

COMMITTEE: Planning Committee
MEETING DATE: 19 August 2025
BY: Executive Director for Place
REPORT TITLE: Energy Consents Unit Consultation for Consideration

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Note: *This consultation has been called off the Committee Expedited List by Councillor Collins for the following reason: For a full discussion due to local concerns over the safety of the site.*

Application No. 25/00001/SGC

Proposal Section 36: The development of a Battery Energy Storage System (BESS) and associated infrastructure, including connecting underground cabling to the existing substation, on approximately 1.4 hectares of land north of Pitcox, East Lothian, EH42 1RG (ECU00004992)

Location Land North of Pitcox
East Lothian
EH42 1RG

Applicant Abei Energy Group Ltd

Recommendation Approval of the consultation response appended to this report.

ECU Application No. ECU00004992

ELC Reference No. 25/00001/SGC

Proposal Electricity Act 1989 – Application to construct and operate an electricity generating station and associated infrastructure

Location Land North of Pitcox
East Lothian
EH42 1RG

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Date 12 June 2025

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ENERGY CONSENTS UNIT (“ECU”) CONSULTATION: PROPOSED BATTERY ENERGY STORAGE SYSTEM ON LAND NORTH OF PITCOX NEAR DUNBAR, EAST LTOHIAN (REFERRED THROUGHOUT THIS REPORT AS “PITCOX BESS”), EAST LOTHIAN COUNCIL’S RESPONSE

Proposed Battery Energy Storage System (BESS), Transformers, Substations and Associated Infrastructure

BACKGROUND

This application has been made to the Scottish Ministers under Section 36 of the Electricity Act 1989 for the construction and operation of a Battery Energy Storage Facility (“BESS”). In the case of S36 applications planning authorities are a consultee to the application process and are not the Consenting Authority.

With regard to paragraph 2(2) of Schedule 8 to the Electricity Act and regulation 8 of the Consents Regulations, if a planning authority makes an objection within the timescale given by regulation 8 (1) and that objection is not withdrawn, the Scottish Ministers must cause a Public Inquiry to be held unless the Scottish Ministers propose to accede to the application subject to such modifications or conditions as will give effect to the objection of the planning authority.

The application site measures approximately 2ha in size and is located on land north of Pitcox, East Lothian, EH32 1RG. The site comprises agricultural land (categorised as prime agricultural land of class 3.1) with a short hedgerow boundary to the west of the site and a small area of mature deciduous woodland adjacent to the northern corner of the site. The

proposed BESS would consist of a compound containing 80 energy storage containers with a total capacity of an approximate 100 MW. The closest residential property is located approximately 80 metres northwest of the proposed battery containers, with the hamlet of Pitcox approximately 700 metres south. The nearest watercourse is Biel Water which is located approximately 200 meters northwest.

The site lies within an area of countryside as defined by Policy DC1 of the adopted East Lothian Local Development 2018 (“ELLDP”) and is adjacent, but not within, Biel and Belton Special Landscape Area (“SLA”) and Biel Garden and Designed Landscape (“GDL”).

On 14 May 2024, the Scottish Ministers issued an Environmental Impact Assessment (“EIA”) screening opinion that the proposal does not constitute EIA development and that the application submitted for this development is not required to be accompanied by an EIA report.

PROPOSAL

The proposed application is for a 100MW BESS facility that would consist of:

- 80 BESS units;
- 20 transformers units;
- a switching station;
- a metering station;
- two emergency fire tanks;
- site drainage area with a contaminated water tank;
- two site accesses and internal access roads;
- acoustic fencing;
- site perimeter security fencing;
- circa 200m underground cabling; and
- scheme of landscaping and biodiversity enhancements.

The proposed BESS facility is intended to provide electricity for export to the grid from batteries which will store surplus electricity to be fed into the grid when required at short notice. A maximum of 100MW of electricity would be imported and exported to the grid network as required. The BESS and transformers would be linked through underground cabling to the switching station and metering station and connected to the Dunbar substation, located approximately 200 metres north of the site.

The BESS units would measure circa 4.45 metres in height, 6.1 metres in length and 2.5 metres in width and the transformers units would measure circa 3.4 metres in height, 6.1 metres in length and 2.6 metres in width.

The nature of BESS facilities means that the technology operates at varying times of the day dependent on demand.

There are two points of access to the site. The first being from the north, off the B6370, which would be for emergency purposes only. The second main access would be taken from the south, off the B6370, which would be for construction and standard operation.

The construction of the proposed development would take approximately 32 weeks including a temporary construction compound and laydown area located south/southwest of the site. Once completed, it is expected that no more than one or two vehicles would visit the proposed development each month to allow for routine maintenance and servicing.

THE DEVELOPMENT PLAN

The application is made under the Electricity Act 1989 and not the Planning Act and therefore the development plan does not have the primacy it normally would for planning decisions. It is still an important material consideration in this instance and informs the Council's consultation response.

The development plan comprises National Planning Framework 4 ("NPF4"), which was adopted by Scottish Ministers on 13 February 2023, and the ELLDP.

Appendix B (National Development Statement of Need) of NPF4 identifies 18 national developments that are significant developments of national importance. National development 3 of NPF4 (Strategic Renewable Electricity Generation and Transmission Infrastructure) supports renewable electricity generation, repowering, and expansion of the electricity grid.

