

Report

Report to:	Planning Committee
Date of Meeting:	16 August 2022
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/22/0472
Planning proposal:	Installation of 49.9MW battery storage facility with associated infrastructure

1 Summary application information

Application type:	Detailed planning application
Applicant:	Cathkin Energy Storage Limited
Location:	Land 125M Northwest Of East Kilbride 275kV Grid Substation East Kilbride South Lanarkshire

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s): -

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 09 East Kilbride West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**
Policy 1 Spatial Strategy
Policy 2 Climate Change
Policy 4 Green Belt and Rural Area
Policy 5 Development Management and Placemaking
Policy 14 Natural and Historic Environment
Policy 15 Travel and Transport
Policy 16 Water Environment and Flooding
Policy 18 Renewable Energy
Policy RE1 Renewable Energy
Policy DM1 New Development Design
Policy SDCC2 Flood Risk

Policy SDCC3 Sustainable Drainage Systems

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Environmental Services

Roads Development Management Team

Roads Flood Risk Management

SP Energy Network

Countryside And Greenspace

West Of Scotland Archaeology Service

Health & Safety Executive

Planning Application Report

1 Application Site

- 1.1 The application site is a one hectare area of agricultural land located directly to the northwest of an existing electricity substation at Highflat Farm near East Kilbride. The site sits immediately adjacent to an existing sub station. To the west of the site is the former Cathkin Landfill which has now been restored and is undergoing its aftercare period of the restoration. The unclassified Highflatt Road runs along the south of the site. Apart from Cathkin Landfill and the substation the site is bounded by agricultural land.
- 1.2 The site is open agricultural land with an approximate 2 metre slope running north to south. Whilst not the whole site, part of the site to the north is located within the consultation buffer zone of a high pressure pipeline which runs east to west to the north of the site.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the construction and operation of a Battery Energy Storage System for the storage of electricity, comprising up to 27 battery storage containers, ancillary infrastructure, substation, access road, 3 m high security fencing, CCTV and security lighting. Access is to be taken directly off Highflatt Road. The proposed battery is to have a storage capacity of approximately 49 Mega Watts (MW). The site would be secure and includes equipment to allow 24hour monitoring of the batteries remotely with no full-time staff on site. The proposals also include fire safety measures, including an early warning system for monitoring potential gas build up, automatic power disconnection and alarm system, an inert gas system to displace oxygen if required and an internal sprinkler system.
- 2.2 The applicant has advised that the proposed batteries are to allow for the storage of energy at times when generating stations are working at full capacity which can then be released when additional power is needed within the grid during peak times or when energy generation has dropped. As more energy sources are now renewable, such as wind and solar, balancing generation versus demand is a critical issue for grid stability. Battery storage allows energy to be stored during peak renewable generation periods and released when demand outstrips generation. In short, the proposed battery takes in generated electricity when there is a surplus and stores it until there is a demand for electricity which can be released to meet this demand. The proposed batteries would be fed from and transmit back to the adjacent substation via underground cabling.
- 2.3 It should be noted that the energy stored within the batteries will be from all available sources. However renewable energy production has the most variable rates of output and therefore whilst the electricity transmitted to the batteries may not solely be renewable it's storage and subsequent release when needed is considered to meet the need for grid stability due to the further reliance on renewable energy. It is therefore considered that in essence the battery storage can be classed as renewable electricity infrastructure given the increased need for grid stability as renewable energy generation increases. As more traditional energy sources such as coal and gas are being decommissioned and renewable energy sources are replacing them, balancing generation versus demand is becoming more critical due to the more sporadic nature of renewable energy development. Grid stability is therefore essential as the transition to renewable energy continues and battery storage is therefore considered an essential part of this need for ongoing grid stability.

3 Background

3.1 National Policy

- 3.1.1 National Planning Framework 3 (NPF3) June 2014 sets out the long-term vision for the development of Scotland and is the spatial expression of the Scottish Government's Economic Strategy. It has a focus on supporting sustainable economic growth which respects the quality of the environment, place and life in Scotland and the transition to a low carbon economy. The framework sets out strategic outcomes aimed at supporting the vision – a successful, sustainable place, a low carbon place, a natural, resilient place and a connected place. NPF 3 also notes in paragraph 3.8 "We want to meet at least 30% of overall energy demand from renewables by 2020".
- 3.1.2 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 (paragraph 169).
- 3.1.3 As noted in 2.3 above, the proposals would aid grid stability as renewable energy generation increases. It is therefore considered that, subject to the detailed assessment against the Development Plan criteria as set out in Section 6 below, the principle of the development accords with National Policy.

