KIRKTON SOLAR PHOTOVOLTAIC (PV) AND ENERGY STORAGE FACILITY

Planning Support Statement

NI 2290 Kirkton
Planning Statement
April 2021

rpsgroup.com

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1 INTRODUCTION

1.1 Background

This Planning Supporting Statement ("the Planning Statement") has been prepared to accompany a Section 36 application ("the Application") submitted to Scottish Government's Energy Consents Unit ("ECU") by RPS, on behalf of Elgin Energy Esco Ltd ("the Applicant") for the construction and operation of an electricity generating station with installed capacity in excess of 50 megawatts (MW) consisting of a solar PV farm of approximately 50MW capacity and a battery energy storage facility of approximately 20MW capacity, with ancillary development including inverters, internal service tracks, CCTV cameras, perimeter fencing, landscaping, associated ancillary development, site and access works ("the Proposed Development").

The Proposed Development is located due east of the A90 Peterhead to Fraserburgh, approximately 1.2km southeast of St Fergus Village and 2.1km northwest of Peterhead. The site comprises agricultural land.

This application is submitted under Section 36 of the Electricity Act 1989 and seeks a direction under section 57(2) of the Town and Country (Scotland) Act 1997 that planning permission for the development be deemed to be granted. Section 36 of the Electricity Act 1989 ("the Electricity Act") applies to proposals for the construction, extension or operation of an onshore electricity generating station whose capacity exceeds (or, when extended, will exceed) 50 MW. The Scottish Ministers will have to evaluate whether the Applicant has complied with the statutory duties set out in Schedule 9 of the Electricity Act. The determination will have regard to all relevant material considerations, one of which will be relevant aspects of the statutory Development Plan, which in this case is the Aberdeenshire Local Development Plan 2017 (ALDP 2017).

The aim of this Statement is to present the findings of a planning and environmental appraisal of the Proposed Development within the context of the relevant statutory Development Plan, and comprises of the following sections:

1. Introduction;
2. Proposed Development;
3. Legislative Context;
4. Planning & Environmental Context;
5. Other Material Considerations; and
6. Conclusions.

1.2 The Applicant

The Applicant, Elgin Energy Esco Ltd 'Elgin Energy' is a leading international and independent solar development Company set up in 2009. Elgin Energy has extensive experience in delivering projects from initial landowner engagement to project completion having initially begun development in the UK in 2011, followed by Ireland in 2015 and Australia in 2018.

From 2015, Elgin Energy began the pursuit of their "2020 Vision". This vision was to deliver large-scale unsubsidised solar to the market from 2020 onwards. This thesis is now coming to fruition in the UK.

Currently, Elgin Energy has successfully delivered 230MW of solar energy across 21 projects in the UK, providing the equivalent of 75,000 homes with clean energy on an annual basis. This includes Scotland's largest solar farm at Errol Estate. The company has successfully obtained consent for 750MW across 58 projects including Scotland's first Energy Consent Unit (ECU) application at Milltown Airfield. A further 2GW+ of projects are at late stages of development across the UK, Ireland and Australia.

Elgin are committed to Scottish energy market. It is hoped that their projects will make a significant contribution to Scotland's targets to reduce national emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040 and 100% by 2045.

1.3 The Proposed Scheme

The land-holding upon which the development is proposed measures c. 112.7 hectares / 278 acres. Panels will not be placed on this entire area. The area of infrastructure, taken as inside the proposed fence and including the significant areas of spacing between panels is 76.5 hectares / 189 acres. The preferred area has emerged through a process of detailed baseline environmental assessment, site visits, constraints mapping and as a result of feedback from stakeholders during the pre-consent processes including engagement with the Council, statutory authorities, ECU and the public.

When operational, the generating station will have .an installed capacity greater than 50MWp consisting of a solar PV Farm of approximately 50MW capacity and a battery storage facility of approximately 20MW capacity. The battery storage facility will comprise approximately 10 No. storage units typically measuring 12.2m (l) x 2.4(w) x 2.6m (h).

It is proposed to locate the facility beside the proposed Primary Substation within the site and near to its south-western boundary.

Additional project components are listed in the bullet points below and described in greater detail within subsequent text:

- Photovoltaic (PV) Solar Panels erected on steel frames in arrays of 24 or 48 panels;
- 1 No. Primary Sub-station typically measuring 6m (l) x 3.2(w) x 3.4m (h);
- 50 No. Inverter Substations typically measuring 7m (l) x 2.5(w) x 3m (h) to be located across the site;
- Perimeter post and wire "deer" fencing (2.45m high);
- A number of strategically located CCTV security cameras (3m high);
- Access is via an existing lane onto the A90 which is immediately west of the site;
- 1 x temporary construction compound; and
- Associated internal service tracks.

Where there is potential for minor deviations in respect of project components, for example heights of panels off the ground, in all instances the maximum/most onerous design parameter has been applied to ensure a robust "worst case scenario" assessment.

1.3.1 Benefits of the Proposed Development

The siting, design and aims of the Proposed Development have been given due consideration throughout the design development process taken into great consideration throughout the design process. There are a number of clear benefits deemed to arise from the Proposed Development, which will be highlighted throughout this Statement.

These Proposed Development benefits have been summarised below:

- The Proposed Development complies with the relevant Development Plan and can draw support from a number of material considerations;
- The Development Site is not in a sensitive location in respect of critical environmental considerations including natural and cultural heritage, hydrology and flood risk considerations. A robust and comprehensive suite of environmental assessments accompany the submission to assess the impact on the aforementioned and other considerations including Agricultural Land Quality and Landscape and Visual Impact. These independent reports are prepared by industry experts and demonstrate that there are no significant impacts associated with the proposal;
- The Proposed Development is sensitively located in a rural location with only a limited number of sensitive receptors in the vicinity, none of whom will suffer significant adverse impacts form the Proposed Development;
- The Proposed Development benefits from use of the existing access from the A90 Road and is well connected to the local traffic network, avoiding any significant disturbance to surrounding roadways and communities. The proposal includes an upgrade to the existing lane which is used by the public;

- The proposal will result in the removal of intensive farming practices from the site including ploughing and spreading of slurry. The site will therefore revert to a more “traditional” style of farming and will be grazed by livestock. This in itself is likely to result in ecological benefits across the site. Additionally there are built in ecological enhancement measures as set out with Section 4.3.2 of the Ecological Impact Assessment. This includes; ecological buffers around the site, seeded with species rich grass mix, bug/bee hotels; bat and bird boxes. Furthermore approximately c.1271m of natural hedgerow and c.6959m of mitigation screening of native origin are part of proposals. Overall the project is predicted to have beneficial effects for a number of those important ecological features that were assessed;
- The Development will result in the creation of 10 Full-Time-Equivalent (FTE) jobs during the operational period and approximately 200 direct FTE jobs during the construction phase;
- The design of the Proposed Development buildings have been taken into great consideration, and are considered to be appropriate and in keeping with and respectful of their immediate surroundings; and
- The Proposed Development will make a significant contribution to the delivery of Scotland’s ambitious renewable energy generation targets and assist in enhancing the efficiency and security of energy supply. The proposed solar farm will generate approximately 54,000,000 kilowatt hours (kWh) per annum powering 15,000 homes or 20,000 electric vehicles (EVs) every year.

2 PROPOSED DEVELOPMENT

2.1 Site Selection

Some locations have more inherent environmental sensitivities than others, and it is possible to avoid such sites in favour of those sites, with less constraints. With the Kirkton Solar Farm proposal, the search for an appropriate location took the form of a three staged progression as set out below:

Stage 1 - Regional Level

Examination at a Regional level to identify areas deemed as potentially:

- Capable of hosting a viable installation capable of producing energy from the sun; and
- Capable of achieving planning permission for a solar energy installation when considered against all relevant environmental factors and within the context of relevant legislation and policy.

This stage of the process primarily involved desktop mapping and analysis to identify constraints at a Regional level. It focused on:

- Examining the electricity network within Scotland to identify areas where there was available grid capacity to host a renewable project of this scale; and
- A parallel baseline environmental study to identify known major environmental constraints manifest through European and National designation boundaries including for example, however not exclusive of: National Landscape Designations; Special Areas of Conservation (SAC); Special Protection Areas (SAC); and Sites of Special Scientific Interest (SSSI).

By undertaking the above filtering exercise this process immediately began to identify areas within Scotland which were potentially more receptive to solar farm development. The area surrounding Kirkton was one such area identified for further investigation given that it was outside any such designation.

Stage 2 - Local Level

Upon determining it as broadly feasible to locate a solar farm within the general Peterhead area, a series of site visits were undertaken to identify potential land parcels which may be appropriate for solar development. This involved assessing sites against technical, environmental and practical criteria as listed below to ascertain, inter alia:

- Whether existing landscape features and topography would lend itself to solar development;
- The extent of landscape constraints and potential landscape and visual impacts associated with any proposal;
- An understanding of the ecological baseline within proposed land holdings and whether there were any local natural heritage designations not identified within the preceding Regional Level site trawl;
- The location of the proposed point of grid connection. There are benefits in having a site which is proximate to the point of connection as this not only helps to ensure overall fiscal viability but also minimises the risk of environmental impacts associated with same; and
- Appropriate land availability within the Peterhead area.

Within this Peterhead area a number of separate land parcels and combinations of land parcels were considered and assessed through a series of feasibility studies and a more detailed examination of constraints. The constraints studies focused on identifying a preferred site option to bring forward to planning application stage.

Stage 3 - Micro Level

Those lands identified as preferred during the preceding site selection process (Stages 1 and 2) were subjected to further detailed consideration from a number of environmental perspectives including:

- Flood Risk;
- Contaminated Land Assessment;
- Ecology;

- Traffic Impact;
- Agricultural Land Use;
- Archaeology; and
- Glint & Glare.

Assessments in respect of each of the aforementioned topics took place and corresponding reports were prepared alongside this Planning Statement to accompany the resultant application for consent to the Scottish Government, Energy Consents Unit.

2.2 Site Selection Criteria

As stated above, the site selection process for a solar energy proposal is informed by assessment against a number of criteria:

Predicted Solar Resource: A number of solar irradiance databases such as SolarGiS. Meteonorm, and Photovoltaic Geographical Information System (PVGIS) were used to determine the predicted solar resource.

Landscape Constraints: Each solar farm site must be judged on its particular merits, taking account of factors including planning and environmental designations, the proximity of nationally designated landscapes, the proximity of settlements and the localised landscape setting within which it is proposed. A landscape and visual impact assessment accompanies the submission. The assessment concluded that whilst there may be moderate locally significant effects associated with the project during operation these are not assessed as significant further to the implementation of in-built mitigation.

Topography: When placed on site all panels will be orientated to face southwards thus maximising the potential output based on the daily trajectory of the sun, east through south towards west. Accordingly lands with gentle slopes in any direction, or which are south facing are preferred. The Kirkton site is gently sloping which lends itself to solar development. Critically the gradient of the site and its surroundings, as well as the intervening land uses and screening, ensures that the Application Site is not highly visible from any nearby settlement, nor are prolonged views available from the road network.

Proximity of Dwellings: In a regional context, solar farm proposals are fairly large in scale, covering anywhere between 50 and 300 acres in area. The greatest potential for impacts on dwellings and population centres generally manifest in terms of glint and glare and visual impacts. When operational solar farms and battery energy facilities do not generate emissions or result in any significant noise impacts. Efforts are made to choose sites which are as well separated from a proliferation of dwellings as is reasonably possible on the grounds that this minimises potential for sources of objection and conflict. The Application Site benefits from the fact that there are a low number of third party residential properties within the vicinity of the site and any impact on the sporadic dwelling houses is likely to be limited by the combination of topography, mature trees and vegetation and intervening land uses. It is appreciated that there are 2 x dwellings in relatively close proximity to the proposed development at North and South Kirkton. The layout has evolved to mitigate potential impacts on these properties. This is supported by the findings of assessments in respect of landscape and visual impact, and glint and glare assessment that accompany this application.

Nature conservation constraints: In many cases, the presence of ecological interests of acknowledged importance is indicated by nature conversation designation. The Kirkton site does not overlap with any statutory or non-statutory nature conservation designation. A full Ecological Impact Assessment accompanies this Statement.

Further Environmental Constraints: In addition to those landscape, visual, and natural heritage constraints as well as those referred to in respect of dwellings above, the site selection process is undertaken cognisant of further constraints including flooding regime, archaeological and cultural heritage resource and potential impacts on agricultural lands (Agricultural Land Classification).

Grid connection: It is anticipated that the Solar Farm and Storage facility will be connected to the network at an existing substation located south of the development at a voltage of 33kV.The grid connection route will be an underground cable either along the landowner's land, public road and/or third party land. This connection does not form part of the planning application.