National development 3 informs that the electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond.

Whilst National development 3 references a Scotland wide rather than a specific location, the south of Scotland (including East Lothian) is identified for supporting on and offshore electricity generation from renewables and delivering new and/or upgraded infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations.

National Planning Framework 4

NPF4 is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments and national planning policy. Relevant policies are:

- 1 – Tackling the climate and nature crises
- 2 – Climate mitigation and adaptation
- 3 – Biodiversity
- 4 – Natural places
- 5 – Soils
- 6 – Forestry, woodland and trees
- 7 – Historic Assets and Places,
- 11 – Energy
- 13 – Sustainable Transport
- 14 – Design, Quality and Place
- 22 – Flood risk and water management
- 23 – Health and safety

East Lothian Local Development Plan

The following policies within the ELLDP are relevant to the proposed development:

- DC1 (Rural Diversification)
- NH5 (Biodiversity and Geodiversity Interest, including Nationally Protected Species),
- NH7 (Protecting Soils)
- NH8 (Trees and Development)
- NH11 (Flood Risk)
- NH12 (Air Quality)
- NH13 (Noise)
- T2 (General Transport Impact)

DP1 (Landscape Character)
DP2 (Design)
SEH2 (Low and Zero Carbon Generating Technologies).

REPRESENTATIONS

East Lothian Council has received one representation which makes an objection to the proposed development. The main grounds of objection can be summarised as follows:

- loss of agricultural land
- further expansion and industrialisation
- detrimental visual effects until the proposed planting has matured
- the proposed BESS units will be 4.45m above ground level which is much higher than the 3.0m assumed at screening stage
- fire and pollution risk
- noise at surrounding properties and adding to background noise in the countryside
- drainage has not been fully thought through or detailed
- safety issues in relation to construction traffic. No account has been taken of vulnerable road users including horse riders
- proposal will affect the appearance of the first part of the “Hillfoots Trail” tourist route promoted by East Lothian Council

COMMUNITY COUNCIL COMMENTS

East Lammermuir Community Council has several concerns regarding aspects of the proposal, but at this stage they are neither objecting to nor supporting the proposed development. They also highlight that there are concerns within the local community about the proposal.

The response provides a list of conditions that the Community Council would like to be added to any consent for the proposed development by the way of mitigation for the concerns of local residents. These conditions cover the matters of fire safety, heat, landscape and visual, biodiversity, construction traffic management, lighting, and decommissioning.

West Barns Community Council, a neighbouring Community Council, located to the north of the site, also provides a response objecting to the development outlining the following concerns:

- cumulative loss of agricultural land with an impact on future food security
- cumulative impact on landscape, biodiversity, wildlife habitat and residents of the local community of BESS and other energy development
- there should be a clear biodiversity enhancement plan with clear information on species and timescales
- cumulative storage capacity of BESS being proposed in Scotland
- road safety during the construction phase
- dust emanating from the site during the construction phase
- road safety concerns about the access points to the site from the narrow, twisty B6370 road
- fire safety concerns about BESS technology
- noise emanating from the facility and the impact on nearby residents and on wildlife
- how the BESS will be removed and that it is essential for the land to be restored

The Community Council further note that, if approved, they would expect the applicant to agree to energy developers protocols that have been produced by East Lammermuir Community

Council and that the applicant should contribute an agreed sum of community benefits to the area.

The Council recommends that the ECU should carefully take into account the views of the Community Councils in their assessment of this proposal.

PRINCIPLE OF DEVELOPMENT

The proposed development would enable the storage of electricity and would contribute to the delivery of infrastructure of national importance. As transmission infrastructure to support renewable energy, it is also part of National Development 3 and is thus supported by NPF4.

As the proposal supports renewable energy, the principle of the proposal is also consistent with Policy 11 of NPF4, which states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including enabling works, such as grid transmission and distribution infrastructure.

The ELLDP helps facilitate the transition to a low carbon economy by supporting means of energy generation that help to reduce greenhouse gas emissions. It seeks to support a diverse range of renewable and low carbon energy generation in appropriate locations, taking environmental, community and cumulative issues into account.

The site is allocated within the ELLDP as countryside and therefore Policy DC1 (Rural Diversification) is relevant to the determination of this application. This policy states that development in the countryside, including changes of use or conversions of existing buildings, will be supported in principle where it is for:

- a) agriculture, horticulture, forestry, infrastructure or countryside recreation; or
- b) other businesses that have an operational requirement for a countryside location, including tourism and leisure areas

This policy recognises that countryside sites may be needed to provide infrastructure for operational reasons and states that proposals for renewable energy will be considered against other plan policies.

Whilst the principle of this development is acceptable, there are several other issues that require to be considered. This is in line with Policy 11 of NPF4 which lists thirteen criteria relating to the design and mitigation of energy related developments that require to be addressed to determine their compliance with the Development Plan.

CLIMATE

Policy 1 of NPF4 states that when considering all development proposals significant weight will be given to the global climate and nature crises.

The Scottish Governments Climate Change Plan sets out the national Scottish Government's pathway to achieve the ambitious targets set by the Climate Change (Scotland) Act 2009, as amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, and the commitment to end Scotland's contribution to climate change by 2045.

Scotland's renewable electricity generation has grown rapidly over the last twenty years, and a large contribution to achieving the commitment set out in the plan will be made by the increased decarbonisation of our electricity system.