3.2 Development Plan Status

- 3.2.1 The proposed development requires to be considered against the approved Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP). The GCVSDP is a high level, strategic document and it is considered that proposals of this scale would not have any strategic implications within the Strategic Development Plan Area. As such there is no detailed assessment of the proposals against this strategic Plan.
- 3.2.2 Following formal adoption on 9 April 2021, the proposals are required to be assessed against the South Lanarkshire Local Development Plan 2 (SLLDP2).

In this regard, the application site and associated proposal is affected by the following policies contained in SLLDP2:-

Volume 1

1. Policy 1 Spatial Strategy
2. Policy 2 Climate Change
3. Policy 4 Green Belt and Rural Area
4. Policy 14 Natural and Historic Environment
5. Policy 15 Travel and Transport
6. Policy 16 Water Environment and Flooding
7. Policy 18 Renewable Energy

Volume 2

1. Policy SDCC2 Flood Risk
2. Policy SDCC3 Sustainable Drainage Systems
3. Policy DM1 New Development Design

4. Policy RE1 Renewable Energy

3.3 Planning Background

- 3.3.1 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.
- 3.3.2 In light of this statement and due to the fact the proposals have a capacity of over 20MW, they are considered to be classed as a Major application within the Electricity Generation category of the Hierarchy of Development. As such the applicant carried out the statutory Pre-Application Consultation (Planning Ref: P/21/0005/PAN) required for Major applications. The current application submission includes the required Pre-application Consultation Report following this consultation procedure.
- 3.3.3 A previous application for a proposal of this nature on the site was submitted in 2018 (P/18/0528) but at the time grid connection could not be guaranteed and the application was therefore withdrawn. The current application submission notes that grid connection has now been secured.

4 Consultation(s)

- 4.1 **Roads Development Management** – originally requested additional details regarding swept path analysis for construction vehicles, a speed survey in relation to defining the visibility splays required, passing places and an updated construction management plan. Following receipt of these details, Roads offer no objections to the proposals subject to conditions relating to the construction of the access road, visibility splays, passing places, a dilapidation survey and the further agreement of a Construction Traffic Management Plan (CTMP), including details of access and parking for staff and visitors, working hours, management of deliveries and wheelwashing facilities.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.2 **Environmental Services** – content with the noise impact assessment (NIA) submitted as part of the application and have no objections subject to the mitigation proposed within the NIA, namely that compliance and validation measurements shall be carried out by an appropriately qualified, independent consultant.
Response: Noted. An appropriate condition can be attached to any consent issued.
- 4.3 **Countryside and Greenspace** – no objections to the proposals.
Response: Noted.
- 4.4 **West of Scotland Archaeological Service (WoSAS)** – note that there is potential for the site to contain archaeological interest and therefore a programme of archaeological works should be carried out before any construction commences.
Response: Noted. An appropriate condition can be attached to any consent issued.
- 4.5 **Health and Safety Executive** – given part of the site is located within the consultation buffer zone of a high-pressure pipeline, a Health and Safety Executive consultation via their planning advice web app was carried out. The response was that the HSE does not advise against the granting of planning permission in this case.
Response: Noted. Whilst separate to the planning process, it should also be noted that the applicant has discussed the proposals with the pipeline operator to ensure they are updated of the project. The application site is not within the easement of the pipeline, so no formal legal permission is required from the operator but, in the interests of good practice have kept them updated.

4.6 The following consultees had no comments to make on the proposals:-

- ◆ Roads Flood Risk Management
- ◆ Scottish Power Energy Networks

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal advertised in the local press for non-notification of neighbours. Following this publicity no letters of representation were received.

