traffic movements on a short term basis and have negligible visibility to the development. The area is broadly agricultural and benefits from scattered farms and residential properties throughout the area with small settlements such as Duntrune and Bucklershead. A local primary school serves these settlements and outlying areas.. There is an opportunity to involve the local primary school in educational activities on Climate Change and the effects and how the development can offset Co2 levels amongst other positive attributes of the development.

There are no watercourses or water bodies within the Application Site itself.

There is a public rights of way immediately to the north of the site but this will not be obstructed or altered by the development.

There are no Protected Species or known archaeological or historical sites within the Application site boundary.

3.2 Land Use Surrounding Application Site

The Application Site is located in an agricultural environment with agricultural fields surrounding the site and in the wider locale. There is manmade infrastructure such as electricity pylons within and further afield of the proposed development with scattered residential and farming properties with steadings, sheds and built structures to serve farming or equestrian use in the wider area.

4. NATIONAL, LOCAL & DEVELOPMENT POLICY & SUPPORT

4.1 Introduction

On 27 August 2020, the Scottish Government's Chief Planner issued a letter in relation to electricity storage and the consenting regime. In this letter the Chief Planner stated that the Scottish Government considers that a battery installation generates electricity and is therefore to be treated as a generating station.

On 1 May 2019 an Environmental and Climate Change Emergency was declared following the finding of the Intergovernmental Panel on Climate Change. In order to avoid more than 1.5°C rise in global warming, global emissions would need to fall by around 45 per cent from 2010 levels by 2030, reaching net zero by around 2050.

In June 2019 the UK became the first major economy in the world to pass laws to end its contribution to global warming by 2050.

In October 2021 the UK Governments 'Net Zero Strategy' was launched and commits the UK to be powered entirely by clean electricity by 2035, subject to security of supply. In order to meet this target, a key component is the deployment of new flexibility measures including energy storage to help smooth out power supply and future price spikes.

4.2 Angus Council Local Policies

Whilst the application will be determined by The Energy Consents Unit, Angus Council will have a major role in deciding the application and as such the proposed development has been considered against Local as well as National policies .

On the 5th September 2019, Angus Council declared a Climate Emergency, recognising ‘the impact this will have on our quality of life now and for future generations.’

The Sustainable Energy and Climate Action Plan (SECAP) was approved on 4 November 2021 to support Angus in its commitment to sustainable development, environmental management, and the transition to a low-carbon economy.

This plan provides a roadmap, highlighting key opportunity areas where Angus can reduce Green House Gas emissions, create potential adaptation actions in response to climate change and measures to provide sustainable, affordable, and secure access to energy.

Vision:

“By 2030, Angus will be a major contributor to achieving Scotland's national climate change goals, and a leader in clean growth, environmental stewardship and sustainable communities.”

- Think global, act local – Climate change is a global challenge that affects everyone, everywhere. Underpinning all meaningful climate action is the recognition that citizens of a particular region are also citizens of the world. Climate actions can often have local environmental, economic or social benefits. However, limiting the framework of action to local considerations ultimately runs the risk of being restrictive and misdirected.

Green infrastructure

“Together with delivering Green Health Initiatives, Angus Council’s aim is to protect and enhance the functionality and connectivity of existing Green Networks within settlements and across Angus (see action L7). Green Networks are composed of green infrastructure. Green infrastructure can contribute to both climate change mitigation and adaptation and, if designed correctly, can perform many different functions including protection against flooding and erosion, strengthening habitat networks, enhancing biodiversity and improving air quality.”

ALDP Renewable and Low Carbon Energy Development Supplementary Guidance

“Solar farms can contribute to biodiversity and maintenance of land fertility through environmental management programmes, such as planting species that encourage and foster bee populations and allowing hive placement; contribute to the green network and interconnectivity of habitat and foster soil fertility. Solar farms may be located on good quality agricultural land and where possible grazing options should be considered.”

Phase 1, the battery energy storage, will also contribute to the biodiversity and maintenance of the surrounding land. The absence of typical farming activities means that the removal of heavy machinery

crossing the land will aid the reduction of long term soil compaction. By the introduction of the specifically designed SUDS it will allow soils to become more naturally aeriated which in turn improves the soil quality. The development of the surface water drainage system will also provide for improved infiltration of the land and that to the south. This can have an effect of improved drainage and less risk of flooding to the agricultural lands and residential properties in the wider area.

Local Development Plan

The policies of relevance to climate change and electricity infrastructure within the LDP are as follows;

Carbon Energy Development of Angus LDP and Policies 33 Renewable and Low-Carbon Energy.

Angus' Policy PV9 supporting renewable energy/low carbon developments subject to meeting criteria.

Emerging Local Development Plan

Angus Council are in the early stages of preparing their next LDP, titled AngusPlan. AngusPlan will be prepared under the new legislative requirements of the Planning (Scotland) Act 2019 and therefore due to current timescales for implementation of the Act, Angus Council anticipate the adoption of their plan in late 2023/early 2024.

Angus Sustainable Energy and Climate Plan

In response to the evolving climate emergency, and in order to support Scotland's national climate change targets, Angus Council has developed this Sustainable Energy and Climate Action Plan.

Angus Council proposed developing a SECAP in the Council's 2019 Summary Report in accordance with the Climate Change (Duties of Public Bodies: Reporting Requirements) Scotland Order 2015. This was agreed and approved by Angus Council on 17th October 2019.

The purpose of the SECAP is to support Angus Council in its commitment to sustainable development, environmental management and the transition to a low carbon economy. It provides a roadmap demonstrating how Angus can both reduce its carbon emissions and increase the resilience of the region to the potential impacts of climate change through concrete, deliverable actions.

ALDP Renewable & Low Carbon Energy Development Supplementary Guidance

This Supplementary Guidance was prepared to support the use and implementation of the Angus Local Development Plan (ALDP) Policy PV9: Renewable and Low Carbon Energy Development.