Availability of land: Solar farm developments rely on the developer's ability to reach a commercial agreement with the current owner of the land. When considering potential sites for development Elgin Energy require land holdings of between 50 and 300 acres. Whilst these need not necessarily be within sole party ownership, this is often preferred. Whilst many landowners are interested in the potential of solar energy as a form of land diversification, there are others who are not. The Kirkton site has no constraints in respect of necessary land agreements.

Planning policies: A suite of planning legislation, policy and further material considerations are considered when assessing the appropriateness of a solar farm planning application - including that at European, National, Regional and local level. The development plan and emerging policies are taken into consideration when assessing potential solar farm sites, together with national guidance. Section 4 of this Statement provides a comprehensive Plans and Policies assessment. Policies at a European, National and Regional level will apply to all solar site proposals throughout Scotland. Only those local policies contained within the extant development plan will differ from site to site.

Access: Unlike other renewable projects (wind etc) solar farms do not require the delivery of any abnormal loads to the site. Rather the delivery of all components will be facilitated by standard HGV. The site is well connected to the local road network. The delivery route for components will be via the A90 Road along an existing un-named track that leads to St. Fergus cemetery. The access will be upgraded to facilitate construction traffic as set out within the Traffic Statement that accompanies the planning submission. Traffic movements will be greatest during constriction which is anticipated to last 16 weeks. Even at their most onerous the change in traffic levels on the road network will be low and within the range of normal fluctuations that could be expected on the A90. During operation traffic to the site will be negligible and likely to be less than 1 per week by standard 4x4 for maintenance purposes. A Transport Statement confirming anticipated impacts accompanies the planning submission.

Cumulative effects: There is a need to carefully consider the cumulative effects of solar farms with other relevant existing or proposed developments within the area. The presence of other renewable energy generators (including the proposed solar farm and wind turbine development to the north of St.Fergus) and other proposals within the local area have been considered. Cumulative impacts can be particularly relevant from the perspective of noise, landscape and visual, ecology, and transport. Due to the combination of site location, topography and mature trees and vegetation within and surrounding the site, no significant cumulative impacts are anticipated.

Preferred Site: A number of sites were considered throughout the Fife area and wider region. These were typically discounted due a variety of:

- Potential grid connection issues including distance to the network;
- Lack of adequate available land upon which to place a viable solar and energy storage project;
- Unsuitable topography, or unsuitable landscape context; and
- Presence of incompatible planning and/or ecological designations.

The suite of environmental reports that accompany the application for consent illustrate that the emerging site is robust and that potential associated environmental impacts are within acceptable parameters.

2.3 Alternative Infrastructure Layout

Upon arriving at a preferred site boundary the actual infrastructure layout evolved in response to findings of the various environmental surveys, stakeholder engagement and community consultation.

From the outset the layout was underpinned by a series of basic design principles, including commitments to maintain all existing vegetation, to work with the topography and to avoid cut and fill on site. Within these basic parameters however the initial intention was to maximise panel coverage within a sensitive manner.

The following infrastructure layouts identify how the design has evolved through the engagement and environmental assessment process.

Figure 1 below demonstrates the redline boundary of the emerging preferred area which was brought forward as part of the Pre-Application Consultation (PAC) phase of the project.

Figure 1: Preferred Lands brought forward for consultation as part of PAC

A linear break is plainly obvious in Figure 1 dividing the red line area going north to south. Baseline research revealed the presence of two underground gas cables traversing this area operated by INEOS and BP. These pipelines represent a constraint that is accounted for by the break included within Figure 1. The area of constraint measures c.50 metres across which will be left free of development. This accounts for the pipeline as well as an associated buffer area as advised by the operators. No development is proposed within this area.

Figure 2 below illustrates the initial proposed development layout brought forward for consideration and consultation as part of the PAC process. At the stage this layout was proposed, environmental surveys were ongoing and as such the layout had not yet taken account of all emerging environmental information.

Although site selection work had already confirmed that the proposed lands were largely devoid of environmental constraint ongoing environmental surveys did occasionally provide additional information which was fed into the iterative design process. As a result of surveys it was decided to remove an area of panels (circled in red on Figure 2) from the emerging layout. This was to further mitigate potential impacts on the St. Fergus Graveyard to the east of the site.

Notably ecology surveys picked up the presence of some drains within the northern portion of the site. The layout developed to allow a 10m buffer to drains as a precaution against impacts on water-voles even though the habitat was identified as having a low potential for their presence. This testifies to the robust approach of avoiding environmental impacts which was employed by Elgin throughout the entire design development process. Please refer to Figure 3 below.

During the PAC process the applicant also reached out to nearby residents and landowners to seek their views on the development as well as the extent of the emerging layout. Whilst some landowners were more open to engagement than others the applicant continued to employ a sensitive and robust approach to layout development.

Figure 2: Proposed Layout brought forward for consultation as part of PAC

This process of engagement proceeded in parallel with continuing environmental surveys and landscape/visual analysis to inform the ongoing iterative design process and resulted in the removal of further significant areas of panels as follows:

- In the southern portion of the site – Areas of panels were removed off a localised high point to limit landscape and visual impacts;
- To the southeast of the site – Areas of panels were removed to address concerns from local residents regarding potential impacts on existing views towards the southeast;
- Panels were set back from around the South Kirkton property on all sides;
- Panels were set back from around the North-Kirkton property on all sides;
- Panels were set back within the central site portion, just north of North Kirkton at the request of a neighbouring landowner who had applied for planning permission for a dwelling northwest of the proposed site;

- Panels were set back from lanes crossing the site internally;
- A tailored landscaping scheme was integrated into the emerging layout to augment existing landscaping, enhance biodiversity and mitigate potential visual impacts.

Figure 3: As part of a precautionary approach the layout applied 10m buffers to identified drains as indicated

Figure 4 below provides an extract of the final emerging layout which accompanies the planning submission. As stated in Section 1.3 above the final redline area is c. 112.7 hectares / 278 acres. The iterative design process means that panels will only be placed on 76.5 hectares / 189 acres within this wider area.

2.4 Alternative Design Options

Mounting System

A number of alternative design options are proposed by which panels will be fixed to the ground. Options are summarised as single post; table post or concrete base type which includes a shallow concrete shoe as a mitigation option in areas of archaeological sensitivity (Refer to Section 2.6.2 below).

Boundary Fencing

During initial development stages it was proposed to surround the site with standard metal paladin fencing. Based on feedback received during the public consultation exercise it has been agreed to change this to post and wire deer fencing. This design iteration is proposed as more aesthetically pleasing and typically rural option to the paladin alternative. It has been agreed to raise this fence 15cm off the ground to ensure unrestricted passage throughout the site for badgers as an environmental mitigation measure.

Grid Connection

Connectivity to the grid is a key aspect of site selection, and is referred to above. Notwithstanding the identified route of connection which is yet to be determined, it remained an option for Elgin to connect to the

grid via overhead or underground lines. Whilst underground lines are significantly more expensive to install, Elgin have committed to this approach as a further environmental mitigation measure to off-set impacts including those landscape and visual impacts associated with overhead lines.

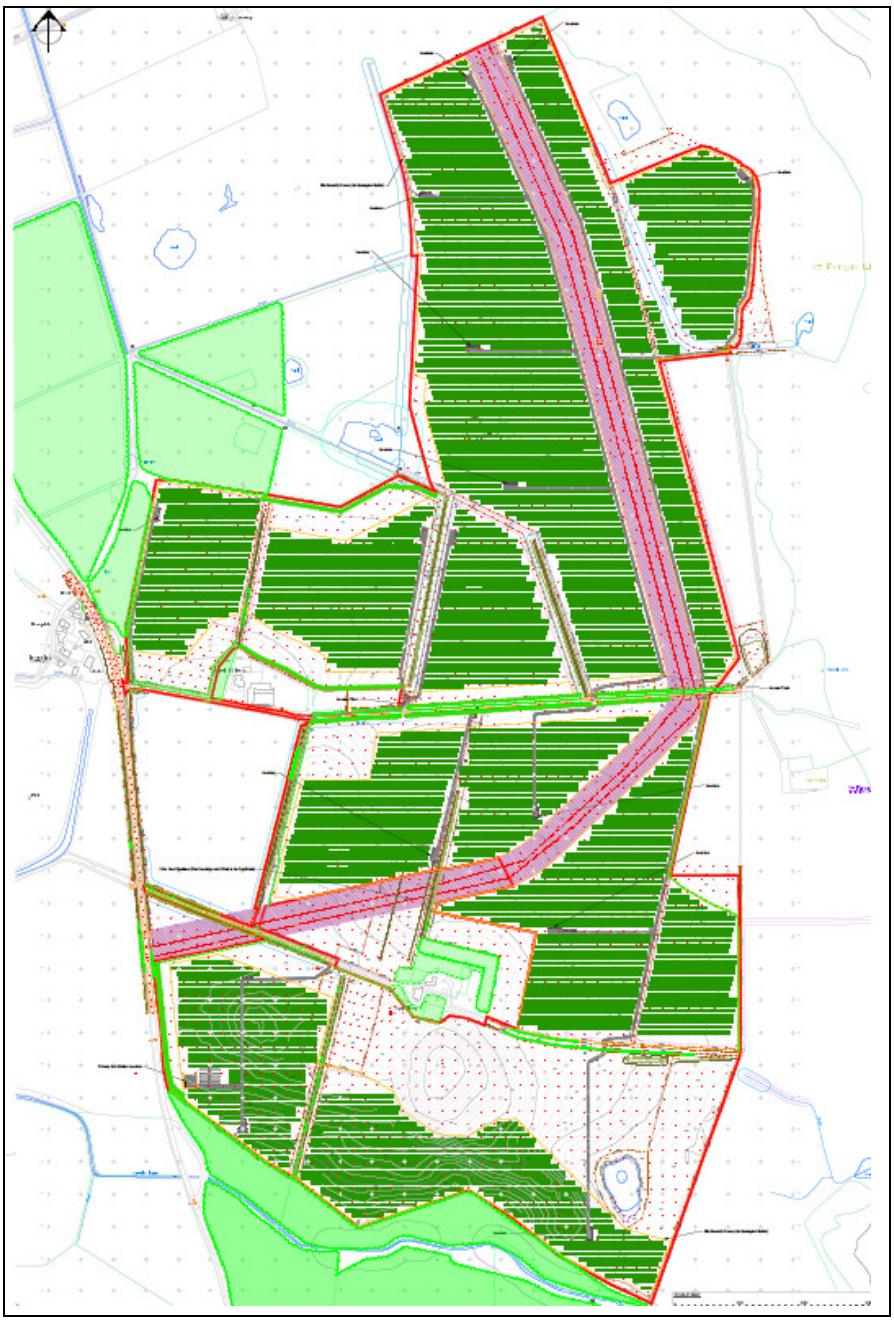

Figure 4: Final Design Layout

2.5 Site Description

As stated previously, the Proposed Development is located in the Aberdeenshire Council Area on lands due east of the A90 Peterhead to Fraserburgh road, approximately 1.2km southeast of St.Fergus Village and 2.1km northwest of Peterhead.

The Proposed Development site is comprised of a series of improved and semi-improved pastoral fields within an area of lower lying land not far from the northeast Aberdeenshire coastline. The southern boundary and significant sections of the western boundary are well defined and contained by mixed broadleaved and coniferous shelterbelt planting. Internal field boundaries are well defined by post and wire fences with scattered shrub and ruderal vegetation associated with drainage ditches, whilst access tracks are partially screened by mixed shrub and scrub planting. Further areas of coniferous shelterbelt planting located within the study area, to the immediate west, increase the sense of enclosure and accentuate the undulating topography by following more elevated portions of land, whilst roadside vegetation adjacent to the A90 add variety and interest within the landscape.

Views of the Proposed Development site, from northern, southern and significant portions of the western side are generally well screened by intervening coniferous shelterbelt planting, with roadside vegetation adjacent to the A90 further restricting views. Remaining visibility is generally limited to a short section of the A90 to the immediate west of the site, where views are influenced by the undulating topography and the horizontal and vertical road alignment combined with intervening scrub and shrub planting adjacent to access roads and field boundaries. Views of the North Sea are limited in extent by the undulating nature of the dune systems adjacent to the coast, such that views of the North Sea are not apparent from the A90. Stacks associated with the St Fergus Gas Terminal, operational wind turbines at Bruxiehill and tall pylons carrying overhead lines form strong visual draws in views to the north, locally influencing the character of the landscape.

Land surrounding the site is primarily utilised for agriculture, with medium to large sized arable and pastoral fields well defined by mixed species and coniferous shelterbelt plantings. There are a number of individual farm clusters and dwellings in the vicinity and the development associated with St Fergus village to the north.