6 Assessment and Conclusions

- 6.1 Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GCVSDP) and the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). As noted in 3.2.1 above, it is considered that the GCVSDP is a strategic, high-level document and an application of this scale and nature does not raise any strategic implications. Therefore, no further assessment against this document is required.
- 6.2 SLLDP2 Policy 1 'Spatial Strategy' states that developments that accord with the policies and proposals of the development plan will be supported. The application site is on land designated as Green Belt within the SLLDP2 therefore Policy 4: Green Belt and Rural Area is of relevance. This policy states that the Green Belt functions primarily for agriculture and other uses appropriate to the countryside. Isolated and sporadic development will not be appropriate. Policy GBRA2 provides a list of uses that are suitable in the Green Belt including renewable energy proposals. In addition the site is adjacent to the existing sub station and is not therefore isolated. The proposals therefore comply with Policy 4.
- 6.3 It is considered that the location of the proposals adjacent to an existing substation allows the minimum amount of transmission infrastructure to be required to connect the battery proposals to the national grid. This is considered an adequate justification for the location within the Green Belt. It is therefore considered that the proposals accord with the relevant criteria and provisions of SLLDP2 in this regard.
- 6.4 Policy 2 'Climate Change' of the SLLDP2 states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. As noted in 2.3 above, whilst the electricity transmitted for storage within the proposed batteries will have come from a mixture of renewable and non-renewable sources the purpose of the batteries is to ensure there is always grid stability. As renewable energy becomes more prevalent, grid stability becomes a significant issue due to the intermittent nature of renewable energy generation. As such it is considered that the batteries purpose is intrinsically linked to renewable energy generation and therefore can be viewed as renewable infrastructure to support increased renewable energy generation. Therefore, the proposals are considered to be in accordance with the aims of this Policy.
- 6.5 Policy 5 'Development Management and Placemaking' states that development proposals should take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community. This advice is supported within SLLDP2 Policy DM1 'New Development

Design. In this instance, and given the nature of the proposals, the design proposed is functional in form and involves the siting of up to 27 containers to house the batteries. The containers are approximately 2.4 metres in height with the substation control building being the tallest structure at 3.9 metres. A 3 metre high, security fence would surround the whole site. It is considered that the scale of the proposals is similar to the existing substation located adjacent to the site. This results in the proposals being in keeping with the character of the immediate area and would not dominate the surrounding landscape. A functional battery building would not detract from the amenity of the area and would be read as essential electricity infrastructure and an extension of the substation complex. Screen planting is also proposed to further soften the proposals visual impact. It is therefore considered that the design of the proposals would not be detrimental to the surrounding area and any visual impact is minimised by the site's location being clustered next to the substation.

- 6.6 In terms of the impact the proposals would have on the amenity of the area, including air quality, it is noted that the proposals would not emit any gases as part of the process and are in essence similar in nature to electricity substations. Environmental Services have reviewed the Noise Impact Assessment (NIA) submitted as part of the planning application and are satisfied with the conclusions of the NIA. The site is located in a rural area and there are no immediate neighbouring, residential properties. It is, therefore, considered that the proposals accord with the relevant criteria of this policy.
- 6.7 Policy 14: Natural and Historic Environment provides the context for assessing all development proposals in terms of their effect on the character and amenity of the natural and built environment. The site is not located in proximity to any listed building, Conservation area or other historical asset that would be impacted upon by the proposals. An extended Phase 1 Report on Ecology formed part of the planning submission. This report included a site survey and that there was no sign of any protected species or loss of quality habitat within the site area. It is considered that this is expected given the site is cultivated agricultural land. A small pond located some 90 metres to the northeast of the site was identified as having potential to provide habitat for Great Crested Newts (GCN) and a specific survey was carried out for these protected species. The survey found no evidence of GCN. The Phase 1 Report on Ecology also found 2 suitable, potential roost sites for bats but at over 30 metres from the site boundary it is considered that these would be unaffected by the proposals, including their construction. It is, therefore, considered that the proposals accord with the relevant criteria of this policy.
- 6.8 SLLDP2 Policy 15 'Travel and Transport' requires that new development does not impact upon any existing walking or cycle route and promotes sustainable travel, where at all possible. In this instance there are no walking or cycling routes affected by the proposals. Due to the site's location within the countryside it is not accessible via public transport but as noted in 6.2 and 6.3 above, the location of the proposals adjacent to an existing substation minimise the electricity transmission infrastructure needed to connect to the grid which, given the low level of traffic to the site due to remote monitoring, is considered more sustainable than access to public transport in this instance. Roads (Development Management) have no objection to the proposals subject to the conditions outlined in 4.1 above.
- 6.9 SLLDP2 Policy 16 'Water Environment and Flooding' states that development proposals within areas of flood risk or that are detrimental to the water environment will not be supported. Policies SDCC2 Flood Risk and SDCC3 Sustainable Drainage Systems provide further detailed advice in support of Policy 16. The application site is not located within any area at risk from river or coastal flooding. A portion of the application site is, however, located within an area that is at risk of surface water

flooding. A Flood Risk Assessment (FRA) has been submitted as part of the application. The FRA notes that the topography of the site has the potential for water to run down and pool at the bottom of the slope which creates the potential flood risk area. The FRA recommends that in order to mitigate this, as part of the development proposals, the low point will be removed and the site built on a level platform. The FRA notes that pre-application advice was sought from the Council's Flood Risk Management Team who stated that they were not aware of the site flooding but that they were aware of surface water issues to the east of the site. It is considered that given the unmanned nature of the site and the classification of the proposals as essential infrastructure (as set out within Scottish Planning Policy paragraph 263), they are not considered to fall within the definition of a development that would be at risk any potential flooding. It is also considered that the mitigation outlined within the FRA is suitable in alleviating any potential flood risk. A Sustainable Drainage System is proposed for the site and it is considered that a condition requiring their design and the FRA mitigation to be further reapproved by the Council is prudent in this instance. It is therefore considered that the proposals accord with the relevant provisions of the development plan subject to the FRA mitigation and aforementioned condition.