The Climate Change Plan notes operating a zero-carbon electricity system will mean finding new ways to provide a range of technical services and qualities currently provided by fossil fuel and nuclear generation. Battery storage is one technology which helps achieve these goals.

However, it is important to ensure that the lifecycle carbon impacts of the proposal itself are assessed and mitigated. At its meeting on the 27th of August 2019 the Council approved a motion declaring a Climate Emergency. Thereafter, at its meeting on the 3 September 2019 the Council's Planning Committee decided that a condition requiring a developer to submit for the approval of the Planning Authority a report on the actions to be taken to reduce the carbon emissions from the completed development should be imposed on consents for relevant development proposals.

It is recommended that such a condition should be imposed on any consent for this proposed development, consistent with the requirements of Policy 2 of NPF4 and Policy SEH2 of the ELLDP.

The **Council's Sustainability and Climate Change Officer** provided comment that if consent is granted it is recommended that a low-carbon decommissioning plan is produced by including details on how raw materials will be recycled, re-use what is possible and restore the soil to the same quality it was before.

BIODIVERSITY

NPF4 policy 3 is applicable to all developments and requires that an overall biodiversity net gain is achieved, in the interests of addressing the nature crisis across Scotland. The policy intention is to "...*protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.*"

The proposal is supported by a Biodiversity Net Gain Assessment ("BNGA"), Ecological Impact Assessment ("EclA") and Landscape and Ecology Management Plan ("LEMP") which are included within this application.

The **Council's Biodiversity Officer** notes that the BNGA outlines a net percentage gain of 83.70% Habitat Units (HU) and 12.01% Hedgerow Units (HeU). The good practice recommendation is more than 10% net gain for HU and HeU.

The Biodiversity Officer offers the following amendments and comments to the submitted LEMP:

- *The LEMP suggests to deliver the required low nutrient levels for the successful establishment of the wildflower meadows, that nutrient poor soil may be required to be brought into site. I would query whether this is the most appropriate delivery of nutrient-poor habitat provision and whether the applicant has considered soil stripping for areas of wildflowers and the nutrient rich soil being used for the woodland planting areas.*
- *the maintenance of hedges (section 4.4.8-4.4.9) should be altered to include incremental height trimming and for the hedges to be layed or a similarly appropriate management technique to ensure the long life and health of the hedges on the site.*
- *Details of ongoing monitoring and reporting (section 7.4.1) to be detailed through a 5-year management to be produced and reviewed at least every 5 years in consultation with relevant parties, I would recommend a condition which would support that regarding the implementation of the biodiversity enhancements if deemed appropriate.*
- *The enhancements for biodiversity are expected to be delivered in perpetuity and beyond the lifetime of the project, the applicant has not shown the implications*

regarding the decommissioning of the BESS. For the biodiversity enhancements to be successful this should be detailed. I would request a condition that ensures that the landscape design and biodiversity enhancements are maintained after decommissioning of the BESS. It is key that the design of the application takes this into account.”

The Biodiversity Officer further recommends the inclusion of a wildflower mix with local provenance to East Lothian.

Subject to the above concerns being addressed, the Biodiversity Officer recommends a condition that ensures the measures set out in the Landscape and Ecological Management Plan, Ecus, December 2024), the Biodiversity Net Gain Assessment (Ecus, December 2024) and the Landscape Plans submitted with this application are implemented in full.

Subject to the imposition of and compliance with the recommended condition, the proposal would conform to NPF4 Policy 3.

LANDSCAPE AND VISUAL IMPACT

The **Council’s Landscape Officer** has provided comments on the application, and the full response is appended to this report. A number of concerns are raised over the absence and completeness of the information supplied with the application, in particular the absence of sectional drawings, sightlines and potential loss of hedgerows which are important to the character of the area. Focussing on the conclusion, the Landscape Officer states that:

“...we object due to lack of information and possible/likely loss of hedgerows important to the character of the area as identified in the Landscape Character statement. Changing levels within the site may also impact on the adjacent hedgerow and trees. No information has been provided on this and this may have a greater impact on the existing landscape than suggested in the LVIA. In addition I would say inadequate landscape screening has been proposed to the south of the site and lack of assessment from the road as you exit Pitcox to the south of the site means that the proposal could have a far greater impact than suggested in the LVIA... Overall, we do have a number of concerns over the accuracy of the information submitted for consideration and we would ask that the additional information is submitted for our consideration. We would also recommend a number of conditions over implementation of landscaping and colouring of development.”

It has also been highlighted that the proposed BESS containers are much higher than previous BESS sites. Details of the development, including the height of the containers, is supposed to be provided to enable accurate consideration of significance during the screening process. This information was not provided and as such a presumption was based on previous schemes for the height of the containers.

Although the proposed height of 4.45m for the BESS containers is more than was presumed at the time of screening, it is thought that this would not require EIA on a landscape basis. The additional landscape buffers to the west and south, as requested, will help with this screening and should be sufficient to reduce visibility of the proposed development in the long term, however it should be noted that this will take longer to implement due to the greater height than the presumed height of the BESS containers.

The comments from the Councils’ Landscape Officer should be fully addressed by the applicant/agent and appropriate changes to the proposals/additional information provided before the Councils’ Landscape Officer will be in a position to support the proposals as it stands.