2.6 Project Details

2.6.1 Solar Panels

The proposed panels will measure typically 2.2m by 1.3m. These will be mounted in frame tables at an inclination of up to approximately 25 degrees depending upon localised topography. Each frame table will incorporate either and will be supported on steel/aluminium posts/frames that will be pushed or screwed into the ground to depths of approximately 1.5m. The front bottom edge of the panels will be typically 0.8m above existing ground level and within a range of 500mm to 1.2m, again depending on local topography. Overall panel heights from ground level will typically not exceed 3.0m. The spacing between the arrays will vary between 2-6m. All panels placed on the site will be orientated to face south and are fixed in place. They do not move to follow the path of the sun. Panels are opaque in nature and are designed specifically to absorb rather than reflect the sun's rays.

2.6.2 Mounting System

Each frame table will be supported on aluminium and steel posts/frames. Where posts are pushed into the ground this is via typical agricultural methods routinely used to erect fence posts on farms and in the rural area. Depending on ground conditions frames will be fixed to the ground by either:

- Option 1 - Single post ground fixture, which as suggested will be a single aluminium/steel frame driven into the ground (Figure 5);
- Option 2 - Table post ground fixtures - where frames will be fixed on duel posts driven into the ground. An indicative cross section is also included in Figure 5 below; or
- Option 3 - In cases where it is required to safeguard potential archaeological assets frames can be mounted using a shallow concrete 'shoe' which sits at a maximum of 400mm above ground level. An indicative cross section is included in Figure 6 below.

Option 3 is typically employed where constraints are identified by archaeologists during the post planning monitoring of construction activities as part of an archaeological programme of works proposed which are typically required through applied planning conditions. This solution can also be applied where rock is encountered across the site which may prohibit the erection of the mounting system via options 1 and 2 above. Thirdly this option can be employed where sensitive soil conditions can occur on the site. Where concrete shoes are required, these will be pre-cast and brought to site already made.

All 3 options for construction of the mounting system involve a small track machine with a ram/screw attached. This machine tracks up and down in rows installing as it goes.

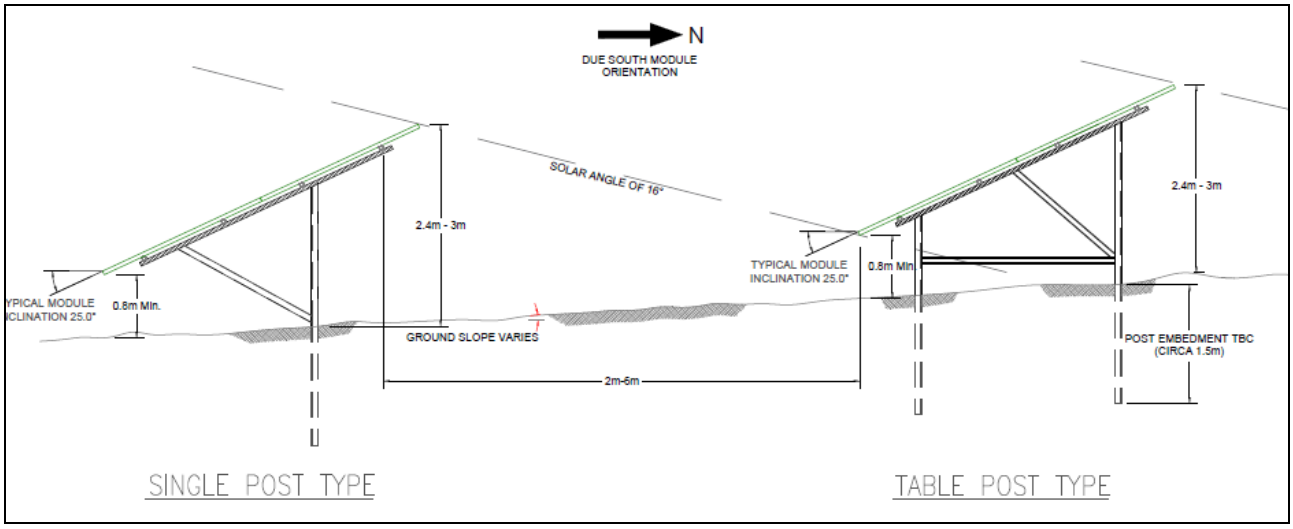

Figure 5: Typical Cross Sections - Single Post and Table Post Ground Mounting Systems

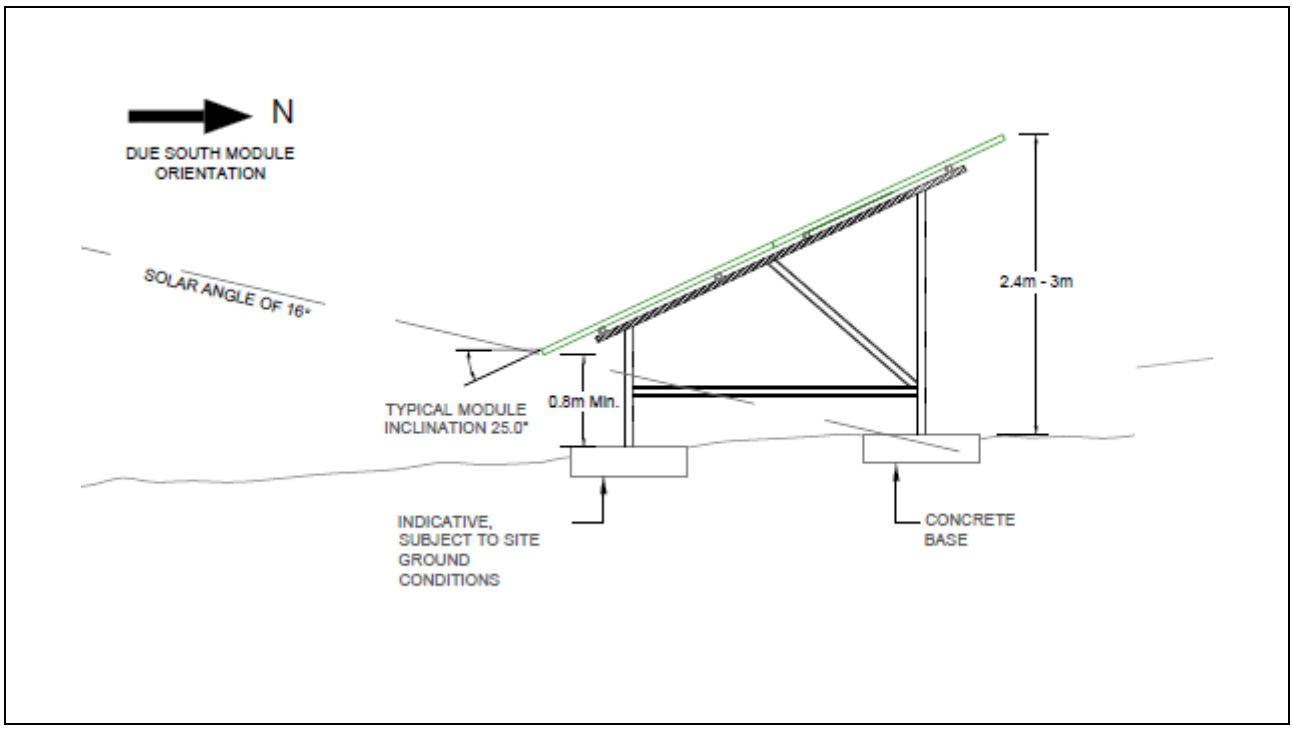

Figure 6: Typical Cross Section - Shallow Concrete Base Mounting System

2.6.3 Connecting Cables

As part of the solar PV plug and play system, small connecting cables run along the back of each panel to the end of every row where they connect to the main cables which in turn connect to the inverter stations and primary substation.

While the small connecting cables are not under-grounded, the main cables will be installed underground throughout the site as they proceed to the on-site substation. Cables typically will be no more than 100mm diameter and will be installed via traditional open trenching techniques. In this instance, trenches will be

approximately 1m deep, depending on the detailed terrain. The first 150mm of trenches will be filled with sand. Sand will generally be delivered to the site and placed adjacent to trenches on an "as required basis."

The remainder of the trenches will be backfilled with the existing topsoil which was previously removed to facilitate the cable laying. There will be no importing of materials to facilitate this process. Vegetation soil turves will be laid beside the trench and used to reinstate the ground to original levels after the cables have been installed. This work is undertaken by a track machine/tractor with a plough on the back. Back-filling will be facilitated by a track machine. Accordingly excavation, cable laying and reinstatement will take place sequentially across the site and on a row by row basis.

2.6.4 Primary Substation Building

The substation and control building compound will accommodate all necessary equipment to enable the solar farm electrical system to be controlled, monitored, metered and connected to the network.

The control building will take the form of a multi-compartment prefabricated structure atop a concrete foundation. The building will incorporate internal lighting, alarm systems (Intruder and fire) signage, safety equipment, and lockable security doors which may be opened by network operator and/or the O&M Contractor as appropriate for each door.

Equipment to be accommodated within the substation typically include metering equipment, switchgear, transformers, the central computer system and electrical control panels. SCADA and telecommunications links will also be required at the site for the purposes of metering, remote control and protection communication to the Network Control Centre.

The substation building dimensions are 6m (l) x 3.2m (w) x 3.4m (h). It is located within a larger compound comprising a permeable hardstanding.

2.6.5 Inverter Stations

Inverter Stations (50 No) will be located throughout the development area. These are small cabin-like buildings constructed on a concrete base with footprint dimensions of 7m x 2.5m, rising to a height of 3m. These stations are connected to the panels by cabling which has been buried underground - as per 2.2.3 above. The stations convert the Direct Current electricity generated by the solar panels into Alternating Current (AC) electricity before being fed into the primary substation and then onward to the local electricity grid network.

2.6.6 Battery Storage

The battery storage facility will have a capacity c.20MW and will comprise approximately 10 No. storage units typically measuring 12.2m (l) x 2.4(w) x 2.6m (h) (see Figure 4 below) set side by side generally 3 metres apart. It will be set adjacent to the Substation Compound located within the south-eastern portion of the site.

Figure 7: Typical Battery Storage Unit

2.6.7 Grid Connection

It is anticipated that the Solar Farm and Storage facility will be connected to the network at an existing substation located west of the development at a voltage of 33kV.The grid connection route will be an underground cable either along the landowner's land, public road and/or third party land. This connection does not form part of the planning application.

2.6.8 Waste Disposal

The proposal will not generate any waste. Toilet facilities on-site during construction will be self-contained to be appropriately disposed of off-site by qualified contractors. Likewise any hardcore associated with the reinstatement of temporary construction compounds will be removed and disposed of appropriately.

2.6.9 Perimeter Fencing

For security purposes the area of development will be enclosed by 2.45m high post and wire (deer) fencing, see Figure 5 below. The materials used are chosen to be in keeping with the landscape. Where hedgerows exist or where planting is proposed the fencing will be located on the internal side of said planting to obscure visual impacts. The fence will be raised 150mm off the ground to allow continued unrestricted badger access across the site.

Figure 8: Proposed Perimeter Fencing

2.6.10 CCTV Cameras

For security purposes there will be CCTV cameras placed strategically throughout the reduced development site. These will be pole mounted to heights of 3m, be directed along fence-lines and utilise infra-red technology. Accordingly it is not necessary to floodlight the facility and no permanent lighting is proposed. This is an essential component of the overall development and is required to monitor the site and detect any unauthorised access.

Cameras are designed to not move either intentionally or unintentionally due to adverse weather conditions or animal activity. On commissioning of a CCTV system it is possible to 'mask out' certain areas if that area is sensitive. Monitored CCTV systems are manned 24 hours, 7 days a week.

Adequate safeguards are in place to ensure that privacy interests are not compromised and the rights of individuals whose personal data may be recorded by the cameras are protected.

2.6.11 Access Road

Access for both construction and operation will be at an existing access point onto the A90 Road which is immediately west of the site. The configuration of the exiting junction has been reviewed against the requirements of appropriate DMRB CD 123 design standards which has confirmed that the junction will need to be upgraded in order to serve as the construction access to the proposed development.

In addition to the above access, which will form the primary point of access for construction and operation, a further point of access is available to the site, via a gravel road serving a dwelling at South Kirkton. It may also be used for irregular maintenance of a proposed sub-station but so infrequently as to not require upgrade of the access.

2.6.12 Internal Service Tracks

The development is utilise existing agricultural lanes for servicing purposes in so far as is reasonably possible. Access will also be achievable during construction and operation via tractor or 4 x 4 vehicles around the periphery of existing fields where buffers to field boundaries are designed into development proposals. As

such the extent of proposed new access tracks is minimised. Where new tracks are required these will be permeable and of stone construction.

