





Pre-Application Consultation Report

Limekiln Battery Energy Storage System

July 2025

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Executive Summary

In line with both the Scottish Government's 'Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 - February 2022', alongside Planning Advice Note 3/2010 which includes the National Standards for Community Engagement, and Planning Aid for Scotland's SP=EED framework, Boralex Limited ('Boralex') has undertaken two rounds of public consultation for its Limekiln Battery Energy Storage System proposal ('the Proposed Development').

Consultation activity so far has included:

- a pre-application consultation process with The Highland Council;
- attendance at Caithness West Community Council meetings;
- distribution of information postcards to all local properties;
- a dedicated project website with online consultation tool (www.limekilnwindfarm.co.uk);
- a Freephone telephone number;
- community open day held on 17th April in Reay Village Hall; and
- follow up community open day held on 22nd May in Reay Village Hall.

Whilst over 50 MW in capacity, meaning the Proposed Application is dealt with by Scottish Ministers under Section 36 of the Electricity Act, in March 2025, a Pre-Application Consultation request was submitted to The Highland Council (Appendix 1) followed by a Major Application pre-application meeting involving multiple statutory consultees.

The first round of community consultation was undertaken in April 2025, with a follow up round of consultation undertaken in May 2025. Boralex expects consultation activity to continue throughout the application process.

Local residents and other key stakeholders were invited to attend the open days. The first round was publicised via an information postcard sent out to all addresses (410) within the local area. In addition, advertisements were placed in the Caithness Courier and John O'Groats Journal, as well as being promoted by the Community Council via their minutes. The second round was again publicised via a postcard mailing and newspaper advertising.

At the Community Open Days (CODs) members of the development team were on hand to explain the proposals, discussing the wider issues around battery storage development and energy policy more generally.

Those attending had the opportunity to discuss their views with the project team and complete feedback questionnaires. Local residents also had the opportunity to air their views via the project website, Community Council and Freephone telephone number.

A total of 41 people attended the open days (some to both rounds). Two feedback forms were received, both on the days of the open days. No feedback forms were received via the website.

Consultation is on-going and will continue post submission.

1. Introduction

Boralex embraces community consultation; it is at the heart of its approach to development. This report provides detailed information regarding the Proposed Development pre-application community consultation.

2. Framework for pre-application consultation, Limekiln Battery Energy Storage System

Boralex's public consultation plans for the Proposed Development were influenced by the Scottish Government's 'Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 - February 2022' alongside PAN 3/2010 which includes the National Standards for Community Engagement and Planning Aid for Scotland's SP=EED framework (**Appendix 11**).

Both documents outline how applicants of major infrastructure projects should undertake pre-application consultation with the community. The aim of this procedure is to make sure that communities are made aware of, and have an opportunity to comment on, these types of development proposals before a formal application is made. This allows community views to be reflected early in the process and gives the developer the opportunity to incorporate them where appropriate into the proposals before making a formal application.

The Guide outlines the consultation and involvement activities:

- Engagement at the earliest possible stage with any communities or groups who would be affected by the development proposal;
- Public notices on the project website and in local media; and
- Public Events (at least two public consultation events, with the final public event held at least 14 days after the first public event).

3. Boralex's approach to community involvement

Boralex's general approach to community involvement in projects includes the following:

- Early engagement and consultations with community councils and relevant interested community groups;
- Establishment of a dedicated project website;
- Production and circulation of printed information material for local residents;

- Information and dialogue via social media platforms (where available); and
- Hosting of community open days prior to submission of the planning application, when the development is at draft design stage.

4. Consultation

Consultation that has taken place so far in this pre-application stage has enabled Boralex to take forward its commitment to continuing the constructive relationship with residents and local representatives within the local community that it has developed over many years, since the start of the Limekiln Wind Farm developments, as well as make changes to the project in line with feedback received.

To consult on the proposal with the local community, Boralex undertook the following activities:

4.1 Key Stakeholder Engagement

Boralex contacted the Chair of Caithness West Community Council (CWCC) in early March 2025 to arrange to attend the next CWCC meeting (26th March). At that meeting, the Project Manager presented draft proposals for further development on the Limekiln Wind Farm site with a battery energy storage system (BESS).

Following the CWCC meeting a Proposal of Application Notice (PoAN) (**Appendix 1**), was submitted to The Highland Council (THC). Boralex wrote to CWCC with the PoAN and associated documents advising of the first Community Open Day (COD) details and providing contact information for any questions at that stage.

In addition to CWCC, Boralex wrote to each of THC's Ward Members, the local MSP, regional list MSPs and also MP advising of the PoAN and of the consultation events.

This correspondence can be found in **Appendix 2**.

4.2 Information Postcard

In early April 2025, Boralex distributed 410 information postcards (**Appendix 3**) to the local community within CWCC area. The postcards were posted via Royal Mail (1st class). The postcard provided an invitation to the in-person COD as well as details of the online consultation page of the project website, overview/update of the project including site suitability and information promoting other contact methods.

Following the first round of consultation, Boralex sent a further postcard inviting residents to attend the second COD in May where project updates would be presented.

4.3 Freephone

The Freephone telephone number for direct enquiries relating to the proposal continues to be in use (0800 980 4299), enabling residents to speak to members of the project team and receive additional information.

4.4 Online Consultation Website

In April 2025 Boralex updated the project website www.limekilnwindfarm.co.uk to provide information for residents and their representatives about the proposal to further develop the Limekiln Wind Farm site with a BESS and allowed them to give feedback by completing an online questionnaire or asking specific questions via info@limekilnwindfarm.co.uk - the dedicated email facility.

The dedicated project consultation page (**Appendix 4**) provided:
- introduction to the consultation;
- information panels (**Appendix 5**);
- link to feedback form; and
- details of dedicated email address and freephone number.

4.5 In-person Community Open Days

Two rounds of in-person COD presenting the proposals were held. The first round on 17th April in Reay Village Hall between 1.00pm and 7.00pm with follow up community open day held on 22nd May in Reay Village Hall (also 1.00pm – 7.00pm). Copies of the exhibition information panels can be found in **Appendix 5** and an illustrative photograph taken at one of the open days in **Appendix 6**.

As well as being able to discuss the Proposed Development, members of the development team were also able to discuss the wider issues of battery storage, climate change targets, energy security etc.

Publicity

Invitations to the CODs were sent by postcard to all households (410) within a 5/10 km radius of the project, see **Appendix 3.**

In order to publicise the events to the wider community, press advertisements were placed in:

- Caithness Courier – 9th April and 14th May
- John O'Groats Journal – 11th April and 16th May

Posters (as per the newspaper advert) were also distributed to the Caithness West Community Council and to the Reay Village Hall.

Media

Press coverage of the first round of CODs was included in the local paper, the John O'Groat Journal along with paid advertisements for both rounds (**Appendix 7**):

Attendance

Based on the open day register, 27 people attended the first round of CODs, where they had the opportunity to inspect the draft proposal, discuss issues with the project team, provide feedback directly and complete a questionnaire (**Appendix 8**) and/or enquiry request form (**Appendix 9**) for return on the day or via FREEPOST.

14 people (some of whom had attended the first round) attended the second COD where further information on the proposal was presented.

5. Consultation Feedback

Throughout the community consultation programme Boralex received qualitative and quantitative feedback and listed below is a summary of the initial concerns around the project and the updated information delivered as part of round two of consultation.

5.1 Postcard

In addition to inviting recipients to the CODs, the postcard directed them to the dedicated consultation page on the project website and also provided a range of contact methods including Freepost, Freephone and email address.

5.2 Online Consultation Website

The Limekiln BESS online consultation page has been live since April 2025 on the wider Limekiln Wind Farm website, a well-established site in place for over a decade, providing an overview of the project, and hosting an online consultation facility. To date, no online consultation feedback forms have been submitted.

5.3 Community Open Days

Discussion with visitors to the first COD identified key concerns around several issues.

Having taken on board the comments and feedback received, a review of the project information was undertaken and further information on those topics was presented to the community at the second open day.

Open day opinion forms were completed by 2 attendees, one of whom lives within 5 km of the project.

Both opinion forms were completed at the events. These questionnaires are taken into account in the overall results of the public consultation exercise. Copies of all returned open day questionnaires can be found in **Appendix 10.**

The completed forms provided the following results on whether or not respondents support the Proposed Development:

First COD			**Second COD**		
Very supportive	0	(0%)	Very supportive	0	(0%)
Supportive	0	(0%)	Supportive	0	(0%)
Undecided	0	(0%)	Undecided	1	(100%)
Opposed	1	(100%)	Opposed	0	(0%)
Very opposed	0	(0%)	Very opposed	0	(0%)
Total	**2**	**(100%)**			

5.4 Issues

Feedback questionnaires asked respondents if they had any specific issues or concerns about the proposal and a list of possible issues was provided. In addition, the overriding feeling was that the local area had a growing number of BESS proposals being put forward and that there was still a high level of concern around fire risk of projects.

Additionally, concern was raised regarding access to the core path during construction. The team was able to discuss proposed temporary diversion routes.

This initial feedback prompted a review of the project information which was updated, discussed with the relevant statutory consultees and presented to the community at the second open day.

Open day questionnaires

In question 5a respondents of the open day questionnaire were informed that Boralex had conducted a range of surveys that assess the current situation on site and the potential impact of the Proposed Development. Respondents were asked to indicate which of the following elements of the proposal they were interested in and would like to be kept updated about (note: total responses rather than individual respondees):

How the project might look	0
Local wildlife	2
Potential noise	0
Tourism	0
Electricity output	0
Site traffic during construction	1
Local archaeology	0
Other (safety/peat)	1

5.5 Summary of Feedback

Overall feedback for the Proposed Development, taking into account all consultation methods can be summarised as follows:

Proposed Development Overall Results

	Website	Exhibitions	Total	
Very Supportive	0	0	0	0%
Supportive	0	0	0	0%
Undecided	0	1	1	50%
Opposed	0	1	1	50%
Very Opposed	0	0	0	0%
Total	**0**	**2**	**2**	**100%**

6. Response methods to Consultation Feedback

Further to the consultation process outlined in this statement, the following activities have or are being undertaken in order to respond to feedback received:

Web/email

Everyone who submits a question or query either via the website questionnaire or by email direct will also be responded to electronically and this will continue throughout the planning process.

7. Future Consultation and Community Liaison

Next Steps – Pre and Post Submission

Boralex has built a constructive relationship with local people throughout the many years of developing the Limekiln Wind Farm and is committed to the continued involvement of and consultation with the community and other stakeholders throughout the planning process for this next element of Limekiln development.

Even though the pre-application consultation has been completed, this does not mean that the consultation will end. Boralex is committed to further consultation during the planning determination period, ensuring that local residents and stakeholders continue to be involved in the process and are kept informed of the proposal's progress.

Application information

On submission, Boralex will provide all of the relevant information to the local community in order for them to be able to easily make representations in respect of the application.

Stakeholder/Interest group briefings

Members of the Highland Council engaged with the consultation process by email and members of the Community Council attended the open days and will continue to be updated as the application process progresses

Media relations

Media relations activity will be ongoing. Once the application has been submitted, a news release detailing the submitted proposal and representation contact information will be issued. Boralex will respond to media enquiries and requests for information throughout the determination time period.

Ongoing response to queries

Boralex will continue to respond to queries that are received via the various consultation channels i.e. freephone telephone number, freepost address, dedicated email address, website and newsletter.

Community Liaison

On submission of the application, Boralex will inform the appropriate community groups, along with those individuals who have already engaged with Boralex and offer to attend future meetings in order to keep the community appraised of the project during development.

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Beyond

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Appendices

Appendix 1

DAVID BELL PLANNING
CHARTERED TOWN PLANNERS

The Highland Council
Major Applications Team
Glenurquhart Road

Inverness, IV3 5NX

[redacted]

David Bell Planning Ltd
26 Alva Street
Edinburgh
EH2 4PY

[redacted]

27th March 2025

Dear Peter

Boralex Limited

Notification of the Proposed Commencement of Pre-Application Consultation for Section 36 application to Energy Consents Unit (ECU) (Highland Council PAN Form included)

Section 36 application to ECU for construction and operation of a proposed Battery Energy Storage System (BESS) (over 50MW) with associated infrastructure, access and ancillary works at Limekilns Wind Farm, on land generally at 1500m southeast of Borlum House, Reay.

Pre-Application Consultation

On behalf of our client, Boralex Ltd, (the applicant), this letter introduces the formal commencement of public consultation and engagement on the Proposed Development known as Limekilns BESS.

The application is being progressed under Section 36 of the Electricity Act 1989 as required where the proposal is to construct, extend or operate an onshore electricity generation station with a capacity over 50 MW. Deemed planning permission will be sought under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (TCP(S)A).

There are no statutory pre-application consultation procedures for section 36 applications under the Electricity Act. However, the minimum expectation as set within the ECU 'Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989' (updated July 2022) is that applicants hold at least two public consultation events prior to submitting the application, and that the final event should be held at least 14 days after the first public event. It is noted further that the second event should provide feedback to members of the public in respect of comments received previously.

Notice of events should be made to the public at least 7 days prior in the form of a publication on the applicant's website and in a local newspaper. The nature of the advert content is set out clearly and provides that site details, description of development, date and place of public events and a statement explaining how and by when persons can make comments to the applicant regarding the proposals must be provided.

A Pre-Application Consultation Report (PAC Report) will be prepared and submitted with the section 36 application to the ECU. The PAC Report should clearly set out what has been done to accord with the guidance. This Report should include details of the nature of consultation carried out, the names of parties consulted, provide copies of materials sent to consultees and provide copies of any visual presentations provided. Confirmation of attendance at events / engagements and summaries of the comments received should be provided along with and explanation of how the applicant took account of views raised should be made.

The Proposed Development was subject to a formal major pre-application meeting with the Highland Council (THC) in in January 2025, and an Environmental Impact Assessment (EIA) Screening request is being submitted imminently and will coincide with the commencement of consultation.

It is noted that THC routinely advise within their major pre-application response, in line with their current practise on all section 36 applications, that their preference is that the formal TCP(S)A PAN procedure should also be followed for section 36 applications to ensure that Council officers, Members and other interested parties were formally notified and consulted upon within the Consultation process.

The Applicant is content to follow this advice but notes that the formal PAN notice for Highland Council is prepared and submitted under the TCP(S)A (as amended) and the Town and Country Planning (Pre-Application Consultation (Scotland) Regulations 2021, which are not applicable to Section 36 applications under the Electricity Act 1989. The formal TCP(S)A procedures allows the Council a formal response period to validate the notice and sets a minimum 12 week consultation period from submission of the notice prior to an application being made.

These statutory processes and timelines are not applicable to section 36 applications and the applicant, whilst content to follow the framework, would appreciate THC acknowledgement that the submission cannot be held to the regulations, rather they are taken as advisories of best practise.

The anticipated submission of the section 36 application to the ECU for Limekiln BESS is July 2025.

As noted on the PAN two rounds of public consultation are proposed, via public face to face events, on 17th April and 22nd May 2025. The PAN notice provides clarification on proposed notification procedures and confirms that a copy of this submission has been sent to notifiable parties per the TCP(S)A procedures. Engagement with community councils is also kickstarted as part of the PAN submission procedures.

We trust the submission is satisfactory to formally notify you of the commencement of Pre-Application Consultation for a section 36 application and satisfies requirements per notification to Members and interested parties. We will seek to provide to you updates and confirmation of consultation dates and events as matters progress if date changes are required. If you determine that additional information is required or if you require clarity on any aspect of the submission, please contact me directly [redacted]

Yours sincerely,

[redacted]

Pippa Melville
Senior Associate

Enc.

PROPOSAL OF APPLICATION NOTICE
MOLADH BRATH IARRTAIS

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019

Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021

The Council will respond within 21 days of validation the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required.

Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council.

Data Protection
Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review ☒I have read and understood the privacy notice.

Contact Details			
Applicant	Boralex Limited	Agent	David Bell Planning Limited (Pippa Melville)
Address	16 West Borough Wimbourne Dorset BH21 1NG	Address	26 Alva Street Edinburgh EH2 4PY
Phone	c/o Agent	Phone	[redacted]
Email	c/o Agent	Email	[redacted]

Address or Location of Proposed Development Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice.
Land 1500 m southeast of Borlum House, Reay

Description of Development Please include detail where appropriate – eg the number of residential units; the gross floorspace in m^2 of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.
Construction and operation of a proposed Battery Energy Storage Facility (BESS) with associated infrastructure, access and ancillary works at Limekiln Wind Farm.

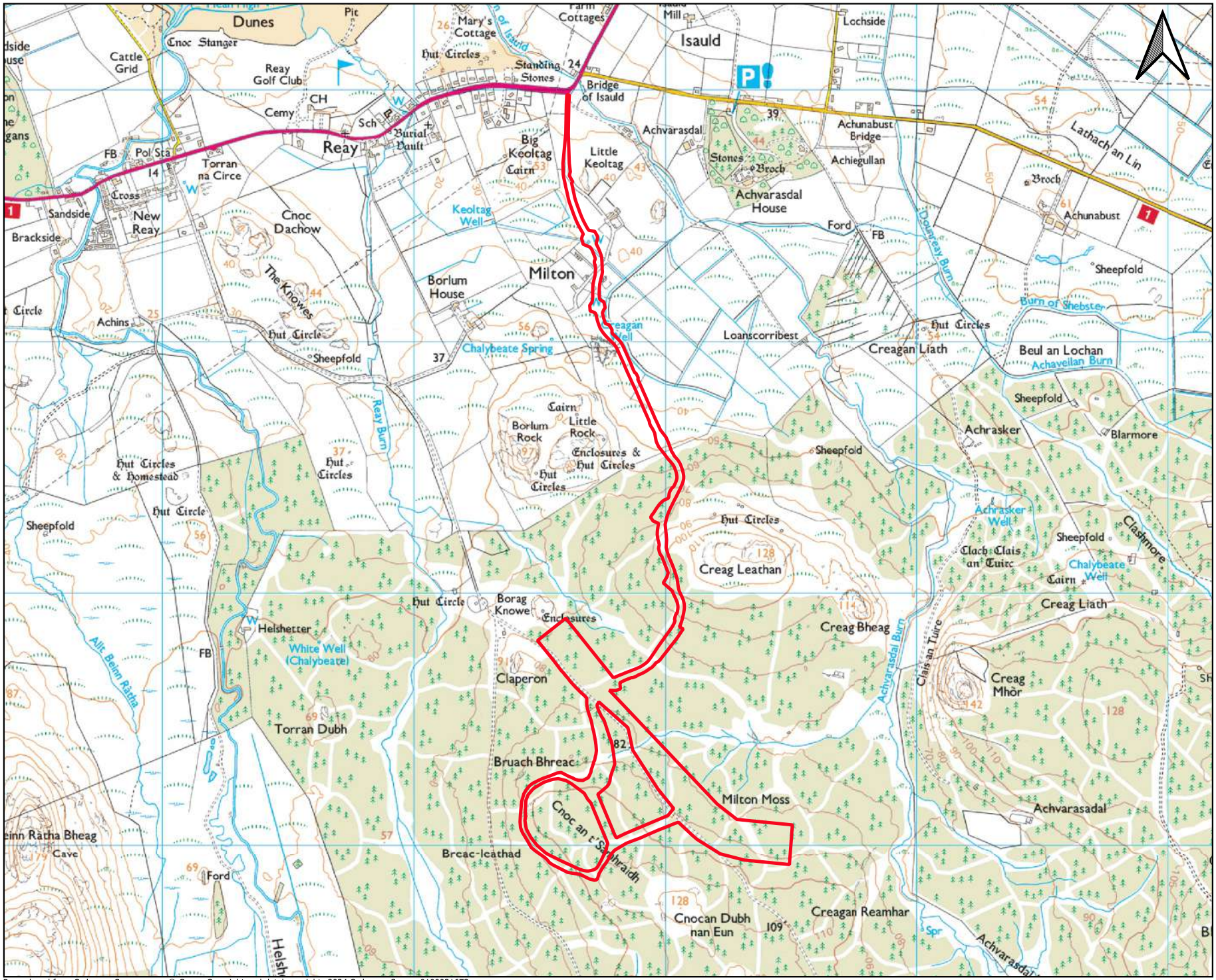
Pre-application Screening Notice Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development? If yes, please provide a copy of this Opinion.	
☐Yes	☒No

Community Consultation State which other parties have received a copy of this Proposal of Application Notice.	
Community Council/s	**Date Notice Served**
Caithness West Community Council	Thursday 27th March 2025
Local Elected Members	**Date Notice Served**
Cllr Ron Gunn Cllr Struan Mackie Cllr Mathew Reiss Cllr Karl Rosie	Thursday 27th March 2025
Members of Scottish Parliament and Members of Parliament	**Date Notice Served**
Maree Todd MSP Jamie Stone MP Arianne Burgess MSP Tim Eagle MSP Rhoda Grant MSP Jamie Halcro Johnston MSP Edward Mountain MSP Emma Roddick MSP Douglas Ross MSP	Thursday 27th March 2025
Names / details of other parties	**Date Notice Served**

Details of Proposed Consultation		
Proposed Public Event 1	**Venue**	**Date and Time**
Community Open Day 1	Reay Village Hall	17th April 2025 1.00 pm – 7.00 pm
Proposed Public Event 2 *(at least 14 days after Public Event 1)*	**Venue**	**Date and Time**
Community Open Day 2	Reay Village Hall	22nd May 2025 1.00 pm – 7.00 pm

Publication of Event		
Newspaper Advert	**Name of Newspaper**	**Advert Date**
Newspaper Advert	John O Groat Journal	Friday 11th April Friday 16th May
Details of any other consultation methods (date, time and with whom)		
Attendance of CWCC monthly meeting (26 March 2025) Issue of invitation to residents within to advise them of proposal and community consultation events. Event advert shared with CWCC/Reay Hall for publication on social media. Project website.		

Signed	[redacted]	Date	**27th March 2025**



Limekiln BESS

PAN Boundary

0 0.3 0.6 km

Scale @ 1 : 20,000



Overview Map Scale @ 1 : 6,000,000

BORALEX

PAN Boundary

Date	25/03/2025
Created By	KJW
Size	A3

Reproduced from Ordnance Survey maps © Crown Copyright and database rights 2024 Ordnance Survey 0100031673

Appendix 2

Fiona Milligan

From: Fiona Milligan
Sent: 27 March 2025 15:29
To: westcc.sec@gmail.com; [redacted]
Cc: Katrina Walker
Subject: FW: Limekiln BESS - PAN
Attachments: 20250213_Limekiln BESS_Section 36 PAN Letter Final 27.03.25.pdf; 20250325_LK BESS_PAN Boundary.pdf; 20250213_Limekiln BESS PAN Form 27.03.25 (002).pdf

Dear Pat/Jillian

Lovely to see you all yesterday.

Please find attached the PAN documents submitted to THC today for the Limekiln Wind Farm BESS project.

The first open day will take place in Reay Hall on 17th April and we hope that you'll be able to make it along.

Looking forward to seeing you soon.

Best
Fiona

From: Pippa Melville [redacted]
Sent: 27 March 2025 09:26
To: Epc <epc.Planning@highland.gov.uk>; ePlanning <ePlanning@highland.gov.uk>; Strategic Projects <spt@highland.gov.uk>
Cc: Katrina Walker [redacted]
Subject: Limekiln BESS - PAN

WARNING external email

Good Morning
On behalf of our client Boralax Limited we are pleased to enclose a PAN submission for a proposed BESS at Limekiln Wind Farm. The proposed BESS exceeds 50 MW generation and as such will be subject to an application to the ECU for section 36 consent. The PAN is submitted to follow THC recommended best practise and to ensure members and interested parties are formally advised of the Proposed Development and the opportunities to engage prior to submission. The statutory processes and timelines are not applicable to this submission.
We would be grateful for your confirmation of receipt and look forward to formal registration in early course. Notification of identified parties will be completed as of today.
Kind Regards
Pippa

Pippa Melville (Dip TCP, BLE Hons)
Senior Associate

[redacted]

DAVID BELL PLANNING
CHARTERED TOWN PLANNERS

Fiona Milligan

From: Fiona Milligan
Sent: 27 March 2025 15:41
To: struan.mackie.cllr@highland.gov.uk; karl.rosie.cllr@highland.gov.uk; mathew.reiss.cllr@highland.gov.uk; ron.gunn.cllr@highland.gov.uk
Cc: [redacted]
Subject: FW: Limekiln BESS - PAN
Attachments: 20250213_Limekiln BESS_Section 36 PAN Letter Final 27.03.25.pdf; 20250325_LK BESS_PAN Boundary.pdf; 20250213_Limekiln BESS PAN Form 27.03.25 (002).pdf

Dear Members

Please find attached the PAN documentation relating to the next phase of the Limekiln Wind Farm development, the BESS element, which originally was proposed during the Limekiln Extension application process but not progressed further at that stage.

We visited Reay yesterday and attended the Caithness West CC meeting to update the community councillors prior to sending in the notification.

Our first public open day will take place on 17th April in Reay, and we hope that you might be able to make it along.

Kind regards
Fiona

BORALEX
Au-delà DES ÉNERGIES RENOUVELABLES®
Beyond RENEWABLE ENERGY®

Fiona Milligan
Communications and Stakeholder Management

M +44 (0)7825 744712

The Auction House
63a George Street
Edinburgh EH2 2JG
United Kingdom

Boralex.com

From: Pippa Melville [redacted]
Sent: 27 March 2025 09:26
To: Epc <epc.Planning@highland.gov.uk>; ePlanning <ePlanning@highland.gov.uk>; Strategic Projects <spt@highland.gov.uk>
Cc: Katrina Walker [redacted]
Subject: Limekiln BESS - PAN

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Kind Regards
Pippa

Pippa Melville (Dip TCP, BLE Hons)
Senior Associate

[redacted]

DAVID BELL
PLANNING
CHARTERED TOWN PLANNERS

Fiona Milligan

From: Fiona Milligan
Sent: 27 March 2025 15:44
To: Maree.Todd.msp@parliament.scot
Cc: Katrina Walker
Subject: FW: Limekiln BESS - PAN
Attachments: 20250213_Limekiln BESS_Section 36 PAN Letter Final 27.03.25.pdf; 20250325_LK BESS_PAN Boundary.pdf; 20250213_Limekiln BESS PAN Form 27.03.25 (002).pdf

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We visited Reay yesterday and attended the Caithness West CC meeting to update the community councillors prior to sending in the notification.

Our first public open day will take place on 17th April in Reay, but should you have any questions in the meantime, please do just let me know.

Kind regards
Fiona

BORALEX
Au-delà DES ÉNERGIES RENOUVELABLES
Beyond RENEWABLE ENERGY

Fiona Milligan
Communications and Stakeholder Management

M +44 (0)7825 744712

The Auction House
63a George Street
Edinburgh EH2 2JG
United Kingdom

Boralex.com

From: Pippa Melville [redacted]
Sent: 27 March 2025 09:26
To: Epc <epc.Planning@highland.gov.uk>; ePlanning <ePlanning@highland.gov.uk>; Strategic Projects <spt@highland.gov.uk>
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Kind Regards
Pippa

Pippa Melville (Dip TCP, BLE Hons)
Senior Associate

[redacted]

DAVID BELL
PLANNING
CHARTERED TOWN PLANNERS

Fiona Milligan

From: Fiona Milligan
Sent: 27 March 2025 15:47
To: Ariane.Burgess.msp@parliament.scot; tim.eagle.msp@parliament.scot; Grant R (Rhoda), MSP; Jamie.HalcroJohnston.msp@parliament.scot; edward.mountain.msp@parliament.scot; emma.roddick.msp@parliament.scot; douglas.ross.msp@parliament.scot
Cc: Katrina Walker
Subject: FW: Limekiln BESS - PAN
Attachments: 20250213_Limekiln BESS_Section 36 PAN Letter Final 27.03.25.pdf; 20250325_LK BESS_PAN Boundary.pdf; 20250213_Limekiln BESS PAN Form 27.03.25 (002).pdf

Dear Members

Please find attached the PAN documentation relating to the next phase of the Limekiln Wind Farm development, the BESS element, which originally was proposed during the Limekiln Extension application process but not progressed further at that stage.

We visited Reay yesterday and attended the Caithness West CC meeting to update the community councillors prior to sending in the notification.

Our first public open day will take place on 17th April in Reay, but should you have any questions in the meantime, please do just let me know.