Therefore, the Council objects to the application due to a lack of information on the landscape issues set out above.

HISTORIC ENVIRONMENT

The **Council's Archaeology/Heritage Officer** was consulted on the proposal and a condition has been recommended to require a Programme of Work (Archaeological Evaluation by Trial Trenching). It is therefore recommended that, if consent is granted for this proposal, such a condition should be imposed.

It should be noted that the area of the current road can be excluded from the evaluation area but any areas that will be impacted by compounds, set down areas or haul roads should be included. If remains are identified then there may need to be further work to fully mitigate the impacts but this would be discussed between the applicant, archaeological contractors and the Archaeology Service (on behalf of ELC) once the evaluation has been undertaken.

SOILS

NPF4 has a strong policy presumption against development that is located on prime agricultural land. However, one exception is where the proposal is for 'essential infrastructure and there is a specific locational need and no other suitable site'. The definition of 'essential' infrastructure in the NPF includes energy storage and generation technologies therefore covering this proposal.

The proposed development is essential infrastructure with a specific need for its location, justified by its site selection process, to reinforce the electricity transmission system, supporting a secure and stable supply of energy as part of National Development 3 of NPF4. Therefore, the proposed development is not inconsistent with Policy 5 of NPF4 or Policy NH7 of the ELLDP.

The Council accepts the use of prime agricultural land has been minimised considering the other constraints in the area. The restoration of agricultural land capacity should be secured by condition, along with further consideration of the best use of soils on the site in the meantime.

NOISE, VIBRATION AND AMENITY

The **Council's Senior Environmental Compliance Officer** raises no objection to the proposal in respect of ground contamination.

The agent has undertaken a Noise Impact Assessment which looks at the noise impact of the proposed BESS on nearby land uses, known as "noise-sensitive receptors". A number of receptors have been identified and impacts have been assessed on them, with calculations provided for operational noise levels on site.

The **Council's Environmental Health Officer** has been consulted and state that they are satisfied that noise arising from the development will not exceed the +5dB above background, LA_{90,T} criteria. However, the assessment assumes that acoustic barriers as discussed in paragraphs 4.10-4.13 of the noise report would be incorporated into the proposed development. Any development should include this mitigation in its construction.

However, the Environmental Health Officer outlines that the noise report does not assess cumulative noise impacts, particularly those with the consented BESS on land to the north of Dunbar Grid Substation, (Ref: 23/01519/PM), as suggested at screening stage. A cumulative assessment should be carried out to confirm that the appropriate criteria will be met.

A cumulative assessment should be completed by the applicant/agent and any agreement on the required planning conditions, before the Council's Environmental Health Officer will be in a position to fully support the proposals as it stands.

In the absence of a cumulative assessment that satisfactorily demonstrates there will not be unacceptable cumulative noise impact, the Council objects to the proposal.

FLOOD RISK

The proposed development is supported by a Flood Risk Assessment and Outline Surface Water Drainage Strategy. Consultation was undertaken with the **Council's Structures and Flooding Team Manager**, with the response provided below:

"SEPA's Flood Hazard Mapping indicates that the site is not at risk from a fluvial (river) flood event with a return period of 1 in 200 years, plus climate change. That is the 0.5% annual risk of a flood occurring in any one year, with an allowance for climate change. However, pockets of the site are at risk from a pluvial (surface water) flood event at a 1 in 200 + CC flood event; the location of the units are outwith the surface water flood risk pockets shown on the SEPA maps.

As part of the application, a Flood Risk Assessment and Outline Surface Water Drainage Strategy was submitted.

In Chapter 1.1, it states "Consideration is given to....a return period of 1 in 100 years", albeit it is stated directly above that the 1 in 200 year flood event should be protected to. I also note that in Chapter 4.1.5 "Flood Designation", that it is stated that the SEPA maps show no specific risk of river flooding, which is correct. However, there is no mention of surface water flood risk, which is present. Chapter 5 later mentions the surface water risk.

Within the FRA, the following has been addressed;

- *Greenfield Runoff Rates – Rate identified as 7.0l/s. There is now proposed to be no off-site discharge, this will be attenuated on site.*
- *Attenuation*
 - *The attenuation pond is designed to a 1 in 100 + CC level of protection, and in Chapter 6.2.4 is shown to encroach into its freeboard allowance, leaving only a 0.12m freeboard.*
 - *I would ask that the infiltration / SUDS is designed to a 1 in 200 + CC level of protection, with 300mm freeboard allowance."*

It is recommended that additional information or clarification/corrections should be provided within the existing report to address the concerns above.

In the absence of this further or corrected information the Council objects to the application.

TRANSPORTATION AND ACCESS

It is proposed to access the site from the B6370 with a main access located to the south of the main part of the site, together with a secondary access at the northern part of the site which will be for emergency vehicle use only (and gated for general traffic).

The applicant/agent has provided a Construction Traffic Management Plan ("CTMP") and Transport Statement in support of the application. Consultation was undertaken with East Lothian **Council's Road Services** and the full response is appended to this report. The main

area of concern is that the visibility splays for both the north and south proposed accesses do not meet the Council's visibility requirements. A relaxation on the visibility splay requirements may be considered following the provision of updated information from the applicant/agent on up-to-date speed survey information, together with information on how speeds would be managed during the construction period. Subject to details of the emergency access gating arrangement and management, a further relaxation to the visibility at that junction may be acceptable.