- 6.10 SLLDP2 Policy 18 'Renewable Energy' is an overarching renewable energy policy and, therefore, defers the detailed, development management consideration to the Assessment Checklist for Renewable Energy Proposals contained within LDP2 Volume 2. Volume 2 Policy RE1 Renewable Energy outlines the considerations, criteria and guidance that must be taken into account for all renewable energy proposals. These are the Assessment Checklist contained with Appendix 1 of LDP 2, Volume 2, the Supporting Planning Guidance on Renewable Energy, the South Lanarkshire Landscape Capacity for Wind Energy 2016 (as amended by the Tall Wind Turbines Guidance 2019) and other relevant LDP2 Policies. It is noted that the majority of this guidance relates to wind turbines and it is considered that the relevant, remaining development management criteria have already been assessed throughout the above policy criteria assessment.
- 6.11 In conclusion, it is considered that the proposed development complies with adopted South Lanarkshire Local Development Plan 2 and, therefore, it is recommended that planning permission should be granted.

7 Reasons for Decision

- 7.1 The proposed development complies with Policies 1,2 , 4, 5, 14, 15, 16, 18, SDCC2, SDCC3, RE1 and DM1 of the Adopted South Lanarkshire Local Development Plan 2 (2021).

David Booth

Executive Director (Community and Enterprise Resources)

26 July 2022

Previous references

- ◆ P/18/0528
- ◆ P/21/0005/PAN

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 8 April 2022

21.07.2021

► Consultations	
Health & Safety Executive	22.07.2022
Environmental Services	05.05.2022
Roads Development Management Team	20.05.2022
Countryside And Greenspace	12.04.2022
West Of Scotland Archaeology Service	25.04.2022

Contact for further information

If you would like to inspect the background papers or want further information, please contact: -

James Wright, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455903

Email: james.wright@southlanarkshire.gov.uk

Conditions and reasons

01. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In the interests of cultural heritage

02. That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 metres by 120 metres measured from the road channel shall be provided on both sides of the vehicular access as indicated in Drawing 003 Visibility Splays on the approved plans and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

03. That before the development hereby approved is completed or brought into use, the access road serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access to the dwellings.

04. That before the development hereby approved is completed or brought into use, passing places as shown on Drawing 004 Passing Places shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access to the dwellings.

05. That prior to any works associated with the construction of the development commence a Construction Traffic Management Plan shall be submitted to the Council as Roads and Planning Authority for approval. This should provide details of access and parking provision for staff and visitors, intended working hours, how deliveries of materials will be managed and stored and what wheel washing facilities will be provided to prevent mud being carried on to the adopted road.

Reason: in the interests of traffic and public safety as well as to preserve the amenity of the surrounding area.

06. That, before any works commence on site, a dilapidation survey shall be undertaken by the applicants, in accordance with the requirements of the Council's Roads and

Transportation Services, along the length of the construction traffic route to be agreed in writing with the Council as Roads and Planning Authority. Thereafter, any subsequent repair works to the road in question shall be undertaken by the applicants, to the satisfaction of the Council's Roads and Transportation Services, before the development is brought in to use, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: In the interests of road safety.

07. That within 12 weeks of the date of consent the applicant shall submit to the Council as Planning Authority a proposed independent consultant who shall undertake compliance and validation measurements to demonstrate compliance with the recommended mitigation for potential noise disturbance, documented at 3.5 on page 6 of the Noise Impact Assessment Technical Report 50756R3v1, prepared by Fraser Thomson of Atmos Consulting. The report is entitled Cathkin Energy Development Noise Impact Assessment which has been prepared on behalf of Cathkin Energy Storage Ltd.

The measurements shall be carried out in accordance with BS4142:2014- Methods of rating and assessing industrial and commercial sound (with respect to current best practice). This shall demonstrate that the projections as detailed within the report are reliable and meet with the conclusions of the report.

Reason: In the interests of amenity

08. That before the development, hereby approved, is brought into use details of landscaping and screen planting, including on going maintenance, shall be submitted for the written approval of the Council, as Planning Authority. Once approved the landscaping and planting will be implemented as approved and maintained as such for the lifetime of the development hereby approved.