Kind regards
Fiona

BORALEX
Au-delà DES ÉNERGIES RENOUVELABLES
Beyond RENEWABLE ENERGY

Fiona Milligan
Communications and Stakeholder Management

M +44 (0)7825 744712

The Auction House
63a George Street
Edinburgh EH2 2JG
United Kingdom

Boralex.com

From: Pippa Melville [redacted]
Sent: 27 March 2025 09:26
To: Epc <epc.Planning@highland.gov.uk>; ePlanning <ePlanning@highland.gov.uk>; Strategic Projects <spt@highland.gov.uk>
Cc: Katrina Walker [redacted]
Subject: Limekiln BESS - PAN

WARNING external email

Good Morning
On behalf of our client Boralax Limited we are pleased to enclose a PAN submission for a proposed BESS at Limekiln Wind Farm. The proposed BESS exceeds 50 MW generation and as such will be subject to an application to the ECU for section 36 consent. The PAN is submitted to follow THC recommended best practise and to ensure members and interested parties are formally advised of the Proposed Development and the opportunities to engage prior to submission. The statutory processes and timelines are not applicable to this submission.
We would be grateful for your confirmation of receipt and look forward to formal registration in early course. Notification of identified parties will be completed as of today.
Kind Regards
Pippa

Pippa Melville (Dip TCP, BLE Hons)
Senior Associate

[redacted]

DAVID BELL
PLANNING
CHARTERED TOWN PLANNERS

Fiona Milligan

From: Fiona Milligan
Sent: 27 March 2025 15:43
To: STONE, Jamie
Cc: Katrina Walker
Subject: FW: Limekiln BESS - PAN
Attachments: 20250213_Limekiln BESS_Section 36 PAN Letter Final 27.03.25.pdf; 20250325_LK BESS_PAN Boundary.pdf; 20250213_Limekiln BESS PAN Form 27.03.25 (002).pdf

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Cc: Katrina Walker [redacted]
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Pippa

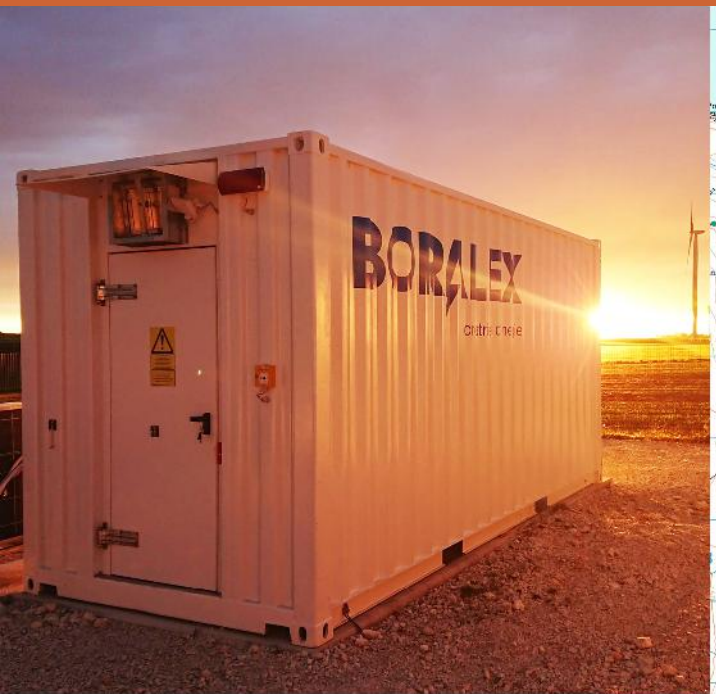
Pippa Melville (Dip TCP, BLE Hons)
Senior Associate

[redacted]

DAVID BELL
PLANNING
CHARTERED TOWN PLANNERS

Appendix 3

INVITATION TO PUBLIC CONSULTATION ON THE LIMEKILN BATTERY ENERGY STORAGE SYSTEM





BORALEX

Limekiln BESS

Community Open Day

To find out more about the next phase of development and the proposal for the Limekiln Battery Energy Storage System, the project team invite you to a Community Open Day:

Reay Village Hall, Reay
Thursday 17th April, 1.00pm - 7.00pm

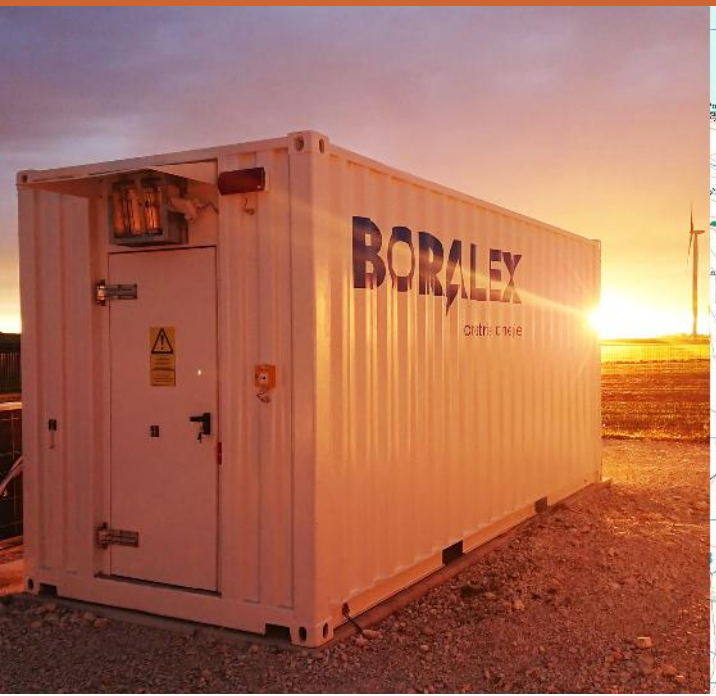
This first round of consultation will give local residents the chance to hear about this new proposal, view, comment on and put questions to the team.

All open day material will also be available on the consultation page of the website from 17th April. It should be noted that comments made to the team are not formal representations. Should an application be submitted, there will be an opportunity to make representations on the application to The Scottish Government at that time.

For more information
Freephone: 0800 980 4299
info@limekilnwindfarm.co.uk
www.limekilnwindfarm.co.uk

BORALEX

INVITATION TO PUBLIC CONSULTATION ON THE LIMEKILN BATTERY ENERGY STORAGE SYSTEM





BORALEX

Limekiln BESS

Community Open Day

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Reay Village Hall, Reay
Thursday 22nd May, 1.00pm - 7.00pm

This second round of consultation will give local residents the chance to hear about this new proposal, view, comment on and put questions to the team.

All open day material will also be available on the consultation page of the website from 22nd May. It should be noted that comments made to the team are not formal representations. Should an application be submitted, there will be an opportunity to make representations on the application to The Scottish Government at that time.

For more information
Freephone: 0800 980 4299
info@limekilnwindfarm.co.uk
www.limekilnwindfarm.co.uk

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Appendix 4

April 2025

BORALEX

Home News About Benefits Contact

BROWSING:

Online Consultation

Welcome

April 2025

Welcome to the first round of online consultation for the Limekiln BESS project. This online consultation is in addition to our in-person open day on Thursday 17th April, and will remain available to view until the second round of consultation in May. You will find all the information that we are displaying below. You'll also find a feedback form to fill in or you can email us directly with comments or questions at info@limekilnwindfarm.co.uk



*photo_Boralex_*

Community Open Day

The first Community Open Day will be held in Reay Village Hall.

You can fill in a feedback form on the day, or fill in the one in the link below and send it to us afterwards.

Thursday 17th April 2025

Reay Village Hall, 1.00pm to 7.00pm

Information Panels

Here you will find the information panels we are displaying at our in-person Community Open Day.













Feedback Form

We would appreciate you taking a moment to complete the following questionnaire so we can find out more about your views on the proposal this consultation is all about. The aim of this questionnaire is to allow individuals to contribute to the development process and interact with Boralex. This is not a substitute for the official planning process. No personal information will be passed on to third parties.

Please click here to access the form.

Thank you

Many thanks for taking the time to visit our online consultation. When the consultation period is over, we will transfer all of the relevant files to the Documents section of the website. If you have any further questions at any time, please don't hesitate to contact us by email at info@limekilnwindfarm.co.uk

ABOUT

We are a renewable energy company, committed to increasing the use of zero-carbon electricity. Power which is generated by wind and solar PV projects allows us to fuel our modern-day lifestyles whilst living in harmony with our natural environment, preserving it for generations to come.

LATEST NEWS

Next phase of development for Limekiln Wind Farm announced
APRIL 16, 2025


Limekiln Wind Farm operational
APRIL 1, 2025


Weather Pauses Long Row Home
AUGUST 26, 2024

LINKS

Home

News

The Project

Boralex Home

CONTACT

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(+44) 01202 847680

enquiries_uk@boralex.com

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Privacy Policy

May 2025

BORALEX

Home News About Benefits Contact

BROWSING:

Online Consultation

Welcome

May 2025

Many thanks to all those who came along to the first round of consultation for the Limekiln BESS project. This online consultation is in addition to our second in-person open day held on Thursday 22nd May, and will remain available to view and comment on until the submission of the application. You will find all the information that we are displaying below. You'll also find a feedback form to fill in or you can email us directly with comments or questions at info@limekilnwindfarm.co.uk



*photo_Boralex_*

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The second Community Open Day will be held in Reay Village Hall.

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Thursday 22nd May 2025

Reay Village Hall, 1.00pm to 7.00pm

Information Panels

Here you will find the information panels we displayed at our second in-person Community Open Day on 22nd May. The first round panels have moved to the 'documents' section.













Feedback Form

We would appreciate you taking a moment to complete the following questionnaire so we can find out more about your views on the proposal this consultation is all about. The aim of this questionnaire is to allow individuals to contribute to the development process and interact with Boralex. This is not a substitute for the official planning process. No personal information will be passed on to third parties.

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Appendix 5

COD 1 – 17 April 2025

WELCOME TO LIMEKILN BESS COMMUNITY OPEN DAY



Welcome to the first round of public consultation for the Limekiln Battery Energy Storage System (BESS) proposal, the next phase of the Limekiln Wind Farm development.

What is a BESS?

Battery Energy Storage Systems (BESS) play a vital role in ensuring a stable, reliable, and sustainable energy system. They store excess electricity when demand is low and release it back into the grid when needed. In turn this reduces our reliance on fossil fuels and so supports our country's transition to clean energy.

Site Location

The proposed development is located within the footprint of the newly operational Limekiln Wind Farm, located to the south of Reay in Caithness. Feasibility studies undertaken to date have indicated that the land available is well suited for this scale and nature of development.

Why is this project important?

The proposed BESS will improve the efficiency of Limekiln Wind Farm and the local grid, helping to alleviate pressure during times of peak energy production. This enhances energy security, reduces power outages, and creates a more resilient and cost-effective electricity network

As well as contributing to the benefits outlined above, this project will, if consented, support local construction jobs along with local supply chains during construction and operation and offer community benefit, supporting the long-term future of local communities.

The Developer

Boralex is a Canadian based independent power provider. Boralex has developed, and now operates a large portfolio of wind farms and a number of solar parks, primarily in Canada and France. The company also owns and operates large hydro-electricity projects in Canada.

In July 2022 Boralex acquired 100% of Infinergy's (UK based renewable energy company) interests in the UK. As part of Boralex, we will now own and operate our projects after the development stage.

Today's event

Please take a look at the information banners around the venue to learn more about the proposal and please do not hesitate to speak with any of the project team members who are here to answer your questions.

If you would like to leave a written comment, please help yourself to a 'Voice Your Opinion' comment form, available from the reception desk

There are several ways to obtain further information and to contact us:

- The website www.limekilnwindfarm will be updated regularly to provide you with the latest information. We will publish the application documents, including the Environmental Impact Assessment Report, on the website once the application has been submitted.
- Email us at info@limekilnwindfarm.co.uk
- Write to us at FREEPOST BORALEX

BORALEX

THE PROPOSED DEVELOPMENT



Boralex is currently investigating the potential for a Battery Energy Storage System (BESS) of up to 70 Megawatts (MW) within the newly operational Limekiln Wind Farm.

Key Features of the Proposed Development

- *Site Area*: approximately 22 hectares of a combination of commercial forestry and wind farm infrastructure;
- *Proposed BESS location*: The Proposed Development will be located on the reinstated temporary construction compound which was utilised for the construction of Limekiln Wind Farm;
- *Substation location and connection point*: An extension to Limekiln Wind Farm's substation, the Proposed Development's intended point of connection, is situated approximately 700 metres northwest of the proposed BESS location; and
- *Underground cable connection*: The Proposed Development includes an underground cable connection from the BESS location to the substation extension.

Site Design

The Proposed Development Area, shown with a red line, is larger than the final development footprint to allow flexibility in final design. The layout of the BESS facility, including the onsite access track will be shaped by ongoing assessment work.

Why this location

- The Proposed Development will be well screened by surrounding forestry so will have minimal landscape and visual impact;
- Minimal disturbance to undisturbed ground by using the reinstated temporary compound area and permanent onsite tracks for Limekiln Wind Farm;
- The proposed location of the temporary construction compound was not identified as a priority habitat for the Wind Farm application so minimal environmental impact is predicted; and
- The proposed location of the temporary construction compound has not yet been replanted with trees as part of the forestry plan for the Wind Farm.

Infrastructure

It is anticipated that the BESS compound area will be approximately 1.5 hectares, and the Substation extension will be approximately 0.5 hectares.

The main part of the facility is likely to consist of around 90 battery storage units housed in containers, installed in rows. Each container will be approximately 6 m long, 2.4 m wide and 2.9 m high and likely to be dark green in colour. There will be Power Conversion Systems (PCS) and transformers serving each set of two containers. Fire detection and suppression systems and water storage tanks will also be installed within the facility.

Construction and Site Access

The potential effects of construction traffic will be assessed throughout the design and Environmental Report process in consultation with The Highland Council (THC) and Transport Scotland. Impacts will be minimised as much as possible. Further details around the planned route to site and expected traffic movements will be provided in the planning application.

It is anticipated that the route to Site will be the same used for Limekiln Wind Farm, whereby any Abnormal Load Vehicles will arrive by sea, exit the port of Scrabster and head west on the A836 to the Limekiln Wind Farm entrance. Any other materials and components will be imported by road, and it is anticipated that the majority of these will approach from the south via the A9 and A836.

Access into the Site will be taken from the A836 and use the existing wind farm tracks meaning no new tracks will be required for the Proposed Development, minimising impact to undisturbed land.

Should Limekiln BESS be consented, construction would not be expected to commence until approximately Summer 2027.

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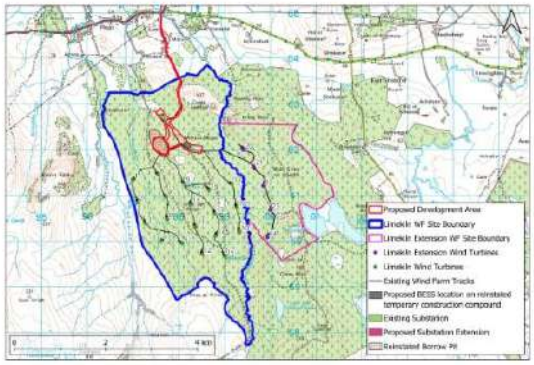
ENVIRONMENTAL SURVEYS



In preparation for the submission of the planning application, we are carrying out environmental surveys to support the design of the Proposed Development site and to minimise its impact on the environment.

The Proposed Development Area has already been heavily assessed as part of both the Limekiln and Limekiln Extension Wind Farm applications.

Ecology

The Proposed Development Area has been thoroughly assessed as part of the Limekiln and Limekiln Extension Wind Farm applications. As part of this, the temporary construction compound (the proposed BESS location) was not identified as a priority habitat so minimal environmental impact is predicted. An Extended Phase 1 Ecology Survey will be conducted to understand the local wildlife and habitats at the project site.and assess potential ecological impacts.

Peat

A Phase 1 peat survey will be undertaken to establish the peat depth at the proposed BESS location, substation extension and underground cable route.

The Proposed Development will need to clearly address a set of key points: how any areas of deep peat have been avoided; how impacts on shallower peat have been minimised; and how disturbed peat will be used in site reinstatement, or in restoration works elsewhere. To outline how any peat will be managed on the Proposed Development site an outline Peat Management Plan (oPMP) will be submitted alongside the planning application.

Landscape and Visual

A landscape and visual appraisal (LVA) establishes the potential effects of the Proposed Development on the surrounding landscape. As part of the application process, The Highland Council and NatureScot will be consulted to agree on the LVA approach and viewpoint locations from where we will complete assessments to appraise the likely effects of the proposed development on the landscape elements, landscape character, visual amenity and views of the site and its surroundings.

Noise

Noise from a BESS primarily comes from its cooling and electrical components. Key noise sources are inverters and transformers, which generate a low-frequency humming or buzzing sound.

Operational noise from developments of this nature is typically assessed in line with BS (British Standard) 4142:2014 'Methods for Rating and Assessing Industrial and Commercial Sound'.

Forestry

The Proposed Development is on an area of ground within a large commercial conifer plantation. The area used for Limekiln Wind Farm's temporary construction compound was felled during the construction phase and is due to be replanted under the Limekiln Wind Farm's Long-Term Forestry Plan. If the Proposed Development is consented, an additional area (equal to the Development Area plus buffer of approximately 2.4 ha) will be replanted as compensatory planting within the landholding.

The area identified for the Substation extension (approximately 0.5 ha) lies within an area that has already been felled as part of the Limekiln Wind Farm construction, however some additional felling required for the fire safety buffer would be minimal.

Some tree felling may be required along the proposed underground cable route, which is approximately 700 m in length between the proposed BESS and Substation location. We have identified the opportunity to utilise the core path to install the underground cables parallel to the core path, which will minimise impact to forestry. This option is being consulted with the Highland Council.

Compensatory planting will be required for each of the three areas where there is net forestry loss. It is expected that the total replanting will not exceed 4ha.

BORALEX

ENVIRONMENTAL REPORT



An Environmental Impact Assessment (EIA) screening request has been submitted to the Highland Council. The decision is expected shortly and will determine whether an EIA is required for this application.

Assessments to support the planning application have been commissioned for the Limekiln BESS Proposed Development. This extensive study will form part of the formal planning application to be made to The Scottish Government.

The assessment and reporting process will include:

- Consultation with the local planning authority, key stakeholders and the public to identify specific concerns and issues;
- Determining the existing conditions at and around the Proposed Development by reviewing the available data and undertaking specialist field surveys;
- Assessing the potential impacts on the existing environment; and
- Mitigation proposals to alleviate any significant impacts identified.

The on-going assessments will provide data on the following:

- Landscape and visual impact;
- Carbon rich soils and priority peatland habitats;
- Ecology;
- Ornithology;
- Hydrology;
- Noise;
- Traffic and Transport;
- Archaeology/Cultural Heritage;
- Forestry

Other desk-based assessments will include appraising the impacts of the proposed development on health and safety, fire risk and mitigation, and socio-economics.

BORALEX

THE LOCAL COMMUNITY



Following the completion of the Limekiln Wind Farm, Boralex will continue to work closely with local communities, businesses and residents in seeking to ensure that the project will bring tangible benefits to local people and help meet the national climate change and energy security needs.

Business, Jobs and Investment

We would like to hear from local businesses to ensure that we can fully consider the skills and services of local people and suppliers if the the Limekiln BESS proposal receives approval.

The opportunities available would include:

- An engineering, procurement and construction contractor;
- Construction material suppliers: concrete, aggregate and building materials;
- Electrical contractors: supply and installation of plant, cabling, earthing, etc.;
- Plant and equipment hire contractors: excavation earthworks, cranage, welfare units, etc.;
- Labour hire companies: engineers, plant operatives and general labourers;
- Landscaping and peat restoration specialists; and
- Transport: taxis and minibuses for local labourers.

Local Accommodation Providers

Construction projects of this nature can require a number of temporary workers from outside the area, who will require local accommodation and catering facilities.

Community Benefit

Whilst not generating electricity, which is the basis for onshore wind community benefit, Boralex will deliver a 'community benefit' sum per year and is currently looking at the options around calculating that figure.

Discussions around how this fund could be used will be had with the Caithness West Community Council.

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NEXT STEPS



We hope to submit the planning application for the Limekiln BESS proposal to The Scottish Government in the summer of 2025.

An Environmental Report including all the results from the surveys will be submitted with the planning application. All the submitted documents will be uploaded to the project specific page on our website: www.limekilnwindfarm.co.uk

If you would like to receive a CD/USB stick containing all the planning application documents or a hard copy of the Non-Technical Summary (NTS) (a summary of the Environmental Report), please request this in the 'Voice your opinion' comment form available at the reception desk. The CDs/USB sticks and the NTS are provided free of charge for as long as stock last.

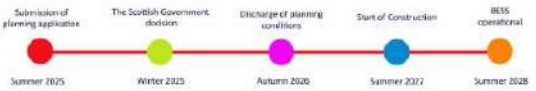
Once the planning application submitted, professional bodies in the fields of ecology, noise, landscape, cultural heritage, transport etc. will be formally consulted.

In assessing the proposal, the Scottish Government will not only consider the application material, but also the views of local residents and a range of consultees, including:

- The Highland Council
- Caithness West Community Council
- NatureScot
- SEPA
- The Scottish Fire and Rescue Service
- RSPB
- Historic Environment Scotland
- Transport Scotland

The timeline shown below gives a likely indication of the timescale should the proposal be deemed acceptable (subject to change depending on the planning process).

Indicative Timeline



Contact points:

Website: www.limekilnwindfarm.co.uk

Email: info@limekilnwindfarm.co.uk

Freephone: 0800 980 4299

Freepost: FREEPOST BORALEX

BORALEX

COD 2 – 22 May 2025

WELCOME TO LIMEKILN BESS COMMUNITY OPEN DAY



Welcome to the second round of public consultation for the Limekiln BESS proposal, the next phase of the Limekiln Wind Farm development.

What is a BESS?

Battery Energy Storage Systems (BESS) play a vital role in ensuring a stable, reliable, and sustainable energy syestem. They store excess electricity when demand is low and release it back into the grid when needed. In turn this reduces our reliance on fossil fuels and so supports our country's transition to clean energy.

Site Location

The proposed development is located within the footprint of the newly operational Limekiln Wind Farm, located to the south of Reay in Caithness. Feasibility studies undertaken to date have indicated that the land available is well suited for this scale and nature of development.

Why is this project important?

The proposed BESS will improve the efficiency of Limekiln Wind Farm and the local grid, helping to alleviate pressure during times of peak energy production. This enhances energy security, reduces power outages, and creates a more resilient and cost-effective electricity network. It also helps reduce the likelihood of wind curtailment by storing excess electricity when the grid is at capacity and releasing it when demand is higher.

As well as contributing to the benefits outlined above, this project will, if consented, support local construction jobs along with local supply chains during construction and operation and offer community benefit, supporting the long-term future of local communities.

The Developer

Boralex is a Canadian based independent power provider. Boralex has developed, and now operates a large portfolio of wind farms and a number of solar parks, primarily in Canada and France. The company also owns and operates large hydro-electricity projects in Canada.

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BORALEX

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Key Features of the Proposed Development

- *Site Area:* approximately 22 hectares of a combination of commercial forestry and wind farm infrastructure;
- *Proposed BESS location:* The Proposed Development will be located on the reinstated temporary construction compound which was utilised for the construction of Limekiln Wind Farm;
- *Substation location and connection point:* An extension to Limekiln Wind Farm's substation, the Proposed Development's intended point of connection, is situated approximately 700 metres northwest of the proposed BESS location; and
- *Underground cable connection:* The Proposed Development includes an underground cable connection from the BESS location to the substation extension.

Reasons for Proposing the Temporary Construction Compound

The Proposed Development Area will be well screened by surrounding forestry so will have minimal landscape and visual impact:

- Minimal disturbance to undisturbed ground by using the reinstated temporary compound area and permanent onsite tracks for Limekiln Wind Farm;
- The proposed location of the temporary construction compound was not identified as a priority habitat for the Wind Farm application so minimal environmental impact is predicted; and
- The proposed location of the temporary construction compound has not yet been replanted with trees as part of the forestry plan for the Wind Farm.

Core Path

It is proposed to install the underground cable between the BESS and Substation alongside Core Path CA11.03 to minimise impact on forestry.

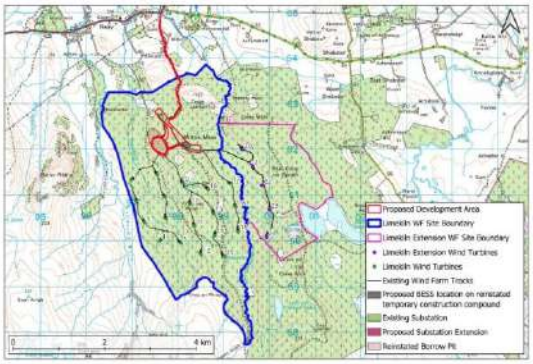
During the installation period (anticipated to be no more than 2 weeks) it is proposed to temporarily divert the core path route from the substation through the wind farm to rejoin at the BESS platform.



The Highland Council has been consulted on this temporary diversion and has indicated that no significant impacts are predicted. We will continue to consult with The Highland Council on this proposal.

BORALEX

ENVIRONMENTAL SURVEYS



In preparation for the submission of the planning application, we are carrying out environmental surveys to support the design of the Proposed Development site and to minimise its impact on the environment.

The Proposed Development Area has already been heavily assessed as part of both the Limekiln and Limekiln Extension Wind Farm applications. Key topics include:

Noise

At distances over 1 km away from any BESS no significant operational impact is anticipated for a BESS of this scale (up to 70 MW). Given the separation distances between the Proposed Development and the noise sensitive receptors being greater than 1 km, it is recommended that there is no need to assess potential noise impacts from both construction or operation phases.

Construction noise would be managed through the adoption of best practice measures incorporated within a Construction Environment Management Plan (CEMP) which would be prepared prior to the commencement of construction. The separation distances between construction activities and residential properties, coupled with its temporary nature, mean that construction noise would not be expected to result in significant effects.

Ecology and Ornithology

The temporary construction compound (the proposed BESS location) was not identified as a priority habitat so minimal environmental impact is predicted. An Extended Phase 1 Ecology Survey will be undertaken.

Following a walkover survey within 500 m of the Proposed Development, no notable breeding bird species were recorded. Observations included sparrowhawk, willow warbler, grey wagtail, mistle thrush, and siskins. These are typical of birdlife commonly found in commercial forest plantations.

Ornithology surveys are still ongoing. Full results will be included in the upcoming planning application.

Peat

A Phase 1 peat survey will be undertaken to establish the peat depth at the proposed BESS location, Substation extension and underground cable route.

The Proposed Development will need to clearly address a set of key points: how any areas of deep peat have been avoided; how impacts on shallower peat have been minimised; and how disturbed peat will be used in site reinstatement, or in restoration works elsewhere. To outline how any peat will be managed on the Proposed Development site an outline Peat Management Plan (oPMP) will be submitted alongside the planning application.

Forestry

The Proposed Development is on an area of ground within a large commercial conifer plantation. The area used for Limekiln Wind Farm's temporary construction compound was felled during the construction phase, and is due to be replanted under the Limekiln Wind Farm's Long-Term Forestry Plan. If the Proposed Development is consented, an additional area (equal to the Development Area of approximately 2.4 ha) will be replanted as compensatory planting within the landholding.

The area identified for the Substation extension (approximately 0.5 ha) lies within an area that has already been felled as part of the Limekiln Wind Farm construction, however some additional felling required for the fire safety buffer would be minimal.

Some tree felling may be required along the proposed underground cable route, which is approximately 700 m in length between the proposed BESS and Substation location. We have identified the opportunity to utilise the core path to install the underground cables parallel to the core path, which will minimise impact to forestry. The Highland Council is being consulted regarding this option.

Compensatory planting will be required for each of the three areas where there is net forestry loss. It is expected that the total replanting will not exceed 4 ha.

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ENVIRONMENTAL REPORT



An Environmental Impact Assessment (EIA) screening request has been submitted to the Highland Council. The decision is expected shortly and will determine whether an EIA is required for this application.

Assessments to support the planning application have been commissioned for the Limekiln BESS Proposed Development. This extensive study will form part of the formal planning application to be made to The Scottish Government.

The assessment and reporting process will include:

- Consultation with the local planning authority, key stakeholders and the public to identify specific concerns and issues;
- Determining the existing conditions at and around the Proposed Development by reviewing the available data and undertaking specialist field surveys;
- Assessing the potential impacts on the existing environment; and
- Mitigation proposals to alleviate any significant impacts identified.

The on-going assessments will provide data on the following:

- Landscape and visual impact;
- Carbon rich soils and priority peatland habitats;
- Ecology;
- Ornithology;
- Hydrology;
- Noise;
- Traffic and Transport;
- Archaeology/Cultural Heritage;
- Forestry

Other desk-based assessments will include appraising the impacts of the proposed development on health and safety, fire risk and mitigation, and socio-economics.

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GRID AND INFRASTRUCTURE



Infrastructure

It is anticipated that the BESS compound area will be approximately 1.5 hectares, and the Substation extension will be approximately 0.5 hectares to accommodate another transformer for the BESS project.

The main part of the facility is likely to consist of up to 90 battery storage units housed in containers, installed in rows. Each container will be approximately 6 m long, 2.4 m wide and 2.9 m high and likely to be dark green in colour. There will be Power Conversion Systems (PCS) and transformers serving each set of two containers. Fire detection and suppression systems and water storage tanks will also be installed within the facility.

The BESS will connect into the substation extension via an underground cable. There is spare capacity on the existing overhead line to Limekiln Windfarm that the windfarm does not use. The BESS project is designed to utilise this spare capacity, thus ensuring that there are no infrastructure works required from SSEN to connect the BESS project.

Construction and Site Access

The potential effects of construction traffic will be assessed throughout the design and Environmental Report process in consultation with The Highland Council (THC) and Transport Scotland. Impacts will be minimised as much as possible. Further details around the planned route to site and expected traffic movements will be provided in the planning application.

It is anticipated that the route to Site will be the same used for Limekiln Wind Farm, whereby any Abnormal Load Vehicles will arrive by sea, exit the port of Scrabster and head west on the A836 to the Limekiln Wind Farm entrance. Any other materials and components will be imported by road, and it is anticipated that the majority of these will approach from the south via the A9 and A836.

Access into the Site will be taken from the A836 and use the existing wind farm tracks meaning no new tracks will be required for the Proposed Development, minimising impact to undisturbed land.

Should Limekiln BESS be consented, construction would not be expected to commence until approximately Summer 2027.

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NEXT STEPS



We hope to submit the planning application for the Proposed Development to The Scottish Government in the summer of 2025.

An Environmental Report including all the results from the surveys will be submitted with the planning application. All the submitted documents will be uploaded to the project specific page on our website: www.limekilnwindfarm.co.uk

If you would like to receive a CD/USB stick containing all the planning application documents or a hard copy of the Non-Technical Summary (NTS) (a summary of the Environmental Report), please request this in the 'Voice your opinion' comment form available at the reception desk. The CDs/USB sticks and the NTS are provided free of charge for as long as stock last.

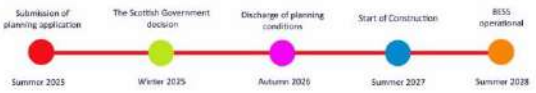
Once the planning application submitted, professional bodies in the fields of ecology, noise, landscape, cultural heritage, transport etc. will be formally consulted.

In assessing the Proposed Development, the Scottish Government will not only consider the application material, but also the views of local residents and a range of consultees, including:

- The Highland Council
- Caithness West Community Council
- NatureScot
- SEPA
- The Scottish Fire and Rescue Service
- RSPB
- Historic Environment Scotland
- Transport Scotland

The timeline shown below gives a likely indication of the timescale should the proposal be deemed acceptable (subject to change depending on the planning process).