The comments from the Councils' Road Services should be fully addressed by the applicant/agent and appropriate changes to the proposals/additional information provided, as well as agreement on the required planning conditions, before the Councils' Road Services will be in a position to fully support the proposals as it stands.

Unless and until these changes and appropriate information has been provided, the Council objects to the proposal due to the insufficiency of the proposed visibility splays and the absence of other transport related information as set out above.

FIRE RISK

Scottish Fire and Rescue Services advises that there is currently no statutory requirement for Fire and Rescue Services (FRSs) to engage in the planning process of BESS sites. However, The National Fire Chiefs Council (NFCC) encourages early engagement with the local FRS, continuing throughout the planning process, and have therefore provided a guidance document. This document relates specifically to grid scale BESS, in open air environments, using lithium-ion batteries.

The Council recommends that the ECU should satisfy themselves that either the proposed BESS would not result in an unacceptable fire safety risk or that the matter of fire risk is competently dealt with under other legislation.

CONCLUSION

The principle of the Pitcox BESS is acceptable, and it would contribute towards the increased decarbonisation of our electricity system, consistent with Scottish Government objectives. Whilst the principle of development is accepted, based on the assessment against other policy considerations, the Council **objects** to the proposal on the following matters:

- lack of information and assessment within the Landscape and Visual Impact Assessment;
- likely loss of hedgerows important to the character of the area as identified in the Landscape Character statement;
- absence of a cumulative noise impact assessment;
- insufficient information on surface water flooding; and
- proposed access arrangements for the site do not meet the Council's visibility requirements.

The Council recommends that the applicant is offered the opportunity to amend their proposal and to submit further information in order to seek to overcome the Council's objections above. It is further recommended that the Council should be reconsulted on any amended proposals and further information.

It should be noted that if these objections are not resolved then the application would likely have to go through an inquiry process.

RECOMMENDATIONS

1. The Council strongly recommends that the ECU should satisfy themselves that either the proposed BESS would not result in an unacceptable fire safety risk or that the matter of fire risk is competently dealt with under other legislation. The Council further recommends that the ECU should consider whether a safety management plan should be required. The ECU should also consider whether it is necessary to further consult with the Health & Safety Executive on this matter.
2. That the Scottish Government Energy Consents Unit is informed that East Lothian Council objects to the granting of consent under Section 36 of the Electricity Act 1989 for the reasons set out in this report;
3. That the East Lothian Chief Planning Officer be authorised to undertake any discussions with the Scottish Government Energy Consents Unit to resolve these objections and conditions to be attached to the consent if required;
4. That East Lothian Council's Chief Planning Officer be authorised to undertake any discussions with the Scottish Government Energy Consents Unit to agree any further amendment to the proposal, that in his/her opinion does not have a materially greater impact on interests within East Lothian; and
5. That if consent is granted then it be subject to the following conditions:

RECOMMENDED CONDITIONS

- 1 The development hereby approved shall begin before the expiration of 3 years from the date of this permission.

Reason:
To ensure that the development is commenced within a reasonable period.
- 2 Prior to the commencement of development details of the finishing colours for all of the components of development shall be submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out in accordance with the details so approved.

Reason:
In the interests of the visual amenity of the area.
- 3 Prior to the commencement of any development a report on the actions to be taken to reduce the Carbon Emissions from the completed development shall be submitted to and approved in writing by the Planning Authority. This shall include the provision of renewable technology for all new buildings including the consideration of any opportunities for heat recovery systems, where feasible and appropriate in design terms. The details shall include a timetable for implementation.

Development shall thereafter be carried out in accordance with the report so approved.

Reason:
To minimise the environmental impact of the development.
- 4 No development shall take place on site until temporary protective fencing in accordance with Figure 2 of British Standard 5837_2012 "Trees in relation to design, demolition and construction" and as detailed on drawing 'Figure 5 – Arboricultural Method Statement' numbered 22494-ARB-03 as detailed in the arboricultural report by Ecus Limited dated November 2024 has been installed, approved and confirmed in writing by the Planning Authority. The fencing must be fixed into the ground to withstand accidental impact from machinery, erected prior to site start and retained on site and intact through to completion of

development. The position of this fencing must be as indicated on the drawing 'Figure 5 – Arboricultural Method Statement' numbered 22494-ARB-03 in the above arboricultural report, shall be positioned outwith the Root Protection Area (RPA) as defined by BS5837:2012 for all trees and approved in writing by the Planning Authority.

All weather notices should be erected on said fencing with words such as "Construction exclusion zone - Keep out". Within the fenced off areas creating the Construction Exclusion Zones the following prohibitions must apply:

- No vehicular or plant access
- No raising or lowering of the existing ground level
- No mechanical digging or scraping
- No storage of temporary buildings, plant, equipment, materials or soil
- No hand digging
- No lighting of fires
- No handling discharge or spillage of any chemical substance, including cement washings

Planning of site operations should take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees.

Reason:

In order to form Construction Exclusion Zones around retained trees and protect retained trees from damage. All trees on and adjacent to the site shall be retained and protected in accordance with British Standard BS5837:2012 'Trees in relation to design, demolition and construction' and no tree works shall be undertaken without the prior approval of the local planning authority.