It establishes a Spatial Framework for onshore wind energy and detailed criteria to assist the preparation and assessment of proposals for renewable and low carbon energy development, facilitating consistent interpretation and application of the policy by:-

- Providing advice on the interpretation of ALDP Policy PV9 to develop a consistent approach to decision-making for all renewable and low carbon energy development;
- Guiding new development to appropriate and sustainable locations where impact, including on landscape quality, amenity, and natural and built heritage can be minimised;

And

- Develop policy guidance from the Scottish Government on development management considerations for renewable and low carbon energy development

In consideration of this supplementary guidance it is considered that the development meets the requisite criteria.

TAYplan Strategic Development Plan (2017)

The TAYplan Strategic Development Plan (TSDP) sets out the overall planning vision for the region over the a twenty years period covering both Angus and Perth and Kinross Council areas in addition to Fife and Dundee City Councils. TSDP looks to identify key areas for growth and sets out an overarching spatial strategy for the region.

The policy of most relevance to the Proposed Development is '**Policy 7 – Energy, Waste and Resources**' which aims to deliver a low/zero carbon future and contribute to meeting Scottish Government energy targets.

Policy 7 of the TSPD the Proposed Development is identified as a strategically significant development as it will significantly affect the operation and capacity of energy infrastructure including the regional grid connection and storage networks.

Policy 9: Managing TAYplan's Assets states that land should be identified through Local Development Plans to ensure responsible management of TAYplan's environmental and historical assets. With regard to the Proposed Development, following the implementation of mitigation no significant adverse impacts are predicted to natural or historical assets.

The Proposed Development is considered to comply with Policy 9.

The Proposed Development can draw significant support from the policies and objectives of the TSDP.

Angus LDP Policy Schedule

Natural Heritage

Policy PV1 Green Infrastructure and Green Networks

Angus Council will seek to protect, enhance and extend the wildlife, recreational, amenity, landscape, access and flood management value of the Green Network. Development proposals that are likely to erode or have a damaging effect on the connectivity and functionality of the Green Network will not be permitted unless appropriate mitigation or replacement can be secured. In some cases a developer contribution towards enhancement of the wider Green Network may be appropriate.

Green infrastructure (including open space) will require to be provided as part of new development. Proposals should identify the location and nature of the green network in the area and seek to enhance linkages wherever possible.

The proposal can draw support in that it incorporates high standards of environmental design which seeks to protect and minimise impacts to the local environment. Given the nature of the Proposed Development, access is not encouraged by the public nor is it appropriate to provide open space and access as part of the development. The Proposed Development utilises an existing tower

infrastructure and therefore is not considered to impact on existing green networks along the OHL route. It is noted that there is a foot, cycle and bridlepath to the north of the site. Any disruption to paths is not anticipated as there is no need to divert or stop access, however should a temporary stoppage during construction be required, this would be signposted and, if appropriate, a safe diversion would be put in place and discussed with Angus Council. A full Construction Environmental Management Plan will contain an Outdoor Access Plan, which would identify where any public and private accesses would be impacted by the construction works and set out appropriate mitigation, such as appropriate signage and detailing diversion routes. No likely significant effects are anticipated.

Full screening of the development will be undertaken with native species of vegetation that will be designed to fully screen the development when mature.

It is anticipated that through Phase 2 of the solar farm development a play park and dog walking area will be established, further more there are opportunities for tree planting and habitat enhancement which will all serve to increase the green infrastructure within the area.

Policy PV4 Sites Designated for Natural Heritage & Biodiversity Value

Angus Council will work with partner agencies and developers to protect and enhance habitats of natural heritage value. Development proposals which are likely to affect protected sites will be assessed to ensure compatibility with the appropriate regulatory regime.

After careful consideration and study it has been shown that there is no impact to Natural Heritage and by the addition of planting around the area, offering habitats and shelter, the biodiversity of the area will improve.

International Designations

Development proposals or land use change which alone or in combination with other proposals could have a significant effect on a Ramsar site or a site designated or proposed under the Birds or Habitats Directive (Special Areas for Conservation and Special Protection Areas) and which is not directly connected with or necessary to the management of the site, will only be permitted where:

- * an appropriate assessment demonstrates the proposal will not adversely affect the integrity of the site; or
- * there are no alternative solutions; and
- * there are imperative reasons of overriding public interest, including those of social or economic nature; and
- * compensatory measures are provided to ensure that the overall coherence of the Natura Network is protected.

National Designations

Development proposals which affect Sites of Special Scientific Interest will only be permitted where:

- the proposed development will not adversely affect the integrity of the area or the reasons for which it was designated either individually or in combination with other proposals; or

- any adverse effects on the qualities of any designated site are outweighed by social, environmental or economic benefits of national significance; and
- mitigation and restoration measures are provided.

After careful consideration and study it has been shown that there is no impact to International or National designated sites from the development.

Policy PV5 Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

there is no satisfactory alternative; and

- there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- the development would not be detrimental to the maintenance of the population of
- a European protected species at a favourable conservation status in its natural range.

Other Protected Species

After careful consideration and study it has been shown that there are no adverse impacts due to the development.

In order to ascertain whether the proposed development meets and is in accordance with the LDP policy V1, PV4 and PV5 a Phase 1 Habitat Survey was undertaken by a fully qualified ecologist. The full report is annexed for reference. The conclusion from the survey results being that The Development is situated within an arable field, which is of low ecological value. A small area of high conservation value broadleaved woodland was present to the north of the Site, however, no evidence of protected species was recorded and there will be no disturbance or impact to this area by the development ,throughout the build or lifetime of the development. Habitats of greater ecological importance, such as woodland and scrub, are mainly found out with the Site. These areas will be protected to ensure that no impact will be caused due to the development.

A range of further surveys, as well as mitigation, compensation and enhancement measures have also been recommended to safeguard local wildlife and increase local biodiversity.

Habitats present on Site are of a low ecological and conservation value, and therefore no further botanical survey is recommended however the following measures are recommended:

Vegetation clearance should be minimised wherever possible, to avoid net loss of biodiversity. If working in close proximity to the woodland adjacent to the Site, root protection areas (RPAs) should be implemented and avoided. Should works be taking place close to woodland, the use of exclusion buffer fencing (e.g., heras fencing) should be considered.

It is suggested that vegetation clearance or tree felling is undertaken outside of the breeding bird season (March - August, inclusive) to minimise the risk of legislative non-compliance associated with the Development. Where this is not possible, it is recommended that nesting bird checks are carried out by a suitably qualified ecologist immediately prior to any vegetation clearance, tree felling or other noisy operations. It should be noted that there will be no requirement for tree felling or removal of any existing woodland on the site.