Indicative Timeline



Contact points:

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Email: info@limekilnwindfarm.co.uk

Freephone: 0800 980 4299

Freepost: FREEPOST BORALEX

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Appendix 6

Community Open Day – Reay Hall

22 May 2025



Appendix 7

Battery plans for Limekiln



Wind turbines being transported to the Limekiln site from Scrabster last May. Picture: Peter Sutherland

By John Davidson
john.davidson@hnmedia.co.uk

A 24-TURBINE wind farm in Caithness is looking to add a battery storage system to the development.

The Limekiln wind farm, just south of Reay, became fully operational at the start of this month – and now there are plans to add the Limekiln Battery Energy Storage System (BESS).

The developer Boralex said its latest plans were at an early stage and it is due to hold a community drop-in event next week to share its proposals.

This first round of consultation is aimed at giving local residents a chance to hear about the new proposal and put questions to the team.

The BESS project will have a capacity of up to 70MW and, while it will share grid infrastructure with the wind farm, it would be operated as a separate entity as that is "the most economic way to market".

A spokeswoman for Boralex said: "This first round of community consultation will set out the location and give some background into the application process as well as the issues we understand are at the forefront of communities' minds."



Turbine blades in temporary storage on the quay at Scrabster during construction of the Limekiln wind farm in 2024. Picture: Chester Henry

She explained that the need for such battery storage systems is to make better use of renewable energy facilities while the grid infrastructure remains limited in terms of its export capacity. It would also reduce the need for constraint payments.

"BESS in the north of Scotland region are able to bid against the constraint market (as a load)," she explained. "As long as the BESS is charging up during a period where constraint payments would otherwise be paid, then there is no need for constraint payments up to the capacity of the BESS, so the requirement for constraint payments across the region is reduced.

"The electricity system operator (NESO) has the difficult job of ensuring power demand and supply are always equal.

"However, there is the added complexity that most electricity supply comes from the north of Scotland and the demand comes from the south of England. Currently, our transmission cables do not have the capacity to take all the generation from the north and send it to the south, this is why constraint payments are so high.

"BESS in the north of Scotland is ideally placed to absorb excess generation without incurring extra constraint payments for NESO. With more BESS in constrained areas the burden on the system operator is eased, using energy that would previously have been wasted and reducing the need for fossil fuels to manage over- and under-capacity in the system."

The community open day will take place on Thursday, April 17, from 1pm to 7pm at Reay village hall.

All the material shared at the open day will also be available on the consultation page of the website from that date.

Opponents of the Limekiln scheme previously warned that the wind farm would dominate the skyline for miles around, and that Reay residents would find themselves "encircled by turbines" if all the proposed onshore and offshore developments in the area went ahead.

The main scheme consists of 19 turbines, reduced from 21. The Limekiln extension plan, adding a further five turbines, was given the go-ahead in May 2022, with construction taking place from last year.

Each turbine has a maximum capacity of 4.2MW. Highland Council had originally refused consent for the development in 2019 but that decision was overturned by the Scottish Government.

The 11 square metre site, previously used as commercial forestry plantation, contains 24 turbines with a maximum blade-tip height of 149.9m and was commissioned on April 1.

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Some of the Reiss Gardening Club members who attended the club's 30th anniversary ce
Pic



ard, two founder members of the group's 30th anniversary.

Gardening club still gro

REISS Gardening Club held a special celebration to mark 30 years since the group's inception in 1995.

A cake shaped like a watering can and decorated with flowers was cut as members gathered to enjoy a soup-and-sandwich lunch.

The cake – baked by Shauni McAllan, the grandaughter o committee member – was founding members of th Mackay and Ray Rich

The pair became members to rece membership services to



Limekiln BESS
Community Open Day

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to The Scottish Government at that time.

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For more information
Freephone: 0800 980 4299
info@limekilnwindfarm.co.uk
www.limekilnwindfarm.co.uk

Telford Bridge floodlight proposal



A PROPOSAL to floodlight the historic Telford Bridge in Helmsdale, pictured above, is still on the table after first being discussed in July last year.

Councillor Richard Gale, East Sutherland and Edderton, told members of Helmsdale Community Council at their meeting last week that he had been in contact with the local authority about the initiative.

He said he had been told that the existing floodlighting on the structure was "knackered" and that while one arch of the bridge was accessible, scaffolding would be needed to install lighting on the other arch.

Cllr Gale said the authority would carry out the work 'at cost' and he was waiting to hear about the cost of scaffolding.

Trust head outlines plan to develop site

By Caroline Mcmorran
caroline.mcmorran@hnmedia.co.uk

THE chairman of Helmsdale and District Development Trust has outlined its plans for the further development of a site in the village.

Ruth Whittaker updated members of Helmsdale Community Council on the trust's proposals for Couper's Yard at their meeting last Thursday evening.

Couper's Yard is located on Shore Street and overlooks the River Helmsdale. The area currently has three electric vehicle charging points.

The trust had previously hoped to provide a hardstanding for motorhomes and campervans.

However, the plan had to be abandoned after the Scottish Environment Protection Agency (SEPA) objected, citing the risk of flooding.

Mrs Whittaker told Thursday's meeting that the trust's development officer Mary Stewart was working hard on a business plan for Couper's Yard, but it would be a slow process.

It is now hoped to install a black waste disposal unit for chemical toilets, as well as laundry facilities - a heavy-duty washing machine and a large sink for washing dishes and clothes.



Helmsdale and District Development Trust hope to further develop Couper's Yard on the village's Shore Street.

Mrs Whittaker said it was hoped this would take some of the pressure off the village's newly refurbished public toilets, which are owned and operated by the trust.

Visitors have been seen washing dishes and clothes in the toilets, and there have also been incidents of black waste being emptied into the toilets.

Mrs Whittaker added that the development plan also included storage for electric bikes, and there was also interest in having workshop units or storage facilities there.



Ruth Whittaker.

"There is space to do that, but Mary is still looking at that," she said.

Meanwhile she said that the trust had been very pleased to receive positive feedback on the condition of the public toilets.

She also reported that the village's MUGA (Multi Use Games Area), which the trust was also responsible for developing, was working well.



Surveys carried out at low tide along with manual depth measurements from a local boat have shown that the harbour is clogged up with mud and large banks of stones have built up on the channel leading out to sea. Picture@ iStock/ClaudineVM

Delay over harbour dredging

WORK to clear a badly silted East Sutherland harbour is being held up while the relevant authorities discuss where to dump the debris after it is removed from the sea, it has emerged.

Highland Council was in the process of submitting an application for a licence to carry out the work when it was told not to proceed until a dumping site had been identified.

A spokesperson for the local authority said: "The marine licence has not been granted. We were in the process of submitting it when the issue with the dump site arose.

"Licensing staff at the Marine Directorate advised that the application should not be submitted until the dump site issue is resolved." The spokesman added that once the licence was granted, dredging was likely to be carried out using a long-reach excavator at the entrance to the harbour and the harbour basin.

The harbour issue was briefly raised at a meeting of Helmsdale Community Council last Thursday when chairperson Alison Cowie said: "In the days they used a dredger, they would take it (the debris) out to sea. They now want them to dump it on the beach."

Limekiln BESS

Community Open Day

To find out more about the next phase of development and the proposal for the Limekiln Battery Energy Storage System, the project team invite you to a Community Open Day:

Reay Village Hall, Reay
Thursday 17th April, 1.00pm - 7.00pm

This first round of consultation will give local residents the chance to hear about this new proposal, view, comment on and put questions to the team.

All open day material will also be available on the consultation page of the website from 17th April. It should be noted that comments made to the team are not formal representations. Should an application be submitted, there will be an opportunity to make representations on the application to The Scottish Government at that time.

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Charity here to help parents

SCOTLAND'S national children's charity is urging Highland parents and carers to seek their support if worried about their child's mental health.

Children First, formerly the Royal Scottish Society for Prevention of Cruelty to Children, made the plea as part of mental health awareness week.

A recent survey commissioned by Children First showed 92 per cent of young people aged 11 to 25 in Scotland were worried about mental health.

Last year more than two-thirds of people who contacted Children First's support line were worried about a child's emotional wellbeing.

Simon McGowan, assistant director at Children First, said: "Whatever your concern about your child, we are here to help. Our friendly team can provide expert support and advice that can make all the difference."

The Children First support line can be called for free on 08000 28 22 33 but contact can also be made by webchat at www.childrenfirst.org.uk

Fake speed bumps rolled out in north

By Philip Murray
philip.murray@hnmedia.co.uk

FAKE speed bumps which locals ridiculed after being installed on a Highland street are being rolled out to another 10 locations at a cost of £40,000 - including two in Caithness.

Highland Council has confirmed that the fake speed bumps - painted two-dimensional road markings designed to create the illusion that they're raised 3D obstructions - will be piloted in numerous communities' 20mph zones where average driver speeds are "higher than desired".

Critics have argued that local motorists will swiftly catch on that there's no obstacle there and that they will prove ineffectual on routes used predominantly by residents.

Despite that Highland Council has since confirmed it has secured £40,00 from Transport Scotland to roll out fake speed bump markings at locations across the region.

These include on Bridge Street in Halkirk and Thurso Road in Wick.

A Highland Council spokesperson said: "The new markings will be piloted in nine locations throughout the Highlands where data showed higher than desired average speed results in areas where a 20mph limit had been implemented.



Two of the fake speed bumps will be trialled on Caithness roads as part of a region-wide pilot to gauge their effectiveness.

"The materials and installation of the markings cost approximately £40,000 which is covered by funding from Transport Scotland and is significantly less than physical traffic calming features would be for these pilot locations.

"This pilot will allow us to trial and investigate the effectiveness of these new 3D road markings as a potential alternative to physical traffic calming measures on our road network."

The spokesperson added that the pilot, which runs until the end of 2026. was being funded centrally by Transport Scotland, and did not involve Highland Council taxpayers' funds.

They also said the council would be studying motoring data at each site during the pilot to gauge effectiveness of the "speed bumps".

They added: "The funding for this year-long pilot has come from Transport Scotland as part of the 20mph programme.

"Like all of our initiatives, the primary goal is to reduce collisions and enhance active travel by improving road safety within local communities.

"We will be monitoring the speed limits on the roads before and after these markings have been implemented, to assess the pilot's effectiveness.

"However, the full impact won't be clear until long-term speed data has been collected.

"Once the analysis is complete, the findings will be published online.

"The areas selected for the pilot have been carefully chosen for their potential to benefit most from the reinforcement of the 20mph speed limit."

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To find out more about the next phase of development and the proposal for the Limekiln Battery Energy Storage System, the project team invite you to a Community Open Day:

Reay Village Hall, Reay
Thursday 22nd May, 1.00pm - 7.00pm

This second round of consultation will give local residents the chance to hear more about this new proposal, view, comment on and put questions to the team.

All open day material will also be available on the consultation page of the website from 22nd May. It should be noted that comments made to the team are not formal representations. Should an application be submitted, there will be an opportunity to make representations on the application to The Scottish Government at that time.

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Trampoline is among litter found in Wick



A group of volunteers at the riverside after the last of this year's three main litter-picking sessions in and around Wick as part of the Spring Clean Scotland campaign.

A TOTAL of 480 public-spirited citizens – most of them children – played their part in this year's springtime litter-picking events in and around Wick.

More than 260 black bags of rubbish were collected during the month-long initiative, along with larger discarded items including scooters, bikes and even a trampoline.

The collective effort has made "a huge difference", according to Allan Bruce, vice-chairman of the Royal Burgh of Wick Community Council (RBWCC) and organiser of the town's Spring Clean Scotland activities.

Spring Clean Scotland is an annual campaign run by the environmental charity Keep Scotland Beautiful and it took place this year from March 21 to April 21.

There were three main litter-picking sessions in and around Wick.

By Alan Hendry
alan.hendry@hnmedia.co.uk

> **All the effort that everyone put in has made a huge difference to our community in tackling the issue of litter.**

The first covered the area around the Grizzly Park and South Head, while the second focused on the airport industrial estate and nearby forest area. The third was devoted to general areas around Wick, starting at the riverside car park.

However, 10 organised events went ahead in all, with some of them extending beyond the town.

Mr Bruce gave an update at the monthly meeting of RBWCC on Monday.

He told fellow members: "I would like to take this opportunity on behalf of the Royal Burgh of Wick Community Council to thank everyone who took part in this year's organised spring clean events.

"This is the fourth year that we have organised events and it was fantastic to see so many people getting involved, especially more kids than ever before. It was also great to see some more events taking place outside of Wick this year.

"All the effort that everyone put in has made a huge difference to our community in tackling the issue of litter.

"I would like to mention the Highland Council waste services team, who again played their part in carrying out litter-picks on the roadside verges in the county, and for accepting everything we collected into the recycling centres and also for the supply of bags.

"I would also like to thank Wick Paths Group for a loan of their litter-picking equipment."

Mr Bruce explained that 480 people had taken part – 151 adults and 329 children – and they contributed around 960 voluntary hours.

"After all that effort we collected approximately 262 black bags, two scooters, two bikes, one scaffold stillage, one trampoline and various pallets, along with miscellaneous items," he said.

Organisations that supported the clean-up efforts included Rolls-Royce health and wellbeing group, Newton Park and Noss primary schools, Wick Paths Group, Wick Flowers, St Peter's Operative Lodge in Thurso, Step Forward Wick Youth and Watten Helps Out.

Referring to the three main Wick litter-picks, Mr Bruce said: "It was great to see a definite improvement in two of the areas. One area that was noticeably worse this year was the industrial estate."

He added: "We will look to make next year's spring clean bigger once again and look to involve even more people.

"One possible obstacle that has been identified, that could be preventing more people getting involved, is access to litter-picking equipment. I will be working over the next few months to try and ensure equipment is more readily available throughout the county.

"Once again a huge thank-you to everyone that was involved."

Mr Bruce was given an impromptu round of applause by his community council colleagues.

He also pointed out that the summer spruce-up, which normally takes place just before gala week, could be brought forward this year given that Wick is the venue for the County Show on Saturday, July 19.

Mr Bruce said: "We'll see what the weather is like, but it definitely makes a difference and the County Show takes thousands into the town."

In September last year, Mr Bruce was awarded a Clean Up Scotland Hero award by Keep Scotland Beautiful for his efforts to keep the town litter-free.



From left: Liz Hewitson, Michael Hanratty from SCAA and Gemma Duguid.

Whist supports air ambulance

A SPECIAL whist drive held in Murkle Hall raised £422 for Scotland's Charity Air Ambulance.

Friends Liz Hewitson and Gemma Duguid got together to stage the whist drive and have plans for staging more across Caithness over the summer.

"We're delighted that everyone was so generous," said Liz.

"We had raffle prizes, and people donated cakes, all for a good cause. The ladies with the SWI wanted to have a break for the summer, so we thought we'd organise one ourselves and give the proceeds to charity, so that's what we did."

There were 10 tables at the event, and the cardmaster was Alexander Longmuir.

Prizes were donated by Our Community – Wick Tesco – and the organisers sent thanks to Karen Center for helping. Liz and Gemma donated food along with Helen, Yardi, Coral, Cheryl, Sheila and Anne.

Results – Ladies: 1 Coral Sinclair 176; 2 Janice Jordan 166; 3 Liz Candeland 165. Consolation – Pat Custer 136.

Gents: 1 Nettie Gunn (acting) 175; 2 Arthur Gunn 169; 3 Yardi Cumming 168. Consolation – Hugh Crowden 144.

The next charity whist will be held on Friday, May 30 at 7pm in the hall at Puldagon Restaurant with all proceeds going to the Laurandy Centre in Wick.

Limekiln BESS

Community Open Day

To find out more about the next phase of development and the proposal for the Limekiln Battery Energy Storage System, the project team invite you to a Community Open Day:

Reay Village Hall, Reay
Thursday 22nd May, 1.00pm - 7.00pm

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Appendix 8

Voice Your Opinion

Contact Details

Name .....

Address .....

.....

Postcode .....

E-mail .....

Telephone .....

We will only use these details to contact you and update you on the proposals as you request.

Renewable Energy Project ..... Date .....

Your opinion is important to us. We would appreciate you taking a moment to complete the following questionnaire so we can find out more about your views on the proposal this exhibition is all about. The aim of this questionnaire is to allow individuals to contribute to the development process and interact with Boralex. This is not a substitute for the official planning process. No personal information will be passed on to third parties.

1. What are your views on the use of renewable energy to help meet our energy requirements?
(onshore and offshore wind power, solar power, biomass, wave and tidal power, amongst others)

☐ Very Supportive ☐ Supportive ☐ Undecided ☐ Opposed ☐ Very opposed

2. What are your views on the use of battery storage to help manage our renewable energy generation?

☐ Very Supportive ☐ Supportive ☐ Undecided ☐ Opposed ☐ Very opposed

3a. How do you feel about this battery storage proposal?

☐ Very Supportive ☐ Supportive ☐ Undecided ☐ Opposed ☐ Very opposed

3b. Why do you hold this view? Please state:

4. How close do you live to the proposed battery storage site?

☐ Within 1 kilometre (0.6 miles) ☐ Between 1 and 5 kilometres (3.1 miles) ☐ Further away than 5 kilometres (3.1 miles)

5. To develop this project, we have conducted a range of surveys that assess the current situation on site and the potential impact of the proposal. Are there any specific elements of the proposal that you are interested in and would like to be updated about?

Please select Yes or No and then tick the issues that interest you most:

☐ No
☐ Yes

☐ How the project might look
☐ Local wildlife
☐ Potential noise from the proposal
☐ Other (please state below)

☐ Tourism impacts
☐ Site traffic during construction
☐ Safety

6. If you have any further interests, please state below:

7. How did you first learn about the project?

- ☐ Word of mouth
- ☐ Postcard
- ☐ Google or other search engine
- ☐ Newspaper advert
- ☐ Newspaper article
- ☐ Social media
- ☐ (Invitation for) Public Exhibition
- ☐ Other (please state)

8. Please use the area below to ask a specific question or comment on the proposal.

9. If you would like us to respond to any of the comments you have made or questions you have asked in this questionnaire, please indicate here and, if required, we will get back to you shortly.

- ☐ Response wanted
- ☐ No response wanted

Data Protection

We hold all personal data in accordance with the General Data Protection Regulation (GDPR) (EU) 2016/679 and your personal data will not be transferred outside of the European Economic Area

Please return this questionnaire to the registration desk at the entrance of the exhibition.
If preferred, you can send the questionnaire to

Printed on recycled paper

Appendix 9

Request Form

Project: _____

Date: _____

1. Personal contact information

Full Name	
Address (including postcode)	
Telephone number	
Email	

By requesting information, your details will be held on a Boralex database and managed in line with GDPR regulations. Your information will not be passed on to any third party.

2. Information requested

Appendix 10

Voice Your Opinion

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[redacted]

Renewable Energy Project LIME KILNS Date 17/4/25

1. What are your views on the use of renewable energy to help meet our energy requirements?
(onshore and offshore wind power, solar power, biomass, wave and tidal power, amongst others)

☐ Very Supportive ☑ Supportive ☐ Undecided ☐ Opposed ☐ Very opposed

2. What are your views on the use of battery storage to help manage our renewable energy generation?

☐ Very Supportive ☑ Supportive ☐ Undecided ☐ Opposed ☐ Very opposed

3a. How do you feel about this battery storage proposal?

☐ Very Supportive ☐ Supportive ☐ Undecided ☑ Opposed ☐ Very opposed

3b. Why do you hold this view? Please state:

BATTERY LOCATION SHOULD BE SOUTH WHERE ENERGY IS NEEDED

4. How close do you live to the proposed battery storage site?

☐ Within 1 kilometre (0.6 miles) ☐ Between 1 and 5 kilometres (3.1 miles) ☑ Further away than 5 kilometres (3.1 miles)

5. To develop this project, we have conducted a range of surveys that assess the current situation on site and the potential impact of the proposal. Are there any specific elements of the proposal that you are interested in and would like to be updated about?

Please select Yes or No and then tick the issues that interest you most:

☐ No ☑ Yes

☐ How the project might look
☑ Local wildlife
☐ Potential noise from the proposal
☐ Other (please state below)

☐ Tourism impacts
☑ Site traffic during construction
☑ Safety

6. If you have any further interests, please state below:

7. How did you first learn about the project?

- [ ] Word of mouth
- [x] Postcard
- [ ] Google or other search engine
- [ ] Newspaper advert
- [ ] Newspaper article
- [ ] Social media
- [ ] (invitation for) Public Exhibition
- [ ] Other (please state)

8. Please use the area below to ask a specific question or comment on the proposal.

9. If you would like us to respond to any of the comments you have made or questions you have asked in this questionnaire, please indicate here and, if required, we will get back to you shortly.

- [x] Response wanted
- [ ] No response wanted

Data Protection

We hold all personal data in accordance with the General Data Protection Regulation (GDPR) (EU) 2016/679 and your personal data will not be transferred outside of the European Economic Area

Please return this questionnaire to the registration desk at the entrance of the exhibition.
If preferred, you can send the questionnaire to

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Voice Your Opinion

BORALEX

Contact Details

[redacted]

Renewable Energy Project LIMEKILNS BESS Date 22/5/25

1. **What are your views on the use of renewable energy to help meet our energy requirements?**
(onshore and offshore wind power, solar power, biomass, wave and tidal power, amongst others)

☑ Very Supportive ☐ Supportive ☐ Undecided ☐ Opposed ☐ Very opposed

2. **What are your views on the use of battery storage to help manage our renewable energy generation?**

☐ Very Supportive ☑ Supportive ☐ Undecided ☐ Opposed ☐ Very opposed

3a. **How do you feel about this battery storage proposal?**

☐ Very Supportive ☐ Supportive ☑ Undecided ☐ Opposed ☐ Very opposed

3b. **Why do you hold this view?** Please state:

4. **How close do you live to the proposed battery storage site?**

☐ Within 1 kilometre (0.6 miles) ☑ Between 1 and 5 kilometres (3.1 miles) ☐ Further away than 5 kilometres (3.1 miles)

5. **To develop this project, we have conducted a range of surveys that assess the current situation on site and the potential impact of the proposal. Are there any specific elements of the proposal that you are interested in and would like to be updated about?**

Please select Yes or No and then tick the issues that interest you most:

☐ No ☑ Yes

☐ How the project might look
☑ Local wildlife
☐ Potential noise from the proposal
☐ Other (please state below)

☐ Tourism impacts
☐ Site traffic during construction
☐ Safety

6. If you have any further interests, please state below:

7. How did you first learn about the project?

- [ ] Word of mouth
- [ ] Postcard
- [ ] Google or other search engine
- [ ] Newspaper advert
- [x] Newspaper article
- [ ] Social media
- [ ] (Invitation for) Public Exhibition
- [ ] Other (please state)

8. Please use the area below to ask a specific question or comment on the proposal.

I'D LIKE USTO STICK ON PLANNING DOCS
- PARTICULARLY INTERESTED IN ENVIRONMENTAL SURVEYS DONE & ANY PROPOSED MITIGATION

9. If you would like us to respond to any of the comments you have made or questions you have asked in this questionnaire, please indicate here and, if required, we will get back to you shortly.

- [ ] Response wanted
- [x] No response wanted

Data Protection

We hold all personal data in accordance with the General Data Protection Regulation (GDPR) (EU) 2016/679 and your personal data will not be transferred outside of the European Economic Area

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If preferred, you can send the questionnaire to

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Appendix 11

SP=EED™

Scottish Planning = Effective Engagement and Delivery

A Practical Guide to Better Engagement in Planning in Scotland



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Foreword

SP=EED™ was developed by Planning Aid for Scotland (PAS) between 2006 and 2008, anticipating that engagement and consultation would be central factors in Scotland's reformed planning system.

The vision of effective engagement contributing to more efficient planning processes and higher quality outcomes was central to the reform of the planning system, as set out in the Planning etc. (Scotland) Act 2006.

SP=EED™ is aimed at planning authorities, planning consultants, private and community-led developers, key agencies, community groups and members of the public, and is endorsed in the Scottish Government's *Planning Advice Note 3/2010*. PAS intends that it will be used as a framework to share and learn from experiences of delivering engagement.

With ever-increasing public desire to be involved in shaping future development, **SP=EED™** aims to provoke discussion and provide practical guidance, rather than being prescriptive. Its aim is to ensure that effective engagement will lead to confidence and trust in the integrity of the Scottish planning system.

Information about PAS's **SP=EED™** training is also included. If you would like further information about this, or have any questions or comments, please contact **sp=eed@planningaidscotland.org.uk**

Petra Biberbach
Chief Executive, Planning Aid for Scotland

Notes

SP=EED™ assumes that all statutory requirements for community engagement will be met by those undertaking the process. See www.scotland.gov.uk/Topics/Built-Environment/planning

As used in **SP=EED™**, the term stakeholder refers to any member of the public, group or organisation, involved in any way with engagement.

As used in **SP=EED™**, the term partner refers to any member of the public, group or organisation involved in engagement at Level 3.

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What is SP=EED™?

SP=EED™ stands for Scottish Planning = Effective Engagement and Delivery and is a practical guide to engagement in planning, devised and produced by Planning Aid for Scotland (PAS). It is targeted at all stakeholders in Scotland's planning system and is designed to help design, deliver and assess the process of engagement. By drawing on good practice and PAS's research, experience of engagement and independent expertise, **SP=EED™** sets out a framework which anyone can use.

When can SP=EED™ be used?

SP=EED™ can be used to guide the engagement process for planning authority, developer or community-led plans or proposals, or it can assist community groups and members of the public in suggesting to planning authorities or developers how they would like to be consulted.

Can SP=EED™ be used outwith planning?

While **SP=EED™** is designed specifically for engagement in planning, it is equally applicable to other development consent consultation procedures e.g. power stations (including renewable energy developments), transmission line or pipeline applications, harbour orders, transport and works orders, traffic regulation orders and private bill procedures. In future, with the Marine (Scotland) Act 2010 coming into force, it will equally apply to new marine planning procedures.

What is the aim of SP=EED™?

SP=EED™ aims to enhance the overall quality of engagement in Scotland, thereby contributing to a planning system where effective engagement leads to greater efficiency in the delivery of development. Both effective engagement, and public involvement in the design process, can lead to better proposals and fewer objections, meaning quicker progress through the planning process. **SP=EED™** also aims to spread and share good practice throughout the planning community in Scotland.

What is effective engagement?

There will never be a single formula for achieving effective engagement, so **SP=EED™** does not take a one-size-fits-all approach. Instead, it sets out 3 levels of engagement to suit different scenarios, and provides guidance on how to undertake effective engagement and consultation.

An essential aspect of effective engagement is managing public expectation. Planning can be complicated and emotive, with its legal nature adding a further layer of complexity. Timescales in delivering development can be lengthy, so meaningful engagement needs to be planned to manage and retain stakeholder involvement throughout the process, as well as setting out a realistic understanding of what can be achieved.

It is up to whoever is leading any engagement process to decide how they want to involve people. In some cases, the provision of basic information may suffice; in others, members of the public will play a key role in the design process of new proposals.

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Why Use SP=EED™?

What engagement is required in planning?

The Scottish Government's aim for planning is for it to be inclusive and efficient. The Planning etc. (Scotland) Act 2006 and subsequent regulations and guidance were introduced to achieve this.

In preparing Strategic Development Plans and Local Development Plans, planning authorities are asked to take an innovative approach to engagement and set out a Participation Statement within their Development Plan Scheme.

Pre-application Consultation (PAC) is a mandatory aspect of national and major planning applications. One public event must be held, and advertised as per statutory requirements, and a PAC report submitted with the planning application, detailing the level of engagement that has been undertaken.

However, effective engagement is appropriate and beneficial for any development proposal, regardless of its size or whether it is led by the community or the private sector.

How does SP=EED™ relate to existing guidance?

Unlike most guidance on public engagement, **SP=EED™** is designed specifically for the planning sector. It recognises the inherent complexities of undertaking engagement in planning, based on PAS's experience of helping people to engage with the planning system.

Due to the engagement requirements set out by Scotland's reformed planning system, practical guidance on effective engagement is now more important than ever. The Scottish Government's *Planning Advice Note 3/2010 Community Engagement* endorses **SP=EED™** as a means of achieving meaningful engagement. It also recognises the important role of communities and community groups in the decision making process.

Why is engagement in planning important?

Planning impacts on everyone, so it follows that members of the public and community groups should be given the opportunity to be involved.

Effective engagement can lead to better development proposals, potentially taking on board points raised by members of the public. People who have been actively involved in the design process or consulted effectively early on may have less cause to object at planning application stage. This can lead to proposals moving through the planning process faster and more efficiently.

Scotland's reformed planning system aims to achieve increased engagement alongside greater quality and certainty in the delivery of development. **SP=EED™** will help design, deliver and assess effective engagement to achieve this win-win outcome.

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Who Can Use SP=EED™?

SP=EED™ is an essential resource for any organisation or person **designing**, **carrying out** and **assessing** an engagement process. It is also a useful reference tool for community groups in helping them decide how they would like to be consulted.

Planning Authorities	• Development Plan Schemes and Participation Statements • Strategic Development Plans and Local Development Plans • Strategic Environmental Assessments, Open Space Strategies, etc. • Design or Development Briefs • Supplementary Guidance on engagement • Assessing Pre-application Consultation reports • Advising applicants on level of engagement to aim for
Developers **Planning Consultancies** **Housing Associations** **Urban Regeneration Companies**	• Proposal of Application Notices • Designing Pre-application Consultation processes • Pre-application Consultation reports • Development Brief consultations • Masterplan consultations • Regeneration processes • Other development consent consultation procedures e.g. energy consents, roads consents
Community Organisations **Development Trusts** **Members of the Public**	• Local community plans • Community-led proposals • Discussing and designing approaches to engagement • Negotiating with planning authorities/developers regarding preferred engagement methods
Key Agencies & **Statutory Consultees**	• Discussing approaches to engagement and consultation • Designing and guiding engagement/consultation processes • Training and reference guidance for staff • Disseminating good practice

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How to Use SP=EED™

SP=EED™ differs from other guidance on engagement in that it recognises that different approaches will be appropriate in different situations.

SP=EED™ therefore sets out 3 levels of engagement to aim for:

Level 1 Informing
Level 2 Consulting
Level 3 Partnership

Level 1 is the most appropriate level to aim for in certain scenarios.

Level 2 is the level of engagement practised most commonly throughout Scotland since the late 1960s, and should be achievable in many scenarios.

