

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 14 DECEMBER 2021

PLANNING APPLICATION - ENERGY STORAGE UNIT 1 OLD BRECHIN ROAD FORFAR

GRID REF: 346965 : 751674

REPORT BY SERVICE LEAD – PLANNING & SUSTAINABLE GROWTH

Abstract: This report deals with planning application No. [21/00534/FULM](#) by Gigabox Developments Ltd for the construction and operation of an energy storage facility consisting of up to 50 energy storage modules with a capacity of 49.9MW, transformers, electrical control building, acoustic fencing, highway access, CCTV system and perimeter landscaping on land at 1 Old Brechin Road, Forfar. This application is recommended for approval subject to conditions.

1. RECOMMENDATION

It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

- 3.1 The applicant seeks full planning permission for the construction and operation of an energy storage facility consisting of up to 50 energy storage modules with a capacity of 49.9MW, transformers, electrical control building, acoustic fencing, highway access, CCTV system and perimeter landscaping at Energy Storage Unit 1 Old Brechin Road. A plan showing the location of the site is provided at Appendix 1.
- 3.2 The application site extends to some 0.95ha and is located to the north of Old Brechin Road and to the west of an existing electricity substation. It comprises relatively flat agricultural land and agricultural land lies beyond the northern and western extents of the site.
- 3.3 The energy storage units comprise 50 steel containers with individual footprints of 30sqm and a height of 2.9m with an 11kV transformer with a footprint of 4sqm and height of 2.6m associated with each pair of containers. An electrical control building with a footprint of 100sqm and height of 5m; 2 x 33kV transformers with a footprint of 8.3sqm and a height of 2.96m; an office and storage container with a footprint of 30sqm and height of 2.9m are proposed adjacent to the east boundary. A 3m high acoustic fence is incorporated within the site adjacent to west most row of units. The site would be enclosed by a 2.78m high chain link security fence with CCTV cameras located around the perimeter. A new vehicular access would be formed from Old Brechin Road. The surface of the site would consist of permeable aggregate over a

permeable membrane. Surface water drainage is proposed to be achieved through Sustainable Urban Drainage Systems (SUDS) with an infiltration basin located in the northeast corner of the site. Landscape planting is proposed around the perimeter of the site outside the perimeter fencing. Landscaping is also proposed along the northern boundary of the adjacent substation site.

- 3.4 The application has been subject of variation to the design of the site boundary enclosure, to provide for the inclusion of noise mitigation measures, and to revise the site layout, specifically repositioning the control building.
- 3.5 The application has been subject of statutory neighbour notification and was advertised in the press as required by legislation.

4. RELEVANT PLANNING HISTORY

- 4.1 A Proposal of Application Notice (Application Ref: [21/00293/PAN](#)) in respect of the formation of an energy storage facility, consisting of containerised battery storage modules, associated transformers and switch gear, landscaping and new vehicular access at the site was considered by committee at its meeting on 18 May 2021 (Report No. [153/21](#) refers). Committee noted the key issues identified in that report and indicated that information on how the development would assist in tackling climate emergency/carbon reduction targets should also be provided to aid consideration of the application.
- 4.2 A Proposal of Application Notice (ref. [21/00260/PAN](#)) for a similar form of development on land to the southeast of this site was considered by committee at its meeting on 18 May 2021 (Report No. [152/21](#) refers). The public consultation process has been undertaken, but a planning application has not been submitted for that development.

5. APPLICANT'S CASE

- 5.1 The following documents have been submitted in support of the application: -
- Pre-application Consultation Report;
 - Supporting Statement;
 - Factors for Site Selection;
 - Design and Access Statement;
 - Construction and Environment Management Plan;
 - Noise Assessment;
 - Carbon Assessment; and
 - Response to Community Council submission.
- 5.2 The information submitted in support of the application is available to view on the [Public Access](#) system and is summarised at Appendix 2.