2.6.13 Construction Period

The proposal will be constructed across a 16 week period - not allowing for holiday periods or any potential work embargos placed on construction via any planning conditions during certain periods, should such embargo be required.

2.6.14 Operational Period

It is anticipated that the proposal will have an operating life of 40 years after which all panels and associated infrastructure will be removed and the site reinstated in accordance with a scheme to be agreed in writing with the Planning Authority at that time. This requirement is likely to be attached as a condition of compliance to any notice of planning consent.

2.6.15 Panel Cleaning/Maintenance

Professional contractors will undertake panel cleaning using de-ionised water. Cleaning will tend to take place during times of dry weather. As per the specified PV module manufacturer guidelines, no chemicals will be used in the cleaning of the modules ensuring there will be no contaminated run-off from panel washings on.

PV modules are classed as a 'Class 2' electrical component; this means that no touchable part of the panel is capable of causing electrocution, even in the event of internal short circuit.

2.6.16 Traffic Generation

The construction period for the development would last c. 16 weeks. There would be a higher level of traffic during Weeks 8 - 15 with the highest cumulative total of deliveries occurring in Week 8;

The development would give rise to a maximum of 36 delivery movements per day at the peak of the construction phase.

2.6.17 Decommissioning & Reinstatement

At the end of the project's operational life the solar farm will be fully decommissioned. This will include the sub-station which will then be obsolete. This will involve the careful dismantling of the component elements including the electrical equipment and surrounding housing which encases the components to leave the concrete base upon which the sub-station sits. Following standard practice, the upper part of the base will be broken up and sub soil and top soil reinstated. Only the lower part of the concrete base would be left in situ in the ground, which would remain benign and inert. The reinstatement of sub soil and top soil together with hydro seeding will re-establish a grass sward to ensure there would be no evidence that a sub-station had been present upon completion of the decommission stage. This can be subject to a suitably worded condition and incorporated into a decommissioning strategy.

The operational lifespan of the project is 40 years and over this time any landscaping associated with proposals and over this period will establish and grow to form mature hedgerows and shrubbery. All landscaping will be retained in situ.

Solar panels will be de-commissioned in line with the requirements of the Waste Electrical and Electronic Equipment (WEEE) Regulations.

All project elements will be removed from site and where possible will be recycled. Any waste generated during the decommissioning process will be removed and transported by a certified and licensed contractor. The site will be restored leaving no permanent visible trace. The solar panels will be removed from the site in the same way they were transported to the site originally. The cables interconnecting the panels to the electricity grid system will be de-energised and removed from the site, with any cable marker signs removed.

A decommissioning programme will be agreed with the relevant authorities prior to commencement of the required works. An alternative option at the end of the solar farm operational life cycle may be the refurbishment or replacement of components. This action would be dependent upon many factors all of which would combine to inform viability at such future date. Any such proposal would require a new development consent application.

2.7 Design Principles

A series of design principles have underpinned the design evolution of the project. These include:

- Undertaking development proposals within the existing site constraints including field boundaries, existing vegetation and site topography;
- Tree retention across the site and accommodation of development proposals within existing landscape features. Internal access tracks will be facilitated via existing gateways where possible;
- There will be no re-grading of land or cut and fill to facilitate panel placement. Excavation is required to allow cable laying only together with the foundations for the inverter stations and on site substation;
- Areas of greatest environmental sensitivity within the wider site are excluded from development and a package of environmental management proposals including landscape proposals and ecological enhancement measures are integral components of the project.

3 LEGISLATIVE CONTEXT

3.1 EIA Screening

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('the EIA Regulations'), as amended by The Environmental Assessment (EU Exit) (Scotland) (Amendment) Regulations 2019, provide that a Schedule 2 development may constitute EIA development:

"The carrying out of development (other than development which is Schedule 1 development) to provide any of the following—

1) *a generating station;*
2) *an electric line installed above ground—*
   (a) with a voltage of 132 kilovolts or more;
   (b) in a sensitive area; or
   (c) the purpose of which installation is to connect the electric line to a generating station the construction or operation of which requires consent under section 36 of the Electricity Act 1989; or
3) *any change to or extension (including a change in the manner or period of operation) of development of a description listed in schedule 1 or in paragraphs (1) or (2) of this schedule where that development is already authorised, executed, or in the process of being executed, and the change or extension may have significant adverse effects on the environment."*

Where an application is made for a Schedule 2 development in the absence of prior EIA screening, Regulation 10 of the Regulations requires the Scottish Ministers to adopt a screening opinion in respect of the proposed development to which the application for Electricity Act consent relates.

The requirement for an EIA is determined by considering the selection criteria detailed within Schedule 3 of the EIA Regulations. The Selection Criteria in Schedule 3 includes an assessment of the following:

1. **Characteristics of the Development** in respect of the size and design of the development, the cumulation with other development, the use of natural resources, waste production, pollution, risk of major accidents or disasters and the risk to human health.
2. **Location of the Development** in respect of the environmental sensitivity of geographical areas likely to be affected by development.
3. **Characteristics of the Potential Impacts** in respect of the likely significant effects of the development on the environment, taking into account the magnitude and extent of the impacts, the nature of the impact, any transboundary impacts, the intensity and complexity of impacts, the probability, duration, frequency and reversibility of potential impacts, cumulation with the impacts of other development and the possibility of reducing the impact.

Solar farms are by their nature a passive intervention in the countryside with the primary consideration normally relating to visual impact and any potential impacts on nature conservation and cultural heritage interests. Whilst utility scale battery energy storage developments have only recently been put forward, given their straightforward nature, relatively small footprint, low vertical extent and limited noise effects they have not generally triggered EIA. This Application is supported by a suite of tailored environmental reports that assess the potential impacts on the environment and all conclude that no significant effects will arise.

This Planning Application is supported by a number of environmental reports which are discussed in further detail under the specific and relevant policy considerations in section 4 of this Statement. The findings of these individual assessments are material to the consideration of any EIA determination in respect of the Proposed Development. In summary the key points emerging are:

Natural Heritage:

- The Planning Application is supported by an Ecological Impact Assessment (EcIA) and Habitat Regulations Assessment. These confirm that there are 2 Special Protection Areas (SPA) and 1 proposed

SPA within 20kms of the Proposed Development. The assessment confirms that only the potential impacts on pink-footed geese were assessed as all other SPA species were scoped out of the assessment. The assessment concluded that the construction and de-commissioning phases could potentially impact through permanent loss of foraging habitat and disturbance to foraging birds between mid-September to mid-May construction. In addition there is an identified potential collision risk during the operational phase and potential disturbance of foraging birds through occasional maintenance work. As detailed in the report and summarised in section 4 of this Statement, the Proposed Development includes embedded proposals for effective mitigation to address these potential impacts including planting that will act as a buffer to noise and disturbance for foraging geese, timing of construction to avoid the wintering geese period and measures to reduce risk of collision.

- There are no national or local nature conservation designations affected by the Proposed Development.
- There will be no unacceptable impact on protected species and positive steps are being taken to enhance habitat for such species.
- No unacceptable impacts on valued habitats will arise in that the only loss of habitat relates to existing grassland habitat which is deemed to be a minor and local impact
- The Proposed Development also incorporates significant biodiversity enhancement measures including planting of approximately 1271m of hedgerow and 6959m of woodland/scrub screen planting across the Site which will create breeding habitat and also enhance foraging corridors for bats which will have a moderate beneficial effect on woodland and scrub habitats. The in-design mitigation and enhancement measures outlined the EcIA are predicted to have a long-term beneficial effects for badger, bats, and breeding birds.

Flood Risk & Drainage:

- The Planning Application is supported by a Flood Risk Assessment (FRA) which demonstrates that the site is affected by a number of minor watercourses/ drains which do not give rise to flood issues.
- A 10m buffer will be maintained either side of all watercourses and the panels will be above the ground by at least 800mm. These measures will ensure that the risk of flooding to the panels is minimised. The substation and invertor stations will be located on higher ground. As the floodplains are unaltered, the development will not cause an increase in flood risk elsewhere.
- The SEPA Flood Map shows very small areas of potential surface water flooding within the site. The Proposed Development has been designed to ensure that areas of the site that have natural depressions that could cause a significant depth of potential surface water flooding have been avoided for the siting of panels. In the few instances where panels are proposed across localised areas of surface water they will be kept a minimum of 800mm off ground level which is deemed to provide adequate protection.
- The Proposed Development will not increase the rate of discharge from the current pre-development surface water run-off rates, and no formal drainage systems will be installed. Disturbance during construction will be minimal and grass will be retained. However, where construction activities have impacted on existing areas of vegetation, these areas will be chisel ploughed and re-seeded with agricultural grazing/ silage sward grass species. The site will be actively managed to keep the soil in good condition during the operational phase and maintain the sward where possible. Checks will be undertaken by staff visiting the site for maintenance visits at 6 monthly intervals.
- The FRA has shown that the development is at a low risk of flooding and will not increase flooding elsewhere

Landscape & Visual Impacts

- The Proposed Development site is located within the southern portion (Fraserburgh- Peterhead) of an SLA identified as the North East Aberdeenshire Coast SLA.
- The Landscape & Visual Impact Assessment (LVIA) completed in support of the Planning Application has considered the qualifying interests of this SLA as detailed in the supplementary guidance and confirmed that while short term, localised direct effect will arise during the construction phase, the predicted effects are restricted by existing coniferous shelterbelt planting along the northern and southern boundaries of

the site boundary with important dune features and localised changes in topography remaining free of development.

- The design principles adopted for the Proposed Development ensure that any potential impact on the inherent character of the Coastal Zone and SLA are minimised through retention of all existing trees and hedgerows, further augmented with appropriate planting schemes, sensitive to the character of the host landscape and using native species.
- Further the Proposed Development utilises the existing field patterns allied to in-built development free buffers along the pipelines that traverse the Site, 10m either side watercourses, 5m around the entire Site perimeter and along internal field boundaries to ensure that no unacceptable impacts on landscape character arise.
- The LVIA also concludes that no unacceptable impacts arise in respect of residential visual amenity or with regard to cumulative impacts.
- The Proposed Development will not result in unacceptable impacts on key natural landscape elements, historic features or the composition or quality of the landscape character qualifying criteria for North East Aberdeenshire Coast SLA as identified in Supplementary Guidance 9c Special Landscape Areas.

Impacts on Resources

- The Planning Application is supported by an Agricultural Land Capability Assessment which confirms that the main agricultural land classes identified within the Site are Class 3.2, and 4.1 with a potential fringe of 4.2 to the north and a small area of 6.2 on the north-eastern fringe. There is therefore no Prime Land on the site (Class 3.1 or better). The Site does not, therefore comprise any Prime agricultural land.
- In addition, the land will continue to fulfil an agricultural purpose during the operation of the facility and soils would remain in situ on the Site, as far as possible. The rows of panels will be separated by spaces of between 2-6 metres and will be fixed atop frame tables which will be pushed or screwed into the ground. At their lowest, panels will remain typically 800mm off existing ground levels which will allow uninterrupted grazing by sheep. There would therefore be no permanent loss of the soil resource as a result of the development and the land would be restored to the pre-working agricultural use following the completion of the operation of the facility.
- The Proposed Development does not negatively impact on the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, or important trees and woodland. Indeed the Proposed Development includes embedded proposals for additional woodland and hedgerow planting that will enhance biodiversity and increase trees and woodland in the locality.
- As confirmed in pre-application discussions with the Council, there are no records of rights of way and no core paths have been designated across this site. The LVIA confirms that there is no significant impact on Core Paths predicted to result from the Proposed Development.

Built Heritage

- The Planning Application is accompanied by an Archaeological Assessment Report. This archaeological assessment draws together the available archaeological, historic, topographic and land-use information in order to clarify the heritage significance and archaeological potential of Application Site and its relevant site context.
- The assessment confirms that there are no designated heritage assets in the Site.
- The proposed development lies approximately 160m from St Fergus' church, which is a Scheduled Monument, and the associated churchyard, which is a Category B Listed Building. The design of the proposed development has taken the need to preserve the setting of these assets into account and includes mitigation embedded in the design in the form of separation and screening with all infrastructure set back 160m from the monument and a sensitive hedge planting scheme along the eastern boundary .
- Whilst the proposed development may have the potential to affect the setting of these heritage assets it is considered that this will not compromise the integrity of their setting.