Level 3 is achievable in many scenarios and could be accomplished in community-led proposals, or other proposals where members of the public are involved in the design and development process; or in large development or regeneration projects.

SP=EED™ also sets out 8 criteria for effective engagement:

1	Transparency & Integrity	5	Responsiveness
2	Co-ordination	6	Inclusiveness
3	Information	7	Monitoring & Evaluating
4	Appropriateness	8	Learning & Sharing

Each of the criteria is dealt with on a separate page, outlining what to aim for at each level, and how to achieve this.

The *What to aim for* statements should be regarded as universal, and applicable to any engagement scenario. The *How can you achieve it?* section provides guidance on how to meet the criteria, but **SP=EED™** recognises that these are not the only ways in which the aims can be met.

Use **SP=EED™** to design effective engagement:

- think about and plan engagement well before the process begins
- help everyone to understand the objectives of the process
- manage public expectation
- identify suitable approaches
- manage the consultation process
- evaluate and learn

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The Three Levels of Engagement

Note – an engagement process might achieve different levels with regard to different criteria		
Level 1	Informing	• an essential building block for engagement • a one-way process • a valuable end in itself and the most appropriate level to aim for in certain situations • an essential step in achieving Levels 2 and 3
Level 2	Consulting	• incorporates and builds on Level 1 • an interactive and iterative process – listening, and being responsive to issues raised • an appropriate level in many situations • the level of engagement most often aimed for and achieved
Level 3	Partnership	• incorporates Levels 1 and 2, but goes well beyond • the most demanding level of engagement • achievable and appropriate in the right situation • may take place over an extended period of time • involves in-depth collaboration with partners, and could include potential for their input into design of proposals and the engagement process

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1 Transparency and Integrity

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**The purpose of the engagement is clear and people can find out about it easily.**	• Make a clear statement about the integrity of the engagement process. • Explain clearly the purpose of the engagement process. • Be clear about potential timescales of the engagement process and delivery of development. • Establish whether there is a legacy of trust or distrust from previous engagement – research previous engagement and consultation processes. • Advertise any engagement process or event prominently e.g. leaflets, posters, websites, local press and radio, social media. • Attract passers-by to events by having banners and posters outside venues. • Explain how further information can be accessed. • Explain the limits of the planning system (i.e. matters material to use and development of land).
2 Consulting	**Level 1 +** **Rights to participate are clearly explained and opportunities to express opinions are publicised.**	**Level 1 +** • Make clear which aspects of plans or proposals can and cannot be influenced via the engagement process. • Explain why any aspects of plans or proposals are non-negotiable. • Encourage balanced consideration of the pros and cons of plans and proposals. • Ensure statements and any assumptions in engagement materials are referenced. • Where appropriate, use professional planners to carry out engagement working under the RTPI Code of Conduct - make stakeholders aware of this. • Appoint dedicated note takers for group discussion events.
3 Partnership	**Level 1 and Level 2 +** **Dialogue will take place with partners about how they will be involved in the engagement process and how their input will be used.**	**Level 1 and Level 2 +** • Identify all potential partners early and explain to them, and other stakeholders, the benefits of a partnership approach. • Explain which aspects of the actual engagement process are negotiable. • Discuss how input from the engagement process will be used. • Discuss options for involving stakeholders in the design of proposals. • Keep a formal record of decisions and allow partners access to this.

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2 Co-ordination

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**The timetable for the engagement process will be published and relevant relationships explained.**	• Set out the engagement strategy well in advance, identifying how to target key stakeholders. • Allow appropriate time for the engagement process. • Establish whether other engagement/consultation exercises are on-going. • Be clear about, and provide explanation of, the roles of all stakeholders involved. • Allow a realistic amount of time in the workload of those carrying out the consultation. • Be flexible and have contingencies for any delays.
2 Consulting	**Level 1 +** **The timetable for the engagement process will include adequate periods for meetings, public events and discussion with stakeholders.**	**Level 1 +** • Decide when and how stakeholders' input will be sought and which methods should be used. • Take account of holiday periods and local or big events. • Plan times and locations of events to reach the widest range of stakeholders. • Where appropriate, be prepared to amend timescales. • Invite representatives from relevant local authority departments to meetings/events.
3 Partnership	**Level 1 and Level 2 +** **The timetable for the engagement process will include opportunities for partners to develop their own ideas; partners will be involved in discussing how to co-ordinate actions.**	**Level 1 and Level 2 +** • Tap into resources from the community: enthusiasm, local knowledge, local volunteers and networks of contacts. • Consider setting up a steering group representing the local community and interested parties. • Plan ahead to allow partners to input into timescales; allocate time and resources for them to develop their own ideas and proposals. • Consult those with experience of a partnership approach for guidance e.g. on timescales, levels of resources required, techniques to use. • Liaise with key agencies/statutory consultees about the partnership approach and its timetable, and take into account any impact of their policies or projects.

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3 Information

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**Information will be relevant, accurate and comprehensible to the target audience.**	• Describe the relevant issues clearly and succinctly. • If possible, present information visually; avoid too much text. • Identify at the outset gaps in information available, and how to source this information. • Explain national and regional plans/issues within the local context. • Provide summaries of the role and content of key documents e.g. Local Development Plans, Planning Advice Notes, and explain how to access full versions. • Invite people to sign up for updates e.g. by email or newsletter. • Reference all sources of information. • Consider holding a public meeting to attract and gauge public interest in plans or proposals.
2 Consulting	**Level 1 +** **Information will be communicated and shared, aiming to invite feedback.**	**Level 1 +** • Make every reasonable effort to satisfy requests for new information. • Present information in a way which will invite comment and debate. • Flag up any areas of uncertainty; state when and how these may be resolved; and provide opportunities for discussion of these areas. • Provide suitable means for responses and comments to be made. • Collate comments and suggestions - feed them back into the process so that information is up-to-date.
3 Partnership	**Level 1 and Level 2 +** **Identification, collection and dissemination of relevant new information by partners is encouraged.**	**Level 1 and Level 2 +** • Create a dialogue with all partners from an early stage to collate knowledge and information. • Start the information gathering process as early as possible for maximum efficiency. • Discuss with partners the best means of disseminating information. • Seek professional advice on information gathering techniques e.g. designing questionnaires and other surveys, with the aim of avoiding the problem of unreliable data.

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4 Appropriateness

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**Information will be presented to suit its intended audience and can be accessed by all stakeholders at each stage of the process.**	• Consider the best means of publicising the engagement process e.g. public notice boards, libraries, community centres, local press. • Use clear English and avoid planning-related jargon. • Be aware that the target audience will not be planning professionals. • Explain maps, drawings and diagrams in clear and simple terms. • For public events, use venues which are easy to find and times that allow all stakeholders to attend; provide access for people with disabilities and other needs.
2 Consulting	**Level 1 +** **Engagement processes to fit the situation will be used, with opportunities for discussion and for questions to be raised and answered.**	**Level 1 +** • Ensure that meetings, exhibitions and workshops are held at times and locations to suit different areas and groups within the community. • Allow responses to be submitted by various means (letter, telephone, email) as well as in person at consultation events. • Arrange for relevant professional staff to be on hand to answer questions at all times, or detail when they will be there. • Use models and visualisations of proposals. • Where appropriate, offer workshops and themed focus groups as well as exhibitions.
3 Partnership	**Level 1 and Level 2 +** **A collaborative approach to working with partners on proposals, and regular review of the engagement process.**	**Level 1 and Level 2 +** • Steering groups, meetings and forums will be open to all, and minutes will be made available publicly after these and any other open meetings. • Allow independent professionals/consultants to be brought in to explore possible solutions. e.g. architects, transport consultants etc. • Consider mediation in appropriate situations – when there are divided opinions but common aims.

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5 Responsiveness

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**Relevant information will be provided at every stage of the process.**	• Ensure that contact details for enquiries/responses are given on all materials. • Deal with enquiries promptly. • Enable access to relevant documents on internet and place copies of relevant documentation at public places e.g. libraries, post offices, community centres, planning authority offices. • Publicise any proposed changes to plans or proposals. • Record and publicise changes to plans or proposals as a result of the engagement process.
2 Consulting	**Level 1 +** **Findings from the engagement process will be analysed, disseminated, and potentially incorporated.**	**Level 1 +** • Provide a representative to record and answer questions at events. • If appropriate, provide respondents with a written response. • Offer further workshops or discussion groups to hear people's views or in response to feedback received. • Inform stakeholders if, how and why the proposal has been amended as a result of consultation. • If significant changes to a proposal are introduced, consider holding additional consultation events.
3 Partnership	**Level 1 and Level 2 +** **Partners will be offered the opportunity to present and discuss their own ideas and receive feedback.**	**Level 1 and Level 2 +** • Be ready to consider suggestions for modifying the engagement process. • Be prepared to give feedback on ideas and new matters raised by stakeholders. • Commission professional expertise e.g. trained facilitators to make best use of interactive methods for developing proposals and making decisions.

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6 Inclusiveness

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**Relevant representative groups/ organisations will be identified and information will be designed and disseminated to reach them.**	• Establish a contacts database and keep it up-to-date. • Use formal and informal networks to make the contacts database as representative as possible. • Identify seldom heard groups and consider how they tend to access information – e.g. via local newspapers/groups/venues/libraries etc. • Record data on factors relevant to inclusiveness and representativeness e.g. age, gender, residence, tenure etc. • Think creatively about venues appropriate to the type of proposal and all groups you want to reach, including seldom heard groups.
2 Consulting	**Level 1 +** **An emphasis will be placed on allowing the voices of seldom heard groups and those most likely to be affected to be heard.**	**Level 1 +** • Target publicity at all groups likely to be positively or negatively affected by the proposal. • Target seldom heard and potentially under-represented groups such as young people, BME (Black and Minority Ethnic) Groups, Gypsy/Travellers, women with young children, people with disabilities and elderly people. • Seek assistance from organisations specialising in promoting inclusiveness and relevant local authority staff: Equalities Officers, Youth Engagement Officers, Access Panels, etc. • Build links with local primary and secondary schools. • Knock on the doors of people affected by proposals rather than assume they will come to events; or use mobile units to reach a variety of areas.
3 Partnership	**Level 1 and Level 2 +** **Assistance and advice will be made available to seldom heard groups to enable them to become partners in the process; overall, a representative range of stakeholders will be consulted.**	**Level 1 and Level 2 +** • Plan an outreach programme to identify and listen to the needs of specific groups. • Go beyond statutory requirements for engagement. • Consider using Equalities Impact Assessments or Health Impact Assessments at the start of the process and review regularly. • Consider using liaison officers to work directly with specific groups. • Where possible, compare the profile of stakeholders involved throughout the whole engagement process to that of areas as a whole. • Consider using professionally designed and conducted surveys to ensure that the views of the population as a whole are known.

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7 Monitoring and Evaluating

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**Distribution of information and feedback received on the engagement process will be analysed after the process is completed.**	• Record and monitor distribution of information at the end of the process. • Record the number and type of any events that take place. • Look at the demographics of those who attended. • Consider ways to improve future exercises based on the above and feedback received about the engagement process.
2 Consulting	**Level 1 +** **Monitoring and evaluation of the engagement process will take place on an on-going basis.**	**Level 1 +** • Monitor the satisfaction of stakeholders at different stages of the process using appropriate techniques. • Keep a record of responses and other contributions to the engagement process, and assess the value, impact and outcome of contributions. • Encourage qualitative responses as to how the engagement process could be improved. • Reflect on the overall quality of the engagement undertaken.
3 Partnership	**Level 1 and Level 2 +** **Monitoring and evaluation processes will be devised in collaboration with stakeholders.**	**Level 1 and Level 2 +** • Ask partners at the outset about their thoughts on how best to evaluate satisfaction with the process. • Be ready to modify approaches to monitoring and evaluating as required on an on-going basis. • Analyse findings as you go along, aiming to embed the idea of monitoring and evaluation into every stage.

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8 Learning and Sharing

LEVELS	WHAT TO AIM FOR	HOW CAN YOU ACHIEVE IT?
1 Informing	**Lessons from the engagement process will be identified and lead to on-going improvements in quality.**	• Identify action points from what has been learned. • Build lessons learned into future engagement processes. • Ensure all those within the organisation leading the engagement process are informed about outcomes and lessons learned.
2 Consulting	**Level 1 +** **Lessons from the engagement process will be reviewed and shared with a focus on learning and training.**	**Level 1 +** • Share and discuss experiences more widely e.g. with other community groups, or organise forum events. • Make engagement a focus for in-house staff training. • Actively research other engagement processes and possible new techniques to use. • Take people who are new to engagement to meet people who have experience of recent or current projects. • Discuss how to improve future engagement exercises.
3 Partnership	**Level 1 and Level 2 +** **The creation of a creative, problem-solving culture where skills and experience are pooled, shared and enhanced.**	**Level 1 and Level 2 +** • Recognise from the outset that active participation can be a very rich way of learning and seek ways to capitalise on this. • Audit individuals' skills and share via formal or informal training sessions. • Share information about the engagement process, and findings from all partners, with all involved stakeholders. • Offer opportunities for members of the public as well as professionals to receive training.

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SP=EED™ Training

PAS training workshops are targeted at the **professional** and **community** sectors.

Training in **SP=EED™** is particularly relevant for:

Planning Authorities	Community Councils
Planning Consultants	Community Groups
Developers	Development Trusts
Other Consultants	Members of the Public

What are the benefits of SP=EED™ training?

- explore and understand **SP=EED™** and its practical use
- an opportunity for networking - showcase and share ideas regarding effective engagement
- learn about the Scottish planning system and how to undertake effective engagement
- re-energise and re-focus your ideas

What is the content of SP=EED™ training?

For Professionals: training focuses on the practical use of **SP=EED™** and developing skills for effective engagement in planning, whether in development plan or development management situations.

For Communities: training is aimed at community groups seeking to undertake a development project and wishing to improve their engagement skills. It is also relevant to groups seeking to develop their understanding of effective engagement in relation to planning.

Each workshop will cover:

- the importance of engagement in planning
- effective engagement and consultation practices
- using **SP=EED™** to design, manage and evaluate engagement

SP=EED™ training can be arranged at a time and place that suits you.

For more information, or to book your training, please contact:
sp=eed@planningaidscotland.org.uk
or call 0131 220 9730

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Note

Planning Aid for Scotland's website has a series of planning information sheets, providing further information.

Scottish Government Circulars 1/2009 Development Planning, and 4/2009 Development Management, provide further information on requirements for consultation and engagement.

Access Panels

Voluntary bodies set up to promote the rights of people with any form of disability.

Design/Development Brief

A document which sets out broad or detailed proposals for development of a specific site or area.

Developer

A person, business or organisation making a planning application. They do not have to own the land affected by the application as long as they notify the owner.

Development

The carrying out of building, mining, engineering or other operations in, on, over or under the land or the making of any material change of use in the use of any buildings or land (as defined by the planning acts). Development, so defined, requires planning permission.

Development Plan

A generic term for the Strategic Development Plan and/or Local Development Plan (see separate entries), the main planning documents which apply to a planning authority area.

Development Plan Scheme

A document required to be published annually by planning authorities, outlining a timetable for preparing the Development Plan, and including a participation statement outlining how they will undertake consultation.

Equalities Impact Assessment

An assessment which considers how a policy or plan may impact, on different sectors of the population.

Facilitator

A person, who has a neutral stance on matters being discussed, appointed to guide a meeting or discussion group.

Health Impact Assessment

A means of assessing the health impacts of policies, plans and projects using quantitative, qualitative and participatory techniques.

Local Development Plan (LDP)

Part of the Development Plan - a statutory document required to be prepared, after full public consultation, by all planning authorities in Scotland. The LDP is the basis for making planning decisions in a given area and deciding future land uses. In the four city-regions, the LDP will be supplemented with a Strategic Development Plan (see separate entry); elsewhere the Development Plan will comprise only the LDP.

National Developments / Major Developments

Planning proposals are divided into 3 categories: 'national', 'major' and 'local'. National developments are set out in the National Planning Framework. Major planning applications e.g. 50 houses or more, are defined in Scottish Government Planning Circular 5/2009 Hierarchy of Developments. National and major proposals require Pre-application Consultation (see separate entry).

Masterplan

A document, usually comprising a schematic plan, 3-dimensional

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images, and text, which illustrates and explains how it is intended to develop a site.

Mediation
A process involving a neutral, independent, trained mediator who aims to assist parties with differences to communicate effectively to resolve their differences.

Open Space Strategy
A document assessing existing open space and potential for new or improved open space within a local authority area.

Planning Advice Note (PAN)
Documents produced by the Scottish Government providing advice on good practice and other relevant planning information.

Planning Application
An application to a planning authority seeking planning permission for development.

Planning Authority
The body which is responsible for carrying out planning in any area – the local Council or National Park Authority.

Pre-application Consultation / Pre-application Consultation Report
A process required to be undertaken by prospective applicants for national or major planning applications prior to submission of applications to enable local communities to be better informed about significant development proposals in their area. See also: Proposal of Application Notice; Public Event

Proposal of Application Notice
Required to be submitted to the planning authority, and copied to relevant community councils, by prospective applicants for national or major developments at least 12 weeks prior to submission of the planning application, giving details of the proposal, including how engagement will be undertaken.

Public Event
An event, required to be held by prospective applicants for national or major development proposals as part of the Pre-application Consultation process, where members of the public can make comments.

RTPI (Royal Town Planning Institute)
The UK's leading planning body for spatial, sustainable, integrative and inclusive planning.

Steering Group
A group of interested and relevant stakeholders appointed to guide and lead a project.

Strategic Development Plan (SDP)
Part of the Development Plan - a statutory document prepared after full public consultation. SDPs apply to Scotland's 4 'city-regions'. SDPs will set parameters for Local Development Plans (see separate entry); contain 'vision statements' and 'spatial strategies'; and will consider how land use proposals for neighbouring areas will impact on the SDP area.

Strategic Environmental Assessment (SEA)
A process designed to measure the likely environmental impacts (both positive and negative) of a 'Scottish public plan, programme or strategy' (PPS).

Supplementary Guidance
Documents produced by planning authorities to provide additional detailed guidance on certain topics, policies or proposals which are set out in Development Plans.

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We remain indebted to Professor Cliff Hague who guided the original project.

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Notes

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Limekiln
Battery Energy Storage System:

Planning Statement

July 2025

BORALEX

dbplanning.co.uk

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1. Introduction and Overview

1.1 Introduction

1.1.1 Boralex Limited ('the Applicant') has submitted an application under section 36 of the Electricity Act 1989 ('the 1989 Act') along with a request that Ministers issue a direction that planning permission is deemed to be granted under section 57(2) of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act') for consent to construct and operate a proposed Battery Energy Storage System ('BESS') (over 50 MW) and associated substation and infrastructure, access and ancillary works ('the Proposed Development') on land within the operational Limekiln Wind Farm, South of Reay in Caithness ('the Site').

1.1.2 The Proposed Development has an installed capacity of up to 70 megawatts ('MW'). It responds to the need for a significant transition in the UK's energy network, as part of the drive to net zero and the associated increase in renewable energy generation and transmission.

1.1.3 BESS play a vital role in decarbonising the energy sector whilst also helping maintain reliable energy security for consumers. BESS support the grid network and provide an important role particularly in current times when there is an urgent need for substantive grid network reinforcement; enhancement of capacity is critical to capturing renewable energy generation and increasing security of supply.

1.1.4 The operation of batteries such as the Proposed Development offers a sustainable alternative to carbon-intensive energy sources to supply and maintain the grid, which reduces the energy network's reliance on fossil fuels and ultimately contributes to achieving the UK and Scottish Government's greenhouse gas emission targets, whilst enabling enhanced energy security and reduced energy costs for consumers.

1.1.5 This Planning Statement considers the case for approval in land use planning policy terms. Reference is made to the Development Plan and national planning and energy policy both of which support the delivery of essential electricity infrastructure that will assist in the delivery of the Government's legally binding net zero commitments and which will ensure security of supply to customers.

1.2 Site Location and Description

1.2.1 The Site is located within the footprint of the operational Limekiln Wind Farm, south of Reay, Caithness within the administrative boundary of the Highland Council ('THC'). The Site consists of a combination of wind farm infrastructure and commercial forestry.

1.2.2 The overall Site area is approximately 32 hectares ('ha') with access taken from the A836, utilising the existing wind farm access tracks. The Site is rural in nature with a small number of residential properties surrounding. The nearest residential properties include Borlum House, Milton and Loanscorribest, which are located approximately 1.5 km north of the Proposed Development. The closest main and minor roads are the A836 and the Reay to Shebster Road which are approximately 3 km from the Site, with no visibility from the routes.

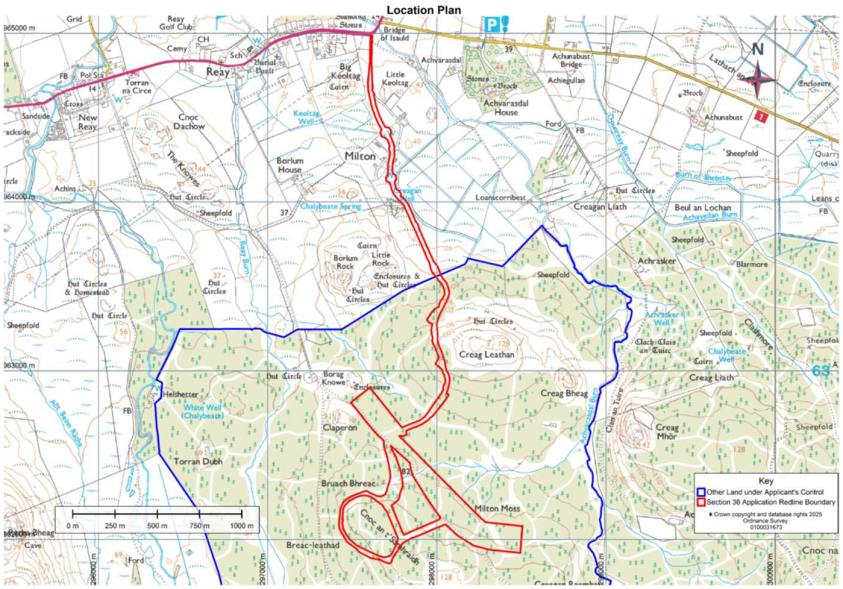
1.2.3 It is proposed that the BESS would be situated on land which forms the reinstated temporary construction compound which was utilised to construct Limekiln Wind Farm.

1.2.4 Existing wind farm tracks would be utilised for the proposed BESS, which no new access tracks required for the Proposed Development.

1.2.5 The location of the BESS is driven by its proximity to the existing Limekiln Wind Farm grid connection. The Applicant is seeking to optimise the use of the existing grid connection infrastructure for Limekiln Wind Farm to improve efficiency and flexibility of the grid. Locating the BESS infrastructure as close to the connection point (being the existing wind farm substation – which is to be extended as part of this proposed development) maximises

electrical efficiency of the facility and minimises the required cable length, therefore reducing environmental impact. Figure 1.1 illustrates the Site Boundary.

Figure 1.1: Site Boundary



1.2.6 The Site is situated within a large coniferous woodland plantation known as Limekiln. The existing Limekiln and Limekiln Extension Wind Farms (together referred to as Limekiln Wind Farm) are operational. The underlying landform comprises relatively low and gently undulating hills, characteristic of the wider sweeping moorland to which it is located. The woodland location means that the Site is well separated from the majority of visual receptors in the wider area.

1.2.7 The nearest settlement to the Proposed Development is Reay, located 3 km north of the Proposed BESS and approximately 2 km north of the proposed substation extension, with no visibility of the Proposed Development experienced, due to the screening effect of the intervening coniferous forestry.

1.2.8 There are no international, national or European sites for nature conservation within the Site boundary. The closest designation to the Site is the Farr Bay, Strathy and Port Skerra Special Landscape Area ('SLA') which lies approximately 8 km to the north-west, which the Dunnet Head SLA lies over 20 km to the east. The East Halladale Flows Wild Land Area ('WLA') lies approximately 1.7 km to the west of the Site with the North Caithness Cliffs Special Protection Area ('SPA') is located approximately 1.3 km north.

1.2.9 Sandside Bay Site of Special Scientific Interest ('SSSI') is located circa 35m from the northern point of the existing access track and is located circa 2.4 km from the proposed BESS.

1.3 Environmental Impact Assessment & Public Consultation

1.3.1 The Applicant submitted an Environmental Impact Assessment ('EIA') Screening Request to the Energy Consents Unit ('ECU') on 22nd April 2025. A response was received from the ECU on 6th June 2025 confirming that no EIA would be required. Notwithstanding that position, the Applicant has prepared a number of supporting technical and environmental appraisals in support of the Section 36 application which are reported within a supporting Environmental Report ('ER'). Key technical appraisal topics addressed are:

- Forestry;

- Landscape and visual;
- Ecology;
- Ornithology;
- Cultural heritage;
- Geology and peat;
- Hydrology and hydrogeology;
- Noise;
- Traffic and transport;
- Socio-economics;
- Outline Battery Safety Management Plan ('oBSMP').

1.3.2 Statutory consultation does not form part of the section 36 application process however best practice references that the Town and Country Planning Act procedures for consultation on 'major development' should be followed where possible. The Applicant has followed this approach.

1.3.3 The section 36 application is supported by a Pre-Application Consultation ('PAC') Report which outlines the public engagement undertaken and it sets out how matters raised within consultation process have been responded to.

1.4 The Proposed Development

1.4.1 The Proposed Development principally comprises the construction and operation of a BESS of an indicative 70 MW capacity, a substation extension to the existing Limekiln windfarm substation, and associated infrastructure, with associated access, landscaping and ancillary works. The footprint of the BESS compound including a potential future augmentation area is approximately 1.2 ha.

1.4.2 The detailed design of the Proposed Development has not been fully developed with precise layout and specific technology selection to be refined at time of development and determined by the appointed contractor; however, the principal components of the Proposed Development include:

- Up to 90 battery storage containers approximately 6.0m long, 2.5m wide and 3.0m high;
- Electrical substation extension and associated infrastructure;
- Power Conversion Units ('PCS's')
- MV/LV PCS transformers
- Control and switchgear building;
- MV/LV auxiliary transformer;
- Underground cable connection to 132kV substation extension;
- 132kV Breaker, 132/33kV transformer and 33kV breaker at the substation extension
- Spare parts containers;
- Office / welfare facilities;
- Fire suppression systems;
- Water storage tanks;

- Back-up generator;
- Palisade fencing typically 3m high;
- CCTV cameras, motion activated lighting and fencing;
- Site access and internal access tracks;
- Biodiversity mitigation and enhancement;
- Drainage (including SuDS);
- Temporary construction compound; and
- Maintenance vehicle parking.

1.4.3 The BESS units would be located within a compound measuring approximately 115 m x 80 m which would be formed of crushed rock load on permeable membrane. There would also be a potential future augmentation area which will be formed from crushed rock measuring approximately 80 m x 50 m.

1.4.4 The compound would be enclosed by a 3 m high palisade fence with CCTV cameras installed on the fence at each corner and at strategic internals along the perimeter.

1.4.5 The maximum height of any structure within the BESS compound facility would be approximately 4 m. The only lighting would be motion sensor activated lighting on the units. Lighting would be up to 7.5 m height. Fire detection and suppressions systems would also be installed.

1.4.6 During operation the Site would be unmanned and operated remotely. Minimal on-site activities are required once operational other than infrequent maintenance activities.

1.4.7 A more detailed description of the Proposed Development key elements is provided at Section 3.4 of the ER.

Access

1.4.8 As explained, access to the BESS compound would utilise the existing wind farm tracks with no new tracks proposed outside the confines of the compound. An internal access track is proposed within the BESS compound required for future maintenance and repair and to meet fire regulations.

Grid Connection

1.4.9 The Proposed Development will connect into the existing substation for the Limekiln Wind Farm which will be extended for the Proposed Development, and lies approximately 800 m to the north west of the BESS compound.

1.4.10 A 132 kV underground cable will connect into the Proposed Substation extension located approximately 800m to the northwest of the BESS compound.

Forestry Felling / Section 36 Wind Farm Reinstatement

1.4.11 The Proposed Development is proposed on an area of ground which is within a large commercial conifer plantation. The Limekiln Wind Farm consented forestry plan indicated that the area would be replanted with productive conifer species as part of the agreed reinstatement. Felling for the temporary construction compound was not therefore included in the woodland loss calculations for the Wind Farm but is already felled.

1.4.12 The area identified for the substation extension lies within an area that has already been felled as part of the Wind Farm construction; however some additional felling will be required for the fire safety buffer.

1.4.13 Minimal tree felling would be required to install the underground cable alongside the core path.

1.4.14 On the basis that the Proposed Development gains consent, a total area of 2.59 ha productive conifer felling is required. 0.71 ha of replanting is proposed within the Site boundary near the proposed Substation Extension to match the Long-Term Forestry Plan (LTFP) Restocking Plan, and the remaining 1.88 ha of compensatory planting is proposed within the landholding. An amendment to the Limekiln Wind Farm LTFP will be progressed separately as required.

Construction

1.4.15 The estimated construction period for the Proposed Development is 6-12 months. A detailed construction programme will be developed by the construction contractor when appointed and this will be provided to the Council as part of a standard Construction Environmental Management Plan ('CEMP') prior to commencement of construction. It is expected that this will form a condition to any consent.

1.4.16 Normal construction hours will be between 07.00 and 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays.

Operation and Maintenance

1.4.17 The lifetime of the Proposed Development is proposed for 40 years. Once operational, BESS require minimal maintenance, likely to comprise routing inspections by technicians and occasional cleaning / maintenance as required.

1.4.18 Typical traffic to the Site would be up to two vans per month. No heavy goods vehicles ('HGVs') are anticipated to be required in the operational period unless any part of the BESS required replacement.

Decommissioning

1.4.19 Should the Proposed Development cease to operate, either at the end of a prescribed operational period or as a result of new technology requirements, decommissioning works and site rehabilitation would be subject to a Restoration and Decommissioning Strategy which would be prepared in consultation with and approved by the Council prior to the commencement of any works, secured via a planning condition.

1.4.20 Decommissioning will consider relevant environmental legislation and technology available at the time of decommissioning. Decommissioning works would be undertaken in accordance with a statement of operations covering safety and environmental issues, including the safe removal of electrical equipment and other infrastructure, to ensure the Site can be effectively reinstated.