6. CONSULTATIONS

- 6.1 **Angus Council – Roads** – no objection subject to conditions.
- 6.2 **Angus Council – Environmental Health** – has assessed information in relation to noise emissions associated with the proposed development. The Service is satisfied that noise emissions associated with the proposed development would not significantly impact on residential amenity. Planning conditions are suggested to deal with matters related to noise.
- 6.3 **Aberdeenshire Council Archaeological Service** – no objection.
- 6.4 **Scottish Environmental Protection Agency (SEPA)** – no objection.

- 6.5 **Health & Safety Executive** – has indicated that it does not advise against the granting of planning permission on safety grounds.
- 6.6 **Scottish Fire and Rescue Service** – has provided general comment in relation to matters of fire safety but has offered no objection.
- 6.7 **Scottish and Southern Energy Networks** – no objection.
- 6.8 **Community Council** – has objected to the application. Specific concerns include the development being outwith and adjacent to the development boundary; unacceptable impacts on residential amenity; unacceptable landscape and visual impacts including cumulative impacts; unacceptable flood risk and drainage impacts; and loss of agricultural land. *The full representation from the community council is provided at Appendix 3 and is available to view on the council's [Public Access](#) system.*

7. REPRESENTATIONS

- 7.1 57 letters of objection have been received. The letters of representation are provided at Appendix 3 and are available to view on the council's [Public Access](#) website.
- 7.2 The following matters have been raised as objections and are discussed under Planning Considerations: -

- **The development is contrary to the local development plan;**
- **Loss of agricultural land;**
- **Adverse impacts on residential and recreational amenity;**
- **Unacceptable landscape and visual impacts including cumulative impacts;**
- **Unacceptable impacts on habitat and wildlife;**
- **Unacceptable impacts on built heritage interests;**
- **Road traffic and pedestrian safety impacts;**
- **Flood risk impacts;**
- **Decommissioning and restoration of the site;**
- **Health and safety impacts; and**
- **Precedent for further developments of a similar nature.**

- 7.3 In addition, the following matters have been raised in objection and are addressed: -

- **Lack of neighbour notification on the application** - The neighbour notification and advertisement of the application has been undertaken in accordance with the provisions of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. In addition, details of the application have been published on the council's Public Access system. As a major development the applicant has undertaken public consultation prior to submission of the application.
- **Devaluation of property** - This is not a material planning consideration and cannot be considered in the determination of this application. However, the issues that lie behind this concern such as impact on amenity are relevant matters and are discussed below.

8. PLANNING CONSIDERATIONS

- 8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 In this case the development plan comprises: -

- [TAYplan](#) (Approved 2017)
- [Angus Local Development Plan](#) (ALDP) (Adopted 2016)

- 8.3 The development plan policies relevant to the determination of the application are reproduced at Appendix 4 and have been considered in preparing this report.
- 8.4 In determining the application it is relevant to note that Scottish Government has issued guidance advising it considers that a battery installation generates electricity and is therefore to be treated as a generating station.
- 8.5 Policy DS1 of the ALDP relates to development boundaries. Amongst other things it states that proposals for sites outwith but contiguous with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm that there is a need for the proposed development that cannot be met within a development boundary. The policy also states that development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.
- 8.6 In this case the site is outwith but close to the development boundary of Forfar and it is not allocated for any purpose in the ALDP. However, the site is adjacent to an existing electricity substation and information submitted in support of the application indicates that there are several operational and technical considerations that support the siting of the development adjacent to the existing facility. The proposed development is intended to store energy at times when there is over-supply in the wider grid system. It is indicated that this avoids the need to curtail renewable energy generation and reduces reliance on non-renewable generation at times of high demand. It is indicated that the transfer of electricity between a storage facility and a substation results in a loss of electrical energy during transmission and therefore co-location with existing substations is beneficial. Co-location of facilities is also likely to minimise environmental and amenity impacts associated with the installation of cabling over greater distances.
- 8.7 Information indicates that the development would prevent the emission of over 2,000 tonnes of carbon dioxide per annum, and the capacity of the battery storage unit would be equivalent to the average generation of 60 to 75 large wind turbines. There is reasonable evidence to demonstrate that significant electrical energy would be lost through transmission if the facility was provided at greater distance from the substation. The proposal would involve the development of greenfield land, but there are no suitable and available brownfield sites capable of accommodating the proposed development adjacent to the substation. Published maps indicate that the site of the proposed development occupies non-prime (class 3.2) agricultural land. The use of non-prime land does not give rise to any significant issue in terms of policies that seek to safeguard prime quality agricultural land, and there is no evidence that the limited land-take involved would adversely affect the viability of a farm unit. In these circumstances, it is considered that the development is in the public interest and, having regard to policies that require consideration of proximity of resources, there are environmental and operational considerations that justify the development at this location.
- 8.8 The development plan framework provides policies that deal specifically with applications for renewable and low carbon energy development. Those policies support proposals for renewable energy development subject to assessment against identified criteria. The policy is supported by statutory supplementary guidance.