Traffic & Transport

- The Transport Assessment submitted in support of the Planning Application confirms that the Proposed Development will not result in any unacceptable impacts on road safety or the operation of the road network. Access for both construction and operation will be at an existing access point onto the A90 Road which is immediately west of the site. The configuration of the exiting junction has been reviewed against the requirements of appropriate DMRB CD 123 design standards will be upgraded to meet those standards in order to serve as the construction access to the proposed development.
- The level of traffic associated with the Proposed Development will not result in any significant increase over the existing patterns. The overall the percentage increase in delivery movements are forecast to be low, with overall increases in traffic forecast to be +0.14% and 0.56% for the sections of the A90(T) either side of the site access.
- While such increases are temporary in nature, the changes in traffic described are also entirely within the range of normal fluctuations in daily traffic that could be expected on the A90 (T). Therefore, against the underlying capacity of these roads, the level of change does not constitute a significant change.

Glint & Glare

- A Glint & Glare Assessment has been completed in support of the Proposed Development. That assessment has concluded that while some potential solar reflections is geometrically possible towards a section of the A90 to the west of the Proposed Development, the reflecting solar panels are either significantly screened, or where a moderate impact is predicted, the reflections largely occur outside of a driver's typical field of view in both directions of travel. No mitigation is therefore deemed necessary.
- The assessment also concluded that no mitigation is required for the majority of dwellings assessed for potential glint and glare impacts due to the existing significant mitigating factors such as the separation distance between the dwellings and the nearest reflecting panels, and the time of day that the reflections occur.
- The assessment has identified 3 dwellings where views of reflecting panels may be possible despite partial screening. Augmentation of existing screen planting is recommended as a precautionary measure. The assessment concludes that following the implementation of this planting, there will be no impact from glint and glare.

The anticipated effects arising from the Proposed Development, as detailed in this Statement, are not sufficient to trigger the requirement for an EIA and hence the planning application is not accompanied by an Environmental Statement (ES) and we respectfully request confirmation from the Scottish Ministers that the Proposed Development does not require an EIA under the terms of the EIA Regulations.

4 PLANNING POLICY & ENVIRONMENTAL CONTEXT

4.1 Planning & Environmental Considerations

Section 37 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Proposals that accord with development plans should be considered acceptable in principle and consideration should focus on the detailed matters arising.

The applicant team have undertaken pre-application discussions with ECU and the local authority, Aberdeenshire Council. The Council provided a comprehensive response to the pre-application process with clear direction on the matters material to the determination of a planning application for this development:

- *The Development Plan - Aberdeenshire Local Development Plan 2017*
- *Principle of Development*
- *Contribution to Renewable Energy Supply*
- *Landscape and Visual Impact – Coastal Zone and Special Landscape Area*
- *Ecology*
- *Access & Transport*
- *Loss of Agricultural Land*
- *Flooding and Drainage*
- *Built Heritage*
- *Residential Amenity*

This Planning Statement considers the Proposed Development against the relevant policy in respect of each of these issues as they arise in respect of the Development Plan and other material considerations.

Principle of Development

In terms of national planning policy, both National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP) are supportive of wind and solar energy development for Scotland to transition into a low carbon economy. A presumption in favour of development that contributes to sustainable development is set out within SPP.

The Strategic Development Plan (SDP) also supports the vision of SPP to reduce carbon emissions through renewable energy sources.

The relevant considerations in respect of these strategic policy considerations is set out below.

4.2 National Planning Framework

National Planning Framework 3 ("NPF3") was published on 23rd June 2014 and sets the context for development planning in Scotland and a framework for spatial development of Scotland as a whole.

It outlines the Scottish Government's development priorities over the next 20 – 30 years and identifies fourteen national developments. It focuses on supporting sustainable economic growth and the transition to a low carbon economy.

NPF3 is a statutory document and is one of the most recent expressions of Scottish Government planning policy. Its findings, including its reiteration of national renewable energy targets, should be afforded significant weight in the determination of planning applications.

Paragraph 3.8 of NPF3 reaffirms the Scottish Government's energy targets and states:

"By 2020, we aim to reduce total final energy demand by 12%. To achieve this, and maintain secure energy supplies, improved energy efficiency and further diversification of supplies will be required."

NPF3 is supportive of energy developments in appropriate locations and the Proposed Development fully accords with these aims and objectives of NPF3. NPF3 also sets out that planning supports business and employment, including the need for sustainable economic growth and for development to deliver economic growth. The Proposed Development is supported in principle by NPF3.

The Scottish Government issued a position paper on 26 November 2020 in respect of National Planning Framework 4 which will set out a new plan for Scotland in 2050. It is recognised that the strategy will have to make some big decisions about the future development of the country. The ambitious targets for addressing climate change demand a fresh approach and significant investment in infrastructure, as well as a new understanding of how zero carbon living might work. The Paper states that:

- *"Policies should reflect the importance of growing the green economy, including renewable energy and the circular economy, to help meet our climate change targets and secure good quality jobs and investment.*
- *Our new spatial strategy will prioritise emissions reduction. Climate change will be the overarching priority for our spatial strategy. To achieve a net-zero Scotland by 2045 and meet the interim emissions reduction targets of 75% by 2030 and 90% by 2040, an urgent and radical shift in our spatial plan and policies is required. Scotland's updated Climate Change Plan will be published later this year, setting a course for achieving the targets in the Climate Change (Emissions Reductions Targets) (Scotland) Act 2019. NPF4 will take forward proposals and policies to support it."*

This Proposed Development is supported in principle by emerging policy to be embodied in NPF4.

4.3 Scottish Planning Policy

The Scottish Planning Policy (December 2020) ("SPP") is a non-statutory document which outlines the Scottish Government's priorities for land use planning and therefore should be afforded significant weight in the determination of planning applications.

It is clear from SPP that the Scottish Government is committed to further development of energy projects in appropriate locations.

In respect of delivering a *Low Carbon Place*, the SPP outlines Policy Principles that support this development, confirming that the planning system should:

- support the transformational change to a low carbon economy, consistent with national objectives and targets, including deriving:
    - 30% of overall energy demand from renewable sources by 2020;
    - 11% of heat demand from renewable sources by 2020; and
    - the equivalent of 100% of electricity demand from renewable sources by 2020;
- support the development of a diverse range of electricity generation from renewable energy technologies including the expansion of renewable energy generation capacity and the development of heat networks;
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;
- help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to: Energy efficiency; Heat recovery; Efficient energy supply and storage; Electricity and heat from renewable sources; and – Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

The analysis of the Proposed Development against the relevant environmental and policy considerations in the Aberdeenshire Local Development Plan 2017 demonstrates that this is a well-planned and designed development, and as is demonstrated through this Statement, the Proposed Development has been designed to address environmental and technical constraints, whilst also providing a viable energy development.

The Proposed Development is therefore supported in principle by the SPP.

4.4 The Strategic Development Plan: Aberdeen City and Shire Strategic Development Plan 2020

The Strategic Development Plan (SDP) was published in August 2020. The purpose of SDP is to provide direction for the future development of the City Region. It sets the strategic framework for investment in jobs, homes and infrastructure. The SDP identifies Strategic Growth Areas (SGA) and Local Growth and Diversification Areas (LG&DA) with some areas also identified as Regeneration Priority Areas (RPA). The SDP sets out aims, including:

- Promoting economic growth and sustainable economic development;
- Protecting and, where appropriate, enhancing valued assets and resources, including biodiversity, the historic and natural environment and cultural heritage; and
- Reducing carbon dioxide production, adapting to the effects of climate change and limiting the amount of non-renewable resources used.

In assessing proposals for development, decision makers will balance the importance given the aims of the SDP, taking into account the Vision, Spatial Strategy, Objectives and Targets of the Plan.

The Aberdeen to Peterhead SGA defines a key role for Peterhead as a National Renewable Infrastructure Site and 'Energy Hub'. ST Fergus also plays a key role being identified as an ideal site for low carbon hydrogen production.

The site falls within a LG&DA where it is recognised that fishing, farming and forestry are important sectors of the rural economy while acknowledging that economic diversification and growth is needed in order to meet local needs, with tourist-related developments and the renewable energy industry will important.

Key relevant objectives of the Plan include:

- **Economy**: the aim is to promote a diverse regional economy building on existing assets, particularly in the field of innovative energy;
- **Resources**: the objective is to make sure new development safeguards and, where appropriate, enhances the City Region's historic, natural and cultural assets and is within the capacity of the environment;
- **Sustainable Development & Climate Change**: recognises the need to tackle the supply of energy, necessitating increasing the supply of heat and power from renewable sources, including opportunities for energy from solar. The SDP acknowledges that a more diverse mix of renewable energy sources, along with storage, will be needed to meet Scottish Government renewables targets, make best use of the resources available, and ensure continuity of supply to serve communities and businesses across the City Region

The SDP supports the development in principle subject to ensuring that the proposal meets other objective sin respect of protecting environmental assets and resources.

4.5 Aberdeenshire Local Development Plan 2017

Aberdeenshire Council adopted the Aberdeenshire Local Development Plan (ALDP 2017) on 17 April 2017. It confirms that:

"*This Plan will direct decision-making on all land-use planning issues and planning applications in Aberdeenshire. Only on exceptional occasions and with good planning reasons will we make decisions which do not follow the policies and land allocations in this plan.*"

The Aberdeenshire Local Development Plan (ALDP) adopts the vision and aims of the SDP and offers support in principle for renewable energy development if the impacts upon the environment and amenity of the surrounding area can be sufficiently mitigated. The Planning Application is supported by a number of reports that provide detailed assessments of the key environmental and visual impacts predicted to result from the Proposed Development. Commentary on the findings of these assessments is provided below in respect of each of the relevant policy considerations.

4.5.1 Policy C2 Renewable Energy

ALDP 2017 recognises that '*climate change is possibly the greatest challenge facing the world today. Scottish Planning Policy favours development that contributes to sustainable development and policies and decisions are needed to support action to tackle climate change and adaptation, including taking account of flood risk. For Aberdeenshire, this means reducing the use of energy (both in the distribution of development and within developments themselves), conserving water, promoting energy generation by renewable sources.*'

Policy C2 Renewable energy supports renewable energy development, including solar, which are in appropriate sites and of the right design. There is a presumption in favour of approving applications for solar

panel arrays greater than 50kW if their cumulative impact with other arrays has been assessed and can be dismissed, account has been taken of glint and glare issues and it has been demonstrated that any significant impacts will have a duration of less than five minutes in any one day, there are no objections from the Ministry of Defence (MoD), the National Air Traffic Services (NATS) or civil airport operators, and boundary treatments limit vehicular access to the site through means designed to make any security fencing unobtrusive and screen the development.

The Proposed Development complies with these requirements and has been designed to ensure that it will not give rise to concerns from MoD, NATS or airport operators.

Contribution to Renewable Energy Supply

The assessment of proposals for renewable energy developments will be based on the principles set out in the current Scottish Planning Policy and assessments will include the consideration of opportunities for energy storage the contribution made by the development to the delivery of renewable energy generation targets, and the effect on greenhouse emissions.

There is a clear requirement to balance the peaks and troughs associated with electricity supply and demand to manage the strain on distribution networks and ensure there are no power blackouts. This is particularly important as older generating plants are decommissioned. In Scotland particularly, there is strong support for renewable energy generation which is inherently intermittent. The Proposed Development is required to smooth over the troughs in electricity supply, being able to respond at short notice to requests from National Grid to generate, such as periods when renewable sources are not generating or fossil fuel plants are unexpectedly offline.

The Proposed Development combines solar generation in excess of 50MWp with a battery storage facility that will have a capacity c.20MW. The Proposed Development will make a significant contribution to the delivery of renewable energy targets.

Appropriate Location & Design

This Planning Application is supported by a number of reports addressing specific environmental considerations. The conclusions of those reports are considered in more detail under the specific, relevant policy considerations below. In summary those assessments have concluded that the Proposed Development will not give rise to unacceptable impacts in respect of landscape & visual considerations, natural & built heritage, flooding & drainage or on important resources including prime agricultural land.

Further the Transport Assessment submitted in support of the Planning Application confirms that the Proposed Development will not result in any unacceptable impacts on road safety or the operation of the road network. Access for both construction and operation will be at an existing access point onto the A90 Road which is immediately west of the site. The configuration of the exiting junction has been reviewed against the requirements of appropriate DMRB CD 123 design standards will be upgraded to meet those standards in order to serve as the construction access to the proposed development.

The level of traffic associated with the Proposed Development will not result in any significant increase over the existing patterns. The overall the percentage increase in delivery movements are forecast to be low, with overall increases in traffic forecast to be +0.14% and 0.56% for the sections of the A90(T) either side of the site access.

While such increases are temporary in nature, the changes in traffic described are also entirely within the range of normal fluctuations in daily traffic that could be expected on the A90 (T). Therefore, against the underlying capacity of these roads, the level of change does not constitute a significant change.

Security fencing is provided, designed to be unobtrusive and to permit access by protected species.