1.5 The Statutory Framework

1.5.1 An application under section 36 of the 1989 Act for consent for the construction and operation of an electricity generating station with a capacity that exceeds 50 MW is significantly different from an application for planning permission for a similar station whose capacity is 50 MW or less.

1.5.2 Section 25 (status of the Development Plan) of the 1997 Act does not apply to the determination of applications under section 36 of the 1989 Act as confirmed in the case of William Grant & Sons Distillers Ltd v Scottish Ministers [2012] CSOH 98 (paragraphs 17 and 18).

1.5.3 In addition, there are potentially certain environmental duties in relation to Preservation of Amenity and Fisheries Provisions in Schedule 9, paragraph 3 that may apply.

1.5.4 At this time the Applicant does not hold a generation licence and therefore the statutory duties set out in paragraph 3 of Schedule 9 to the 1989 Act do not currently apply to the Applicant when formulating proposals for consent under section 36 of the 1989 Act. However, the Applicant submitted an application for a generation licence in April 2025.

Furthermore, the Applicant has, through the assessment process, had due regard to the matters set out in paragraph 3(1)(a) of Schedule 9 of the 1989 Act.

1.5.5 The Proposed Development has been screened negatively for EIA purposes and is therefore not EIA Development. This means that there are not likely to be any significant environmental impacts arising from the proposal. The supporting environmental and technical reports identify how various factors have been taken into account in the formulation of the application. In addition, assessments identify likely effects and, where appropriate, mitigation to minimise impact either through embedded design or specific measures.

1.5.6 The Scottish Ministers are obliged to consider whether the Applicant has provided sufficient information to enable them to address their duties under sub-paragraph 3(2)(a) of Schedule 9 to the 1989 Act. The duty on the Scottish Ministers is to have regard to the desirability of the matters specified in Schedule 9. Schedule 9 is not a development management test.

1.5.7 In considering the overall statutory and regulatory framework within which the Proposed Development should be assessed, the statutory Development Plan is a material consideration which should be taken into account in the round with all other relevant material considerations. It is important to note however, that section 25 of the 1997 Act is not engaged as there is no 'primacy' of the Development Plan in an application made under the 1989 Act.

1.6 Policy Status of the Proposed Development

1.6.1 It is important to note the **national planning policy status** of the Proposed Development as follows:

- The Proposed Development is identified as a **National Development** ('ND') under the provisions of National Planning Framework 4 ('NPF4') ND3 under the class of development noted at (a) as "*on and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity*".
- The Proposed Development is for a critical mechanism to help decarbonise the transmission network to optimise the transmission of renewable connections and transmission of energy to the wider GB network.
- ND3 supports renewable electricity generation, including storage repowering, and expansion of the electricity grid. This infrastructure is designated as a National Development and explicitly supported by NPF4 under the provisions set out in Policy 11(a)(ii) (Energy)).
- The **Statement of Need** for the Proposed Development as contained in NPF4 is as follows:

  "*A large and rapid 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, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero-carbon network will require. Generation is for domestic consumption 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 across Scotland… as well as delivering wider social and economic benefits."

The Proposed Development responds to this need and delivers essential storage infrastructure required in the drive to net zero. The Proposed Development is defined in NPF4 as **essential infrastructure**.

- The Proposed Development will support and enhance critical balancing of power use and reduce reliance on fossil fuels, and in doing so further enhance security of supply to the national grid. BESS are required as vital transmission support stations to deliver the Government's legally binding targets for net zero emissions and renewable energy electricity generation targets and policy objectives.
- The Proposed Development has been designed to minimise environmental impacts and includes a scheme of mitigation to ensure the long-term protection of the local and wider environment and deliver development which is sustainable and seeks to maximise generation from an already operational generation Site and grid connection – Limekiln Wind Farm.

1.7 Structure of Planning Statement

1.7.1 This Statement seeks to address the pertinent land use planning policy matters relevant to the determination of the application, to aid decision makers in their policy assessment and to set out conclusions on the proposal.

1.7.2 This Planning Statement provides an assessment of the Proposed Development against relevant policy provisions and the statutory Development Plan. The appraisal also highlights where there are incompatibilities between national planning policies by way of National Planning Framework 4 and those of the Highland Wide Local Development Plan ('HwLDP').

1.7.3 This Statement is structured as follows:

- **Chapter 2** provides an overview of the Proposed Development and sets out key facts on operation and purpose, need, site selection, design, safety (including fire safety) and the benefits of the proposal.
- **Chapter 3** sets out the up-to-date position with regard to renewable energy policy and the emissions reduction legislative framework and includes reference to the Scottish Government's Draft Energy Strategy and Just Transition Plan;
- **Chapter 4** appraises the Proposed Development against the most up to date element of the Development Plan, namely the relevant provisions of NPF4;
- **Chapter 5** appraises the Proposed Development against the relevant provisions of the HwLDP; and
- **Chapter 6** examines the planning balance and presents overall conclusions.

2. Project Overview and Key Facts

2.1 Introduction

2.1.1 This chapter provides a summary of the role of BESS and outlines the approach to site selection and outline design adopted. Furthermore, the chapter summarises the benefits of the Proposed Development.

2.1.2 For BESS, fire and safety matters, despite not being a material planning consideration are often examined by decision makers, and this chapter also provides an outline of the relevant safety measures included as part of the Proposed Development. The consideration of pollution / drainage as a result of a fire is material and is fully considered within the associated supporting documentation.

2.2 Role of BESS

2.2.1 BESS are designed to support local distribution and national transmission electricity networks with the balancing of supply and demand. BESS also provide additional services to district and national network operators to help manage electrical grid stability.

2.2.2 The Proposed Development is for up to 70 MW that will connect directly ultimately to the transmission network infrastructure. The Applicant is seeking to maximise generation from an existing grid connection.

2.2.3 The UK's energy network is undergoing a significant transition, comprising a reduced reliance on fossil fuel power plants as they reach the end of their operational lifecycles, and an increasing preference for and reliance upon renewable energy sources. National and international legislation and policies are in place to encourage this transition, including the Climate Change (Scotland) Act 2009 and which has set an ambitious target to reduce Scotland's emissions of all greenhouse gases (GHG) to net zero by 2045.

2.2.4 BESS play a vital role in ensuring the full potential capacity of existing and future renewable energy generation is exploited and the successful transition to a net-zero future. BESS import large amounts of renewable energy from surrounding renewable generators (e.g. wind) when supply is typically at its highest and in excess of demand, storing it, and then exporting it back to the grid when demand is high, but supply is low (e.g. still days).

2.2.5 The National Energy System Operator ('NESO') currently pays renewable generators to turn off supply in Scotland to prevent an overload of the system and simultaneously instructs fast response generators (normally gas power plants) in areas of high consumption to switch on to increase supply. This results in both increased costs to consumers and undermines efforts to transition to a net-zero energy system.

2.2.6 Co-located with Limekiln Wind Farm, and giving rise to minimal environmental impact, the Proposed Development can support the Transmission Operator to manage network constraints; minimising curtailment and can maximise the benefits of current and future renewable energy generation in Highland and throughout Scotland.

2.2.7 BESS are recognised as an essential technology to realise the benefits of renewable generation. BESS reduces the energy network's reliance on fossil fuels and ultimately contributes to help achieve the UK and Scottish Governments' GHG emissions reduction targets. The Proposed Development also contributes to energy security and reduced energy costs for consumers.

2.3 Site Selection & Design Approach

2.3.1 The location of the Proposed Development has been driven by the desire to maximise the generation from an established grid connection for Limekiln Wind Farm. The location of the Proposed Development is driven by the need for proximity to the established and operational Wind Farm substation.

Grid connectivity

2.3.2 BESS are required to import and export energy from the existing electricity network via a substation. For an energy storage facility to connect to an existing substation, the substation must have available capacity, and a corresponding grid connection agreement must be secured with the Transmission Operator. The Limekiln Wind Farm substation has that capacity and enables optimisation of existing connections.

2.3.3 From an electrical perspective, it is most efficient to locate a BESS within close proximity to the point of connection to reduce electrical losses associated with the transport of electricity between the electricity network and the BESS. The site was therefore selected because of its proximity to the existing substation within the operational Wind Farm Site.

Environmental Considerations & Design Approach

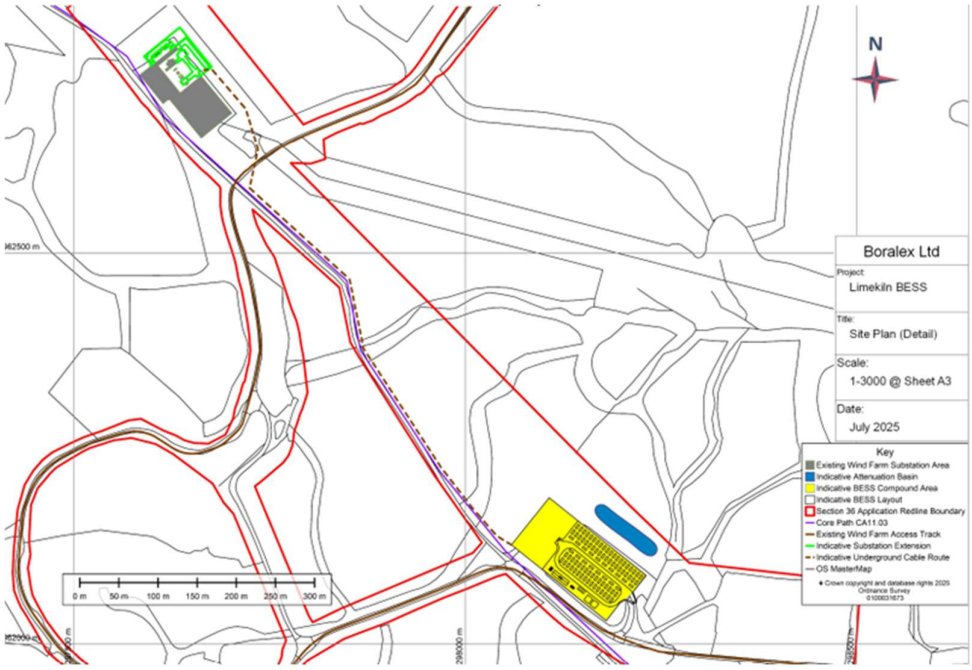
2.3.4 Energy storage facilities, as with any development, should wherever practicable avoid being sited on land which is designated for landscape, heritage, ecological or other environmental reasons, or on land where development is restricted by local planning policies.

2.3.5 Detailed knowledge of the Site, given its wider Wind Farm use and from site surveys confirmed the absence of any sensitive environmental receptors in proximity to the Site. The site which was ultimately selected for the following reasons:

- Co-location with Limekiln Wind Farm;
- Topography and natural screening present in the form of mature trees and other vegetation;
- Location away from sensitive environmental, landscape and local residential receptors; and,
- Use of existing access tracks / existing infrastructure.

2.3.6 The Proposed Development has been developed and designed in accordance with industry best practice and relevant health and safety regulations including Construction Design and Management ('CDM') Regulations 2015.

Figure 2: Proposed Site Layout



2.3.7 The design responds to the specific environmental, physical and contextual nature of the Site. The design and spatial arrangement of the Proposed Development has had regard to fire and electrical safety critical distances; construction, operational and maintenance requirements; and asset protection considerations.

2.3.8 The BESS and Substation Extension have been located and designed to minimise the effect on the surrounding landscape and visual resource. This has been achieved by locating the BESS and Substation Extension within existing areas of coniferous plantation, on brownfield sites, situating these developments at relatively low elevations and integrating them into the local landscape setting by respecting existing ground levels, and in the case of the Substation Extension, by positioning it immediately adjacent to the operational substation.

2.4 Safety & Fire

2.4.1 An Outline Battery Safety Management Plan ('OBSMP') is submitted with the application.

2.4.2 Best practice fire guidance has been followed with regard to the design of the Proposed Development including ensuring the provision of at least two points of access / exit to each BESS compound area from the access track to the Site in event of fire to ensure fire fighter safety, set back of vegetation from battery units and treatment of run-off should water on site be required to fight fire.

2.4.3 It is noted that fire safety and risk management is not a material planning consideration in the determination of applications of this nature, but this document is submitted for information.

2.4.4 Treatment of the run-off of water used to fight fire should a fire event occur has been considered in the Flood Risk Assessment & Drainage Impact Assessment. Provision will be made for firewater containment in the BESS site. This is proposed to be provided by lining the proposed detention basin with a low permeability liner and provision of a penstock/shutoff valve on the outfall which can be used in the unlikely event of a fire to contain firewater in the basin, thus preventing contaminated fire water entering the Achvarasdal Burn system or wider environment. It is also recommended that the interceptor drains/ditches directing flows to the basin are lined. Further details on the assessment of firewater management are provided the Flood Risk Assessment and Drainage Impact Assessment.

2.5 The Benefits of the Proposed Development

2.5.1 The key benefits that would arise from the Proposed Development are summarised below:

Energy Storage & Security of Supply

> The Proposed Development will deliver a BESS with an indicative capacity of 70 MW, delivering a vital role in decarbonising the energy sector whilst maintaining reliable energy security for consumers.

> The Proposed Development will provide essential balancing capacity on the transmission network to enable more efficient maximisation of transmission of new renewable generation. It will optimise the delivery of renewable electricity generation from Limekiln Wind Farm.

> The Proposed Development is consistent with the core aims of NPF4 National Development 3 which seeks to deliver additional renewable energy generation and enhanced transmission capacity to achieve a net zero economy and support network resilience in rural areas. The proposal is of national importance.

> Furthermore, the BESS also has the potential to supply the grid with essential energy security functions including:

- **Voltage support services:** Batteries can supply the network with quickly dischargeable energy during low voltage periods or blackouts; to date these scenarios have typically been managed by reliance on quickly dispatchable fossil fuel energy generators (typically gas peaking plants); and
- **Grid stabilisation services (inertia):** Inertia is incredibly important for the stable operation of the electricity system; it is a by-product of coal and gas-fired generators, however renewables like wind and solar are not able to provide inertia. As older coal and gas plants come off the system and renewable energy generation becomes the dominant source of energy nationally, we need to find new ways to provide grid stability. BESS are able to provide these stability services.

> The Proposed Development, if consented, would provide a valuable contribution to security of supply for Highland, Scotland and for the wider Great Britain ('GB') area. The Proposed Development would enhance the operational capacity of the grid network to enable transmission of renewable energy efficiently, safely and consistently.

Economic & Community Socio-Economic Benefits / Local Supply Chain Opportunities

> The socio-economic benefits of the Proposed Development are summarised below and set out in more detail in Chapter 13 of the ER:

- Pre-development investment and planning fees, benefitting a range of Scottish-based companies and organisations;
- During development and construction, the economic benefits that are expected are: £3.2 million Gross Value Added ('GVA') and 40 years of employment in Highland; and £8.4 million GVA and 100 years of employment in Scotland.
- The expenditure for the operation and maintenance of the Proposed Development could deliver up to: £0.3 million GVA and 3 jobs in Highland; and £0.5 million GVA and 4 jobs in Scotland.
- During operations and maintenance, the Proposed Development will also support the delivery of local services through the annual payment of £0.1 million in non-domestic rates.

- While community benefit funding is not a standard practice for energy storage developments, the Proposed Development will provide £8,400 per year index-linked in funds to support community-led initiatives over its operational lifetime.
- The Proposed Development will contribute to the five pillars of community wealth build through local spending, a BESS fund, local employment, fair wages, using the land for productive use, and stakeholder engagement.

> The Applicant is also committed to maximising local supply chain opportunities, post the grant of a consent and pre-construction.

Biodiversity Enhancement

> The greatest threat to biodiversity is climate change, and delivering enhanced renewable generation and transmission is a critical step to meet net zero.

> Biodiversity and habitat enhancement is proposed as part of this application, and further detail is provided within Chapter 6 of the ER. The aim is to deliver significant enhancement and to leave biodiversity in a measurably better state than the pre-development baseline. The Applicant is committed to the preparation of a Habitat Enhancement and Management Plan to ensure delivery of the measures proposed and which is further discussed in Chapter 4 below in the context of NPF4 Policy 3.

3. The Renewable Energy Policy & Legislative Framework

3.1 Introduction

3.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Scottish provisions. The framework of international agreements and obligations, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and GHG emissions reduction law is based. This underpins what can be termed the need case for storage technology, decarbonisation and renewable energy from which the Proposed Development can draw a high level of support.

3.1.2 The Proposed Development requires to be considered against a background of material UK and Scottish Government energy and climate policy and legislative provisions, as well as national planning policy and advice. These taken together provide very strong support for the Proposed Development in principle.

3.1.3 It is evident that there is clear and consistent policy support at all levels, from international to local, for the deployment of renewable energy generally, to combat the global climate crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.

3.1.4 UK and Scottish Government renewable energy policy and associated renewable energy and electricity targets are important considerations. It is important to be clear on the current position as it is a fast-moving topic of public policy. The context of international climate change commitments is set out. This is followed by reference to key UK level statutory and policy provisions and then a detailed description of relevant Scottish Government statutory and policy provisions is set out.

3.2 International Commitments

The Paris Agreement (2015)

3.2.1 In December 2015, 196 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference (COP21). It entered into force in November 2016. The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2^0C above pre-industrial levels and to pursue efforts to limit global warming to 1.5^0C.

3.2.2 It is clear that moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links to the Climate Change Committee's (CCC) advice to both the UK and Scottish Governments on 'net zero' targets which have now, at both the UK and Scottish levels, been translated into new legislative provisions and targets for both 2045 (Scotland) and 2050 (UK). This is referred to below.

3.2.3 The Paris Agreement does not itself represent Government policy in the UK or Scotland. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitments in the Paris Agreement.

3.3 UK Climate Change & Energy Legislation & Policy

The Climate Emergency

3.3.1 A critical part of the response to the challenge of climate change was the climate emergency which was declared by the Scottish Government in April 2019 and by the UK Parliament in May 2019. The declaration of climate emergency needs to be viewed in the context in which it was declared (advice from the CCC) and in response to commitments under the Paris Agreement and what followed from it as a result of the declaration (new emissions reduction law).

The Climate Change Act 2008 & Carbon Budgets

3.3.2 The Climate Change Act 2008 (the 2008 Act) provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in GHG emissions by 2050 of 80% against the 1990 baseline. In June 2019, secondary legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050, with Scotland committing to net zero by 2045.

3.3.3 The 2008 Act also established the CCC which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.

3.3.4 The CCC has produced seven, four yearly carbon budgets, covering 2008 – 2037. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 3.1** below. Essentially, they are five yearly caps on emissions.

3.3.5 These legally binding 'carbon budgets' act as stepping-stones toward the 2050 target. The CCC advises on the appropriate level of each carbon budget and once accepted by Government, the respective budgets are legislated by Parliament. All seven carbon budgets have been put into law and run up to 2042.

Table 3.1: Carbon Budgets and Progress[1]

Budget	Carbon budget level	Reduction below 1990 levels	Progress on Budgetary Period
1st carbon budget (2008 – 2012)	3,018 $MtCO_2e$	26%	-27%
2nd carbon budget (2013 – 2017)	2,782 $MtCO_2e$	32%	-42%
3rd carbon budget (2018 – 2022)	2,544 $MtCO_2e$	38% by 2020	-50%[2]
4th carbon budget (2023 – 2027)	1,950 $MtCO_2e$	52% by 2025	n/a
5th carbon budget (2028 – 2032)	1,725 $MtCO_2e$	57% by 2030	n/a
6th carbon budget (2033 – 2037)	965 $MtCO_2e$	78% by 2035	n/a
7th carbon budget (2038 – 2042)	535 $MtCO_2e$	87% by 2042	n/a
Net Zero Target	100%	By 2050	

3.3.6 The Sixth Carbon Budget ('CB6') requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK

[1] Source: CCC.

[2] Confirmed by CCC in 'Final Statement for the Third Carbon Budget' May 2024. By the end of the period in 2022, UK net GHG emissions were 50% lower than the base year emissions.

"*decisively on the path to net zero by 2050 at the latest, with a trajectory that is consistent with the Paris Agreement*" (CB6, page 13).

3.3.7 Page 23 of CB6 refers to the devolved nations and sets out that UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland. Key points from CB6 include:

- UK climate targets cannot be met without strong policy action in Scotland.
- The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and doubling or even trebling by 2050.
- CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.
- The related 'Methodology Report' from the CCC advice, states that in all scenarios for the carbon budget and looking ahead to 2050, the CCC sees new onshore wind generation being deployed by 2050. They set out that their modelling reflects this by almost doubling onshore wind capacity to 20-30 GW in all scenarios by 2050.

3.3.8 Following the Sixth Carbon Budget, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021 (the Order)[3]) to reduce emissions by 78% by 2035 compared to 1990 levels. This effectively brings forward the UK's previous commitment of an 80% reduction by 2050 by 15 years.

3.3.9 The Seventh Carbon Budget ('CB7') was published by the CCC in February 2025. The CCC's recommended level for CB7, namely a limit on the UK's GHG emissions over the five-year period 2038 to 2042 is 535 including emissions from international aviation and shipping.

3.3.10 Page 12 of the CB7 states:

"*By the middle of the Seventh Carbon Budget on our pathway, emissions in the UK will be only a quarter of the level they are today, and 80% lower than levels in 1990 (90% lower excluding emissions from international aviation and shipping.) Achieving this will require a significant reduction in emissions across sectors including surface transport, buildings, industry and agriculture*."

3.3.11 It sets out (page 12) that achieving CB7 will mean that UK based renewable energy provides the bulk of generation and this will replace oil and gas across most of the economy. It adds that "*this requires twice as much electricity as today by 2040*".

3.3.12 It further states that low carbon supply by 2040 will see offshore wind grow sixfold from 15 GW of capacity in 2023 to 88 GW by 2040. It adds that "*onshore wind capacity doubles to 32 GW by 2040 and solar capacity increases to 82 GW*" (page 13).

3.3.13 In relation to the increase in onshore wind capacity, CB7 sets out (page 106) that "*this will require recent annual installation rates to treble this decade, requiring installation rates comparable to the annual rollout rates previously sustained during the mid 2010s*".

The British Energy Security Strategy (April 2022)

3.3.14 The British Energy Security Strategy ('the Strategy') was published by the UK Government on 7 April 2022. The Strategy focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role: the foreword states *inter alia*:

[3] The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

"*Accelerating the transition away from oil and gas then depends critically on how quickly we can roll out new renewables….*

The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets."

3.3.15 Reducing Scotland's and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently for global political stability and insulation against dependencies on rogue nation states.

The UK Battery Strategy (2023)

3.3.16 The UK Government published the UK Battery Strategy on 26 November 2023. The Strategy brings together Government activity to achieve a globally competitive battery supply chain by 2030 that supports economic prosperity and the net zero transition in the UK.

3.3.17 In summary, the Government's vision is for the UK to continue to grow a thriving battery innovation system and to become a world leader in sustainable design, manufacture and use.

3.3.18 The Strategy was developed with the UK Battery Strategy Task Force, drawing upon a call for evidence and engagement with business and stakeholders. The Strategy is based around the 'design, build, sustain' approach and through the strategy sets the key objectives that the UK will:

- Design and develop batteries for the future;
- Strengthen the resilience of UK manufacturing supply chains; and
- Enable the development of a sustainable battery industry.

3.3.19 In the foreword to the document, the Minister of State for Industry and Economic Security at the Department of Business and Trade states that (page 3):

"Batteries will play an essential role in our energy transition and our ability to successfully achieve net zero by 2050."

3.3.20 Batteries are seen as key to the net zero transition as they enable more flexible use of energy such as maximising use of intermittent low carbon generation.

Climate Change Committee Report to UK Parliament (2024)

3.3.21 The CCC published the report 'Progress in Reducing Emissions 2024 Report to Parliament' in July 2024 ('the CCC Report'). The Executive Summary (page 8) states:

"t*he previous Government signalled the slowing of pace and reversed or delayed key policies. The new Government will have to act fast to hit the country's commitments.*

The cost of key low-carbon technologies is falling, creating an opportunity for the UK to boost investment, reclaim global climate leadership and enhance energy security by accelerating take-up. British-based renewable energy is the cheapest and fastest way to reduce vulnerability to volatile global fossil fuel markets. The faster we get off fossil fuels, the more secure we become."

3.3.22 The CCC Report makes it clear that urgent action is needed to get on track for the UK's 2030 emissions reduction target. In this regard it states (page 8):

"*The UK has committed to reduce emissions in 2030 by 68% compared to 1990 levels, as its Nationally Determined Contribution (NDC) to the Paris Agreement. It is the first UK target set in line with Net Zero. Now only six years away, the country is not on track to hit this target despite a significant reduction in emissions in 2023. Much of the progress to date has come from phasing out coal generated electricity, with the last coal-fired power station closing later this year. We now need to rapidly reduce oil and gas use as well."*

3.3.23 And further (page 9):

"Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low carbon technologies becoming the norm."

3.3.24 The UK should now be in a phase of rapid investment and delivery, however the CCC notes in the CCC Report that all indicators for low carbon technology roll out are "*off track, with rates needing to significantly ramp up*." In this regard in terms of renewable technologies it states (page 9):

- Annual offshore wind installations must increase by at least three times;
- Onshore wind installations will need to double; and
- Solar installations must increase by five times.

3.3.25 Chapter 2 of the CCC Report confirms that the third Carbon Budget was met (covering the period 2018 to 2022), however "*future carbon budgets will require an increase in the pace and breadth of decarbonisation. It is imperative that an ambitious path of emissions reduction is maintained towards Net Zero*" (Page 33).

3.3.26 Section 2.3 of the CCC Report addresses emissions reductions required for future Carbon Budgets. Paragraph 2.3.1 states that:

"emissions reductions across most sectors will need to significantly speed up to be on track to meet the UK's climate targets in the 2030s, and therefore the long term target of Net Zero by 2050. Emissions reductions will need to outperform the legislated Fourth Carbon Budget for the UK to be on a sensible path to achieve its 2030 NDC, the Sixth Carbon Budget and Net Zero."

3.3.27 Chapter 3 of the CCC Report examines indicators of current delivery progress and at page 50 it references a number of key points including *inter alia*:

"*Required pace – substantial progress is needed on a range of key indicators over the rest of this decade, to get the UK on track to meet its 2030 emissions targets. Low carbon technologies need to quickly become the default options in many areas…*

Renewable energy capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five."

3.3.28 With regard to the Fourth Carbon Budget (2023-2027) it states (page 70) that although credible plans cover almost all of the emissions reductions required to meet it, "*this budget was set before the UK's Net Zero target was legislated. The UK will need to reduce emissions by double the amount implied by the target to be on a sensible path to Net Zero….*"

3.3.29 With regard to the 2030 NDC and Sixth Carbon Budget (for the period 2023 to 2037) the CCC Report states that credible plans cover only around a third of emissions reductions needed to meet the UK's 2030 NDC and a quarter of those needed to meet the Sixth Carbon Budget. It adds (page 70) "*that 2030 NDC is now only six years away. While our assessment of the policies and plans to deliver it has improved slightly, there remains significant risks to achieving these goals*."

Labour Government & Commitment to Renewables (2024)

3.3.30 The UK Government change at Westminster in 2024 and a Labour administration for the UK is of relevance in terms of the new UK Government policy approach to net zero.

3.3.31 Energy policy is reserved to Westminster and although the Scottish Government has progressed its own energy policy in parallel with its full devolved authority over the planning system in Scotland, UK Government policy is an important material consideration.

3.3.32 The Department for Energy Security and Net Zero ('DESNZ') issued a Statement on 8 July 2024 which included references to double UK onshore wind capacity from its current level of approximately 15 GW to a planned capacity of 30 GW by 2030.

UK Government: Clean Power 2030 Action Plan (2024)

3.3.33 The Clean Power 2030 Action Plan was published by DESNZ in December 2024. It sets out (page 9) that Britain needs to install "*clean sources of power at a pace never previously achieved*". It further adds (page 10):

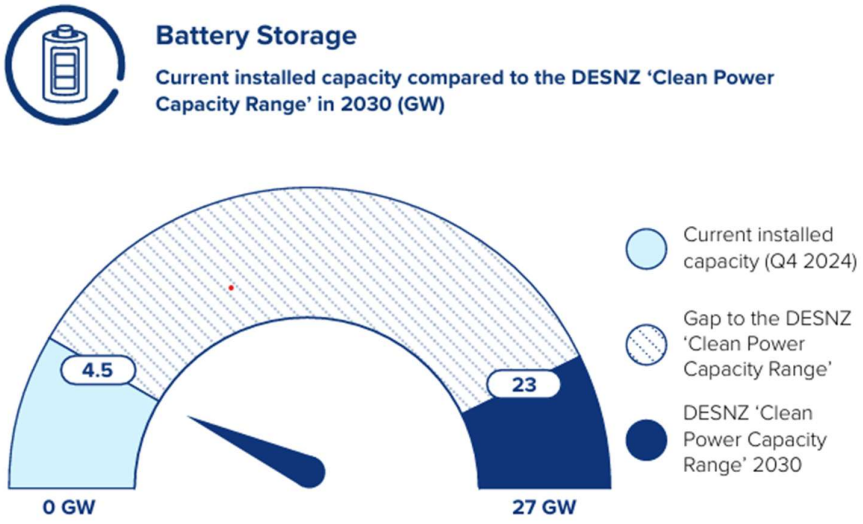
"*clean power by 2030 will herald a new era of clean energy independence and tackle three major challenges: the need for secure and affordable energy supply, the creation of essential new energy industries supported by skilled workers in their thousands, the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change. Clean power by 2030 is a sprint towards these essential goals*".

"*Meeting the clean power 2030 goal is key to accelerating to net zero, not only in eliminating emissions that currently come from electricity generation, but also via the application of clean power in the buildings, transport and industry sectors… The shift to a clean power system by 2030 forms the backbone of the transition to net zero, as we move to an economy much more reliant on electricity*".

3.3.34 Page 74 of the Action Plan states that "*Meeting the renewable capacity set out in the DESNZ 'clean power capacity range' is achievable but will require deployment at a sharply accelerated scale and pace*".