Reason: In the interest of visual amenity.

09. That all flood mitigation measures contained within the document titled Cathkin Energy Storage, East Kilbride Risk Assessment dated February 2022 shall be implemented fully as narrated and maintained for the lifetime of the development, hereby approved.

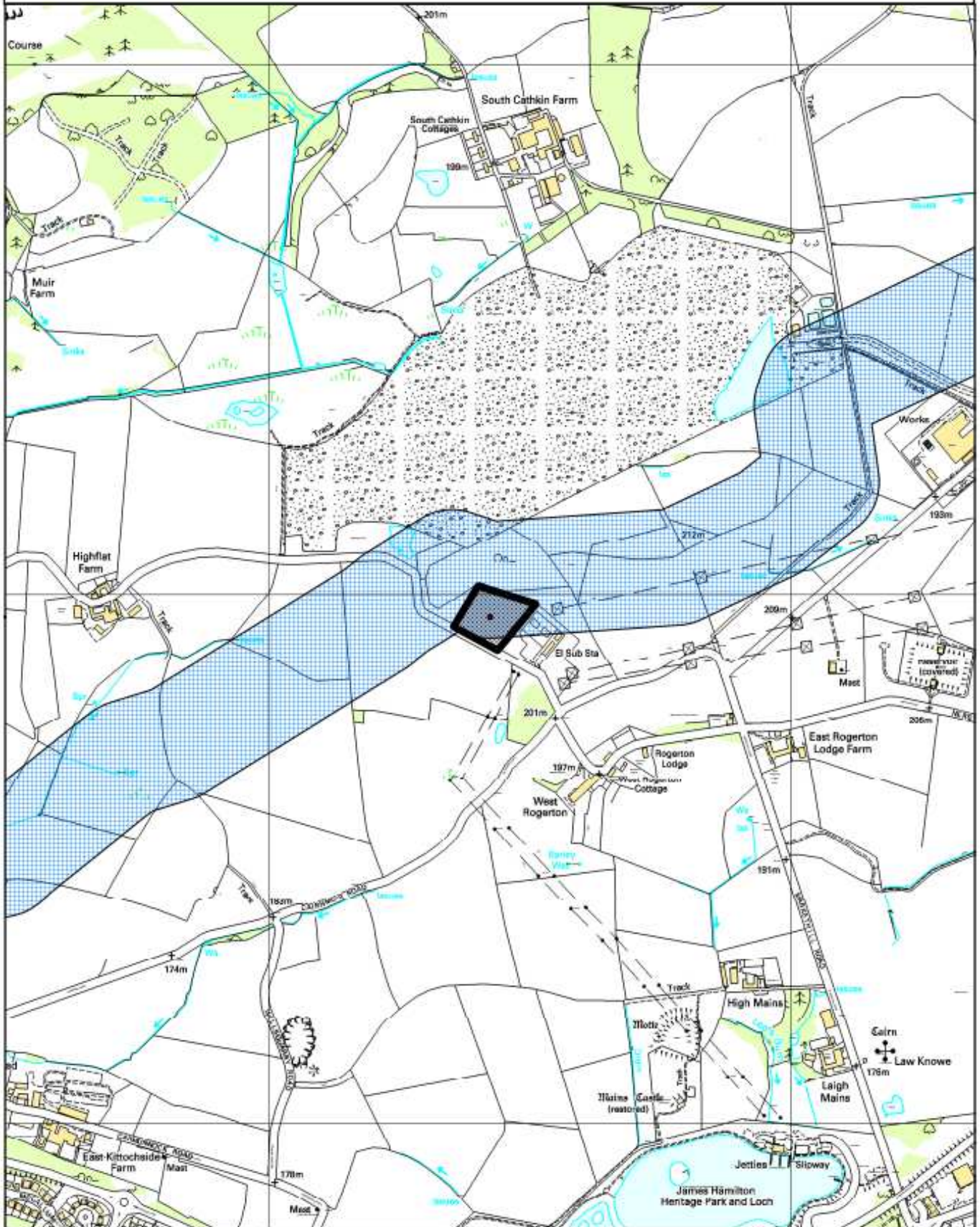
Reason: In the interests of flood risk.

10. That all works on site should comply with appendices 1, 3 and 5 from the Council's drainage design guidance.

Reason: In the interests of drainage and flooding

P/22/0472

Land 125M Northwest of East Kilbride 275kV Grid Substation



© Crown copyright and database rights 2019 OS 100020730. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale:
1:10,000
Date:
21/07/2022



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development