An assessment of the possible effects of glint and glare from the Proposed Development has been undertaken to assess the possible impact upon surrounding road users and dwellings. That assessment has concluded that some potential solar reflections is geometrically possible towards a section of the A90 to the west of the Proposed Development. However, the reflecting solar panels are either significantly screened, or where a moderate impact is predicted, the reflections largely occur outside of a driver's typical field of view in both directions of travel. No mitigation requirement has therefore been identified.

The assessment also concluded that solar reflections are geometrically possible towards 11 out of the 13 assessed dwellings near the proposed solar development. For eight of these dwellings, the reflecting solar panels are either significantly screened or where a moderate impact is predicted, there are significant mitigating factors such as the separation distance between the dwellings and the nearest reflecting panels, and the time of day that the reflections occur. No mitigation requirement has therefore been identified.

For three dwellings, views of reflecting panels may be possible despite partial screening. A moderate impact is predicted, and since it cannot be reliably concluded that the views are currently obscured, mitigation in the form of augmentation of existing planting is recommended. The assessment concludes that following the implementation of this planting, there will be no impact from glint and glare.

As described in more detail in the subsequent sections of this Statement, the Proposed Development will not result in unacceptable environmental or amenity impacts. As summarised below, the Proposed Development:

- Will make a significant contribution to the achievement of Scotland's renewable energy targets;
- Will not result in unacceptable impacts on nature conservation interests;
- Embeds proposals to deliver enhanced biodiversity in the proposed design;
- Will not result in unacceptable impacts on landscape character, the qualifying features of any Special Landscape Area or on historic features;
- Does not involve development on prime agricultural land;
- Does not result in unacceptable impacts on the water environment, mineral resources, peat and other carbon rich soils, open space, or important trees and woodland;
- Will not give rise to unacceptable impacts on residential amenity; and
- Will not result in any unacceptable impact on the safety and convenience of road users.

In that context the Proposed Development is supported by Policy C2 in that it will make a significant contribution to the achievement of renewable energy targets, is located on an appropriate site and has been designed to prevent any unacceptable impacts on interests of acknowledged importance.

Environmental Considerations

4.5.2 Policy C4 Flooding

Under Policy C4 the key requirements are that:

- Development should avoid areas of medium to high risk, functional floodplain or other areas where the risks are otherwise assessed as heightened or unacceptable.
- Maintenance buffer strips must be provided for any water body.
- Development that may contribute to flooding issues elsewhere will not be approved.

The Planning Application is supported by a Flood Risk Assessment (FRA) which demonstrates that the site is affected by a number of minor watercourses/ drains which do not give rise to flood issues.

A 10m buffer will be maintained either side of all watercourses and the panels will be above the ground by at least 800mm. These measures will ensure that the risk of flooding to the panels is minimised. The substation and invertor stations will be located on higher ground. As the floodplains are unaltered, the development will not cause an increase in flood risk elsewhere.

The SEPA Flood Map shows very small areas of potential surface water flooding within the site. The Proposed Development has been designed to ensure that areas of the site that have natural depressions that could cause a significant depth of potential surface water flooding have been avoided for the siting of panels. In the few instances where panels are proposed across localised areas of surface water they will be kept a minimum of 800mm off ground level which is deemed to provide adequate protection.

The FRA demonstrates that the Proposed Development will not increase the rate of discharge from the current pre-development surface water run-off rates, and no formal drainage systems will be installed. Disturbance

during construction will be minimal and grass will be retained. However, where construction activities have impacted on existing areas of vegetation, these areas will be chisel ploughed and re-seeded with agricultural grazing/ silage sward grass species. The site will be actively managed to keep the soil in good condition during the operational phase and maintain the sward where possible. Checks will be undertaken by staff visiting the site for maintenance visits at 6 monthly intervals.

The FRA has shown that the development is at a low risk of flooding and will not increase flooding elsewhere.

The Proposed Development complies with Policy C4.

4.5.3 Policy E1 Natural Heritage

Policy E1 deals with protection of natural heritage assets and does not permit new development where it may have an adverse effect on a nature conservation site designated for its biodiversity or geodiversity importance, with exceptions in respect of:

- Internationally designated nature conservation sites: development which may have an adverse effect on its integrity will not be permitted, except where there are imperative reasons of overriding public importance and there is no alternative solution. In all cases, suitable compensatory measures must be implemented. The Proposed Development is supported by an Ecological Impact Assessment (EcIA) and Habitat Regulations Assessment. These confirm that there are 2 Special Protection Areas (SPA) and 1 proposed SPA within 20kms of the Proposed Development. The assessment confirms that only the potential impacts on pink-footed geese were assessed as all other SPA species were scoped out of the assessment. The assessment concluded that the construction and de-commissioning phases could potentially impact through permanent loss of foraging habitat and disturbance to foraging birds between mid-September to mid-May construction. In addition there is an identified potential collision risk during the operational phase and potential disturbance of foraging birds through occasional maintenance work. Effective mitigation to address these potential impacts is built into the project design:
    - Hedge planting and gapping up around the Site will be carried out and maintained in the long-term, in line with good practice guidance. This will buffer noise and visual disturbance, minimising operational disturbance to geese foraging in adjacent fields and the potential for collision risk for geese with the solar panels.
    - The construction period for the project is predicted to be 16 weeks. Construction works will be timed to avoid as much of the wintering geese period (mid-September to mid-May) as possible, thus minimising the potential for disturbance to foraging pink-footed goose; and
    - New fence lines without an associated hedgerow will be demarcated to increase visibility and reduce collision risk for geese.
- Nationally designated sites: there are no national designated sites within 20kms of the Proposed Development.
- Other recognised nature conservation sites: There are no identified other nature conservation designations within 20kms of the site.
- Protected species: Development likely to have a detrimental impact on protected species will not be approved unless:
    - for European Protected Species, a thorough assessment of the site has demonstrated that the development is required for imperative reasons of overriding public interest and that the population will be maintained at a favourable conservation status in its natural range;
    - for non-bird protected species or badgers, there will be significant social, economic or environmental benefits. In either case there must be no other satisfactory solution.
- The Proposed Development includes embedded mitigation to address potential impacts, including:
    - A 30m buffer around all protected species potential resting sites (i.e. potential bat roosts, badger setts, and otter couches);
    - A 10m buffer from all watercourses/drains/waterbodies;

- Installation of a security fence at least 5m from the boundary which will ensure the retention of a 5m ecological buffer comprised of grassland habitats around the boundary;
- The security fence will be raised 150mm off the ground to allow continued unrestricted badger/otter access across the Site;
- No lighting is proposed at the Site and all CCTV installed will use infra-red technology which will prevent light disturbance issues in relation to IEF's;
- All existing hedgerows and tree lines to be retained and buffered by at least 5m.

- Wider biodiversity and geodiversity: A baseline ecological survey should be prepared for all major developments. In this instance the EcIA demonstrates that there were no protected or notable habitats identified within the Site. The main habitats to undergo change within the Site consisted of improved grassland (B4) and a small area of marshy grassland (B5) located in the south of the Site. Other grassland habitats under the footprint of the development include neutral semi-improved and poor semi-improved grassland. The solar panels would be located within the existing fields and the existing grassland habitats resulting in a loss of 2.38ha of grassland habitat (2.14% of all habitats on the Site). There will no loss of woodland habitats or standing water. Habitat change on site will also impact grassland habitats, though they will still be retained as grassland habitats under the solar panels. It is considered that the construction of the solar PV farm will have a minor long-term adverse effect on grassland habitats at a local level.
- Residual effects have been assessed post-mitigation for those habitats and species that have been scoped into the assessment, defined as Important Ecological Features (IEFs). Following the implementation of the mitigation detailed in the ECIA no significant residual negative effects are predicted.
- Enhancement measures, particularly the committed native hedgerow planting will have a moderate beneficial effect on woodland and scrub habitats. Similarly, the in-design mitigation and enhancement measures outlined the EcIA are predicted to have a long-term beneficial effects for badger, bats, and breeding birds.

The Proposed Development complies with Policy E1.

4.5.4 Policy P1 Layout, Siting & Design

Policy P1 requires that all developments should identify measures that will be taken to improve biodiversity and geodiversity in proportion to the potential opportunities available and the scale of the development.

The Proposed Development incorporates numerous relevant enhancement measures:

- Planting of approximately 1271m of hedgerow and 6959m of woodland/scrub screen planting across the Site which will create breeding habitat and also enhance foraging corridors for bats.
- Implementation of 5m (minimum) ecological buffer zone around the solar PV farm. This area will be seeded with a species-rich, neutral grass mix to increase floral diversity and increase the overall biodiversity of the buffers.
- Installation of bug/bee hotels in suitable locations to be determined by an experienced ecologist around the site;
- The erection of Bat boxes in suitable locations to be determined by an experienced ecologist on trees/in woodland within the applicants control on the Site; and
- The erection of bird boxes in suitable locations to be determined by an experienced ecologist on trees/in woodland within the applicants control on the Site.

The enhancement measures, particularly the committed native hedgerow planting will have a moderate beneficial effect on woodland and scrub habitats. Similarly, the in-design mitigation and enhancement measures outlined in the EcIA are predicted to have a long term beneficial effects to a number of IEFs, namely badger, bats, and breeding birds.

The Proposed Development complies with Policy P1.

4.5.5 Policy E2 Landscape

Under Policy E2, development that causes unacceptable effects through its scale, location or design on key natural landscape elements, historic features or the composition or quality of the landscape character will be refused. These impacts can be either alone or cumulatively with other recent developments. Development should not otherwise significantly erode the characteristics of landscapes as defined in the Landscape Character Assessments produced by Scottish Natural Heritage or have been identified as Special Landscape Areas of local importance.

Boundaries and qualifying criteria for Special Landscape Areas are identified in the supplementary guidance Aberdeenshire Special Landscape Areas. Developments located within Special Landscape Areas will only be permitted if the qualifying interests are not being adversely affected or effects of the development are clearly outweighed by social, environmental or economic benefits of at least local importance.

The Proposed Development site is located within the southern portion (Fraserburgh- Peterhead) of an SLA identified as the North East Aberdeenshire Coast SLA.

The Landscape & Visual Impact Assessment (LVIA) completed in support of the Planning Application has considered the qualifying interests of this SLA as detailed in the supplementary guidance and confirmed that while short term, localised direct effects will arise during the construction phase, the predicted effects are restricted by existing coniferous shelterbelt planting along the northern and southern boundaries of the site boundary with important dune features and localised changes in topography remaining free of development.

Views of the Proposed Development site, from northern and southern portions of the study area are generally well screened by intervening coniferous shelterbelt planting, with roadside vegetation adjacent to the A90 further restricting views. Remaining visibility is generally limited to a short section of the A90 to the immediate west of the site, where views are influenced by the undulating topography and the horizontal and vertical road alignment combined with intervening scrub and shrub planting adjacent to access roads and field boundaries.

Views of the North Sea are restricted by the undulating nature of the dune systems adjacent to the coast, to the extent that views of the North Sea are not apparent from the A90. Stacks associated with the St Fergus Gas Terminal, operational wind turbines at Bruxiehill and tall pylons carrying overhead lines form strong visual draws in views from within the study area, locally influencing the character of the landscape. The Proposed Development does not therefore impact on uninterrupted views of the North Sea.

During the operational phase, new buildings, battery storage facility, inverters, solar PV panels, substation and security fencing will be perceived from short sections of the A90 on the western side of the SLA designation, though it will not be readily perceived in southern or northern views due to intervening vegetation. Visible portions of the Proposed Development, prior to establishment of mitigation planting, will be viewed as a noticeable alteration, but not out of scale with the surrounding character of the SLA.

The design principles adopted for the Proposed Development ensure that any potential impact on the inherent character of the Coastal Zone and SLA are minimised:

- The development proposals respect the existing site constraints, retaining all including field boundaries and existing vegetation, essentially following the existing field patterns to break the development up into smaller blocks.
- This embedded design mitigation is further enhanced by the incorporation of:
    - A wide buffer along the length and either side of gas pipelines that traverse the Application Site;
    - A 5m ecological buffer between the security fence and the perimeter of the Application Site;
    - A 10m buffer either side of all watercourses; and
    - A 5m buffer along all field boundaries.
- Retention of all trees and hedgerows across the site together with supplementary planting using native species to augment the existing vegetation cover and screening effect. Further planting will supplement the existing landscape features to delivered enhanced integration of the Proposed Development into surrounding landscape. It will provide suitable screening to minimise visual intrusion, particularly in views from the A90, close residential receptors and local areas of interest to reduce significant effects regarding the visual impact of the proposal and associated structures on sensitive receptors.