8.9 The key development plan issues in relation to this application are: -

1. Impact on amenity and compatibility of land uses;
2. Landscape and visual impact;
3. Impact on natural and built heritage interests;
4. Impact on infrastructure;
5. Impacts on the water environment; and,
6. Site decommissioning and restoration.

8.10 Development plan policy requires consideration of the impact of development on amenity and seeks to prevent unacceptable impacts that would adversely affect the occupants of residential property. It also requires consideration of the impact of development on the wider amenity of an area, including issues related to recreational amenity.

8.11 In this case the application site is separated from nearby dwellings by a combination of agricultural land, a recreation ground, and a building in commercial use. The closest dwellings are more than 100m from the development site. Information regarding potential noise emissions from the development has been provided. That information concludes that operational noise levels from the development would be low at the receptor locations and additional mitigation is proposed through the provision of an acoustic fence. The environmental health service has reviewed the submitted noise information and has indicated that the development can operate within acceptable limits. Conditions are proposed setting noise limits and adherence to those levels would prevent unacceptable impacts on the amenity of occupants of nearby property. Adherence to those noise limits would also minimise any adverse impact on other nearby land uses, including on recreational resources in the area.

8.12 Issues regarding visual amenity are discussed below but given the nature of the development proposed and the separation distance between the site and neighbouring property, the proposal would not give rise to any other significant impacts on the amenity of those living in the surrounding area. It is indicated that lighting would be motion-activated and therefore only active when persons are on site. A condition is proposed that seeks to control any external lighting to minimise impact on the amenity of the wider area.

8.13 There is no evidence to suggest that the proposal would be incompatible with neighbouring land uses. It would be some distance from the most sensitive neighbouring uses such as housing; it does not give rise to any significant impact on the use of agricultural land in the area; and impacts on recreational and commercial uses would not be unacceptable having regard to the nature of the area. The location also minimises risk associated with any accident, but information provided by the applicant indicates that such risk is low, and that each storage unit would have a fire suppression system. The Scottish Fire and Rescue Service, HSE, and SEPA have been consulted and have offered no objection to the proposal.

8.14 Development plan policy requires consideration of landscape and visual impact. The main issue is whether the development can be accommodated in the existing landscape and whether associated visual impacts are acceptable. Proposals for renewable energy development will be assessed on the basis of no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints, and public access routes.

8.15 The applicant's supporting statement includes information on the landscape and visual impacts associated with the development. It concludes that the landscape and visual effects of the proposal are not considered harmful to the host landscape or to the amenity of any sensitive receptors. It suggests that the proposal is a modern development which would mirror the form and general functional appearance of the

adjacent substation, and the two would appear as a single development. It is indicated that visual impacts would be restricted to the environs around the site with visual receptors including residential properties on the edges of Forfar and Lunanhead, the adjacent public road and nearby core footpath. The documentation advises that the development comprises horizontal structures and incorporates perimeter landscaping that would mitigate the visual impact of the development in a similar way to that of the landscaping around the neighbouring substation.