3.3.35 **Figure 3.2** below shows the current gap between installed capacity compared to the DESNZ requirement to 2030.

Figure 3.2 Battery Storage: Current installed capacity compared to the DESNZ 'Clean Power Capacity Range' in 2030 (GW)



Source: Table 1

3.3.36 Currently there is 4.5 GW of battery storage in Great Britian and based on NESO and DESNZ BESS growth scenarios for 2030, it is expected that some 23-27 GW of battery storage will be needed by 2030 to support clean power – a very significant level of increase. It is stated that *"Among the specific actions required for batteries, improving the time it takes for mature grid-scale batteries to obtain grid connections and planning decisions are the most significant actions in order to deliver the huge increase in grid-scale battery capacity".* (pg.96)

3.4 Climate Change & Renewable Energy Policy: Scotland

The Scottish Energy Strategy (2017)

3.4.1 The Scottish Energy Strategy (SES) was published in December 2017. The SES preceded the important events and publications referred to above but nevertheless sets out that onshore wind is recognised as a key contributor to the delivery of renewable energy targets – specifically 50% energy from renewable sources to be attained by 2030. The SES did not and could not take account of what may be required in terms of additional renewable generation capacity to attain the new legally binding 'net zero' targets so it is out of date in that respect.

3.4.2 The SES refers to "*Renewable and Low Carbon Solutions*" as a strategic priority (page 41) and states "*we will continue to champion and explore the potential of Scotland's huge renewable energy resource, its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets*".

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

3.4.3 The Scottish Government has set legal obligations to decarbonise and reduce emissions. Most notably, the Scottish Government has a statutory target to achieve "net zero" by 2045. It is clear that to have any hope of achieving the net zero target, significant expansion of renewable generation capacity is required.

3.4.4 When it was enacted, the Climate Change (Scotland) Act 2009 set world leading greenhouse gas emissions reduction targets, including a target to reduce emissions by 80% by 2050. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the 2009 Act and has set more ambitious targets.

CCC Report to Scottish Parliament – Progress in reducing emissions in Scotland (March 2024)

3.4.5 The CCC produced a report to the Scottish Parliament entitled 'Progress in reducing emissions in Scotland' in March 2024. The related press release of the same date states that Scotland's 2030 climate goals are no longer credible. It states:

"*Continued delays to the updated Climate Change Plan and further slippage in promised climate policies mean that the Climate Change Committee no longer believes that the Scottish Government will meet its statutory 2030 goal to reduce emissions by 75%. There is no comprehensive strategy for Scotland to decarbonise towards Net Zero.*

The Scottish Government delayed its draft Climate Change Plan last year despite the 2030 target being only six years away. This has left a significant period without sufficient actions or policies to reach the target; the required acceleration in emissions reduction in Scotland is now beyond what is credible."

3.4.6 The CCC calls in the report for Scotland's Climate Change Plan to be published urgently in order that the CCC can assess it and identify the actions which will deliver on its future targets.

3.4.7 The press release states that there is a path to Scotland's post-2030 targets, but stronger action is needed to reduce emissions across the economy.

3.4.8 The main report (page 10) states that "*The Scottish Government should build on its high ambition and implement policies that enable the 75% emissions reduction target to be achieved at the earliest date possible*."

3.4.9 Page 18 of the report addresses electricity supply, and it states that there has been some progress in delivering renewable electricity generation in Scotland. Reference is made to the Government aim to develop 8-11 GW of offshore wind and 20 GW of onshore wind capacity, both by 2030. The report notes that "*The growth in onshore wind capacity has slowed, however, and is slightly off track to deliver its 2030 target, which will require operational capacity to more than double.*"

3.4.10 Page 40 states that in terms of onshore wind, Scotland must increase the deployment rate by more than a factor of 4 to an average annual rate of 1.4 GW.

3.4.11 In light of the CCC Report, the Scottish Government stated it remained committed to achieving net zero but would move to a multi-year carbon budget approach to measuring emissions reduction (instead of annual targets) which would bring the Scottish Parliament in line with the Welsh and UK approaches.

The Climate Change (Emission Reduction Targets) (Scotland) Act 2024

3.4.12 The Climate Change (Emission Reduction Targets) (Scotland) Act received Royal Assent on 22 November 2024. The Act repealed the annual and interim emissions reduction target framework that was established under the 2009 Act and establishes a carbon budget approach to target setting, with budgets to be set through secondary legislation using the latest advice from the CCC, to replace the concept of statutory annual and interim targets. The Act also makes provision for a new Climate Change Plan to be published that reflects the carbon budgets.

3.4.13 As explained, the Act followed advice from the CCC that Scotland's interim emissions reduction target for 2030 could not be achieved. The Act does not change the existing statutory target of net zero emissions by 2045.

3.5 The Draft Energy Strategy and Just Transition Plan

3.5.1 The Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan' entitled 'Delivering a fair and secure zero carbon energy system for Scotland' on 10 January 2023. The new Strategy is to replace the one previously published in 2017. The consultation period ended in April 2023. As a draft document it can only be afforded limited weight. The draft document is however consistent with the adopted policy set out in NPF4 and the identification of the 2020s as a crucial decade for the large-scale delivery of renewable energy projects supporting an urgent transition to net zero.

3.5.2 The Ministerial Foreword states:

"*The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supplies safe and secure energy for all, generate economic opportunities, and builds a just transition…*

The delivery of this draft Energy Strategy and Just Transition Plan will reduce energy costs in the long term and reduce the likelihood of future energy cost crises….

It is also clear that as part of our response to the climate crisis we must reduce our dependence on oil and gas and that Scotland is well positioned to do so in a way that ensures we have sufficient, secure and affordable energy to meet our needs, to support economic growth and to capture sustainable export opportunities….

For all these reasons, this draft Strategy and Plan supports the fastest possible just transition for the oil and gas sector in order to secure a bright future for a revitalised North Sea energy sector focused on renewables."

3.5.3 The Foreword adds that the draft Strategy sets out key ambitions for Scotland's energy future including:

- More than 20 GW of additional renewable electricity on and offshore by 2030.
- Accelerated decarbonisation of domestic industry, transport and heat.
- Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe.
- Energy security through development of our own resources and additional energy storage.

- A just transition by maintaining or increasing employment in Scotland's energy production sector against a decline in North Sea production.

Recognition of the role of Battery Storage

3.5.4 With regard to the potential of battery storage the draft strategy recognises:

"Batteries can be combined to provide energy storage: In a domestic setting supporting the energy efficiency of individual homes; In communities and neighbourhoods, supporting the energy efficiency of the local low energy network; In strategic locations and through aggregating a large number of fixed and vehicle batteries to support regional energy and grid balancing a high energy network".

3.5.5 Furthermore, it adds:

"Utility scale battery storage offers fast responding, dispatchable power when required. As of September 2021, only 124 MW of the total 864 MW of energy storage was provided by Battery Energy Storage Systems (BESS) capacity installed in Scotland. However, there is a further 2.1GW that has secured planning permission. Typically, these systems use lithium-ion technology, and only contain energy to dispatch full power continuously for a short number of hours. They also provide a number of ancillary services required to maintain stability within the electricity networks". (Page 130).

3.5.6 The Draft Strategy reiterates the support for energy storage set out in NPF4 (page 130).

3.5.7 The Draft Strategy further recognises the potential contribution BESS can make to achieving net zero in summarising the key areas where it is considered that the UK Government needs to take action to support the delivery of the strategy with particular regard to energy system flexibility stating:

"We urge the UK Government to make ancillary markets more accessible for Battery Energy Storage Systems (BESS) and other low carbon technologies ahead of fossil fuel powered alternatives".

3.6 Green Industrial Strategy

3.6.1 The Scottish Government published a Green Industrial Strategy ('GIS') in September 2024. The Executive Summary sets out the mission of the GIS, namely:

"*This Green Industrial Strategy's mission is to ensure that Scotland realises the maximum possible economic benefit from the opportunities created by the global transition to net zero*".

3.6.2 The GIS sets out five opportunity areas for Scotland where identified strengths are most likely to lead to growth and the potential to grow Scotland's exports. The sectors relate to Scotland's wind economy, carbon capture and storage, supporting the green economy by way of professional and financial services, growing the hydrogen sector and establishing Scotland as a competitive centre for clean energy intensive industries of the future.

3.6.3 Page 6 sets out that GIS forms a key part of the Government's broader National Strategy for Economic Transformation. It states that "*It also links explicitly to our Just Transition Plans which describe how the transition to net zero in the most emitting sectors will be achieved in a way that delivers economic, social and community benefits, including fair work, environmental preservation and reduced poverty and inequality*."

3.6.4 The first of the five opportunity areas is in relation to 'maximising Scotland's wind economy'. It states that this:

"*is about making the most of our natural resources, established onshore and offshore wind sectors and first-mover advantage in floating offshore wind to generate clean electricity; participating in global supply chains as well as expanding our domestic supply chain capacity and seizing opportunities across the offshore wind supply chain, from infrastructure to manufacturing; positioning Scotland as a leader in material circularity of wind turbines and components.*"

3.6.5 Actions include *inter alia*:

- Supporting investment to improve essential infrastructure, expanding supply chains and secure manufacturing opportunities;
- Developing and maintaining a pipeline of investment propositions backed by clear information about the timing and nature of renewable energy opportunities;
- Delivering planning and consenting systems which enable Scotland's net zero development pipeline; and
- Exploring the circularity opportunity in onshore wind.

3.6.6 Page 13 states clearly that the single goal of the GIS is to help Scotland realise economic growth opportunities from the global transition to net zero.

3.7 CCC Report, Scotland's Carbon Budgets, Advice for the Scottish Government

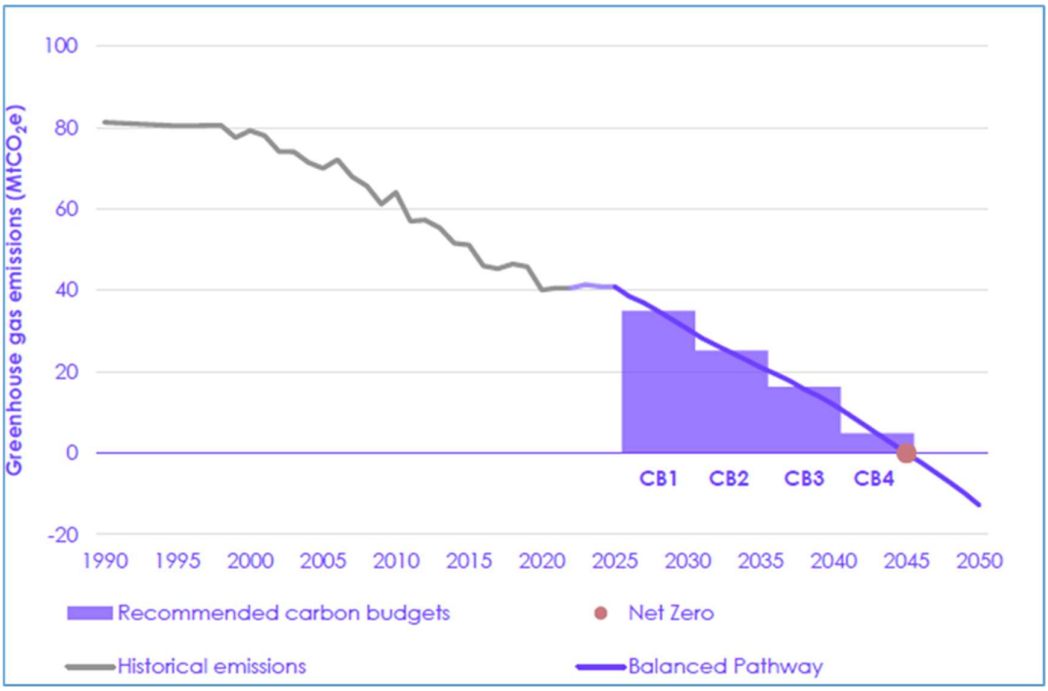
3.7.1 This CCC Report was published in May 2025, and it sets out the CCC's advice on the level of Scotland's four proposed carbon budgets, covering the period 2026 to 2045. It recommends that the Scottish Government sets its carbon budgets, at annual average levels of emissions that are:

- 57% lower than 1990 levels for the First Carbon Budget (2026 to 2030);
- 69% lower than 1990 levels for the Second Carbon Budget (2031 to 2035);
- 80% lower than 1990 levels for the Third Carbon Budget (2036 to 2040); and
- 94% lower than 1990 levels for the Fourth Carbon Budget (2041 to 2045).

3.7.2 The report sets out that the CCC's advice "shows that the proposed carbon budgets are deliverable and Scotland can achieve its 2045 Net Zero target." (page 8)

3.7.3 The recommended carbon budgets are illustrated in Figure 3.3.

Figure 3.3 CCC Recommended Carbon Budgets for Scotland



3.7.4 It states that getting to net zero by 2045 will require immediate action, at pace and scale and adds that decisions on the exact pathway and policies are for the Scottish Government.

3.7.5 The Report explains that progress to date has largely come from electricity decarbonisation, reflecting Scotland's abundant renewable resources. It goes on to state (page 9) that:

"Action will increasingly be required in predominantly devolved policy areas to hit the Net Zero 2045 target and the proposed carbon budgets. Now that the framework for climate action has been reset, the Scottish Government has the opportunity to use its powers to match its ambitions with action."

3.7.6 The Report identifies priority actions, which over the period of the first two carbon budgets will be the remaining decarbonisation of electricity generation as well as further electrification of key technologies, particularly the roll-out of EVs and heat pumps.

3.7.7 The Report identifies the sources of future emissions reductions and notes that in the next decade, over the next two carbon budgets, they are predominantly met from electrification of key technologies across the economy and measures to reduce demand for high-carbon activities.

3.7.8 Specifically in relation to electricity and low carbon supply the Executive Summary explains (page 12) that in the Balanced Pathway set out by the CCC:

"the capacity of variable renewables in Scotland (including offshore and onshore wind and solar) more than triples from 15 GW in 2023 to 49 GW by 2035, increasing to 66 GW by 2045. This provides 98% of electricity generation in Scotland in 2035 and caters for increasing demand in Scotland and the rest of Great Britain (GB). Grid storage, use of storable fuels on the GB-wide network, and smart demand flexibility ensure a reliable supply of electricity even in adverse weather years. These technologies need to be accompanied by rapidly expanding the transmission grid, upgrading the distribution network, and speeding up the grid connection process. To deliver clean electricity, the planning process to approve large electricity infrastructure projects in Scotland needs to be urgently improved."

3.7.9 Scotland currently has approximately 17.6 GW of renewables operating capacity, therefore, to achieve the Balanced Pathway figure of 66 GW by 2045 will require an additional 48.4 GW to be deployed.

3.7.10 The report acknowledged the benefits of grid storage in achieving the Balanced Pathway at page 93. It states *"With an increasing share of variable renewables, grid storage such as batteries and pumped hydropower can capture energy, typically when it is cheap, to provide electricity in periods when demand is higher and electricity is more valuable. It can operate on short-to-medium timescales to provide flexibility when it is most valuable.*" The Proposed Development would support the transition to the Balanced Pathway figure.

3.7.11 The Report sets out in more detail the key actions to deliver the Balanced Pathway in electricity supply. At page 94 it refers to the key action for the Scottish Government which is to *"Urgently improve the planning process to approve large electricity infrastructure projects in Scotland, such as transmission lines and onshore wind farms."* citing that it can currently take up to four years to approve large electricity infrastructure projects in Scotland.

3.7.12 The Report makes reference to the Scottish Government and the UK Government's commitment to reform the energy consents system in Scotland, including through measures in the Planning and Infrastructure Bill. It states that *"Both governments should ensure that these reforms are now implemented at pace. All bodies involved in the planning and consenting process must also be adequately resourced and skilled."*

3.8 Scottish Government Commitment to Climate Target, June 2025

3.8.1 Following the publication of the CCC Report, Scotland's Carbon Budgets in May 2025, the Scottish Government announced in June 2025 its intention to set new climate targets in line with those set out by CCC. The carbon budgets approach will set limits on the amount of

greenhouse gases Scotland will emit over the coming decades and are direct action to tackle climate change.

3.8.2 The carbon budgets propose five-year, statutory limits on emissions from 2026 to 2045. The proposed budgets are in line with the advice from the independent CCC and the Scottish Government's own assessments and by 2045 aims for average levels of emission to be 94% lower than 1990 levels (Full details are set out at Section 2.9 above, and are therefore not repeated.)

3.8.3 The proposals will be scrutinised by the Scottish Parliament before being voted on in the autumn 2025.

3.8.4 Once the Carbon Budgets have been agreed, the Scottish Government will publish and consult on a new draft Climate Change Plan outlining the specific actions required to reduce emissions so as to meet each of the first three carbon budget targets, as well as setting out the associated costs and benefits.

3.8.5 Scotland's Cabinet Secretary for Climate Action and Energy Gillian Martin said[4]:

"Scotland is now halfway to our 2045 climate change target and is ahead of the UK as a whole in reducing long term emissions.

"These Carbon Budgets will set clear limits on emissions for the coming decades in line with the independent advice of the UK Climate Change Committee.

"When we publish our draft Climate Change Plan later this year, it will set out the policies needed to continue to reduce our emissions and meet our first three carbon budget targets.

3.8.6 This announcement by the Scottish Government furthers the commitment to carbon budgets as a measurement tool for emissions reduction. The publication of the draft Climate Change Plan in due course will be an important tool in policy terms to see exactly how this will be achieved in practice within each of the key sectors.

3.9 Conclusions on the Energy Policy & Legislative Framework

3.9.1 The Applicant's position is that the Proposed Development is strongly supported by the current renewable energy policy and legislative framework.

3.9.2 The trajectory, in terms of the scale and pace of action required to reduce emissions, grows ever steeper than before and it is essential that rapid progress is made through the 2020s. The rate of emission reductions must increase otherwise the legally binding target of net zero by 2045 will not be met.

3.9.3 It should be noted that in the Linwood BESS Section 36 consent (ECU00004543) issued by the Scottish Ministers in May 2024, the Ministers stated in the decision letter (paragraph 38):

"*The benefits of the proposed Development are energy storage and provision of services needed to ensure a secure electricity system, with economic benefits. The move to a net zero electricity system necessitates the delivery of a greater amount of electricity generation from renewable energy, including from sources such as wind and solar which are variable and non-dispatchable.* ***Energy storage such as the proposed Development provides will be vital in that context to ensuring the balance between supply and demand, to ensuring security of supply, and to reducing the curtailment of renewable generators under grid constraints which would otherwise result in a loss of valuable renewable generation****. Secure and stable energy supply is a fundamental need of a prosperous economy. As well as the potential economic benefit to local and national businesses during construction, the proposed Development would provide further benefit to the economy through its contribution to underpinning energy security and flexibility*." (emphasis added)

[4] Scottish Government (2025) Press Release 19 June 2025 https://www.gov.scot/news/new-climate-targets-set/

3.9.4 These comments were restated subsequent Scottish Minister decisions on the Smeaton BESS (August 2024) (ECU00004783) and Auchentiber BESS (September 2024) (ECU00004979).

3.9.5 Of note, the Scottish Ministers also make reference to the Draft Scottish Energy Strategy and Just Transition Plan of 2023. With reference to this document at paragraph 39 of the Auchentiber Decision Letter, the Ministers state that they have considered the role that the proposed development can play in relation to the generation of electricity from low carbon energy storage. They state:

"*The Energy Strategy states 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'. It adds that 'Scotland needs a balanced and secure electricity supply. That means a system and a range of technologies which provide sufficient generation and interconnection to meet demand. It means an electricity network which is resilient and sufficiently secure against any fluctuations or interruptions to supply*'."

3.9.6 The Ministers go on at paragraph 40 of their Decision Letter to state:

"*The generation of electricity from batteries is not in itself a renewable source of energy;* ***Scottish Ministers do however regard the proposed Development as essential infrastructure. The proposed Development, through provision of energy storage, adds 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. Scottish Ministers conclude that the proposed Development is supported by the Energy Strategy****.*

The Draft Scottish Energy Strategy and Just Transition Plan 2023 signals that strong support from the Scottish Government for battery storage remains." (emphasis added)

3.9.7 It is clear from forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport.

3.9.8 Given significant capacities of low carbon generation (in particular this will be onshore wind in Scotland) BESS technology will play an essential part in delivering net zero for Scotland and the wider UK. The Proposed Development is therefore an essential near-term step in assisting to meet Government objectives for decarbonisation and achieving net zero, which will address the Climate Emergency. Such technology will help ensure energy supply is secure, will reduce the amount of time that renewable generation needs to be constrained off the grid system, will result in more low carbon and renewable energy being delivered – specifically from Limekiln Wind Farm.

3.9.9 As the volume of renewable electricity increases on the grid system, it is essential to sustain an energy balance in terms of supply/demand, when demand is either very high or very low. Furthermore, when demand is low and renewables provide a significant share of total power on the system, then maintenance of power quality and system stability levels requires services to achieve the appropriate balance.

3.9.10 Energy storage is increasingly well placed to deliver a number of services to the GB grid system. Therefore, whilst electricity storage does not generate low carbon energy, it helps make more useful that energy which has been generated by renewable sources.

3.9.11 Furthermore, batteries are well suited to displace other technologies (such as fossil fuel powered engines which are currently used to meet the role of meeting peak demand at certain times, but for which at the present time there is no carbon capture solution).

3.9.12 Additionally, as set out in this Chapter, the current UK and Scottish Government policy drive is to massively increase renewable generation volumes (such as set out in the Onshore Wind Policy Statement with the new target for 20 GW to be operational in Scotland by 2030 and 30

GW for the UK) and this increases the important role of electricity storage within the GB electricity system.

3.9.13 The proposal is therefore in full accordance with UK and Scottish Government energy policy on the need for such technologies, defined as essential infrastructure, to support the transition to a fully low carbon grid system.

3.9.14 Overall, the Draft Energy Strategy forms part of the new policy approach, alongside NPF4. These documents confirm the Scottish Government's policy objectives and related targets, reaffirming the important role that BESS can play in response to the climate crisis.

3.9.15 Decisions through the planning and wider consenting system must be responsive to this position with major challenges at the global, UK and Scottish levels. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance in a given case.

3.9.16 It must follow that the need case for the Proposed Development is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations. It is the cumulative effect of a large number of individual projects which will move Scotland towards where it needs to be in order to attain net zero.

4. Appraisal against NPF4

4.1 Introduction

4.1.1 NPF4 was approved by resolution of the Scottish Parliament on 11 January 2023 and came into force on 13 February 2023. A Chief Planner's Letter was issued on 8 February 2023 entitled 'Transitional Arrangements for National Planning Framework 4'. It contained advice intended to support consistency in decision making ahead of new style Local Development Plans being in place.

Development Management

4.1.2 NPF4 now forms part of the statutory Development Plan. For the purposes of Section 36 decision making, acknowledging that Section 25 of the 1997 Act is not engaged, NPF4 is a significant material consideration.

4.1.3 Section 13 of the Planning (Scotland) Act 2019 Act amends Section 24 of the 1997 Act regarding the meaning of the statutory 'development plan', such that for the purposes of the 1997 Act, the Development Plan for an area is taken as consisting of the provisions of:

- The National Planning Framework; and
- Any Local Development Plan (LDP).

4.1.4 Therefore, the statutory Development Plan covering the application Site consists of NPF4 (2023) and the HwLDP (2012).

4.1.5 The publication of NPF4 coincided with the implementation of certain parts of the Planning (Scotland) Act 2019 (the 2019 Act). A key provision is that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, then whichever of them is the later in date will prevail. That will include where a LDP is silent on an issue that is now provided for in NPF4.

4.1.6 In terms of emerging LDPs prepared prior to the adoption and publication of NPF4, the Chief Planner's Letter of 8th February 2023 states that it may be that there are opportunities to reconcile identified inconsistencies with NPF4 through the Examination process. In this case there is no emerging draft LDP that is at such a stage that it is material to take into account.

How NPF4 is to be used

4.1.7 Annex A (page 94) of NPF4 explains how it is to be used. It states:

"*The purpose of planning is to manage the development and use of land in the long-term public interest … Scotland in 2045 will be different. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create great places*."

4.1.8 Annex A states that NPF4 is required by law to set out the Scottish Ministers' policies and proposals for the development and use of land. It adds:

"*It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals[5]. NPF4 includes a long-term spatial strategy to 2045*."

4.1.9 NPF4 contains a spatial strategy and Scottish Government development management policies to be applied in all consenting decisions, and it identifies national developments

[5] The 17 UN Sustainable Development Goals are set out at page 95 of NPF4 and include *inter alia* 'affordable and clean energy' and 'climate action'.

which are aligned to the strategic themes of the Government's Infrastructure Investment Plan[6] ('IIP').

4.1.10 Annex A adds that NPF4 is required by law to contribute to six outcomes. These relate to meeting housing needs, health and wellbeing, population of rural areas, addressing equality and discrimination and also, of particular relevance to the Proposed Development, "*meeting any targets relating to the reduction of emissions of greenhouses gases, and, securing positive effects for biodiversity*".

4.2 The National Spatial Strategy – Delivery of Sustainable Places

4.2.1 Part 1 of NPF4 sets out the Spatial Strategy for Scotland to 2045 based on six spatial principles which are to influence all plans and decisions. The introductory text to the Spatial Strategy starts by stating (page 3):

"*The world is facing unprecedented challenges. The global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change*."

4.2.2 The principles are stated as playing a key role in delivering the United Nation's Sustainable Development Goals and the Scottish Government's National Performance Framework[7].

4.2.3 The Spatial Strategy is aimed at supporting the delivery of:

- 'Sustainable Places': "where we reduce emissions, restore and better connect biodiversity";
- 'Liveable Places': "where we can all live better, healthier lives"; and
- 'Productive places': "where we have a greener, fairer and more inclusive wellbeing economy".

4.2.4 Page 6 of NPF4 addresses the delivery of sustainable places. Reference is made to the consequences of Scotland's changing climate, and it states, *inter alia*:

"*Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving net zero emissions by 2045, and we must make significant progress towards this by 2030…Scotland's Energy Strategy will set a new agenda for the energy sector in anticipation of continuing innovation and investment*."

4.2.5 The new Energy Strategy and Just Transition Plan for Scotland (as referenced in NPF4) was published as a consultative draft on 10th January 2023 (see below).

4.2.6 The National Spatial Strategy in relation to 'sustainable places' is described (page 7) as follows:

"*Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment.*

Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place.

Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency,

[6] The Scottish Government's five-year Infrastructure Investment Plan (2021-22 to 2025-26) was published in February 2021. It set out a vision for Scotland's future infrastructure in order to support and enable an inclusive net zero emissions economy.

[7] The Scottish Government National Performance Framework sets out 'National Outcomes' and measures progress against a range of economic, social and environmental 'National Indicators'.

development that is accessible by sustainable travel, and expansion of renewable energy generation."

4.2.7 Six National Developments ('NDs') support the delivery of sustainable places, one being 'Strategic Renewable Electricity Generation and Transmission Infrastructure'.

4.2.8 A summary description of this ND is provided at page 7 of NPF4 as follows:

"*Supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply*".

4.2.9 Page 8 of NPF4 sets out 'Cross-cutting Outcome and Policy Links' with regard to reducing greenhouse gas emissions. It states:

"*The global climate emergency and the nature crisis have formed the foundations for the spatial strategy as a whole. The regional priorities share opportunities and challenges for reducing emissions and adapting to the long-term impacts of climate change, in a way which protects and enhances our natural environment*."

4.2.10 A key point in this statement is that the climate emergency and nature crisis are expressly stated as forming the foundations of the national spatial strategy. Recognising that tackling climate change and the nature crisis is an overriding imperative which is key to the outcomes of almost all policies within NPF4.

4.3 National Developments

Overview

4.3.1 Page 97 of NPF4 sets out that 18 National Developments have been identified. These are described as:

"*significant developments of national importance that will help to deliver the spatial strategy … National development status does not grant planning permission for the development and all relevant consents are required*".

4.3.2 It adds that:

"*Their designation means that the principle for development does not need to be agreed in later consenting processes, providing more certainty for communities, businesses and investors. … In addition to the statement of need at Annex B, decision makers for applications for consent for national developments should take into account all relevant policies*".

4.3.3 Annex B of NPF4 sets out the various NDs and related Statements of Need. It explains that NDs are significant developments of national importance that will help to deliver the Spatial Strategy. It states (page 99) that:

"*The statements of need set out in this annex are a requirement of the Town and Country Planning (Scotland) Act 1997 and describe the development to be considered as a national development for consent handling purposes*".

National Development 3 "Strategic Renewable Electricity Generation and Transmission Infrastructure"

4.3.4 Page 103 of NPF4 describes ND3 and it states:

"*This national development supports renewable electricity generation, repowering, and expansion of the electricity grid.*

A large and rapid 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, ***which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero-carbon***

***network will require**. Generation is for domestic consumption 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."

4.3.5 The location for ND3 is set out as being all of Scotland and in terms of need it is described as

"*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*."

4.3.6 The Proposed Development will further the delivery of the national Spatial Strategy. The Strategy requires a "*large and rapid increase*" in electricity generation and the delivery of an enhanced transmission network to enable this, it is recognised (NPF4, page 6) that "*we must make significant progress*" by 2030.

4.4 National Planning Policy

4.4.1 Part 2 of NPF4 (page 36) addresses national planning policy by topic with reference to three themes formulated with the aim of delivering sustainable, liveable and productive places.

4.4.2 In terms of planning, development management and the application of the national level policies, NPF4 states:

"*The policy sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. It is for the decision maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies*".

4.4.3 In terms of "sustainable places" the relevant policies to the Proposed Development include the following:

- Policy 1: Tackling the Climate and Nature Crisis;
- Policy 3: Biodiversity;
- Policy 4: Natural Places;
- Policy 5: Soils;
- Policy 6: Forestry, woodland and trees;
- Policy 7: Historic Assets and Places; and
- Policy 11: Energy;

4.4.4 In terms of "liveable places" the relevant policies to the Proposed Development include the following:

- Policy 22: Flood Risk and Water Management.