- The development respects the existing site topography and there will be no re-grading of land or cut and fill to facilitate panel placement.
- Areas of greatest environmental sensitivity within the wider site are excluded from development and a package of environmental management proposals including landscape proposals and ecological enhancement measures are integral components of the project.

Following implementation of the mitigation, the LVIA predicts that the residual impact will be a minor, localised and not significant impact. The Proposed Development will not result in unacceptable impacts on key natural landscape elements, historic features or the composition or quality of the landscape character qualifying criteria for North East Aberdeenshire Coast SLA as identified in Supplementary Guidance 9c Special Landscape Areas.

In relation to predicted cumulative visual impacts arising as a result of the Proposed Development in combination with other recent developments, it is judged that the Proposed Development would not generally be visible in combination with the approved development due to intervening vegetation and localised topographical changes. In summary, potential cumulative visual effects are judged to be negligible and not significant.

In summary when considering the Proposed Development in combination with proposed and future development in proximity to the Proposed Development there will be no significant cumulative landscape or visual impact.

The Proposed Development complies with Policy E2.

4.5.6 Policy HE1 Protecting Historic Buildings, Sites & Monuments

Policy HE1 does not permit development that would have a negative effect on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites.

Development on nationally or locally important monuments or archaeological sites, or on their setting, will only be allowed if there are imperative reasons of overriding public interest, including those of a social or economic nature, and there is no alternative site. It is the developer's responsibility to provide information on the nature and location of the archaeological features prior to determination of the planning application and either mitigate impacts or, where preservation of the site in its original location is not possible, arrange for the full excavation and recording of the site in advance of development.

The Planning Application is accompanied by an Archaeological Assessment Report. This archaeological assessment draws together the available archaeological, historic, topographic and land-use information in order to clarify the heritage significance and archaeological potential of Application Site and its relevant site context.

The assessment confirms that there are no designated heritage assets in the Site. The proposed development lies approximately 160m from St Fergus' church, which is a Scheduled Monument, and the associated churchyard, which is a Category B Listed Building. The design of the proposed development has taken the need to preserve the setting of these assets into account and includes mitigation embedded in the design in the form of separation and screening.

Whilst the proposed development may have the potential to affect the setting of these heritage assets it is considered that this will not compromise the integrity of their setting. In order to reduce potential effects upon the setting of St Fergus' church and churchyard, all infrastructure has been set back c.160m from the monument. The eastern boundary will also be planted with a linear hedge of approximately 730m in length which will also assist in screening views of the panels. This will incorporate staggered rows of locally appropriate species.

While it is acknowledged that the Proposed Development will result in some impact on the setting of these heritage assets, the assessment concludes that this will not compromise the integrity of their setting.

In line with policy HE1, any perceived impacts to be taken into account by the decision maker when considering the application must be balanced against the demonstrable public benefits of the proposed development in terms of its provision of renewable energy. Section 1.3.1 of this Statement confirms that the proposal will make a significant contribution to Scotland's renewable energy targets by creating enough clean green electricity to power 15,000 homes. Section 5 of this Statement sets out the project's compliance with a range of Government

policy and legislation relating to the target to reduce Scotland's emissions of greenhouse gases to net-zero by 2045.

There are no known heritage assets within the Site. It is considered that there is moderate potential for Prehistoric archaeology to be present and low potential in relation to later periods. Any unrecorded archaeology present is likely to be of local importance. Any such potential archaeological impacts can be addressed through a programme of further archaeological works undertaken during the construction phase. It is recommended that this comprises monitoring of topsoil stripping in areas to be agreed with Aberdeenshire Council. It is proposed that this requirement can be conditioned as part of any decision in respect of the application for consent.

For the reasons outlined above and taking account of the social, environmental and economic benefits deriving from the Proposed Development it complies with the terms of Policy HE1.

4.5.7 Policy PR1 Protecting Important Resources

Under Policy PR1 developments that have a negative effect on important environmental resources associated with the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, and important trees and woodland will not be permitted except in cases when public economic or social benefits clearly outweigh the value of the site to the local community, and there are no reasonable alternative sites.

The Proposed Development has been subject to a Land Capability for Agriculture Assessment a report of which is submitted in support of the Planning Application. The assessment evaluated the nature of the soils and agricultural Land Capability for Agriculture (LCA) classification of the Site and confirms that the main classes identified within the Site are Class 3.2, and 4.1 with a potential fringe of 4.2 to the north and a small area of 6.2 on the north-eastern fringe.

There is therefore no Prime Land on the site (Class 3.1 or better), the best being Class 3.2 on the soils of the Peterhead series and the Blackwater Complex. The Site does not, therefore comprise any Prime agricultural land and the proposed use as a solar farm and energy storage facility would not be in conflict with National Policy objectives for the protection of Prime land.

In addition, the land will continue to fulfil an agricultural purpose during the operation of the facility and soils would remain in situ on the Site, as far as possible. The rows of panels will be separated by spaces of between 2-6 metres and will be fixed atop frame tables which will be pushed or screwed into the ground. At their lowest, panels will remain typically 800mm off existing ground levels which will allow uninterrupted grazing by sheep. There would therefore be no permanent loss of the soil resource as a result of the development and the land would be restored to the pre-working agricultural use following the completion of the operation of the facility.

The Proposed Development does not negatively impact on the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, or important trees and woodland. Indeed as described previously in this Statement the Proposed Development included embedded proposals for additional woodland and hedgerow planting that will enhance biodiversity and increase trees and woodland in the locality.

The Proposed Development complies with Policy PR1.

4.5.8 Policy RD1 Providing Suitable Services

Policy RD1 requires that any proposed development provides adequate road connections. When development requires the formation of new accesses, these should be designed to an agreed standard, and must be resource-efficient, safe and convenient for cyclists, pedestrians and public transport. New accesses must also cause minimal impact on the character of the site

The Proposed Development proposes use of an existing access upgraded to meet current DMRB design standards. The Transport Assessment demonstrates that the level of traffic associated with the Proposed Development will not result in any significant increase over the existing patterns. The overall the percentage increase in delivery movements are forecast to be low, with overall increases in traffic forecast to be +0.14% and 0.56% for the sections of the A90(T) either side of the site access.

While such increases are temporary in nature, the changes in traffic described are also entirely within the range of normal fluctuations in daily traffic that could be expected on the A90 (T). Therefore, against the underlying capacity of these roads, the level of change does not constitute a significant change.

Traffic movements during the operational phase are not anticipated to result in a significant effect on traffic on local roads and are typically done by a light van or 4x4 type vehicle that can carry the necessary tools with a frequency of 50 visits a year (once per week). This level of traffic would be well within the scope of daily traffic fluctuation.

Given the proposed negligible impact of operational traffic, the focus of the assessment will be the construction phase.

The Proposed Development complies with Policy RD1.

4.5.9 Residential Amenity

There are a low number of third party residential properties within the vicinity of the Proposed Site.

Of the residential properties and property clusters assessed, no significant visual effects are predicted to occur for residential properties identified due to a combination of screening by intervening vegetation and localised topographical changes. Identified impacts have been assessed as reducing once proposed mitigation measures have been successfully implemented and established.

Similarly while the **Glint and Glare** Assessment predicts that overall, for three dwellings located near the site boundary, there is potential for some impact from glint and glare. However following implementation of recommended mitigation measures, the assessment confirms that there will be no residual impact from glint and glare on these properties.

The security **CCTV cameras** will be directed along fence-lines and utilise infra-red technology. Accordingly it is not necessary to floodlight the facility and no permanent lighting is proposed. No loss of amenity will therefore arise through lightspill.

The cameras are designed to not move either intentionally or unintentionally due to adverse weather conditions or animal activity and on commissioning of the CCTV system any sensitive areas will be 'masked out' to safeguard residential privacy. Adequate safeguards are in place to ensure that privacy interests are not compromised and the rights of individuals whose personal data may be recorded by the cameras are protected.

In relation to potential loss of residential amenity through **noise**, the Proposed Development will give rise to temporary construction noise associated with the traffic movements to and from the site and other noise generated by construction activities. As set out in the Transport Assessment accompanying this Application, the construction traffic associated with the project is limited in volume and will be temporary in nature, predicted to last for a maximum of 16 weeks duration. There would be a higher level of traffic during Weeks 8 - 15 with the highest cumulative total of deliveries occurring in Week 8. The development would give rise to a maximum of 36 delivery movements per day at the peak of the construction phase.

The Transport Assessment shows that the overall the percentage increase in delivery movements are forecast to be low, with overall increases in traffic forecast to be +0.14% and 0.56% for the sections of the A90(T) either side of the site access.

While such increases are temporary in nature, the changes in traffic described are also entirely within the range of normal fluctuations in daily traffic that could be expected on the A90 (T). Therefore, against the underlying capacity of these roads, the level of change does not constitute a significant change and will not therefore result in any unacceptable noise impact.

The construction operations are very similar in nature to normal farming activities so no discernible change in the characteristics of noise generation during that period is predicted.

The Proposed Development has been designed to avoid the potential for **noise impacts** during the operational phase of the development. The design team have identified the nearest noise sensitive properties and the development layout maximises the separation between those properties and any element of the Proposed Development with the potential to generate noise during operation. The nearest receptors are: South Kirkton is located 170m from the nearest inverter and 350m northeast of the substation; North Kirkton is located

approximately 270m from the nearest inverter; and the cluster known as Inverquinzie Cottages is located 180 SSW of the nearest inverter and separated from the development by a well-established woodland planting.

The substation, battery storage and inverters are low noise generators. Therefore operational noise is not considered significant due to low noise levels emitted for the Solar PV scheme, and the separation distances to the nearest receptors.

4.5.10 Overall Assessment

For the reasons outlined under each of the key considerations above the Proposed Development complies with the policy provisions of Aberdeenshire LDP 2017.

4.6 Proposed Aberdeenshire Local Development Plan 2020

The Proposed Aberdeenshire Local Development Plan 2020 (PALDP 2020) was agreed as the settled view of the council on 5th March 2020. It will now be subject to an Examination process. The Proposed Local Development Plan (PLDP) sets out the proposed policies that would be used to assess planning applications and identifies development opportunities across Aberdeenshire for the period to 2031.

4.6.1 Policy R1 Special Rural Areas

The Application Site falls within the designated Coastal Zone in the PALDP 2020. Under Policy R1.3, proposed development in the coastal zone development must require a coastal location or there must be clear social, economic or community benefits arising. In either case there must be no coalescence of coastal developments or adverse impacts on natural coastal processes or habitats.

The Proposed Development complies with Policy R1.

4.6.2 Policy E1 Natural Heritage

Policy E1 of the PALDP 2020 retains the essential policy criteria from the existing LDP. In that context as outlined above the Proposed Development complies with Policy E1 of the PALDP 2020.

4.6.3 Policy E2 Landscape

Policy E2 of the PALDP 2020 retains the essential policy criteria from the existing LDP. In that context as outlined above the Proposed Development complies with Policy E2 of the PALDP 2020.

4.6.4 Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites

Policy HE1 of the PALDP 2020 retains the essential policy criteria from the existing LDP. In that context as outlined above the Proposed Development complies with Policy HE1 of the PALDP 2020.

4.6.5 Policy PR1 Protecting Important Resources

Policy PR1 of the PALDP 2020 retains the essential policy criteria from the existing LDP with the exception that air quality is included as an additional consideration. The Proposed Development will not give rise to any unacceptable impact on air quality and in that context as outlined above the Proposed Development complies with Policy PR1 of the PALDP 2020.

4.6.6 Policy C2 Renewable Energy

The PALDP 2020 proposes some amendment to existing policy in respect of applications for solar developments. The proposed policy retains the presumption in favour of solar proposals:

> 'We will approve applications for solar panel arrays greater than 4kW if:
>
> - their cumulative impact with other arrays, including siting and design, has been assessed and can be dismissed;
> - account has been taken of glint and glare issues;
> - it has been demonstrated that any significant impacts will have a duration of less than five minutes on any receptor in any one day,

- there are no objections from the Ministry of Defence, the National Air Traffic Services or civil airport operators;
- boundary treatments limit vehicular access to the site through means designed to make any security fencing unobtrusive and screen the development.

For the reasons outlined above in this Statement, the Proposed Development complies with the policy requirements of C2 and therefore should still benefit from the presumption in favour of approval under the PALDP 2020.

4.6.7 Policy C4 Flooding

Policy C4 of the PALDP 2020 retains the essential policy criteria from the existing LDP. In that context as outlined above the Proposed Development complies with Policy C4 of the PALDP 2020.