- 8.16 The application site is not located within an area designated as being of special landscape value or sensitivity. The area is on the edge of the settlement and its character is influenced by agricultural land use and by the built development in the surrounding area, including the adjacent electricity substation and the nearby stone processing facility. It is an area of transition between town and country. The proposed development would generally be industrial in appearance and it would increase the influence of built development on the character of the landscape. Alteration to landform and the introduction of storage containers and the ancillary development associated with the proposal would result in physical alteration to the landscape. The development would be evident from the environs of residential properties and it would be visible from public roads and recreational areas in the area. The significance of visual impact on the amenity of occupants of nearby residential property would be mitigated by the separation distances involved. The visual impact for those passing the site on the public road or using recreational facilities in the area would be more significant, but the impact would be transient and would be viewed in the context of other development in the area, including the substation.
- 8.17 The landscape and visual impact associated with the development would not be insignificant, and this is not an area where development of an industrial character would normally be supported. However, as indicated above, there is justification for this development at this location given the presence of the existing electricity substation, and any harm to landscape and visual amenity must be balanced against the wider environmental benefits associated with a proposal that would assist in reducing carbon emission. With that in mind, a significant area of undeveloped agricultural land would remain between Forfar and Lunanhead, allowing them to remain as separate and distinct settlements. The original proposal to enclose the site with high timber fencing has been amended and the revised boundary enclosure would be less stark. The development makes provision for landscaping around the perimeter of the site, including the planting of native species, and that would provide some mitigation of impact in the medium to long-term. Conditions are proposed that require a revised landscaping scheme that amongst other things makes provision for the planting of standard and heavy standard trees on the site frontage with the public road; inclusion of fast-growing species; and a programme for the ongoing management and maintenance of the landscaping. In these circumstances, the landscape and visual impact associated with the proposal is not considered unacceptable.
- 8.18 The application site is not subject of any built heritage designation, but there are known archaeological interests in the general area. The archaeology service has indicated that any permission granted should be subject of a condition requiring appropriate archaeological investigation. This matter can be addressed by condition. The proposal does not give rise to any unacceptable impacts in terms of built environment considerations.
- 8.19 The site is not designated for any natural heritage reasons and there are no sites designated for natural heritage value directly affected by the proposal. The site comprises managed farmland and its biodiversity value is limited. Information provided in relation to the proposal concludes that the development would not have significant impact on any species or habitat. The proposal does not give rise to any unacceptable impacts on the natural environment.

- 8.20 Development plan policy seeks to ensure that proposals do not give rise to unacceptable impacts on the road network or on recreational access. Information submitted with the application indicates that, over an estimated 6-month construction period, the proposal would be likely to generate at most an average of 11 total vehicle movements per day. That is an average figure, and therefore it could be higher or lower on a day-to-day basis depending upon the activities taking place. Similarly, the type of vehicle present at the site would vary during construction, but it would include movement of HGVs. During the operational phase of the development it is indicated that vehicular movement would be limited to occasional visits for maintenance purposes, potentially once or twice per month. The roads service has confirmed that vehicle movements associated with the development can be accommodated on the existing road network. A condition is proposed that requires approval of a traffic management plan to manage the impacts arising from construction traffic. In addition, conditions are proposed that seek to ensure the provision of a suitable junction with the public road to facilitate safe vehicular access and egress from the site. The proposal does not give rise to any unacceptable impacts in terms of road traffic safety. The nature of the proposal is such that it would not give rise to unacceptable impacts on other infrastructure in the area.
- 8.21 Development plan policy seeks to safeguard the water environment and seeks to ensure developments are not adversely affected by flooding or increase flood risk in the surrounding area. Relevant policy also seeks to ensure that appropriate drainage arrangements are in place. The proposal makes provision for an infiltration basin within the site to manage surface water. The roads service has indicated it is satisfied that the development does not pose an unacceptable flood risk, and that the generality of the drainage arrangements proposed are acceptable. However, it has suggested that any permission granted should be subject of a condition to deal with final design of the surface water drainage system. The proposal does not give rise to any significant adverse impact on the water environment.
- 8.22 A condition is proposed that requires further approval of a scheme for the decommissioning and restoration of the application site upon cessation of the use. That approach is consistent with the requirements of development plan policy.
- 8.23 The proposed development is of a scale and nature appropriate to its location. It has potential to generate and transfer renewable energy in a manner that does not give rise to unacceptable impacts on amenity, the environment, or infrastructure. It is compatible with development plan policy subject to the proposed planning conditions.
- 8.24 In addition to development plan policy, it is relevant to have regard to other material considerations and in this case that includes Scottish Planning Policy (SPP), advice from government on energy storage issues, and material planning issues raised in the letters of representation.
- 8.25 Scottish Planning Policy (SPP) states that where a development plan is more than five years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. In this case TAYplan is less than 5-years old but the ALDP has recently become more than 5-years old as it was adopted in September 2016.
- 8.26 SPP confirms that planning authorities should support the development of a diverse range of renewable energy technologies in locations where the technology can operate efficiently, and environmental and cumulative impacts can be satisfactorily addressed. In this case available information suggests the proposal would result in a saving of between 2,157 - 3,371 tonnes of carbon dioxide equivalent per annum. It is suggested that this is the equivalent to offsetting the carbon impacts from the annual electricity use of up to 3,805 homes. The proposed development would contribute towards sustainable development. There are no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal when assessed