Where it is not possible to retain existing scrub habitat, this will be replanted or, alternatively; native, broadleaved trees will be introduced to the Site to compensate for the loss of nesting habitat. For ground nesting species, appropriate sward height management outwith the Development footprint (i.e. leaving some areas of grassland to grow long) would compensate for any potential loss of nesting habitat within the Development footprint. Bird nest boxes will also be installed to compensate for the loss of potential nesting resources.

Several trees in the north of the Site Boundary were identified to have moderate suitability for roosting bats, as well as a building in the south with low potential. Works in close proximity to bat roosts have the potential to cause disturbance, therefore if works are proposed within 30 m of these trees or this building, then further surveys would be required to assess their use by bats.

Habitats within the wider Survey Area, e.g., the mature beech trees throughout the northern buffer, were also considered suitable for roosting bats also but as these habitats are going to be unaffected by the Development, no further surveys are required.

No evidence of badger was recorded on the Site, however suitable habitats for foraging exist, therefore there is the potential for badgers and other terrestrial mammals to be active in the area. Adjacent scattered woodland offers suitable habitat for sett creation. In order to prevent harm, the following controls will be implemented during the works, if possible:

- As suitable habitat for badger exists within the Survey Area, pre-construction badger surveys should be carried out by a suitably qualified ecologist;
- All excavations should be covered overnight to prevent animals falling into them. Excavations should be inspected daily for the presence of animals before recommencing work on them;
- Any deep excavations that are to be left open overnight should include a means of escape for any animals that may fall in;
- Where possible, works should be limited to the hours from dawn to one hour before sunset;
- The creation of large stock piles of earth should be avoided as these may be attractive for badgers and other animals;
- Store building materials above ground on pallets where possible; and
- Contact an ecologist for advice if new animal burrows are identified.

Ecological net gain will be achieved by installing bat boxes on some of the trees near to the Site, to create roosting features.

Further surveys are not recommended for herptiles however as amphibians and reptiles may be present within the Site, mitigation is recommended. The strimming of vegetation or removal of low-level vegetation during the herptile active season (March to October) should be carried out in phases and towards retained habitat.

If any amphibians or reptiles are encountered during works, these should be moved to a suitable location outwith the Site. Please refer to the full ecological study report for details.

Landscape

Policy PV6 Development in the Landscape

Angus Council will seek to protect and enhance the quality of the landscape in Angus, its diversity (including coastal, agricultural lowlands, the foothills and mountains), its distinctive local characteristics, and its important views and landmarks.

Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus. Within the areas shown on the proposals map as being part of 'wild land', as identified in maps published by Scottish Natural Heritage in 2014, development proposals will be considered in the context of Scottish Planning Policy's provisions in relation to safeguarding the character of wild land. Development which has an adverse effect on landscape will only be permitted where:

- the site selected is capable of accommodating the proposed development;
- the siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;
- potential cumulative effects with any other relevant proposal are considered to be acceptable; and
- mitigation measures and/or reinstatement are proposed where appropriate.

Built Heritage

Policy PV8 Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

After careful consideration and survey it has been shown that the development will have no unacceptable impact on Built and Cultural Heritage.

Hydrology

Policy PV12 Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- on the functional floodplain;
- which involve land raising resulting in the loss of the functional flood plain; or
- which would materially increase the probability of flooding to existing or planned development.

Full testing of infiltration and flooding has taken place and a SUDS designed for full implementation in order to ensure compliance of the development.

Policy PV13 Resilience and Adaptation

Development should not require an increase in the provision and / or maintenance of flood defences.

To increase resilience to the effects of climate change such as flood and drought, extreme weather events and rising sea levels Angus Council may require development proposals to incorporate adaptation measures .

Full testing of infiltration and flooding has taken place and a SUDS designed for full implementation in order to ensure compliance of the development.

Policy PV14 Water Quality

To protect and enhance the quality of the water environment, development proposals will be assessed within the context of:

- the National Marine Plan;
- the Scotland River Basin Management Plan and associated Area Management Plans;
- relevant guidance on controlling the impact of development and associated works;
- relevant guidance on engineering works affecting water courses; and
- potential mitigation measures.

Development proposals which do not maintain or enhance the water environment will not be supported.

Mitigation measures must be agreed with SEPA and Angus Council.

Development proposals must not pollute surface or underground water including water supply catchment areas due to discharge, leachates or disturbance of contaminated land.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

A SUDS has been designed and will be fully implemented.

Policy PV20 Soils and Geodiversity

Development proposals on prime agricultural land will only be supported where they:

- support delivery of the development strategy and policies in this local plan;
- are small scale and directly related to a rural business or mineral extraction; or
- constitute renewable energy development and are supported by a commitment to a bond commensurate with site restoration requirements.

Design and layout should minimise land required for development proposals on agricultural land and should not render any farm unit unviable.

The proposal constitutes a renewable energy development and will be supported by a commitment to restoration requirements. The development will not make the farm unit unviable.

Resources

Policy PV7 Woodland Trees and Hedges

Ancient semi-natural woodland is an irreplaceable resource and should be protected from removal and potential adverse impacts of development. The council will identify and seek to enhance woodlands of high nature conservation value. Individual trees, especially veteran trees or small groups of trees which contribute to landscape and townscape settings may be protected through the application of Tree Preservation Orders (TPO).

Woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should: protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;

- be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;
- ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- ensure new woodland is established in advance of major developments;
- undertake a Tree Survey where appropriate; and
- identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

Angus Council will follow the Scottish Government Control of Woodland Removal Policy when considering proposals for the felling of woodland.

Tree and hedge planting will be undertaken to screen the development and increase the biodiversity.