- 5 All planting, seeding or turfing comprised in the approved details of landscaping on the drawings titled 'Soft Landscape Proposals Overview' with drawing number 22494-LD-01 rev G [or as revised], 'Soft Landscape Proposals – Planting Plan' with drawing number 22494-LD-02 rev G [or as revised], 'Soft Landscape Proposals – Planting Plan' with drawing number 22494-LD-03 rev G [or as revised], 'Soft Landscape Proposals – Planting Plan' with drawing number 22494-LD-04 rev G [or as revised], 'Outline Specification and Planting Schedule' with drawing number 22494-LD-05 rev C [or as revised] shall be carried out in the first planting and seeding season following the occupation or completion of any part of the development hereby approved, whichever is the sooner. All planting shall be established and maintained in accordance with the details on the above drawings. Any trees, hedges or plants which die, are removed or become seriously damaged or diseased within a period of ten years from the completion of the development shall be replaced in the next planting season with others of similar species and final size, unless the Planning Authority gives written consent to any variation. No trees detailed in the approved landscaping plans to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority. All landscape shall be retained and maintained to accord with the details of the approved details of landscaping.

Reason:

To ensure establishment of a landscape scheme that improves the amenity of the area.

- 6 A full landscape management plan for the life of the development shall be submitted prior to commencement of development for the approval of the planning authority to show how the landscaping will be established and developed. The woodland shall be retained once the development is finished and shall not be included in any proposals to return the site to agricultural land.

Reason:

To ensure the establishment of woodland to aid the delivery of the Tree and Woodland Strategy for East Lothian

- 7 The measures set out in the Landscape and Ecological Management Plan (Ecus, December 2024), the Biodiversity Net Gain Assessment (Ecus, December 2024) and the Landscape Plans docketed to this application as so approved shall be implemented in full hereby approved and shall thereafter be retained, unless otherwise approved in writing by the Planning Authority.

Thereafter, the measures, as so approved, shall be implemented within 12 months of the date of this grant of planning permission and shall thereafter be retained and maintained in accordance with the implementation and management schedules, unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of protecting and enhancing biodiversity on the site and within the surrounding area.

- 8 No development shall take place on the proposed site until the applicant has undertaken and reported upon a programme of archaeological work (8% Archaeological evaluation by trial trenching) in accordance with a written scheme of investigation which has been submitted by the applicant (or their agent) and approved by the planning authority.

Reason:

In the interests of the historic environment including archaeological remains.

- 9 Prior to the commencement of development a Public Access Management Plan shall be submitted to and approved in writing by the Planning Authority. The Public Access Management Plan shall include the following details:

- (i) Measures to manage and control the speeds of construction traffic, including advisory speed limit signage on the local road network; and
- (iii) Details of any temporary and permanent infrastructure that will be delivered to ensure the safe and convenient active travel routes in the local area, including a timetable for the implementation of the measures.

Thereafter, the Public Access Management Plan shall be implemented and complied with in accordance with the approved details, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure the safe continuation of public access and amenity.

- 10 No external lighting shall be installed on site unless and until details of it have been submitted to and approved by the Planning Authority.

Reason:

In the interests of the visual amenity of the area.

- 11 The northern and western boundaries of the development site shall be provided with acoustic barriers as described in paragraphs 4.10-4.13 of the Noise Impact Assessment Report Ref 13809.01.v3 of November 2024, or equivalent barriers that provide the same level of attenuation of noise.

Reason:

To safeguard the amenity of nearby noise sensitive properties

- 12 Prior to commencement of development, the Flood Risk Assessment and Outline Surface Water Drainage Strategy shall be updated and submitted to and approved by the Planning Authority. The development shall thereafter be carried out in strict accordance with the details so approved, unless otherwise agreed in writing with the Planning Authority.

Reason:

To ensure the development is appropriately protected against flood risk and does not give rise to increased flood risk elsewhere.

- 13 The Development will disconnect from the grid and cease to import or export electricity no later than the date falling forty years from the date of Final Commissioning. The total period for operation of the Development, decommissioning and restoration of the Site in accordance with this condition shall not exceed forty-one years and six months from the date of Final Commissioning without prior written approval of the Scottish Ministers in consultation with the Planning Authority.

Reason:

To ensure the development only operates within its designed and planning lifespan.

- 14 If the Development fails to export electricity via the grid connection for a continuous period of twelve months, then it shall be deemed to be redundant and unless otherwise agreed in writing with the Planning Authority, the Company shall undertake the decommissioning, restoration and aftercare of the Site as required by other stated conditions.

Reason:

To ensure that if the Development becomes redundant the equipment is removed from the site, in the interests of safety, amenity and environmental protection.

- 15 No development shall commence unless and until a Decommissioning, Restoration and Aftercare Strategy has been submitted to, and approved in writing by, the Planning Authority. The strategy shall include measures for the decommissioning of the Development and restoration and aftercare of the site, and shall include, without limitation, proposals for the removal of the above ground elements of the Development, confirmation of the status of subterranean elements of the Development (retention, removal, or other such proposal), the treatment of ground surfaces, the management and timing of the works and environmental management provisions.

Unless the Development has been deemed to be redundant under condition 12, no later than twelve months prior to decommissioning of the Development or the expiry of the section 36 consent (whichever is the earlier) a Detailed Decommissioning, Restoration and Aftercare Plan, based upon the principles of the approved Decommissioning, Restoration and Aftercare Strategy, shall be submitted for the written approval of the Planning Authority.