against the wider policies in the SPP.

- 8.27 Government has published advice for planning authorities on energy storage issues. That advice is broadly supportive of the principle of energy storage technology. It indicates that energy storage technologies can counteract intermittency associated with certain energy supplies, can ensure excess power is not lost at times of high production, can provide energy on demand off-grid in a variety of ways. It goes on to state that energy storage will be essential if Scotland is to realise its ambition to become a renewable energy exporter and to attract the economic advantages of ensuring that the energy storage supply chain locates in Scotland. The advice identifies matters that should be considered in the determination of planning applications for energy storage development. Relevant factors identified in the advice have been considered in the preparation of this report and are addressed above. There is nothing in the advice that would lead to a conclusion that the current proposal is unacceptable.
- 8.28 The issues raised in letters of representation have largely been discussed above, but for completeness matters are addressed in summary terms. This is not a site where planning plan policy would normally support development of a largely industrial nature. However, the proposal provides for energy storage and that has potential to assist in carbon reduction. There is justification to locate a development of this nature next to an existing electricity substation, and development plan policy makes provision for this circumstance. The loss of a small area of agricultural land for a development of this nature is compatible with land use planning policy. Conditions are proposed that seek to minimise the impact of the development on the amenity of the area, and on any archaeological interest that it contains. There is no evidence to suggest that the loss of a small area of cultivated agricultural land would significantly affect protected species, important habitats, or the wider biodiversity interests in the area. The roads service has confirmed that the local road network can safely accommodate traffic associated with the development. Relevant consultation bodies have indicated that the proposal does not give rise to any significant flood risk and a condition requires provision of additional information to secure an appropriate drainage system that will provide positive management of surface water. Restoration of the site can be secured by planning condition, and relevant consultation bodies have raised no significant concern regarding the safe operation of the battery storage system.
- 8.29 Concerns regarding precedent and potential cumulative development are noted, but approval of this application would not establish a binding or irresistible precedent for further development in the area. While a proposal of application notice was submitted in relation to similar development on land in the vicinity of the substation no planning application has been forthcoming. If an application is submitted for that development in the future, any cumulative impacts could be appropriately considered at that time.
- 8.30 In conclusion, the supporting information and consultation responses indicate that subject to appropriate mitigation and planning conditions, the development should not give rise to unacceptable amenity, landscape, or environmental impacts. The matters raised in objection to the application have been considered in preparing this report and where appropriate are addressed by proposed planning conditions. The proposed conditions would ensure that the development does not give rise to unacceptable impacts on the amenity of those that live in the area. The development would contribute towards meeting government energy targets and government guidance confirms that schemes should be supported where the technology can operate efficiently, and environmental and cumulative impacts can be satisfactorily addressed. In this case the technology has potential to operate efficiently, and available evidence suggests that environmental impacts can be satisfactorily addressed. The proposal complies with development plan policy subject to the

proposed planning conditions, and there are no material considerations that justify refusal of planning permission.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

10. CONCLUSION

It is recommended that the application be approved for the following reason, and subject to the following condition(s):

Reason(s) for Approval:

The development would provide a source of renewable energy generation in a manner that would not give rise to unacceptable impacts on amenity, natural and built environment, road safety, or infrastructure. The proposal complies with development plan policy subject to the stated planning conditions and there are no material considerations that justify refusal of planning permission.