Climate Change

Policy PV9 Renewable and Low Carbon Energy Development

Proposals for renewable and low carbon energy development will be supported in principle where they meet the following criteria:

- the location, siting and appearance of apparatus, and any associated works and infrastructure have been chosen and/or designed to minimise impact on amenity, landscape and environment, while respecting operational efficiency;
- access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable change to the environment and landscape;
- the site has been designed to make links to the national grid and/or other users of renewable energy and heat generated on site;
- there will be no unacceptable impact on existing or proposed aviation, defence, seismological or telecommunications facilities;
- there will be no unacceptable adverse impact individually or cumulatively with other existing or proposed development on:

- landscape character, setting within the immediate and wider landscape (including cross boundary or regional features and landscapes), sensitive viewpoints and public access routes;
- sites designated for natural heritage (including birds), scientific, historic, cultural or archaeological reasons;
- any populations of protected species; and
- the amenity of communities or individual dwellings including visual impact, noise, shadow flicker.
- during construction, operation and decommissioning of the energy plant there will be no unacceptable impacts on:
 - groundwater;
 - surface water resources; or
 - carbon rich soils, deep peat and priority peatland habitat or geodiversity.

Where appropriate mitigation measures must be supported by commitment to a bond commensurate with site restoration requirements.

The development will contribute to national targets for energy generation and further assist the stabilising of essential network infrastructure and services without causing unacceptable levels of impact.

Miscellaneous

Policy DS4 Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight

Full survey and studies have been undertaken in order to confirm that all potential impacts such as, noise, dust, vibration, pollution or disturbance have been carefully considered in order to ensure compliance of the development. Where appropriate mitigation has been implemented to safeguard amenity.

Tayside Local Biodiversity Action Plan 2016-2026

The Tayside Local Biodiversity Action Plan (LBAP) 2016-2026 incorporates the local authority areas of Angus, and Perth and Kinross.

Legislative Framework

Natural Heritage (Scotland) Act 1991

Establishes NatureScot (formerly Scottish Natural Heritage) as the main body responsible for securing and promoting the conservation of Scotland's natural scenery, flora and fauna. Environment Act 1995

Under this Act, the Scottish Environmental Protection Agency (SEPA) and the Environment Agency are established as the regulatory bodies for contaminated land, control of pollution, conservation and enhancement of the environment and fisheries.

The Planning (Scotland) Act 2019

This Act sets six outcomes for planning in Scotland, one of which is securing positive effects for biodiversity. Conservation (Natural Habitats &c.) Regulations 1994 (as amended) (Habitats Regulations)

The Habitats Regulations 1994 (as amended in Scotland) provide the protection given to European protected species of animals and plants.

Wildlife and Countryside Act 1981 (as amended)

Protected birds, animals and plants are listed in Schedules 1, 5 and 8 respectively of the Wildlife and Countryside Act 1981 (as amended) (WCA).

The Protection of Badgers Act (1992)

The Act defines a badger sett as 'any structure or place, which displays signs indicating the current use by a badger' and NatureScot takes this definition to include, 'the presence of field signs such as bedding, fresh spoil heaps, signs of recent digging, hair, latrines, or footprints in or around the potential sett or evidence of badgers entering or exiting the structure or place in question would indicate current use of the structure/ place by a badger'

In Scotland the Wildlife And Natural Environment (Scotland) Act (2011) has made amendments to the Act; see below.

Wildlife And Natural Environment (Scotland) Act (2011)

In Scotland, the Wildlife and Natural Environment (Scotland) Act (2011) (WANE) makes amendments to previous legislation.

Nature Conservation (Scotland) Act 2004

Certain habitats have protection under the Nature Conservation (Scotland) Act 2004.

The Act requires Scottish Ministers to produce a Scottish Biodiversity Strategy, including providing a published list of habitats considered to be of principal importance for the conservation of biodiversity (referred to as the Scottish Biodiversity List). This list is to be used to assist public bodies to meet section 1 of the Act.

Environmental Liability (Scotland) Regulations 2009

Brings into force rules to force polluters to prevent and repair damage to water systems, land quality, species and their habitats and protected sites.

Deer (Scotland) Act 1996

This Act sets out NatureScot's role to further the conservation of deer native to Scotland, and perform functions as set out by the Act. It makes provisions for the conservation, control and sustainable management of deer; details what constitutes an offence in relation to deer; sets out details of enforcement of the Act, and miscellaneous provisions of the Act. It consolidates legislation in respect of deer in Scotland.

In order to ensure full compliance of all natural heritage and biodiversity a full Phase 1 ecological study has been undertaken with the full report submitted in support of the application. The proposal complies with all requisite legislation.

4.3 Planning Policy

National Planning Policy

The applicable National Planning Policies are:

- Scottish National Planning Framework 3 (NPF3); and
- Scottish Planning Policy 2014.

The NPF3 states that at an overview level the 'The 2020 Challenge for Scotland's Biodiversity aims to promote and enhance Scotland's nature, and to better connect people with the natural world. Maintaining our natural capacity to provide services makes economic sense - to help achieve this, biodiversity in Scotland needs to be viewed at a landscape scale.'

The Scottish Government expresses its planning policies through: The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN).

4.3.1 National Planning Framework (NPF)

NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006, this is now a statutory document and a material consideration in any planning application. It provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies, and local authorities.

4.3.2 Scottish Planning Policy (SPP) 2014

Scottish Planning Policy (SPP) was published on 23rd June 2014 with an updated version published on the 18th December 2020 as a result of changes to paragraphs 28, 29,30, 32, 33 and 125 of SPP. The changes relate to sustainable development and housing land supply.

SPP sets out national planning policies which reflect Scottish Government Ministers' priorities for the operation of the planning system and for the development and use of land. SPP is relevant to understanding the national context, the standard duties under Schedule 9 to the 1989 Act and is a material consideration in the decision-making process.

Presumption in Favour of Sustainable Development

SPP "introduces a presumption in favour of sustainable development" and states that:

"the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the cost and benefits of the proposal over the longer term.

The Proposed Development forms part of a strategically important category of national development which is recognised in NPF3. It is a national priority which will contribute to the Scottish Government's central purpose and national outcomes.

'A Low Carbon Place: Delivering Heat and Electricity' is of most relevance to the Proposed Development. The Proposed Development will enable and stabilise the storage and transmission of electricity across the local network from the sources of generation to centres of demand and will support the increase in renewable energy generation by enabling increased capacity to the grid.

SPP notes that the planning system should support the transformational change to a low carbon economy and support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity. The Proposed Development would contribute to this aim.