4.4.5 These policies are addressed below.

4.4.6 The Chief Planner's Letter of 8th February 2023 provides advice in relation to applying NPF4 policy. It states that the application of planning judgement to the circumstances of an individual situation remains essential for all decision making, informed by principles of proportionality and reasonableness. It states:

"*It is important to bear in mind NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and can be used to guide decision making. Conflicts between policies are to be expected. Factors for and against development will be weighed up in the balance of planning judgement*."

4.4.7 The Letter adds:

"*It is recognised that it may take some time for planning authorities and stakeholders to get to grips with the NPF4 policies, and in particular the interface with individual LDP policies. As outlined above, in the event of any incompatibility between the provision of NPF and the provision of an LDP, whichever of them is the later in date is to prevail. Provisions that are contradictory or in conflict would be likely to be considered incompatible*".

4.5 NPF4 Policy 1: Tackling the Climate and Nature Crises

Policy 1 & Principles

4.5.1 The intent of Policy 1 is "*to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*".

4.5.2 **Policy 1** directs decision makers that *"when considering all development proposals significant weight will be given to the global climate and nature crises.*"

4.5.3 This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker. Significant weight should therefore be attributed to the Proposed Development given it would be consistent with the intent of Policy 1 and would make a positive contribution by helping to attain its outcome of net zero.

4.5.4 The Chief Planner's Letter of 8th February 2023 refers to Policy 1. It states:

"This policy prioritises the climate and nature crises in all decisions. It should be applied together with the other policies in NPF4. It will be for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to the climate and nature crises."

4.5.5 This statement from the Chief Planner confirms that the decision maker must apply significant weight, but it is for the decision maker to decide if it is for or against the proposal. The Proposed Development's contribution is positive and therefore the significant weight in this case is for the Proposed Development.

4.5.6 The term "Tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action. Furthermore, NPF4 (page 8) refers to cross cutting outcomes and states with regard to Policy 1 that the policy gives significant weight "*to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions*".

The Application of Policy 1

4.5.7 Given the nature of the Proposed Development, it would make a valuable contribution in relation to targets. It will directly further the policy intent and outcomes of Policy 1 and should be afforded significant positive weight in terms of tackling the climate and nature crises. The contribution to decarbonisation and grid support to support net zero also need to be recognised in the context of NPF4 Policy 11 (Energy) which requires the contribution that a development would make to targets to be taken into account.

4.5.8 The Proposed Development could make a meaningful contribution to targets within this key timescale and that is a very important consideration.

4.5.9 Ministers reinforce the support provided for BESS within NPF4 within their decision on the Auchtentiber BESS proposal published in September 2024 at paragraph 47 of their decision letter which states:

"Grid scale battery energy storage provides a means to store the electricity generated from the wind, solar etc at times when electricity generation outstrips demand or when the capacity of a constrained electricity grid is insufficient to supply the generated electricity to consumers. On this basis battery energy storage makes an indirect but significant contribution to renewable energy generation targets and greenhouse gas emissions reduction targets."

4.5.10 A further important point is the need to recognise that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a valuable contribution of renewable energy, to facilitate the earliest possible decarbonisation of the energy system and the achievement of net zero no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.5.11 As explained below with reference to NPF4 Policy 3, biodiversity enhancement measures are proposed as part of the Proposed Development.

4.6 NPF4 Policy 11: Energy

Policy 11 & Principles

4.6.1 For the consideration of energy transmission proposals, Policy 11 'Energy' (page 53) is the lead policy. Policy 11's intent is set out as:

"*to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low carbon and zero emission technologies including hydrogen and carbon capture utilisation and storage.*"

4.6.2 Policy Outcomes are identified as: *"expansion of renewable, low carbon and zero emission technologies"*.

4.6.3 Policy 11 is in the following terms:

"a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;

ii. enabling works, such as grid transmission and distribution infrastructure;

iii. energy storage, such as battery storage and pumped storage hydro;

iv. small scale renewable energy generation technology;

v. solar arrays;

vi. proposals associated with negative emissions technologies and carbon capture; and

vii. proposals including co-location of these technologies.

b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.

c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.

e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:

i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;

ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;

iii. public access, including impact on long distance walking and cycling routes and scenic routes;

iv. impacts on aviation and defence interests including seismological recording;

v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;

vi. impacts on road traffic and on adjacent trunk roads, including during construction;

vii. impacts on historic environment;

viii. effects on hydrology, the water environment and flood risk;

ix. biodiversity including impacts on birds;

x. impacts on trees, woods and forests;

xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;

xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and

xiii. cumulative impacts.

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

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity".

4.6.4 The intent and desired outcome of the policy is expressly clear – the expansion of renewable energy, through encouragement, promotion and facilitation, all of which the Proposed Development will help to deliver.

4.6.5 The wording of Policy 11 Paragraph (a)(ii) makes it clear that the policy supports battery storage and enabling works including electricity grid infrastructure which are also defined in NPF4 as essential infrastructure.

The application of Policy 11

4.6.6 **Paragraph c) of Policy 11** requires socio-economic benefits to be maximised. The Applicant has committed to seek to maximise local employment and economic gain and social benefits and the benefits that would result have been referenced in Chapter 2 above and are discussed in detail in within Chapter 13 of the ER. In summary, it has been demonstrated that

the Proposed Development will have a positive net impact on the economy of both Highland and the wider Scottish economy.

4.6.7 **Paragraph d) of Policy 11** states that development proposals that impact on international and national designations "*will be assessed in relation to Policy* 4". Policy 4 also deals with impacts in relation to local landscape designations. Therefore, the matter of the impacts of the Proposed Development in relation to such national and local designations is examined further below with specific regard to the provisions of Policy 4.

4.6.8 There are no identified impacts on international or national designations as a result of the Proposed Development.

4.6.9 **Paragraph e) of Policy 11** states that project design and mitigation *"will demonstrate how"* impacts are addressed. These are listed in the quotation of the policy above and are addressed in turn below.

Impacts on Communities and Individual Dwellings

4.6.10 The site is located within a rural area which is already influenced heavily by electrical infrastructure being an operational wind farm. There are a small number of neighbouring residential properties in the vicinity. The design has been progressed so as to minimise impacts on all receptors ensuring adequate visual and acoustic screening.

4.6.11 No significant adverse noise or visual impacts are predicted after mitigation as a result of embedded design mitigation.

Noise

4.6.12 Noise was addressed within EIA Screening and scoped out. of further consideration. Construction noise for a BESS would be mostly from mobile plant on site for earthworks and various small scale construction activities. The principal noise emissions associated with the operational phase arise from fixed plant such as battery units and inverters / transformers.

4.6.13 Despite being scoped out, the applicant has engaged TNEI as noise consultant and identified the nearest noise sensitive receptors of interest. The receptors are residential properties quite distant from the Proposed Development and already identified and assessed within the Limekiln Wind Farm noise assessments. Given the large distance between the Proposed Development and nearby receptors, no significant noise effects associated with the construction, operation or decommissioning of the Proposed Development are anticipated.

4.6.14 It should also be noted that for construction noise, management would be through the adoption of best practise measures incorporated within a Construction Environmental Management Plan (CEMP).

Landscape and Visual Considerations

4.6.15 Before examining the landscape and visual effects of the Proposed Development, Part e(ii) of Policy 11 makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of renewable energy and transmission infrastructure. This is a very different starting point compared to the position in the former SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to appropriate design mitigation, they should generally be acceptable.

Overview of Design Approach

4.6.16 The need for the Proposed Development was identified in response to grid network needs and current and future renewable generation. BESS are required to be located as near to a grid substation as possible to reduce electrical losses and avoid the need for additional impacts through long and intrusive grid connection works.

4.6.17 The design as proposed reflects the topography and character of the Site and utilises a previously utilised site (construction compound) within a well screened location. The platform arrangement and location of key infrastructure within the site seeks to minimise visual impact and fit the development into the landscape wherever possible.

4.6.18 The proposed design has been consulted upon and driven by relevant assessments and technical advice. The Proposed Development is considered to represent a satisfactory design and siting for the development.

Landscape Character

4.6.19 The two Landscape Character Types ('LCTs') that may be considered relevant to the appraisal are the Sweeping Moorlands and Flows LCT (LCT 134), in which the site is located, and the Farmed Lowland Plain LCT (LCT 143), which lies to the immediate north of Limekiln Forest.

4.6.20 In relation to the host LCT, the Proposed Development is located in the Limekiln Forest coniferous plantation on the northern fringe of the LCT. The area is characterised by the enclosure of forestry in contrast to the openness of the core flows and moorland to the south. The rotational felling and restocking presents a heavily managed and modified landscape in contrast to the natural landscape of the flows. The recently constructed Limekiln Wind Farm is also located in this LCT making large-scale energy development an established feature of the baseline character. This northern part of the LCT lacks the sense of remoteness and naturalness, experienced in those undeveloped and unmodified parts of the LCT to the south.

4.6.21 The level of effect on character of LCT 134, Sweeping Moorland and Flows as related to the Site would be Moderate/Minor during Construction reducing to Minor during operation of the Proposed Development. These effects would occur where visibility arises within approximately 2 km of the Site.

4.6.22 In relation to the Farmland Lowland Plain LCT, despite its relative proximity to the Proposed Development, the screening effect of the intervening landform and coniferous plantation, as demonstrated by the screened ZTV in Figure 5.3 of the ER, combined with the relatively small scale/ low lying nature of the Proposed Development and the baseline influence of existing development (including Limekiln Wind Farm and the settled northern coastline), will prevent material effects on landscape character within the Farmed Lowland Plain from arising. This has been verified through fieldwork and on this basis LCT 143 was scoped-out from the detailed appraisal.

Designated Landscapes

4.6.23 There are no landscape designations within or immediately surrounding the Site. The site and its surroundings lie well separated from any national or local landscape designations. The closest designation to the site is the regionally valued Farr Bay, Strathy and Port Skerra Special Landscape Area ('SLA') which lies approximately 8km to the north-west of the site, while the Dunnet Head SLA lies over 20km to the east. It is considered that no effects on the special landscape qualities of these designations will arise owing to a combination of the substantial separation distances, the relatively small scale and height of the Proposed Development and the enclosure of the Site by localised landform features and coniferous plantation.

Visual Effects

4.6.24 The assessment considered six representative viewpoints to assess the impact of the Proposed Development on settlements and residential properties, transportation routes and recreational routes and core paths.

4.6.25 The principal route of relevance to the appraisal is the Core Path circuit through Limekiln Forest (CA11.03), together with its connecting routes into the village of Reay. Three representative viewpoints have been identified to represent people using these routes (Viewpoints 1, 2 and 5). The Core Path through the forest currently passes close to a number of Limekiln Wind Farm wind turbines as well as the operational substation at the northern end

of the Application Site. The experience for users of this circular route is already heavily influence by energy infrastructure and the introduction of the BESS compound (on a site used as a construction compound for the wind farm) will further intensify this experience. The Applicant proposes to provide an interpretation board alongside the BESS site providing information about the BESS process, and how this interfaces with the wind farm.

4.6.26 Two viewpoints would experience a major (during construction) and major/moderate (operation) level of effect. These relate to Viewpoint 1 CA11.03 Limekiln Forest (Substation Extension) and Viewpoint 2: CA11.03 Limekiln Forest (BESS compound), at points along the core path.

4.6.27 The appraisal has found that the only locations where high levels of landscape and visual effect may arise is within the Application Site itself, where the BESS Compound and Substation Extension can be experienced at close range from the Core Path. Beyond the boundaries of the Site the Proposed Development is neither prominent or intrusive and the screened ZTV demonstrates how beneficial the choice of site is.

4.6.28 The landscape and visual appraisal concludes that the Proposed Development will have limited and highly localised landscape and visual effects on the Site and surrounding area and will be well related to the established wind farm energy infrastructure operating in the Limekiln Forest plantation.

Public Access

4.6.29 Core Path CA11.03 Limekiln Forest intersects the access route to the Proposed Development and comprises a track which is 8.4 km in length. A temporary diversion has been discussed with THC which involves diverting the Core Path through the wind farm during construction works. The CTMP will include details of this and measures to ensure that a route is protected for access during construction as appropriate. No impediment to access of the Core Path will occur on operation.

Aviation, Defence Interests and Telecommunications

4.6.30 The Proposed Development will not give rise to any negative effects with regard to aviation, defence interests or telecommunications.

Impacts on Road Traffic and Trunk Roads

4.6.31 The Applicant commissioned Pell Frischmann to prepare a combined Transport Statement and Construction Traffic Management Plan (CTMP), and this is submitted in support of the application. The document examines the likely impact of traffic generated by the Proposed Development on the local road network.

4.6.32 The report demonstrates that the Proposed Development will generate approximately 58 vehicle movements per day at the peak of construction. It is expected that during the peak month of construction (month five), 32 two-way HGV movements per day will occur per day. A further 26 car / LGV trips would be created by construction staff travelling to and from the Site.

4.6.33 Traffic management procedures have been proposed which would ensure the safe operation of the approach route to the Site during construction. Determination of the final details of traffic management measures will occur once the contractor has been appointed and can be controlled by a suitably worded condition.

4.6.34 The Proposed Development would not be manned, operational traffic is expected to be minimal and would be conducted by small vehicles, The impact of this on the wider road network will be negligible.

Historic Environment

4.6.35 A cultural heritage desk based assessment has been undertaken including a Stage 1 setting assessment. Details are set out in the accompanying Historic Environment Desk-Based Assessment Report on Cultural Heritage.

4.6.36 There are no designated heritage assets within the Application Boundary and three designated heritage assets within the 2 km Study Area. These comprise Clach Clais an Tuire standing stone (SM441), Achvarasdal House Standing Stones (SM421) and Achvarasdal House Broch (SM514).

4.6.37 There are no non-designated heritage assets in the Application Boundary and 113 in the wider Study Area.

4.6.38 There is considered to a nil potential for the presence of previously unknown archaeological remains from any periods.

4.6.39 The Stage 1 setting assessment found that the significance of the three scheduled monuments within the Study Area would not be affected as a result of visual changes within their setting resulting from the proposed development of the BESS and associated Substation. There may be an adverse effect (through changes within its setting) on the significance of up to one non-designated asset (MHG738 Borag Knowe cairn). However, the construction of the substation would not add a significant change to the existing extant infrastructure in this location and this adverse effect is unlikely to be of such magnitude to warrant a refusal of consent for the proposed development.

4.6.40 The cultural heritage assessment, has concluded that the understanding, appreciation and experience of the scheduled monuments would be adequately retained such that the integrity of setting would not be significantly adversely affected. In all cases it would remain possible to understand, appreciate and experience factors of their setting that contribute to its cultural significance.

Hydrology, the Water Environment and Flood Risk

4.6.41 Existing hydrological and hydrogeological conditions have been confirmed and used to assess the potential effects the Proposed Development might have on the water environment. No designated site would be affected by the Proposed Development from a hydrological perspective due to intervening distance and lack of hydrological connectivity.

4.6.42 No properties or private water supplies have been identified within 500m of the Proposed Development. Properties are noted within 500m of the existing access track for the Limekiln Wind Farm however no works are proposed to upgrade these access tracks as part of the Proposed Development.

4.6.43 Many of the potential impacts associated with a development of this nature have been mitigated by its design. A 50 m buffer has been applied to watercourses. All elements of the Proposed Development, including the proposed substation extension and proposed BESS, are located outwith the 50m watercourse buffer, except for the proposed watercourse crossing.

4.6.44 Further, good practice construction techniques that would safeguard the water environment have been committed. Subject to the adoption of the good practice construction techniques such as the proposed CEMP and an Environmental Clerk of Works (ECoW) and the committed further works at the detailed design stage of the project no effects on hydrology or hydrogeology have been identified.

4.6.45 The Proposed Development is not a risk of flooding, this topic is further addressed below in relation to NPF4 Policy 22.

Biodiversity

Ecology and Ornithology

4.6.46 In terms of ecological interests, the Site does not form part of any statutory designated site for nature conservation. The closest designated sites are Sandside Bay Site of Special Scientific Interest (SSSI) (35 m north of an existing access track and no construction operations are required in this location) and Red Point Coast SSSI (1.18 km).

4.6.47 The BESS compound and Substation Extension are located over 2 km from the Sandside Bay SSSI and as such no impacts are anticipated from these elements of works during either construction or operation.

4.6.48 To prevent impacts to Sandside Bay SSSI, from vehicles using the access route, a CEMP will be produced to include implementation of dust suppression measures, pollution prevention and surface water runoff management measures.

4.6.49 No impacts on statutory or non-statutory designated sites for nature conservation are anticipated. Standard construction practices are recommended to be controlled through the CEMP.

4.6.50 The built footprint of the BESS compound will predominantly occur on previously disturbed land which is currently bare ground following wind farm construction. Expansion of the Substation area and the proposed cable route will be located principally in areas of existing plantation woodland and will result in the loss of a small amount of wet dwarf shrub heath (approx. 0.02 ha) which is heavily degraded, and discrete areas of plantation woodland of low ecological value (totalling approx. 2.59 ha).

4.6.51 Existing features of biodiversity value will largely be retained and protected throughout the construction and operation phases. Pollution prevention measures will be implemented to prevent pollution and run-off occurring during the construction and specific control measures would be implemented to protect the watercourses/ditches off Site.

4.6.52 In terms of ornithology interest, a study area was defined with reference to the location of the Proposed Development and encompasses a series of buffers up to 500 meters (m) in radius. The Site is not located within or adjacent to any statutory sites designated for ornithological interest. Statutory designated sites for ornithological interest within 10km of the Site have been identified as part of the assessment.

4.6.53 A summary examination of the relevant issues in relation to the Habitats Regulations has been provided within Chapter 7 Ornithology of the EIA Report, to enable the competent authority (Scottish Ministers) to undertake the appropriate assessments in respect of the Caithness & Sutherland Peatlands Special Protection Area (SPA) and Ramsar site, the Caithness Lochs SPA and Ramsar site and North Caithness Cliffs SPA in light of each site's conservation objectives. In summary, no detrimental effects are predicted on the sites considered nor in respect of their respective SSSI designations that underpin the SPA and Ramsar designations.

4.6.54 Chapter 7 considers the potential construction impacts in terms of disturbance to breeding birds, disturbance to foraging birds and direct habitat loss. Mitigation has been applied including restriction of works during the breeding / nesting season, pre commencement works surveys if works are proposed to commence between April – August, and the employment of a ECoW. With these measure in place no contravention of wildlife legislation is predicted.

4.6.55 Disturbance to foraging birds due to the construction of the Proposed Development will have no adverse effects on all bird species.

4.6.56 In terms of operational impact, the assessment has concluded the operation of the Proposed Development will have no adverse effects on all bird species.

4.6.57 Proposed biodiversity enhancement measures are described below with regard to NPF4 Policy 3 (Biodiversity).

Forestry and Woodland

4.6.58 The Proposed Development utilises existing access tracks however there is a requirement to fell and remove 2.59 ha of productive conifer for the construction of the Proposed Development.

4.6.59 No ancient or native woodland has been identified within felling areas.

4.6.60 Replanting on site would take place for 0.71 ha with productive conifer species matching the Limekiln Plantation LTFP Restocking Plan. 1.88 ha of felled area would be left unplanted as open ground as a safety buffer.

4.6.61 The Applicant is committed to providing compensatory planting of equivalent woodland area (1.88 ha) with at least the equivalent woodland-related net public benefits.

Balancing the Contribution of a Development and Conclusions on Policy 11

4.6.62 Part e) ii) of NPF4 Policy 11 (Energy) makes it clear and recognises that in terms of significant landscape and visual impacts, such impacts are to be expected for some forms of energy proposals. This is a very different starting point compared to the position in the former SPP and there is a very clear steer that significant effects are to be expected, and where localised and/or subject to design mitigation, they should generally be acceptable.

4.6.63 The Proposed Development is considered to be acceptable in relation to all of Policy 11's environmental and technical topic criteria.

4.6.64 The second last paragraph **of Paragraph e) of Policy 11** is expressly clear that in considering any identified impacts of developments, significant weight must be placed on the contribution of the proposal to renewable energy generation targets and GHG emissions reduction targets. In particular, the Policy recognises that landscape and visual impacts are to be expected but provided they are localised and / or appropriate design mitigation has been applied, they are likely to be considered acceptable.

4.6.65 The "contributions" are inextricably related to the scale of a proposed development and policy recognises that any identified impacts must be assessed in the context of these contributions.

4.6.66 In terms of contribution to targets, the proposal's contributions have been set out previously. The scale of the energy output and emissions savings linked to BESS operation is an enabling factor directly related to renewable transmission capacity and operation, and security of supply, are valuable and should be afforded significant weight.

4.7 NPF4 Policy 3: Biodiversity

Policy 3 & Principles

4.7.1 Policy 3 has an intent to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Outcomes of the policy are that biodiversity is enhanced and better connected, including through strengthened nature networks and nature-based solutions.

4.7.2 In summary, there are no significant adverse effects arising in relation to biodiversity matters, nor in relation to nature conservation designations which NPF4 Policies 3 and 4 (the latter in terms of designations – see below) respectively address.

4.7.3 **Policy 3** requires developments to, wherever feasible, provide nature-based solutions that have been integrated and made best use of and for significant biodiversity enhancements to be provided.

4.7.4 **Paragraph b)** states that:

"*Development proposals for national or major development or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks*

so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria."

4.7.5 The policy goes on to reference the need for an understanding of the existing characteristics of a site and states that an assessment of potential negative effects should be undertaken which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.

4.7.6 Paragraph b) iv) of the policy sets out a requirement that "*significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate*."

4.7.7 **Paragraph d)** adds that "*any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration*".

Current Guidance Position

4.7.8 The **letter from the Chief Planner issued on 8 February 2023** refers to the application of new policy where specific supporting guidance / parameters for assessment are not yet available to aid assessments. The letter states:

4.7.9 *"recognising that currently there is not a single accepted methodology for calculating and / or measuring biodiversity 'enhancement' – we have commissioned research to explore options for development a biodiversity metric or other tool, specifically for use in Scotland. There will be some proposals which will not give rise for opportunities to contribute to the enhancement of biodiversity, and it will be for the decision maker to take into account the policies in NPF4 as a whole, together with material considerations in each case".* (underlining added)

4.7.10 Therefore, exactly how enhancement is to be measured in the longer-term is to be the subject of further guidance. Accordingly, the current position in relation to guidance summarised below, should not be regarded as settled or standard practice at this stage.

4.7.11 **NatureScot Guidance** was issued in Summer 2023 in support of NPF4 Policy 3 c). This states that the selection and design of enhancement measures will be a matter of judgment based on the circumstances of the individual case but should take into account a number of considerations. These considerations include:

- The location of the development site and the opportunities for enhancing biodiversity;
- The character and scale of development;
- The requirements and cost of maintenance and future management of the measures proposed;
- The distinctiveness and scale of the biodiversity damaged or lost; and
- The time required to deliver biodiversity benefits and any risks or uncertainty in achieving this.

4.7.12 The Scottish Government also published '**Draft Planning Guidance: Biodiversity**' in November 2023. Paragraph 1.1 states that it: "*Sets out the Scottish Minister's expectations for implementing NPF4 policies which support the cross cutting NPF4 outcome 'improving biodiversity*."

4.7.13 The guidance refers to 'key terms' and with regard to 'enhancement', states at Paragraph 1.10:

"*The terms 'enhance' and 'enhancement' are widely used in NPF4. In order for biodiversity to be 'enhanced' it will need to be demonstrated that it will be in an overall better state than before intervention, and that this will be sustained in the future. Development proposals should clearly set out the type and scale of enhancements they will deliver*".

4.7.14 The guidance addresses development planning and, in terms of development proposals, references 'core principles.' At Paragraph 3.1 the guidance states that these principles can be followed when designing developments so that nature and nature recovery are an integral part of any proposal. Section 3.2 of the guidance states:

"*Applying these principles will not only help to secure biodiversity enhancements, they can also help to deliver wider policy objectives including for green and blue infrastructure, open space, nature based solutions, nature networks and 30 x 30. Development proposals which follow these steps are also much more likely to result in more pleasant and enriching places to live, work and spend time*."

4.7.15 The principles set out are as follows:

- Apply the mitigation hierarchy;
- Consider biodiversity from the outset;
- Provide synergies and connectivity for nature;
- Integrate nature to deliver multiple benefits;
- Prioritise on-site enhancement before off-site delivery;
- Take a place-based and inclusive approach;
- Ensure long term enhancement is secured; and
- Additionality.

4.7.16 Notwithstanding the fact that the guidance is informal at this stage, these core principles have nonetheless been applied as appropriate to the Proposed Development.

4.7.17 Page 15 of the draft guidance makes specific reference to determining planning applications and, with regard to the policy context, Paragraph 4.1 makes it clear that NPF4 must be read and applied as a whole. Specific reference to NPF4 Policy 3 (Biodiversity) Part 3 b) is made and from Section 4.6 key points in the guidance include the following:

- It is set out that NPF4 that does not specify or require a particular assessment approach or methodology to be used, although the policy makes clear that best practice assessment methods should be utilised;
- Assessments can be qualitative or quantitative (for example through use of a metric); and
- It is stated that NatureScot is to shortly commence work to develop an adapted biodiversity metric suitable for use in supporting delivery of NPF4 Policy 3 b). The draft guidance states that further information will be provided on this work "in due course".

4.7.18 Section 4.12 of the draft guidance states:

"*In the meantime, the absence of a universally adopted Scottish methodology/tool should not be used to frustrate or delay decision making, and a flexible approach will be required. Wherever relevant and applicable, and as indicated above, information and evidence gathered for statutory and other assessment obligations, such as EIA, can be utilised to demonstrate those ways in which the policy tests set out in NPF4 have been met. Equally, where a developer wishes to use an established metric or tool, the planning submission should demonstrate how Scotland's habitats and environmental conditions have been taken*

into account. Where an established metric or tool has been modified, the changes made and the reasons for this should be clearly set out".

4.7.19 Section 4.14 of the draft guidance states that it will be for a planning authority to determine whether the relevant policy criteria have been met, taking into account the circumstances of the particular proposal. It adds:

"*NPF4 does not specify how much enhancement or 'net gain' should be delivered, though biodiversity should clearly be left in a 'demonstrably better state' than without intervention. Rather, the selection and design of enhancements will be a matter of judgement based on the circumstances of the individual case, taking into account a range of considerations*."

4.7.20 The draft guidance makes reference to the various considerations which are already set out in the NatureScot guidance issued in the Summer of 2023 with regard to NPF4 Policy 3 (as listed above).

4.7.21 The draft guidance also makes reference to off-site delivery of enhancement proposals and states at Paragraph 4.19 that:

"*Where the relevant policy tests cannot be met on site, off-site provision may be considered alongside on site. In these circumstances, off-site delivery should be as close as possible to the development site, with consideration being given firstly to the immediate landscape context and existing ecological value of the site*."

4.7.22 In early 2024 **NatureScot consulted on 'a Biodiversity Metric for Scotland's Planning System'.** The consultation ended on 10 May 2024. The consultation paper outlines work that NatureScot has been commissioned by the Scottish Government to develop a biodiversity metric for Scotland's planning system, to support delivery of NPF4 policy 3(b).

4.7.23 This consultation paper does not propose solutions or reach conclusions on specific aspects of the Scottish biodiversity metric to be developed, as these are yet to be fully assessed. While work on developing a Scottish biodiversity metric is ongoing, NatureScot highlight here the advice set out in the Scottish Government's draft Planning Guidance on Biodiversity, as referenced above, namely that the absence of a universally adopted Scottish methodology / tool at the present time, should not be used to frustrate or delay decision making.

4.7.24 The commission's final outputs are expected to include:

- a Scottish biodiversity planning metric tool (to be hosted on the NatureScot website), which is based on current understanding of science and evidence, clear and transparent in its workings, accessible and easy to use by relevant professionals with outputs understandable by decision makers, and which informs siting and design of development as well as evidence-based decision making; and
- a user guide supporting the metric (together with any supporting information).

4.7.25 The **Highland Council have also consulted upon and approved (May 2024) their own non-statutory Biodiversity Planning Guidance** (BPG). The guidance is intended for use by THC, applicants and agents to ensure the consistent and proportionate implementation and interpretation of NPF4 Policy 3. The BPG sets out what supporting information is required to be submitted to demonstrate that conservation, restoration and enhancement as required by Policy 3 is provided.

4.7.26 Key issues arising include a flexible approach to the use of a Biodiversity Net Gain (BNG) metric in relation to all development proposals of any scale until such time as the Scottish Government defines its own Scottish metric to support biodiversity net gain calculations. In the interim period, whist this metric is being developed and is released, THC 'recommend the English DEFRA metric, but do not require use of a metric'. The use of a 'distance multiplier' relative to the location of biodiversity from the development is also on hold until such time as the Scottish metric is agreed and released.

4.7.27 The BPG has set a requirement that biodiversity enhancement arising from development within the THC area must be delivered within the Highland geographical area.

4.7.28 The BPF set out a desire for all development to deliver 10% biodiversity enhancement as a minimum. This ratio has been arrived at via benchmarking with England. However, as noted, until such time as Scottish metric has been delivered the guidance allows applications (Major and National Development) to demonstrate significant biodiversity enhancement in alternative ways. Such proposals should clearly and robustly set out how policy will be met in this regard. Where 10% / significant enhancement cannot be met on site alternative measures should be proposed.

4.7.29 Finally, the BNG also puts in place provisions for a mechanism to be developed for a financial payment to be made to THC in exchange for the Council taking responsibility for securing the delivery of biodiversity or enhancement. This option whilst being retained in the guidance will remain 'unavailable' until such time as a detailed and robust methodology to identify costs and delivery payments is prepared and agreed. Meantime the delivery of compensation and enhancement on land within the control of the developer but out with the development areas, and use of third party offset provider / broker to delivery off-site is provided as options for developers.

The application of Policy 3: Proposed Enhancement

4.7.30 Notwithstanding the lack of policy guidance at the present time, in terms of environmental benefit, there will be a permanent enhancement delivered through the Applicant's proposed enhancements to the natural habitat.

4.7.31 The proposed biodiversity enhancement measures are detailed in Chapter 6 Ecology of the ER. A Habitat Enhancement and Management Plan (HEMP) will be finalised prior to the commencement of construction and can be secured by condition should planning permission be granted.