Conditions:

1. The energy storage facility and associated infrastructure hereby approved shall be removed from the site no later than 50 years after the date when electricity is first generated unless otherwise approved by the Planning Authority through the grant of a further planning permission following submission of an application. Written confirmation of the commencement date of electricity generation shall be provided to the planning authority within one month of that date.

Reason: In order to limit the permission to the expected operational lifetime of the energy storage facility and to allow for restoration of the site in the event that the use is not continued by a further grant of planning permission for a similar form of development.

2. That no development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority: -
 - (a) A scheme of decommissioning and restoration of the application site including aftercare measures in the event that the development should cease to operate for a continuous period of six months or in the event that it is no longer required. The scheme shall set out the means of reinstating the site to a condition suitable for agricultural use following the removal of the components of the development. The applicants shall obtain written

confirmation from the Planning Authority that all decommissioning has been completed in accordance with the approved scheme and (unless otherwise dictated through the grant of a new planning permission for a similar form of development) the scheme shall be implemented within 12 months of the final date electricity is generated at the site and in any case before the expiry of the time period set by condition 1 of this planning permission.

- (b) A Construction Traffic Management Plan (CTMP). The CTMP shall include arrangements for the following: -
- (i) the type and volume of vehicles to be utilised in the delivery to the site of construction materials associated with the construction of the storage units;
 - (ii) assessment of the suitability of the proposed routes, including bridge capacities, to accommodate the type and volume of traffic to be generated by the development;
 - (iii) the restriction of delivery traffic to agreed routes;
 - (iv) the timing of construction traffic to minimise impacts on local communities, particularly at school start and finish times, during refuse collection, at weekends and during community events;
 - (v) arrangements for dust management, wheel cleaning and clearing of mud from the public road;
 - (vi) contingency procedures, including names and telephone numbers of persons responsible, for dealing with vehicle breakdowns; and
 - (vii) procedures for dealing with non-compliance with the approved plan.

Thereafter the development shall be undertaken in accordance with the details in the approved CTMP.

- (c) Details of surface water disposal arrangements for the site. The submitted details shall be in accordance with CIRIA C753 "The SUDS Manual" and include calculations to demonstrate: -
- (i) that there would be no flooding from the proposed surface water drainage system to any areas outwith the site or to the proposed infrastructure within the site up to and including the 1 in 200-year critical rainfall event. There must also be no flooding from the proposed surface water drainage system on any area of the site up to and including the 1 in 30-year critical rainfall event.
 - (ii) an uplift of 35% to the peak rainfall for climate change and may be in the form of the inputs and outputs of a computer model created with an industry standard software package. Calculations must be signed off by a suitably qualified Chartered or Incorporated Engineer, or Hydrologist.
 - (iii) maintenance arrangements for surface water disposal infrastructure to be formed.

Thereafter the drainage infrastructure shall be formed in accordance with the approved details before the site is brought into use and shall be maintained in accordance with the approved maintenance scheme throughout the operational life of the development.

- (d) The precise details of external material finishes and colour of all buildings, and the external colour of all containers and the timber acoustic fence. For the avoidance of doubt the external colour should be of a recessive shade. Thereafter the buildings, containers, and fence shall be finished in accordance with the approved details.