5 OTHER MATERIAL CONSIDERATIONS

There is a clear requirement to balance the peaks and troughs associated with electricity supply and demand to manage the strain on distribution networks and ensure there are no power blackouts. This is particularly important as older generating plants are decommissioned. In Scotland particularly, there is strong support for renewable energy generation which is inherently intermittent. The Proposed Development is required to smooth over the troughs in electricity supply, being able to respond at short notice to requests from National Grid to generate, such as periods when renewable sources are not generating or fossil fuel plants are unexpectedly offline.

The Proposed Development is assessed in this section for compliance against the following key material planning considerations.

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

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, which amends the Climate Change (Scotland) Act 2009[1], sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040 and 100% by 2045.

The target of net-zero emissions by 2045, five years ahead of the UK, is firmly based on what the independent Committee on Climate Change (CCC) advises is the limit of what can currently be achieved. The levels of all of Scotland's targets are regularly reviewed following advice from the CCC.

The primary objective of the Climate Change Act is to raise the ambition of the greenhouse gas emissions reduction targets that are set out in the Climate Change (Scotland) Act 2009 ("the 2009 Act") which had already established Scotland as a world leader in tackling climate change. The Climate Change Act reaffirms the Scottish Government's commitment to remain at the forefront of global ambition. This is achieved by increasing the ambition of the emissions reduction targets in line with an appropriate contribution to limiting global temperature rises to 1.5 degrees Celsius above pre-industrial levels

The target levels set are arguably the most ambitious legislative targets in the world. The target levels proposed are those that the Climate Change Committee ("CCC") set out as a high ambition scenario. The Scottish Government accepted the CCC high ambition scenario as Scotland's targets should be very challenging and should reflect a fair contribution to maintaining global temperatures to well below 2 degrees above pre-industrial levels as set out in the Paris Agreement.

Projects such as the Proposed Development proposed here will greatly assist in the more efficient management of the renewable energy resource and thereby in the delivery of these ambitious targets.

5.2 Scottish Energy Strategy: The Future of Energy in Scotland

The Scottish Energy Strategy: the Future of Energy in Scotland ("the Energy Strategy") was published in December 2017 and establishes the importance of the energy sector in Scotland and the delivery of goals and policies with the Strategy.

The Energy Strategy addresses that Scotland should not only have the capacity and connections to maintain secure and reliable energy supplies but also have the flexibility and resilience as an additional priority and that developments that provide an innovative local energy system will be supported by the Scottish Government.

The Energy Strategy emphases that a diverse and well-balanced energy supply portfolio or 'energy mix' will remain essential as Scotland continues to decarbonise heat, transport and electricity systems.

The UK's exit from the European Union ("Brexit") could have a significant bearing on future energy systems. The impacts of Brexit are largely amplified in Scotland due to the important role that energy plays in the Scottish economy. Being part of the internal European energy market is vitally important, as it safeguards Scotland's energy security. Legally-binding European Union renewable energy and energy efficiency targets have played

[1] https://www.legislation.gov.uk/asp/2009/12/contents

a defining role in stimulating the huge growth in renewable energy in Scotland. The ability to continue trading energy openly and fully across Europe can, if unaffected, play a big part in the progress we make towards Scotland's renewable and climate change targets, and the growth of Scotland's low carbon energy sector.

5.3 Scotland's Electricity & Gas Networks: Vision to 2030

In 2017, Scotland's gas and electricity networks delivered around half of all the energy used in Scotland; in that year £2.25 billion worth of Scottish electricity generation entered the networks, more than 50% of which came from renewables. This Scottish Government strategy stresses that these networks help deliver affordable, reliable and increasingly low carbon energy across Scotland and they will be critical to delivering the principles of the Energy Strategy, and achieving its outcomes.

Their critical importance will remain as the Government look at opportunities to accelerate progress to decarbonise both the national heat and transport systems:

"Whatever their ultimate shape, it is certain that we are going to see huge changes to the ways in which networks are planned and operated. These changes have to be delivered quickly and carefully. We believe that they must be designed to meet the interests of both consumers and businesses, be consistent with our desire to reduce fuel poverty, and reflect the needs of vulnerable customers across mainland Scotland and our islands.

We must work to ensure that our networks continue to support a resilient energy system, throughout and beyond the low carbon transition. There needs to be a greater strategic focus on regional security of supply which considers not only the networks themselves but also the location and characteristics of the resources connected to them."

On electricity transmission the objective is to deliver a secure and resilient transmission network for Scotland, engineered to reflect the changing dynamics of the electricity system.

In respect of electricity distribution it is recognised that demand management, new platforms and technologies, including batteries, to help manage peaks in local demand and generation in ways that deliver greater value to local communities and support resilient supplies will be critical.

The Proposed Development is supported by the national Energy Strategy.

5.4 Protecting Scotland, Renewing Scotland: The Scottish Government's Programme for Scotland 2020-2021 (September 2020)

While the Scottish Government's Programme for Scotland 2020-2021 is understandably focused on dealing with the COVID-19 pandemic and Brexit, it still confirms that the Scottish Government is committed to achieving net zero by 2045. *"Our commitment to addressing the twin challenges of biodiversity loss and climate change remains unwavering throughout, and delivering a green recovery is at the heart of our response. To support jobs and realise our climate ambitions we are committing to the next tranche of our Green New Deal. We are ramping up and committing to multiyear investments to send a clear signal to supply chains to invest in people and technology, and help us deliver the net zero transition."*

5.5 Update to the Climate Change Plan: 2018-2032 (December 2020)

Published in February 2018, the Climate Change Plan sets out a new transport emissions reduction target of 37% for the reduction in emissions from transport to be achieved by 2032.

The Scottish Government is updating the Climate Change Plan and recently published the Climate Change Plan Update (CCPu) to reflect to reflect the increased ambition of the new targets set in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and Scotland's approach to the Paris Agreement. Generally the plan sets out a requirement for an emissions reduction plan that maximises opportunities for Scotland whilst protecting the domestic economy.

The Proposed Development will contribute to reducing emissions from energy sources in Scotland, whilst providing diversity in the energy sector, especially as long-term centralised sources go offline. The Proposed Development is therefore considered to fully comply with the Climate Change Plan.

In Electricity, the Climate Change Plan update (CCPu) announces further policies to continue the rapid growth in renewable generation, moving from a low to a zero carbon electricity system. It commits to publishing an

Energy Strategy Update in 2021 that will set out in detail the role that electricity generation will have in the wider energy system.

The Government also commits to reviewing and publishing an updated Electricity Generation Policy statement by 2022 reflecting the contribution that renewable electricity generation is likely to have in delivering on the Net Zero target.

Efforts will continue to be directed to ensuring a sustainable security of electricity supply, including a 2021 call for evidence and views on technologies including energy storage, smart grid technologies and technologies to deliver sustainable security of supply.

It is recognised that the electricity system will have deepened its transformation for the better, with over 100% of Scotland's electricity demand being met by renewable sources.

The CCPu draws particular attention to the demonstration project delivered by Scottish Power Renewables at its Dersalloch Wind Farm looking at the potential for delivering black start from wind, using "virtual synchronous machines" (VSM) to regulate the frequency and voltage of the power from the wind turbines to keep the local electricity system stable and balanced, throughout the process of restoring the part of the system that had been blacked out. It recognises the value of developing expertise that will be critical to net zero both nationally and around the world. The Scottish Government commits to continued support of the development of technologies that can support sustainable security of supply, with renewable generation delivering technical services that currently depend on fossil fuel power stations.

The CCPu lists the Policies and Proposals to deliver on a number of key outcomes:

Outcome 1: *The electricity system will be powered by a high penetration of renewables, aided by a range of flexible and responsive technologies.*

On the Policy side the Government will maintain policies that support the development of a wide range of renewable technologies and improvements to electricity generation and network asset management, including network charging and access arrangements that encourage the deployment and viability of renewables projects in Scotland. It will also publish a revised and updated Energy Strategy, reflecting our commitment to net zero and key decisions on the pathways to take us there.

The CCPu Proposals to deliver on the objective include:

- The introduction of a new framework of support for energy technology innovation, delivering a step change in emerging technologies funding to support the innovation and commercialisation of renewable energy generation, storage and supply.
- Maintaining the renewed focus on developing local energy projects and models
- Carrying out detailed research, development and analysis during 2021 to improve our understanding of the potential to deliver negative emissions from the electricity sector.
- To review the energy consenting processes, to make further improvements and efficiencies where possible, and seeking to reduce determination timescales for complex electricity generation and network infrastructure applications.
- To review and publish an updated Electricity Generation Policy Statement ahead of the next Climate Change Plan.

Outcome 2: *Scotland's electricity supply is secure and flexible, with a system robust against fluctuations and interruptions to supply.*

The CCPu introduces a new policy that supports the development of technologies which can deliver sustainable security of supply to the electricity sector in Scotland and ensure that Scottish generators and flexibility providers can access revenue streams to support investments.

CCPu Proposals will maintain the current pressure on the UK Government for market mechanisms and incentives which recognise locational value, both for energy and for security of supply, and which do not create undue barriers for investment in Scotland.

It also maintains the position on working with all parties to secure maximum benefits from the move towards smarter and more flexible electricity systems and networks, as set out in the UK Smart Systems and Flexibility Plan (2017) and will continue to encourage and support increased interconnection which can enhance Scottish system security while considering effects on domestic capacity and investment.

New proposals include launching the call in 2021 for evidence and views on technologies that can transform the electricity system, including energy storage, smart grid technologies, and technologies to deliver sustainable security of supply and ensuring that sustainable security of electricity supply is included as a priority within future Scottish Government energy innovation funding programmes.

Outcome 3: *Scotland secures maximum economic benefit from the continued investment and growth in electricity generation capacity and support for the new and innovative technologies which will deliver our decarbonisation goals.*

Under outcome 3 a new proposal is to identify and support major infrastructure improvements to ensure that Scotland's supply chain companies and facilities can benefit from the continued growth of renewable energy.

The Proposed Development gains major support from the CCPu.

The output from the proposed solar farm (>50MW) would make a substantial contribution to the nation's electricity needs and the Government's energy objectives as outlined above. The weight of these contributions must be taken into consideration when assessing the impacts of the proposed development.

6 CONCLUSION

This statement has been prepared in order to accompany an application for Section 36 consent with deemed planning permission submitted to the Scottish Government's ECU, for the Proposed Development of solar PV farm and a battery energy storage facility with associated ancillary development on existing agricultural lands at Kirkton.

The Scottish Ministers will determine this Application having evaluated whether the Applicant has fulfilled the statutory duties in Schedule 9 of the Electricity Act.,

This Statement has illustrated how through careful site selection the Applicant has avoided impacts on the resources identified in Schedule 9. In addition the Applicants have identified appropriate design and other measures designed to avoid or minimise impacts on the environment. The Scottish Ministers must have regard to the Energy policy documents referenced above. The proposals gain strong support from them. Furthermore the Proposed Development accords with the Development Plan and other policy documents.

The Proposed Development's location and site characteristics ensures that it will have a minimal impact upon its immediate surroundings. The design which has emerged through an iterative process avoids/mitigates unacceptable disturbance and impacts with sensitive receptors such as nearby residencies and landscape, natural and historically designated areas.

The key features in support of the Proposed Development are summarised below:

- The Proposed Development complies with the relevant Aberdeenshire LDP. It can also draw support from a number of material considerations.
- The Proposed Development is designed to support the flexible operation of the National Grid and decarbonisation of electricity supply in support of EU targets, national energy policy and national planning policy.
- The Proposed Development complies with the relevant Development Plan and can draw support from a number of material considerations;
- The Development Site is not in a sensitive location in respect of critical environmental considerations including landscape designations, natural and cultural heritage, noise, air, hydrology and flood risk considerations;
- The Proposed Development is sensitively located in a rural location with only a limited number of sensitive receptors in the vicinity, none of whom will suffer significant adverse impacts form the Proposed Development;
- The Development will result in significant economic benefits including the creation of significant direct and indirect employment during construction, employment during operation through the project's wider economic stimulus and significant exchequer benefits through rates payments;
- The design of the Proposed Development buildings have been taken into great consideration, and are considered to be appropriate and in keeping with and respectful of their immediate surroundings;
- The Proposed Development will make a significant contribution to the delivery of Scotland's ambitious renewable energy generation targets and assist in enhancing the efficiency and security of energy supply. The proposed solar farm will generate approximately 54,000,000 kilowatt hours (kWh) per annum powering 15,000 homes or 20,000 electric vehicles (EVs) every year; and
- The strong support for the Proposed Development in existing and emerging Government policy and strategies.

Overall, it is considered that the Proposed Development complies with the relevant policies of the statutory Development Plan and other material considerations. It offers significant benefits which have been listed throughout this Statement, which outweigh any minor effects of the Proposed Development.

Given the combination of the above factors, it is respectfully requested that Section 36 consent with deemed planning permission for this Proposed Development is approved by the Scottish Ministers.