Scottish Planning Policy (SPP) June 2014 aligns itself with NPF3 and one of its policy principles states that "This SPP introduces a presumption in favour of development that contributes to sustainable development". At paragraph 28, SPP states that "the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost." The SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, and landscape and visual impacts (paragraph169).

SPP paragraph 154 states that the planning system should:

- "Support the transformational change to a low carbon economy, consistent with national objectives and targets including delivering 30% of overall energy demand from renewable sources by 2020, 11% of heat demand from renewable sources by 2020, and the equivalent of 100% of electricity demand from renewable sources by 2020."

The Development is in line with the principles set out in Paragraph 154, as it will contribute to energy generation, (as per the directive from The Scottish Governments Chief Planner) and it will make a direct contribution to the renewable energy targets and energy security for essential infrastructure.

It is therefore considered that, the principles of the development accords with National Policy.

4.3.3 Emerging National Planning Framework 4

National Planning Framework 4 will set out a new plan for Scotland in 2045. 'We have set a target of net zero emissions by 2045, and must make significant progress towards this by 2030. This will require new development and infrastructure across Scotland.'

A key theme within the Position Statement is the Scottish Government's ambitious target of meeting net zero emissions and consequently, the need to rebalance the planning system to prioritise climate change at all levels of decision making. "We will need to focus our efforts on actively encouraging all developments that help to reduce emissions".

Key opportunities to achieve net zero carbon targets includes, **"Supporting renewable energy developments, including...new and replacement grid infrastructure."**

The document sets out a new spatial strategy which seeks to 'Deliver infrastructure to reduce emissions', amongst other aims.

"As a priority, our strategy will need to facilitate the roll-out of renewable electricity and renewable and zero emissions heat technologies. We will need to switch to low and zero carbon fuel sources, and support the delivery of associated infrastructure, such as grid networks."

NPF4 has a focus on green energy and provides a spatial planning response to the Global climate emergency. This is indicative of the growing national investment in renewable energy, which must filter through to local level and consent suitable and sustainable renewable energy developments.

NPPF4 supports 'renewable energy developments, including the re-powering and extension of existing wind farms, new and replacement grid infrastructure, carbon capture and storage and hydrogen networks.'

Working in collaboration with grid operators allows for the upgrading and new infrastructure to enable connection of clean energy production where it is needed. The stabilisation of grid networks in not only towns and cities but in rural environments plays an essential role in stabilising supply to all and to allow the development of local networks. Development such as the proposed plays an essential part in this level of development. Without developments of varying scale, coupled with a mixed use of technologies that help support and improve network function, targets and goals will be missed.

'We want our places to support continued expansion of low-carbon and net zero energy technologies as a key contributor to net zero emissions by 2045.'

'Scotland's energy sector has a significant role to play in reducing carbon emissions and contributing to a green, fair and resilient economic recovery. A wide range of renewable technologies are capable of delivering these benefits, although it is likely that the onshore wind sector will play the greatest role in the coming years. The planning system should support all forms of renewable energy development and energy storage, together with new and replacement transmission and distribution

infrastructure. It should also support new and emerging technology including hydrogen and carbon capture utilisation and storage (CCUS).’

‘Policy 19: Green Energy’

‘Development proposals for all forms of renewable energy and low-carbon fuels, together with enabling works such as transmission and distribution infrastructure, and energy storage such as battery storage, should be supported in principle.’

The infrastructure and capability of networks to provide reliable power and grid support to charging points requires the development of sustainable energy production and reliable transference and storage of power on an, as and when required basis. Rural areas, especially, suffer from poor infrastructure that requires repair or upgrading. Renewable energy developments, coupled with battery storage allow for the production of clean energy locally, a safe and secure supply and demand basis and for upgrading works to be completed. The proposed development allows for upgrading works and a balancing of power supply over the grid network of the area.

‘We expect that NPF4 will confirm our view that the Global Climate Emergency should be a material consideration in considering applications for appropriately located renewable energy developments.’

‘As a priority, our strategy will need to facilitate the roll-out of renewable electricity and renewable and zero emissions heat technologies. We will need to switch to low and zero carbon fuel sources, and support the delivery of associated infrastructure, such as grid networks and gas pipelines.’

‘Introducing new policies that address a wider range of energy generation technologies for example for electrical and thermal storage, and hydrogen.’

Developments of the proposed scale allow for locally produced renewable energy to be used and stored at source or alternatively to be fed down the network to larger towns and cities as required. The nature of cities makes it more difficult for renewable, sustainable energy to be produced at source at scale and therefore a dependence on renewable energy out with large towns and cities is a necessity requiring many more decentralised generation facilities.

A flexible battery energy storage solution provides the opportunity to grow and establish a solid, reliable network, feeding to a local network whilst supporting a national grid and stabilising power provision to all. Establishing infrastructure and improving accessibility to it requires a clean, sustainable source, one to which this development can contribute on a substantive level.

‘Strategic Renewable Electricity Generation and Transmission Infrastructure’

‘This national development supports renewable electricity generation, repowering, and expansion of the electricity grid.’

‘A large increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, alongside developments and increases in storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for consumption domestically as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits.’

‘The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions.’

‘Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas.’

Localised production of renewable energy, with capacity for wider distribution, is an essential component in the provision of facilities and structure that can and will stabilise consumer supply. A development, such as that proposed, allows for the provision and stabilisation of supply to local residents and business and providing an infrastructure support to the electrical grid infrastructure.

NPP3 is also very supportive of green energy development but NPPF4 goes a step further to actively encouraging and promoting developments which can contribute and support infrastructure and aid Scotland’s progression to Net Zero and meeting essential targets to combat climate change.

It is important to note that NPF4 is not approved policy, therefore, NPF3 and SPP will remain in force as the extant policy guidance until NPF4 is formally adopted by Scottish Ministers which is expected in 2022.

4.4 National Planning & Energy Policy

4.4.1 The Electricity Act 1989

The Development will have an electricity capacity of 80 Megawatts (MW). In Scotland, energy developments that have capacity to generate over 50 MW require consent from the Scottish Ministers under the Electricity Act 1989 (the Electricity Act). In such cases the Planning Authority is a statutory consultee in the development management process and procedures.