- (e) Details of any external, artificial lighting and measures and controls to mitigate impact of light pollution on the amenity of the surrounding area and occupants of nearby property. Thereafter the lighting shall be provided and operated only in accordance with the approved details.
- (f) A revised scheme of landscaping. The submitted scheme shall include: -
 - (i) Existing landscaping features and vegetation to be retained;
 - (ii) The location of new trees shrubs and hedges;
 - (iii) A schedule of plants to include species, age/height of planting stock, and proposed numbers and density. This shall include provision for standard and heavy standard planting stock on the B9134 road frontage and on the southwest boundary in the vicinity of the acoustic fence, as well as provision for fast growing species in all planting areas;
 - (iv) Measures to protect all planting from grazing mammals; and,
 - (v) Details of measures for the management and maintenance of the landscaped areas for the duration of the development.

The proposed planting shall be completed within the first planting season following the initiation of development with the landscaping managed and maintained in accordance with the approved details for as long as the use continues on site. Any plants or trees that within a period of 10 years from the completion of development die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species.

- (g) An archaeological written scheme of investigation (WSI) and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.
- (h) Details of the precise route and details of the transmission cables proposed from the energy storage facility. Thereafter the transmission cables shall be provided only in accordance with the approved details.
- (i) A revised set of drawings that show the layout of the site in accordance with Whitehills Energy Storage Project General Arrangement drawing number EW / 06 / 03B. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: In order that the planning authority may verify the acceptability of the specified details in the interests of minimising the impact of development on amenity, road safety, archaeological interests, and to ensure the development is undertaken and maintained in accordance with the approved details and in a manner that minimises impact on the environment.

3. That, prior to the commencement of any other development: -
- (a) the verge crossing at the new access shall be formed by a new bellmouth junction with radii of 10 metres and a throat width of 8.0 metres, to the following specification: -
 - (i) The site access gate shall be set back at least 15 metres from the nearside edge of the carriageway of the public road (B9134); and
 - ii) The first 3 metres of the access shall be constructed to the following materials specification: -
 - 45mm thick, Hot Rolled Asphalt (HRA) 30% 14mm 40/60, Type F Surface Course to EN 13108-4,
 - 55mm thick, dense heavy-duty macadam, AC 20 HDM bin, 40/60, Binder Course to EN 13108-1,
 - 130mm thick, 32mm dense heavy-duty macadam, Base, AC32 HDM, 40/60, Base (course) to EN 13108-1,
 - 220mm thick, Granular Type 1 Sub-base.
 - (b) visibility splays shall be provided at the junction of the new access with the B9134 Forfar to Lunanhead road giving a minimum sight distance of 90 metres in each direction at a point 2.4 metres from the nearside channel line of the public road (B9134). Once formed nothing shall be erected, sited, or planting permitted to grow within the visibility splays to a height in excess of 1050 millimetres above the adjacent road channel level.

Reason: In order to ensure a safe and suitable access and to provide and maintain adequate sightlines in the interests of road safety.

4. That except as otherwise provided for and amended by the terms of this permission, the development shall be undertaken only in accordance with the provisions of the Whitehills Energy Storage Project Construction and Environmental Management Plan dated July 2021 and those provisions shall be adhered to at all times during the development.

Reason: In order to ensure that the development is undertaken in accordance with the detail upon which the application has been assessed and determined to be acceptable and to mitigate impact of the development on the amenity and environment of the area.

5. Noise emissions from fixed plant associated with the use hereby approved shall not individually or cumulatively exceed: -
- (a) NR Curve 20 between 2200 and 0700 and NR Curve 30 at all other times as measured within any dwelling or noise sensitive premises with the windows open at least 50mm.
 - (b) 40 dB(A) Leq(1hr) as measured within the external amenity space of any noise sensitive premises.

Reason: In order to minimise the impact of the development on the amenity of occupants of nearby noise sensitive properties.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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DATE: 6 DECEMBER 2021

APPENDIX 1: LOCATION PLAN
APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING INFORMATION
APPENDIX 3: LETTERS OF REPRESENTATION
APPENDIX 4: RELEVANT DEVELOPMENT PLAN POLICIES
APPENDIX 5: PLANNING SERVICE PRESENTATION