4.7.32 The following habitat and species enhancement measures are proposed:

- Restoration of the remaining area surrounding the proposed Substation Extension to manage heathland and associated habitats;
- Allow heathland to expand into cable route areas;
- Restoration and enhancement of plantation woodland edge habitats following felling;
- Allow heathland to expand into open areas around the BESS;
- Hedgerow planting around the BESS compound, to include native fruit bearing species only with an aim of a species rich hedgerow; and
- Refugia piles for reptiles and amphibians.

4.7.33 The following enhancement measures are predicted to provide positive biodiversity enhancement for the benefit of bird species:

- Bird boxes will be installed on the outside of permanent buildings (e.g. substations) to encourage use by species such as common swift and house martin
- Bird boxes will also be installed on suitable trees within woodland surrounding the BESS area. This will improve opportunity for habitation of notable and protected species that may be using the Site and surrounding area.
- A barn owl box will be installed in a suitable location near to open habitats north of the Site, where there is suitable barn owl foraging habitat.
- Planting of a native hedgerow boundary at the margins of the site with species including blackthorn (Prunus spinosa), broom (Cytisus scoparius), elder (Sambucus nigra), hawthorn (Crataegus monogyna) and dog rose (Rosa canina). By providing a variety of

native hedgerow species it would create a priority habitat within the site that would also provide shelter for nesting birds.

4.7.34 These proposals will contribute to securing significant biodiversity enhancement on Site through the enhancement of existing habitats, and the introduction of native habitats not previously noted. It will increase foraging and commuting resources for protected and notable species including bats, birds, reptiles and pine marten.

4.7.35 The measures as proposed would deliver significant biodiversity enhancement as required by Policy 3 and in line with THC's BPG.

4.7.36 It is important to keep in mind that the greatest threat to biodiversity is climate change. The principal and essential benefit of the Proposed Development is a significant contribution of energy transmission and security within a modern grid network with enhanced capacity, to facilitate the earliest possible decarbonisation of the energy system and the achievement of net zero no later than 2045, in accordance with the objectives of the Climate Change (Scotland) Act 2009 (as amended). The purpose of net zero is to protect biodiversity and the earlier it can be achieved, the greater the benefits to biodiversity.

4.8 NPF4 Policy 4: Natural Places

Policy 4 & Principles

4.8.1 The policy has an intent to protect, restore and enhance natural assets making best use of nature-based solutions. Policy outcomes are stated as being natural places are protected and restored, and natural assets are managed in a sustainable way that maintains and grows their essential benefits and services.

4.8.2 **Paragraph a)** of the policy states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported.

4.8.3 **Paragraph b)** refers to development proposals which are likely to have a significant effect on a European designated site and sets out in such circumstances the requirement for appropriate assessment.

Paragraph c) deals with national landscape designations and has a similar approach in relation to the former SPP in terms of how a proposal that affects a National Park or National Scenic Area (NSA) should be addressed. It states that:

"*Development proposals that will affect the National Park or National Scenic Area….. will only be supported where:*

the objectives of designation and the overall integrity of the areas will not be compromised; or

any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance."

4.8.4 **Paragraph d)** deals with local landscape designations and is as follows:

"*Development proposals that affect a site designated as …a local landscape area in the LDP will only be supported where:*

Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or

Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance".

4.8.5 The policy follows a similar construct to that which deals with national level designations. The first limb of the policy refers to significant effects on the "*integrity*" of the area or "*the qualities for which it has been identified*".

4.8.6 **Paragraph e)** addresses the precautionary principle.

4.8.7 **Paragraph f)** sets out that "*development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application*".

4.8.8 **Paragraph g)** deals with development proposals within wild land areas and notes that *"buffer zone Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration".*

The application of Policy 4

4.8.9 No discernible impacts are anticipated to occur on any statutory designated site for nature conservation given the spatial separation distances, nature of the development and absence of available habitat for qualifying interest features.

4.8.10 There are no national landscape interests that would be affected by the Proposed Development.

4.8.11 As explained above in the context of NPF4 Policy 11 (Energy), the landscape and visual assessment contains an assessment of the effects of the Proposed Development and it is concluded that the Proposed Development can be integrated into the context of the surrounding landscape and that the site has the capacity to accommodate the scale and type of development proposed, without significantly affecting local landscape character and visual amenity. The Proposed Development is well screened due to its location and the surrounding topography and forestry cover.

4.8.12 The appraisal has found that the only locations where high levels of landscape and visual effect may arise is within the Site itself, where the BESS Compound and Substation Extension can be experienced at close range from the Core Path. Beyond the boundaries of the Site the Proposed Development is neither prominent or intrusive and the screened ZTV demonstrates how beneficial the choice of site is.

4.8.13 There would be no material effects on national or local landscape designations.

4.8.14 No evidence of protected species were recorded on the Site during the habitat survey and the potential for the Site to support protected species is limited. Pre-construction surveys will be required for badger, pine marten and roosting bats. As a precautionary measure, construction works will be undertaken under Reasonable Avoidance Measures (RAMs) which will be included in the CEMP.

4.8.15 The site is not within a WLA. The northern part of the East Halladale Flows WLA lies approximately 1.7km to the west of the site. The effect of the Proposed Development on the defined wildness qualities of this WLA will be substantially moderated by the screening effect of the coniferous plantation, the presence of the Limekiln Wind Farm and the associated wind farm and forestry tracks. This context will moderate the influence of the Proposed Development and will limit the effects on the East Halladale Flows WLA. As per Policy 4(g) buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration. On this basis, effects on the East Halladale Flows WLA were scoped-out from the detailed appraisal.

4.8.16 The Proposed Development would result in benefits of national importance and effects of only localised scale. The Proposed Development is considered to be in accordance with Policy 4.

4.9 NPF4 Policy 6: Forestry, woodland and trees

Policy 7 & Principles

4.9.1 The policy intent of Policy 7 is to protect and expand forests, woodland and trees. Development proposals will not be supported where they will result in:

"i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;

ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;

iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry."

Application of Policy 6

4.9.2 The Proposed Development utilises the existing access tracks however there is a requirement to fell and remove 2.59 ha of productive conifer for the construction of the Proposed Development. As explained above, no ancient or native woodland has been identified within felling areas.

4.9.3 Replanting on site would take place for 0.71 ha with productive conifer species matching the LTFP Restocking Plan. 1.88 ha of felled area would be left unplanted as open ground as a safety buffer.

4.9.4 The Applicant is committed to providing compensatory planting of equivalent woodland area (1.88 ha) with at least the equivalent woodland-related net public benefits.

4.9.5 The Proposed Development will provide essential balancing capacity on the transmission network to enable more efficient maximisation of transmission of new renewable generation. It will optimise the delivery of renewable electricity generation from Limekiln Wind Farm.

4.9.6 The Proposed Development is considered to be acceptable in the context of Policy 6 given the limited loss of commercial woodland, the proposed compensatory planting and the wider benefits of the Proposed Development as set out in Section 2.5 of this report.

4.10 NPF4 Policy 7: Historic Assets and Places

Policy 7 & Principles

4.10.1 The intent of Policy 7 is to protect and enhance the historic environment, assets and places and to enable positive change. Key parts of the policy include the following:

- **Paragraph a)** states that "*development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impact of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records*."
- **Paragraph c)** states that "*development proposals affecting the setting of a Listed building should preserve its character, and its special architectural or historic interest*".
- **Paragraph d)** states that "*development proposals in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced*".

- **Paragraph h)** states that "*development proposals affecting Scheduled Monuments will only be supported where*:

  i) direct impact on the Scheduled Monument are avoided;
  ii) significant adverse impacts on the integrity of the setting of the Scheduled Monument are avoided; or
  iii) exceptional circumstances have been demonstrated to justify the impact on a Scheduled Monument and its setting and impact on the monument or its setting have been minimised.

- **Paragraph l)** states that "*development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site or its setting*".

- **Paragraph o)** states that "*non designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impact*".

The application of Policy 7

4.10.2 There are no Inventory Garden and Designed Landscapes, Inventory Battlefields, Listed Buildings or Conservation Areas within the context area of the Site. There are three Scheduled Monuments within the cultural heritage Study Area. These comprise two standing stones (SM441 Clach Clais an Tuire and SM421 Achvarasdal House and a Broch (SM514 Achvarasdal House).

4.10.3 As explained above under Policy 11, the cultural heritage assessment, has concluded in relation to potential effects on Scheduled Monuments that the understanding, appreciation and experience of the Scheduled Monuments would be adequately retained such that the integrity of setting would not be significantly adversely affected. In all cases it would remain possible to understand, appreciate and experience factors of their setting that contribute to its cultural significance.

4.10.4 The Proposed Development is considered to accord with the provisions of Policy 7.

4.11 NPF4 Policy 22: Flood Risk and Water Management

Policy 22 & Principles

4.11.1 The intent of Policy 22 is to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Key parts of the policy include:

- **Paragraph a)** states that *"Development proposals at risk of flooding or in a flood risk area will only be supported if i. essential infrastructure where the location is required for operational reasons"*. In such cases it will be demonstrated by the applicant that:

  - *All risks of flooding are understood and addressed;*
  - *There is no reduction in floodplain capacity, increased risk for others or a need for future flood protection schemes;*
  - *The development remains safe and operational during floods;*
  - *Flood resistant and resilient materials and construction methods are used; and*
  - *Future adaptations can be made to accommodate the effects of climate change.*

- **Paragraph c)** states that proposals will:

  i. *Not increase the risk of surface water flooding to others, or itself be at risk;*

  ii. *Manage all rain and surface water through sustainable urban drainage systems (SUDS) which should form part of and integrate with proposed and existing blue-green infrastructure.*

  iii. *Seek to minimise the area of impermeable surface.*

The Application of Policy 22

4.11.2 A Flood Risk Assessment & Drainage Impact Assessment has been undertaken for the Proposed Development and is submitted in support of the application.

4.11.3 The flood risk screening indicates that the proposed development is not at flood risk for the NPF4 design event of 0.5% Annual Exceedance Probability (AEP) plus Climate Change (CC) or the Energy Networks Association (ENA)design event of 0.1% AEP plus CC for the proposed substation extension. Access/egress is to be afforded by the existing windfarm tracks and no alterations to these routes are required.

4.11.4 Some isolated pockets of surface water flooding of less than 300mm in depth are indicated to be located adjacent to the proposed development areas but are not expected to present a risk to the development. Any direct rainfall on the proposed development locations will be managed through the SuDS design.

4.11.5 In terms of the surface water drainage strategy, it is proposed that surface water runoff from the impermeable areas associated with the proposed substation extension and BESS is captured, attenuated, and drained via SuDS systems. A swale is proposed to drain the substation extension, ultimately discharging surface water at a restricted rate of 1.5l/s to a tributary of the Reay Burn. A detention basin is proposed for the BESS site, discharging surface water at a restricted rate of 5l/s to a tributary of the Achvarasdal Burn. The detention basin would also be designed for the retention of firewater and would be fitted with a penstock.

4.11.6 The Proposed Development has been designed to be consistent with the aims and objectives of Policy 22 and no adverse impacts would arise as a result of the Proposed Development.

4.12 Conclusions on NPF4 Appraisal

4.12.1 The Proposed Development is considered to be acceptable in relation to all of NPF4 Policy 11's environmental and technical topic criteria.

4.12.2 A key point within Policy 11 (Energy) is that any identified impacts have to be weighed against a development's specific contribution to meeting targets – which attracts significant positive weight in this case.

4.12.3 Significant weight is also afforded in relation to Policy 1 (Tackling the climate and nature crises). This policy direction fundamentally alters the planning balance compared to the position that was set out in in NPF3 and SPP.

4.12.4 The term "tackling" the respective crises in Policy 1 is also important – this means that decision makers should ensure an urgent and positive response to these issues and take positive action.

4.12.5 The National Spatial Strategy set out in NPF4 is intended to support the delivery of three types of 'place' in Scotland: namely, Sustainable, Liveable and Productive places.

4.12.6 Eighteen National Developments are identified to support the strategy, and they are to be "focus for delivery" (NPF4 page 4). National Development 3 (strategic renewable electricity generation and transmission infrastructure) is one of six National Developments which support the delivery of Sustainable Places.

4.12.7 Sustainable Places are primarily concerned with dealing with the climate crisis, and this issue is seen as a fundamental threat to the capacity of the natural environment to provide the services and amenities relied on, including clean air, water and food (NPF4, page 6).

4.12.8 In order to deliver Sustainable Places, NPF4 makes it clear that there must be significant progress in achieving net zero emissions by 2030 in order to hit the overall target of net zero by 2045.

4.12.9 Furthermore, it sets out that meeting the Government's climate ambition will require a rapid transformation across all sectors of the economy and society and that this means ensuring "*the right development happens in the right place*". (Page 7)

4.12.10 In a development management context, this is to be achieved by the application of NPF4 policies which are to be read as a whole. The policy appraisal contained in this Statement has demonstrated that the Proposed Development would accord with NPF4 when it is read as a whole, and as a consequence, the proposal is considered to be the right one in the right location and one which will contribute to Scotland being a Sustainable Place.

5. Appraisal against the Local Development Plan

5.1 Introduction

5.1.1 The other elements of the statutory Development Plan covering the Site are the:

- HwLDP (2012); and
- Caithness and Sutherland Local Development Plan (CaSPlan) (2018).

5.1.2 The CaSPlan focuses largely on regional and settlement strategies and specific site locations rather than planning policies of relevance for the Proposed Development.

5.1.3 While NPF4 takes precedence and is now the primary material consideration when making planning decisions in Scotland, it is still relevant to consider the HwLDP and its relevant policies.

5.2 Lead LDP Policy: Policy 67 - Renewable Energy Developments

5.2.1 Policy 67 of the HwLDP is the lead LDP policy in relation to the Proposed Development.

5.2.2 Policy 67 – 'Renewable Energy Developments' is in the following terms:

"Renewable energy developments proposals should be well related to the source of the primary renewable resources that are needed for their operation. The Council will also consider:

- *The contribution of the proposed developments towards meeting renewable energy generation targets; and*
- *The positive or negative effects it is likely to have on the local and national economy.*

And will assess proposals against other policies of the Development Plan, the Highland Renewable Energy Strategy and Planning Guidelines and have regard to any other material considerations, including proposals able to demonstrate significant benefits by making effective use of existing and proposed infrastructure of facilities.

Subject to balancing with these considerations and taking into account any mitigation measures to be included, the Council will support proposals where it is satisfied that they are located, site and designed such that they will not be significantly detrimental overall, either individually, or cumulatively with other developments having regard in particular to any significant effects on the following:

- *Natural, built and cultural heritage features;*
- *Species and habitats;*
- *Visual impact and impact on the landscape character of the surrounding areas ….*
- *Amenity of sensitive locations including residential properties, work place and recognised visitor sites…*
- *The safety and amenity of any regularly occupied buildings and the ground that they occupy – having regard to visual intrusion or the likely effect of noise generation and, in the case of wind energy proposals, ice throw in winter conditions, shadow flicker and shadow throw;*
- *Ground water, surface water (including water supply) aquatic ecosystems and fisheries;*

- *The safe use of airport, defence or emergency service operations, including flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MoD low-flying areas;*
- *Other communication installations or the quality of radio or TV reception;*
- *The amenity of users of any Core Path or other established public access for walking, cycling or horse riding;*
- *Tourism and recreation interests;*
- *Land and water based traffic and transport interests.*

5.2.3 In light of the age of the HwLDP relative to NPF4, where conflict arises or where the LDP is silent, the policies of NPF4 prevail.

5.2.4 The Reporter in the Meall Buidhe Appeal Decision Notice of 14 June 2023, commented on the relationship between the HwLDP and NPF4 and stated (paragraph 76):

"*I find some inconsistency overall between the Local Development Plan approach and the relevant balance of considerations now applied through NPF4.*

The later adopted document places emphasis on the significant weight to be placed on the contribution to renewable energy targets. It also states that landscape and visual impacts of a localised scale will generally be acceptable subject to appropriate design mitigation. The Act advises that in the event of any incompatibility between the provision of National Planning Policy Framework 4 and the provision of an LDP, the later in date is to prevail. In that context I rely on my conclusions above in relation to the topic specific National Planning Framework 4 Policy 11."

5.2.5 The Proposed Development has been assessed as being in accordance with NPF4 as a whole.

5.3 Relevant LDP Policies

5.3.1 The policies of relevance in the HwLDP are summarised below in **Table 5.1** with brief commentary added with regard to how the policies relate to the policies of NPF4:

Table 5.1: Relevant HwLDP Policy Summaries

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
Policy 28	Sustainable Design	Provides support for development which promote and enhance social, economic and environmental wellbeing to communities in Highland. Proposals will be assessed on the extent to which they are compatible a range of listed factors and should utilise good siting and design etc. Developments which are considered detrimental will not accord with the LDP. All development must demonstrate compatibility with the Sustainable Design Guide: Supplementary Guidance to conserve and enhance the character of the area, use resources efficiently, minimise environmental impact and enhance the viability of Highland Communities. Where appropriate a Sustainable Design Statement should be submitted. The	The provisions of this general policy insofar as relevant are contained within the scope of NPF4 Policy 11. No conflicts of contradictions with NPF4.

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
		precautionary principle will be applied where appropriate, developments with significant detrimental impact will only be supported where this is demonstrable over-riding strategic benefit or if satisfactory mitigation measures are incorporated.	
Policy 30	Physical Constraints	Requirement to consider Physical Constraints to development and refer to Supplementary Guidance of same name if relevant. Main principles are to ensure proposed developments do not adversely affect human health and safety or pose risk to safeguarded sites.	NPF4 Policy 11 deals with impacts in relation to aviation and other infrastructure safeguarding. No conflicts or contradictions with NPF4.
Policy 51	Trees and Development	Support for development which promotes significant protection to existing hedges, trees and woodlands on and around sites. Where appropriate woodland management plans will be required. Enables the Council to secure additional planting to compensate for removal.	NPF4 Policy 4 deals with forestry, woodland and trees. No conflicts or contradictions with NPF4.
Policy 52	Principle of Development in Woodland	Requires applicants to demonstrate the need to develop a woodland site and to show that the site has capacity to accommodate that development. A strong presumption in favour of protecting woodland resources is retained. Support is provided only where development offers clear and significant public benefit and where compensatory planting is provided.	NPF4 Policy 4 deals with forestry, woodland and trees. No conflicts or contradictions with NPF4.
Policy 55	Peat and Soils	Requires proposals to demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. Unacceptable disturbance will not be accepted unless it is shown that the adverse effects are clearly outweighed by social, environmental or economic benefits arising from the proposals. Requirement for Peat Management Plans where development on peat is demonstrated as unavoidable in order to show how impacts have been minimised and mitigated.	NPF4 Policy 5 deals with soils including peatland and related habitat. There is conflict with NPF4. The Reporter in the Meall Buidhe decision (paragraph 82) commented in relation to Policy 55 as follows: "*Framework Policy 5: Soils applies in relation to peat and peatland habitat. Similar considerations are applied in Policy 55 of the Highland-wide Local Development Plan. However, this is the older expression of Development Plan policy and unlike Policy 5, it does not specifically reference the location of energy generation*

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
			proposals, nor does it reflect Part (d) of that policy. Consequently, I have applied the more recent statement of Development Plan Policy."
Policy 57	Natural, Built and Cultural Heritage	Requires proposals to be assessed taking into account the level of importance and type of heritage features, the from and scale of development and the impact on the feature and its setting. The policy sets a series of criteria based on level of features importance (local, regional or international). Appendix 2 of the HwLDP defines the features. For features of local / regional importance – developments will be permitted if it can be demonstrated that they will not have an unacceptable effect. For features of national importance, where any significant adverse effects arise, they must be clearly outweighed by social or economic benefits of national importance. In international designations development with adverse effects on integrity will only be allowed where no alternative solution exists and there are imperative reasons of overriding public interest (IROPI).	NPF4 Policies 4 and 7 deal with natural heritage and historic assets and places respectively. There is conflict with NPF4. The Reporter in the Meall Buidhe decision (paragraph 81) commented in relation to Policy 57 and stated that the HwLDP Policy does not contain: "*the same clarification as Policy 4(g). Consequently, I rely on the terms of Framework Policy 4.*" The policy is also considered to be in conflict with the NPF4 Policy 4 provisions in relation to local landscape designations.
Policy 58	Protected Species	Requirement for surveys to establish presence of protected species and to consider necessary mitigation to avoid or minimise any impacts. Development likely to have an adverse effect, individually or cumulatively on European Protected Species will only be permitted where there is no satisfactory alternative, where there is IROPI, the development is required in the public interest, health or safety, where there is no other satisfactory solution, or it can be demonstrated the effects will not be detrimental to the population of species concerned, or impact on the conservation status thereof.	NPF4 Policy 4 deals with natural heritage matters. No conflicts or contradictions with NPF4.
Policy 59	Other Important Species	Protection of other species not protected by other legislation or nature conservation site designations.	NPF4 Policy 4 deals with natural heritage matters. No conflicts or contradictions with NPF4.
Policy 60	Other Important Habitats	Safeguards the integrity of features of the landscape which are of major importance because of their linear or continuous structure or	NPF4 Policy 4 deals with natural heritage matters.

HwLDP Policy	Topic	Policy Summary	Comment re NPF4
		combinations. The Council will also seek to create new habitats which are supportive of this concept.	No conflicts or contradictions with NPF4.
Policy 61	Landscape	New development should be designed to reflect the landscape characteristics and special qualities identified in the area they are located as well as considering cumulative effects. Measures to enhance landscape characteristics of the area in which they are located are encouraged. The policy requires the Council to take into account Landscape Character Assessments. The policy contains no balancing provision to allow benefits to be taken into account.	NPF4 Policy 4 deals with natural heritage matters including landscape designations. No conflicts or contradictions with NPF4.
Policy 63	Water Environment	Supports proposals that do not compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection of the water environment.	NPF4 Policies 11 and 22 deals with hydrology, the water environment and flood risk. No conflicts or contradictions with NPF4.
Policy 66	Surface Water Drainage	All proposals must be drained by Sustainable Urban Drainage Systems (SUDs) designed in accordance with CIRIA C697.	NPF4 Policy 22 deals with hydrology, the water environment and flood risk. No conflicts or contradictions with NPF4.
Policy 72	Pollution	Proposals that may result in significant pollution (noise, air, water and light) will only be approved where a detailed assessment on the levels character and transmission and receiving environment of the potential pollution is provided and mitigated if necessary.	NPF4 Policy 11 deals with impacts in relation to amenity arising from energy developments. No conflicts or contradictions with NPF4.
Policy 77	Public Access	Provides protection to Core Paths and access points to water or rights of way providing presumption of retention and enhancement of amenity value, and use of alternative access that is no less attractive or safe where necessary.	NPF4 Policy 11 public access and recreational routes. No conflicts or contradictions with NPF4.

5.4 Planning Guidance

5.4.1 THC approved 'Highland Council Biodiversity Planning Guidance' on 2nd May 2024. The guidance responds to the twin global climate and nature emergency crisis that sit at the heart of NPF4 and national strategy. The guidance explains the approach that is required by THC to deliver biodiversity conservation, restoration and enhancement through the planning system. It is prepared in order to support the application of NPF4 and is intended to be used in conjunction with the relevant national and local policy and planning guidance, including NatureScot's 'Development with Nature Guidance' where applicable.

5.4.2 The guidance is adopted and is a material consideration and has been considered relative to Policy 3 in Chapter 4 above.

5.4.3 Notwithstanding the approval of this guidance, it remains non-statutory and is caveated meantime by a number of restrictions in application until such time as a Scottish BNG metric is delivered by Ministers. NPF4 Policy 3 (Biodiversity) and related NatureScot guidance remain the key policy and guidance references at this time.

5.5 Conclusions on the LDP

5.5.1 The relevant development management considerations have been addressed above (Chapter 4) in the context of NPF4 Policy 11 and are not repeated with reference to the HwLDP.

5.5.2 It is considered that the effects arising from the Proposed Development would not be significantly detrimental in terms of Policy 67 and other policies within the HwLDP.

5.5.3 Moreover, through considering the other relevant policies it is considered that the Proposed Development accords with the HwLDP when it is read as whole.

5.5.4 The energy policy provisions of the HwLDP are based on those of the pre 2014 SPP. In addition, there are a number of incompatibilities between the HwLDP and the policies of NPF4 as explained above. This means, as per the amendments made to the 1997 Act, the provisions of NPF4 (which is the most recent part of the Development Plan) must prevail.

5.5.5 Insofar as there are other relevant policies within the HwLDP, they are considered to be generally consistent with those of NPF4 and given the appraisal set out above in Chapter 4 in relation to the various environmental and technical topics of relevance to the proposal, there would be no conflict with their terms.

6. Conclusions

6.1 The Electricity Act 1989

6.1.1 Paragraph 3 of Schedule 9 to the 1989 Act provides a specific statutory requirement on the Scottish Ministers to have regard to various matters when considering development proposals for consent under section 36 of the 1989 Act.

6.1.2 The information that is contained within the individual topic assessments submitted with the Application therefore enables Scottish Ministers to be satisfied that the obligations under Schedule 9 are met and that suitable mitigation has been identified. It is also considered that the detailed work undertaken in the formulation of these assessments has confirmed and provides confidence that the Proposed Development would be undertaken in an environmentally acceptable manner.

6.2 The Climate Crisis & Renewable Energy Policy Framework

6.2.1 The nationally important benefits of the Proposed Development have been set out in the context of the current climate crisis – the Proposed Development would help address the issue of climate change and very challenging net zero targets and contribute to improving balancing and security of supply.

6.3 The Planning Balance

6.3.1 In NPF4 there is a clear recognition that climate change must become a primary guiding principle for all plans and decisions. Significant weight is to be given to the Climate Emergency and the contribution of individual developments to tackling climate change.

6.3.2 NPF4 came into force on 13th February 2023 and provides up to date statements of Scottish Government policy, directly applicable to determination of this application. This should be afforded very considerable weight in decision-making.

6.3.3 NPF4 is unambiguous as regards the policy imperative to combat climate change, the crucial role of facilitating further renewable energy production and transmission and the scale and urgency of renewables deployment required. As described in this Planning Statement:

- The global climate emergency and the nature crisis are the foundations for the NPF4 Spatial Strategy as a whole. The twin global climate and nature crises are "*at the heart of our vision for a future Scotland*" so that "*the decisions we make today will be in the long-term interest of our country*"[8]. The policy position, and the priority afforded to combatting the Climate Emergency, is different to that which was set out in NPF3 and SPP;
- NPF4 Policy 1 (Tackling the climate and nature crises) directs decision-makers to give significant weight to the global Climate Emergency in all decisions. This is a radical departure from the usual approach to policy and weight and clearly denotes a step change in planning policy response to climate change. The matter of weight is no longer left entirely to the discretion of the decision maker; and
- NPF4 is clear that renewable energy and grid transmission infrastructure plays a crucial role in combatting climate change, transitioning to a net zero Scotland and ensuring security of energy supply. NPF4 Policy 11 (Energy) strongly supports proposals for all forms of renewable, low-carbon and zero emissions technologies, including storage.

[8] NPF4, page 2.

6.3.4 This change in policy is also seen in the designation of energy storage infrastructure applications as National Developments. National Developments are significant developments of national importance that will help to deliver the Spatial Strategy, as the Statement of Need for Strategic Renewable Electricity Generation and Transmission Infrastructure explains.

6.3.5 The Proposed Development does not give rise to any policy conflicts with the Development Plan. The development has been designed with embedded mitigation to ensure a satisfactory relationship with the receiving environment and to protect residents and communities from undue impact. The Proposed Development is sited within the context of an operational wind farm and within an area of forestry. The landscape and visual effects that would arise would be highly localised and per NPF4 Policy 11 (Energy) should therefore be generally acceptable.

6.3.6 The other effects of the Proposed Development are minor and limited and are considerably outweighed when balanced against the substantial benefits arising from the Proposed Development, notably the storage and discharge of renewable energy to tackle climate change.

6.3.7 The Proposed Development is considered to be in accordance with policy and delivers essential infrastructure in order to contribute to the attainment of net zero.

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Boralex Limited

Limekiln BESS

ELECTRICITY ACT 1989

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notice is hereby given that **Boralex Limited**, company registration number **04732465** with its registered office at **Lindarets House, Spring Lane, Ringwood, Hampshire, England, BH24 3FH**, applied to the Scottish Ministers for consent under section 36 of the Electricity Act 1989 to construct and operate a **Battery Energy Storage System and extension to substation, with associated development at land within Limekiln Wind Farm, South of Reay, Caithness** (Grid Reference BNG NC981621) which shall have an installed capacity of up to 70MW.

Boralex Limited has also asked 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.

A copy of the application including plans showing the lands, together with a copy of the documentation discussing the Company's proposals in more detail and presenting analysis of the environmental implications, are available for public inspection in person, free of charge at: **Thurso Library, Davidsons Lane, Thurso, KW14 7AF between the hours of Mon and Wed 10.00-18.00, Tues and Fri 10.00-20.00 Thur and Sat 10.00-13.00.**

The application can also be viewed at: www.limekilnwindfarm.co.uk

Any representations to the application may be submitted to the Scottish Government, Energy Consents Unit mailbox at representations@gov.scot or by post to the Scottish Government, Energy Consents Unit, 4th Floor, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU, identifying the proposal and specifying the grounds for representation.

Written or emailed representations should be dated, clearly stating the name (in block capitals), and full postal address of those making representations. Emailed representations should also include the full return email address of those making representations. Only representations sent by email to representations@gov.scot will receive acknowledgement.

All representations should be received no later than **10th September 2025** although Ministers may consider representations received after this date.

As a result of a statutory objection from the relevant planning authority, or where Scottish Ministers decide to exercise their discretion to do so, Scottish Ministers can also cause a Public Inquiry (PLI) to be held.

Following examination of the application, Scottish Ministers will determine the application for consent in one of two ways: Consent the proposal, with or without conditions attached; or reject the proposal.

General Data Protection Regulations

The Scottish Government Energy Consents Unit processes representations under the Electricity Act 1989. To support transparency in decision making, the Scottish Government publishes representations online at www.energyconsents.scot. A privacy notice is published on the help page at www.energyconsents.scot. This explains how the Energy Consents Unit processes your personal information and includes contact details for any queries or complaints regard how your personal data is handled.