If the Development has been deemed to be redundant under condition 12, no later than twelve months from the date the Development has been deemed to be redundant, a Detailed Decommissioning, Restoration and Aftercare Plan, based upon the principles of the approved Decommissioning, Restoration and Aftercare Strategy, shall be submitted for the written approval of the Planning Authority.

The Detailed Decommissioning, Restoration and Aftercare Plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of above ground elements of the Development, the treatment of ground surfaces, confirmation of the status of subterranean elements of the Development (retention, removal, or other such proposal), the management and timing of the works and environment management provisions which shall include (but is not limited to):

- (a) a site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);
- (b) details of the formation of any construction compounds, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
- (c) a dust management plan;

- (d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;
- (e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
- (f) details of measures for soil storage and management;
- (g) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;
- (h) details of measures for sewage disposal and treatment;
- (i) temporary site illumination;
- (j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays;
- (k) details of watercourse crossings; and
- (l) a species protection plan based on surveys for protected species carried out no longer than eighteen months prior to submission of the plan.

The Development shall be decommissioned, the site restored, and aftercare undertaken in accordance with the approved Detailed Decommissioning, Restoration and Aftercare Plan, unless and until otherwise agreed in writing in advance with the Planning Authority.

Reason:

To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

- 16 No development shall commence unless and until a bond or other form of financial guarantee in terms reasonably acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations are submitted to the Planning Authority.

The value of the financial guarantee shall be agreed between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations.

The financial guarantee shall be maintained in favour of the Planning Authority until the date of completion of all decommissioning, restoration and aftercare obligations.

The value of the financial guarantee shall be reviewed by agreement between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with decommissioning, restoration and aftercare obligations and best practice prevailing at the time of each review.

Reason:

To ensure that there are sufficient funds to secure performance of the decommissioning, restoration and aftercare conditions attached to this deemed planning permission in the event of default by the Company.

- 17 Prior to commencement of development details of measures to seek to maximise local employment opportunities relating to the proposed Battery Energy Storage System shall be submitted to and approved by the Planning Authority. Those measures shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the details so approved.

Reason:
In the interests of the local economy.

APPENDIX A

Response from the Council's Landscape Projects Officer

The proposal comprises a Battery Energy Storage System (BESS) and associated equipment and infrastructure including 80 BESS units and 20 transformer units situated on an impermeable base with a circa 2m high impermeable wall to the north, east and south, acoustic fencing to the north and west areas of the BESS, a Switching station, a metering station, two emergency fire water tanks, internal access tracks, two paved site accesses to the west that connect the site with the B6370 Road, site perimeter security fencing at 2m height including CCTV cameras mounted on 2.5m high fenceposts.

Cabling to connect the BESS to the Dunbar substation to the north will be laid within the existing highway boundary of the B6370 Road.

A temporary construction compound and laydown area, including storage containers, car parking spaces and a site office and welfare facilities is also proposed.

A full landscaping scheme and sustainable drainage design have also been supplied.

Given the local undulations on the site we have concern that this may require platforming of sections of the site to provide level access and construction platform. No drawing showing existing and proposed levels appears to have been submitted. In addition no sectional drawings across the site appear to have been submitted. Changing the levels within the site could increase the landscape impact of the proposals. We require this information to enable a full understanding of the impact of the proposals on the landscape to be made. I have shown indicative lines for the sections required on the sketch below.

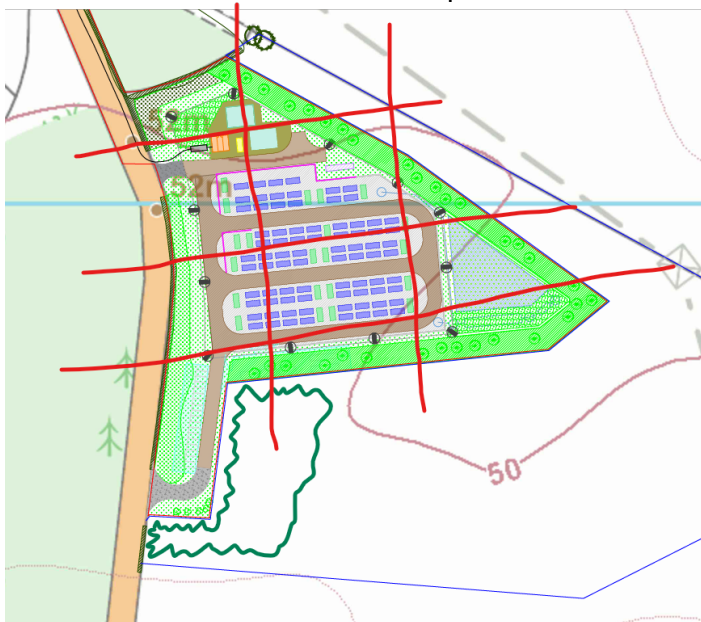


Figure 1 – Indicative lines for sections required

The site plan shows an acoustic fence at 4m to the north and east boundary. The elevations of the BESS units are shown at 4.45m high. These will be visible above the acoustic fence and in views from higher locations. A 2m high concrete wall is also shown to the south, east and north of the site. I can find no information on the construction of this or the reason for this. I would ask that the applicant provide reason for the concrete wall.