Schedule 9 sub-paragraph 3 (1) of the Electricity Act advises that a developer:

“(a) shall have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and

(b) shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.”

Under sub-paragraph 3(2), in considering proposals, the Scottish Ministers are to have regard to:

“(a) the desirability of the matters mentioned in paragraph (a) of sub - paragraph (1) above; and

(b) the extent to which the person by whom the proposals were formulated has complied with his duty under paragraph (b) of the sub - paragraph.” At sub-paragraph 3(3), it indicates that, without prejudice to the above provisions, a licence holder and the Scottish Ministers “shall avoid, so far as possible, causing injury to fisheries or to the stock of fish in any waters.”

The provisions of Schedule 9 of the Electricity Act apply to the assessment of the Development. They set out a range of environmental matters to which regard must be had.

The Developer must assess and, if required, mitigate the effects of the Development on environmental matters.

A full study of all likely impacts have been investigated and information with requisite mitigation submitted in support to demonstrate compliance.

4.4.2 Town and Country Planning (Scotland) Act 1997

The principal planning statute in Scotland is the Town and Country Planning Act (Scotland) 1997 (the Planning Act) as amended by The Planning etc. (Scotland) Act 2006 and now the Planning (Scotland) Act 2019. Section 57(2) of the 1997 Act provides:

“On granting a consent under section 36 or 37 of the Electricity Act 1989 in respect of any operation or change of use that constitutes development, the Scottish Ministers may direct that planning permission for that development and any ancillary development shall be deemed to be granted, subject to any conditions (if any) as may be specified in the direction”.

Section 25 of the Planning Act states that: “Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

Section 57(2) of the Planning Act makes no reference to the provisions of Section 25 which requires regard to be had to the provisions of the Development Plan and the courts have confirmed that Section 57(3) does not operate so as to apply Section 25 to a decision to make a direction to grant deemed planning permission pursuant to Section 57(2)9. Accordingly, the Scottish Ministers will determine the application having regard to the statutory duties in Schedules 8 and 9 of the Electricity Act, so far as relevant, and any other relevant material considerations, one of which will be relevant aspects of the statutory Development Plan.

4.4.3 Routemap for Renewable Energy in Scotland

Securing low carbon energy supplies is a key element in achieving the target of reducing emissions by 80% by 2050 with an interim milestone of 42% by 2020. In recognition of this the Scottish Government set targets which include producing 100% of the country's demand for electricity from renewable sources by 2020, first detailed within the 2020 Routemap for Renewable Energy in Scotland. Although now superseded, the Development therefore draws significant support as a contributor to these and successive targets.

4.5 Scottish Energy Strategy

The Scottish Energy Strategy 2017: The Future of Energy in Scotland sets out the Scottish Government's vision for the future energy system in Scotland, to 2050. It articulates the priorities for an integrated system-wide approach that considers both the use and supply of energy for heat, power and transport. The Energy Strategy is designed to strengthen the development of local energy, protect and empower consumers, and support Scotland's climate change ambitions while tackling poor energy provision.

The Scottish Government published ‘Scotland's Energy Strategy Position Statement’ (2021 SES) in March 2021, which builds on the 2017 SES. The 2021 SES notes an objective to:

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

The document's energy strategies of most relevance to the Proposed Development include system security and flexibility, and renewable and low carbon solutions.

The Energy Strategy notes that "Scotland should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of our homes and businesses as our energy transition takes place". The Proposed Development will directly contribute towards this aim through supporting the generation of renewable electricity and enhancing the wider network, and therefore can draw significant support from the Scottish Energy Strategy.

4.6 National Developments

As part of the Low Carbon Place strategy the Scottish Government recognises the need for a range of infrastructure, including new developments and refurbishment or enhancement of existing facilities.

"these classes of development are needed to support the delivery of an enhanced high voltage electricity transmission grid which is vital in meeting national targets for electricity generation, statutory climate change targets, and security of energy supplies".

The Proposed Development has a direct relationship with achieving this aim and as such can draw significant support from NPF3.

5. International, European and UK Policy Context

5.1 COP 21 Paris Agreement

On 12 December 2015, 196 Parties to the UN Framework Convention on Climate Change (UNFCCC) adopted the Paris Agreement¹³, a legally-binding framework for an internationally coordinated effort to tackle climate change. The Paris Agreement's key aim is to strengthen the global response to climate change by keeping a global temperature rise this century below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. The UK is legally bound through commitment to the Paris Agreement.

5.1.1 COP26 Goals

Secure global net zero by mid-century and keep 1.5 degrees within reach

Countries are being asked to come forward with ambitious 2030 emissions reductions targets that align with reaching net zero by the middle of the century.

To deliver on these stretching targets, countries will need to:

accelerate the phase-out of coal

curtail deforestation

speed up the switch to electric vehicles

encourage investment in renewables.

Adapt to protect communities and natural habitats

The climate is already changing and it will continue to change even as we reduce emissions, with devastating effects.

At COP26 we need to work together to enable and encourage countries affected by climate change to:

protect and restore ecosystems

build defences, warning systems and resilient infrastructure and agriculture to avoid loss of homes, livelihoods and even lives.

Mobilise finance

To deliver on our first two goals, developed countries must make good on their promise to mobilise at least \$100bn in climate finance per year by 2020.

International financial institutions must play their part and we need work towards unleashing the trillions in private and public sector finance required to secure global net zero.

Work together to deliver

We can only rise to the challenges of the climate crisis by working together.

At COP26 we must:

finalise the Paris Rulebook (the detailed rules that make the Paris Agreement operational) accelerate action to tackle the climate crisis through collaboration between governments, businesses and civil society.

COP26 saw the resolution to meet the aforementioned goals and to work together to achieve these.

5.2 Committee on Climate Change Net Zero Report May 2019

In May 2019, the Committee on Climate Change published Net Zero – The UK's Contribution to Stopping Global Warming¹⁵. This report responds to a request from the Governments of the UK, Wales and Scotland, asking the Committee to reassess the UK's long-term emissions targets. The report recommends a new emissions target for the UK: net zero gases by 2050, and recommends a 2045 net-zero target for Scotland to reflect Scotland's greater relative capacity to remove emissions than the UK as a whole. The Report highlights the falling cost of key renewable technologies, which are now generally comparable or lower in cost than power from fossil fuels, whilst bringing significant co-benefits such as reduced air pollution.

5.3 The Climate Change Act 2008 (2050 Target Amendment) Order 2019

On 27 June 2019, the Climate Change Act 2008 was amended to introduce a target for at least a 100% reduction in greenhouse gas emissions (compared to 1990 levels) in the UK17 by 2050. This 'net zero' target is likely to affect and increase future Government renewable and low carbon energy targets and create a more positive policy environment for renewable energy.

The Climate Change (Scotland) Act 2009 (the 2009 Climate Change Act) creates a long term framework for the current and successive administrations in Scotland to ensure a reduction in Scottish greenhouse gas emissions by 80% by 2050 with an interim milestone of 42% by 2020.

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

The Scottish Government introduced the new Climate Change (Emissions Reduction Targets) (Scotland) Bill (the Climate Change Bill) to Parliament on 23rd May 2018, and was passed on 25th September 2019, and received Royal Assent on 31st October 2019, becoming the Climate Change (Emissions Reduction Targets) (Scotland) Act 201911 (the 2019 Climate Change Act).

The 2019 Climate Change Act amends the 2009 Climate Change Act and originally increased the 2050 target to 90%. In line with advice from the Committee on Climate Change (CCC) on 2nd May 2019, the Scottish Government amended the Climate Change Bill to set a target date of 2045 for reaching net-zero emissions, as per the resultant 2019 Climate Change Act.

The Climate Change Act 2008 (2050 Target Amendment) Order 2019 sets a legally binding target to bring all greenhouse gas emissions to net zero by 2050, compared with the previous target of at least 80% reduction from 1990 levels.

This has seen an increase in the development in renewable energy generation which in turn requires an increases in balancing services, such as the Proposed Development.

Traditional power stations in the UK are reaching the end of their operational lifespan with extensions and new operational stations being limited or actively discouraged. It is anticipated that existing power stations of traditional methods will end by 2030. As more renewable energy sources, such as wind and solar, are generating electricity the balancing of these sources versus demand to consumer is a critical issue for grid stability. Battery storage allows energy to be stored during peak renewable generation periods and allows it to be released when demand outstrips generation with no CO2 emissions on site. This increase and reliance on renewable energy generation equates to a system of high grid frequency volatility. There is therefore a critical need to address our future energy demands and ensure that a system that is fit for purpose is developed.

A flexible approach to energy generation is required in order to provide backup supply for renewable energy sources. "the more renewable generating capacity we have the more generation capacity we will require overall, to provide back-up at times when the availability of intermittent renewable sources is low."

There is a need, by The Government, for new balancing services to come forward through the planning system to support low carbon electricity generation and to ensure energy security. The Proposed Development is considered consistent with these aims.

The Government seeks to ensure that, by 2030, the UK will have a flexible, smart and responsive electricity system, powered by a diverse and secure range of low-carbon sources of electricity with the majority being from a renewable source. In order to achieve this there is a need to decarbonise electricity generation and transform the UK into a low carbon economy. These actions will make great

strides to meeting renewable energy targets. There is predicted to be an increased demand for electricity, likely to be double by 2050, this is despite improvements in energy efficiency from domestic and non-domestic sources. A critical component in attaining the goals of The Government is the responsive support of a sustainable infrastructure build to meet the future demands of the population.

5.4 Progress in Reducing Emissions – 2021 Committee on Climate Change

Progress Report to Parliament

The 2021 Committee on Climate Change (CCC) Progress Report to Parliament was published in June 2021 and provides a review of Government efforts over the previous 12 months with regards to Climate Change. While UK emissions fell by 13% in 2020, much of this decline was likely a result of the Covid-19 pandemic and as such, lasting changes are far from certain. The CCC report recommends taking action to transition to a fully decarbonised electricity system. Furthermore, it sets a target to phase out gas-fired electricity generation in the UK by 2035, subject to ensuring security of supply.

There has been significant progress in the transition to renewables, with emissions from electricity having decreased by 65% from 2009 to 2019. However, the CCC report notes that generation shares from renewable resources will need to increase to support the transition to electric vehicles. The International Energy Agency has identified solar power as producing some of the cheapest electricity in history and forecasts that if there is a rapid built-out of renewables (particularly solar and wind), net zero emissions for the power sector can be achieved by 2035 in advanced economies.

5.5 The Sixth Carbon Budget: The UK's path to Net Zero

On 9 December 2020, The Sixth Carbon Budget (2022-2037) was released which updates intermediary targets for the UK's progress to net zero.

“Our recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. In effect, it brings forward the UK's previous 80% target by nearly 15 years. There is no clearer indication of the increased ambition implied by the Net Zero target than this.”

In establishing intermediary targets towards net zero, the context exists for Local Authorities to recognise the action that must be taken sooner rather than later.

“The implication of this path is clear: the utmost focus is required from government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge – the UK will not deliver Net Zero by 2050.”

National Audit Office – Achieving Net Zero

Published on 2 December 2020, the National Audit Office report to the UK Government examined the main threats to achieving net zero effectively and efficiently. The report is forthright that most of the UK reductions in emissions has come from the switch away from coal in electricity generation. Whilst reducing emissions further will require wider changes to the UK economy, further investment in renewable electricity generation will be required.

The Department for Business, Energy and Industrial Strategy projects that the UK will not meet its targets for emissions reduction unless action is taken to reduce the shortfall in achieving the targets set in the fourth and fifth carbon budgets.

“Achieving net zero is a colossal challenge and significantly more challenging than the Government’s previous target to reduce emissions by 80% by 2050.”

The report confirmed that BEIS would launch a net zero strategy.

Net Zero Strategy: Build Back Greener

The strategy, published on October 2021, prior to COP26, sets out policies and proposals for decarbonising all sectors of the UK economy to meet our net zero target by 2050.

‘This Strategy sets out the next steps we will take to cut our emissions, seize green economic opportunities, and leverage further private investment into net zero. The policies and spending brought forward in the Net Zero Strategy mean that since the Ten Point Plan we have mobilised over £26 billion of government capital investment for the green industrial revolution. Along with regulations, this will support 190,000 jobs by 2025, and 440,000 jobs by 2030, and leverage up to £90 billion of private investment by 2030. This will put us on an ambitious path to meet our Sixth Carbon Budget and our Nationally Determined Contribution, cutting emissions by at least 68% by 2030 on 1990 levels, and reaching net zero by 2050.

We know economic growth and reducing emissions can go hand-in-hand. As we continue to build back better from the COVID-19 pandemic, we will fuel a Green Industrial Revolution, creating jobs and business growth opportunities, and establishing the UK as a global leader in the technologies to tackle climate change. We will deliver the commitments in the Prime Minister’s Ten Point Plan and Build Back Better: our plan for growth, and go further to build a resilient economy and level up the UK.’

Foreward from The Secretary of State for Business, Energy and Industrial Strategy

‘Key policies:

- **By 2035 the UK will be powered entirely by clean electricity, subject to security of supply.**
- Secure a final investment decision on a large-scale nuclear plant by the end of this Parliament, and launch a new £120 million Future Nuclear Enabling Fund, retaining options for future nuclear technologies, including Small Modular Reactors, with a number of potential sites including Wylfa in North Wales.
- 40GW of offshore wind by 2030, with more onshore, solar, and other renewables – **with a new approach to onshore and offshore electricity networks to incorporate new low carbon generation and demand in the most efficient manner** that takes account of the needs of local communities like those in East Anglia.
- Moving towards 1GW of floating offshore wind by 2030 to put us at the forefront of this new technology that can utilise our North and Celtic Seas – backed by £380 million overall funding for our world-leading offshore wind sector.
- **Deployment of new flexibility measures including storage** to help smooth out future price spikes’

5.6 HM Government Energy White Paper – Powering our Net Zero Future

On 14 December 2020, Alok Sharma MP, then Secretary of State for Business, Energy and Industrial Strategy announced the launch of the Energy White Paper. The White Paper set out the UK Governments strategy to put net zero into practice and for fighting climate change, following the Prime Ministers Ten Point Plan for a Green Industrial Revolution.

‘Coronavirus has taken a heavy toll on our society and on our economy. But we will overcome COVID-19 and rebuild our economy, building back better and levelling up the country.

As we do so, we must address the inter-generational challenge of climate change. Unchecked, the impact of rising global temperatures represents an existential threat to the planet. So, building back better means building back greener.

The UK has set a world-leading net zero target, the first major economy to do so, but simply setting the target is not enough – we need to achieve it. Failing to act will result in natural catastrophes and changing weather patterns, as well as significant economic damage, supply chain disruption and displacement of populations.’

This white paper puts net zero and our effort to fight climate change at its core, following the Prime Minister’s Ten Point Plan for a Green Industrial Revolution.

Alok Sharma MP, then Secretary of State for Business, Energy and Industrial Strategy

The White Paper sets out the measures that need to be put in place to achieve the carbon emission targets for the UK. These include a major shift in energy use from fossil fuels to clean electricity and hydrogen whilst retaining reliability, resilience and affordability.

5.7 Climate Change Plan

The Scottish Government published a Climate Change Plan update in December 2020 which reflects the increased ambition of the new targets set by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. To meet Scotland’s targets, a rapid transformation across all sectors of our economy and society is required.

‘Amid the enormous challenges of the global pandemic, the climate emergency has not gone away – far from it – and the Scottish Government remains absolutely committed to ending Scotland’s contribution to climate change by 2045 in a just and fair way. Indeed, it is central to our recovery. We have the opportunity to design a better future and, coming out of the pandemic, put things back together differently.

That is why we have committed to a ‘green recovery’ from COVID-19, one which captures the opportunities of our just transition to net zero. That means creating green jobs, developing sustainable skills and nurturing wellbeing. This approach recognises climate change as a human rights issue and the transition to net zero as an opportunity to tackle inequalities. It is an approach that is fundamentally important to the future prosperity of our people and planet.

Put simply, a green recovery is our commitment to transition to net zero emissions in a way that is just, and that delivers a thriving, sustainable economy that works for all of us.’

Ministerial Foreword

Setting a 'carbon neutral', net-zero target of 2045 is 5 years ahead of the rest of the United Kingdom's target of 2050. The Government has set ambitious targets for reduction of carbon emissions and renewable energy projects, carbon neutral projects, such as the Development, play a key role in aiding the decarbonisation of the energy sector.

CONCLUSIONS

Through study and reporting it has clearly been shown that the development is in full compliance with all Local and National policy. In determining the Application, whilst Angus Council Local Policies are important and relevant, Angus Council Local development Plan does not have statutory status but is a material consideration. It is shown that the development by its nature, position and purpose does comply with Angus Council Local Development Plan policy it also, importantly fully complies with National Energy and Planning Policy. The Application is fully supported by a suite of technical and environmental documents and mitigation strategies to demonstrate full policy compliance and to show that there will be no adverse impact as a result of the Development. Furthermore Phase 1 of the development will ensure that positive steps are taken in contributing to meeting targets to reach Net Zero and that the sustainable development can aid the infrastructure of the future to meet ever increasing demands.

Phase 1 of the development alone will as a minimum store and supply 116,800,000 kWh of electricity per year as an enabling technology for renewable generation. In renewable generation terms this equates to 33,000 CO2 metric tonnes saved annually and the availability to provide electricity to over 33,000 homes every year.. This is a valuable contribution and cannot be overlooked. We cannot achieve these targets and make these changes by thinking about residential changes alone, it needs an accumulation of small, medium and large scale developments of renewable energy, a mix of technologies and a determined attitude to make it work. This development is situated where essential infrastructure can support the development and the development can support the grid network. There is no unacceptable adverse impacts from a landscape, visual impact or noise perspective and no unacceptable adverse impact to residential amenity, , ecological, natural heritage archaeological or historical heritage assets. There will be no adverse impact on the geological or hydrological environment.

Given that it is clearly shown compliance with International, National as well as Local policy and that there will be no adverse impacts due to the development, it is respectfully requested that Section 36 consent with a direction under section 57(2) of the Town and Country Planning (Scotland) Act 1997 that planning permission for the development be deemed to be granted for the Tealing Battery Energy Storage System and all associated infrastructure including cabling and screening is approved by the Scottish Ministers.