The proposals say that minimum hedgerow will be removed to form the two site access points and that the remaining hedge will be maintained at 3m in height. However no sightlines have been shown on the drawings. I have concern that significantly more hedgerow may need to be removed than indicated on the drawings to give adequate sightlines. This would not be supported. I would suggest that should hedgerow removal be required to create sightlines then consideration be given to removal of one access or the creation of a one way system so that sightlines are only required from one access. I would ask that the drawings are updated to show sightlines and any impacts on hedgerows.

The LVIA states that information sources included in the desk based assessment include the following: East Lothian Local Development Plan 2018; Local Development Plan Technical Note 9: Local Landscape Designation Review; Scottish Landscape Character Types, NatureScot, 2019; East Lothian Council Landscape Character Area Boundary Review. However no mention is made of the Special Landscape Areas Supplementary Planning Guidance 2018 here. The report incorrectly states that “the full Local Landscape Designation Review can be found in Technical Note 9 (Appendix I) of the proposed Local Development Plan 2016”. The Landscape Character Review and Special Landscape Areas Statements of Importance can be found in the Special Landscape Areas Supplementary Planning Guidance 2018.

Landscape impact

The LVIA includes a 2km study area. The site lies across the boundary of the Lowland Farmed Plain and Lowland River Valley landscape types as identified by NatureScot and almost completely within the Whittingehame Water Landscape Character Area (LCA) as defined by the East Lothian landscape character review (in the 2018 Special Landscape Areas Supplementary Planning Guidance).

The character of the **Whittingehame Water LCA** river valley is described as a progression of strongly-defined, interweaving slopes enclosing the small twisting river, which lies within a predominantly narrow valley occasionally opening out into areas of flatter ground. It is rich in mixed and broadleaved estate woodlands, which extend across the slopes and merge with sweeps of riparian deciduous planting fringing the river and its tributaries. The LCA has in general little large infrastructure. That which exists is well screened where possible and does not detract from the character of the area.

The LCA management guidelines include to seek to retain and enhance characteristic high proportion of mixed and broadleaved woodland through management and replacement planting; promote replacement of traditional oak and ash field boundary tree lines; retain the rural character of minor roads; and restore and maintain traditional hedge and stone wall field boundaries.

The development will lead to a substantial change to the landscape character of the site and its immediate environs due to the change of arable land to areas of BESS development. However, as shown in the ZTV, the proposed site is fairly well contained by the landform in which it sits and vegetation cover surrounding it. Together this will help the development to reduce impact on the wider landscape character. There is also opportunity to address the management guidelines through creation of new woodland and maintenance of the hedgerow boundary to the road in sections. The proposal is therefore unlikely to have a significant impact on the integrity of the Whittingehame Water LCA.

There are three Special Landscape Areas (SLA) within the 2km study area.

The **Biel to Belton SLA** lies nearly completely within the study area and is the closest SLA to the site. It lies directly to the west of the site, bounding the west side of the B6370. The SLA is described as a wooded river valley and hillfoot hamlet enfolded in agricultural land and woodlands, augmented by the designs of the Biel and Belton designed landscapes. The area

has a strong woodland structure, framing and enclosing views. The screened ZTV clearly shows how the woodland structure enclosing the SLA removes predicted visibility of the BESS proposal from all but all of this SLA. The proposal is therefore likely to have minimal to no impact on the special qualities of the Biel to Belton SLA.

The **Doonhill to Chesters SLA** is located to the south of the site with its northern edge just within the study area. It encompasses scenic, low hills that provide the backdrop to East Lothian to the views south from the East Lothian plain around Dunbar, with good views over East Lothian and beyond from within the SLA, and containing a coherent area of important prehistoric settlement. The ZTV shows no visibility from the SLA from within the study area, however there is visibility from the steeply rising ground of Spott Dod immediately south of the study area. From here the proposal will most likely appear as a fairly small area of development contained within the wider landscape by landform and vegetation cover. Given this it unlikely to harm the special character of the SLA.

The **Belhaven Bay SLA** is located to the north of the site with its southern edge just within the study area. The area was designated for the scenic value of the Tyne estuary area including the expansive sands of Belhaven Bay and dramatic Dunbar cliffs, which aside from their own scenic value; provide a backdrop to the Bay. The area is focussed on views of the bay and surrounding agricultural land. There are good wide ranging views from within the area. The screened ZTV indicates theoretical visibility of less than 25% of the development from areas within the SLA mainly beyond the 2km study area. Where there is visibility of the proposed development it will most likely appear as a fairly small area of development contained within the wider landscape by landform and vegetation cover. Given this it unlikely to harm the special character of the SLA.

The **Tree and Woodland Strategy** for East Lothian (TWS) shows this site to lie within the area for strategic connection. This is intended to provide a framework based on existing woodland, which will create connections across East Lothian from Scottish Borders area in the east to Midlothian in the west to enable species migration northwards. The woodland strip proposed within the site will help provide this much needed connectivity. However this development is only for forty years. I would ask that we condition the woodland created to be retained, even should the BESS area be returned to agricultural land, after the forty years has lapsed.

The LVIA concludes that construction of the proposed development would introduce substantial change to immediate landscape character due to loss of prime agricultural land and we agree with this. However it also notes that these impacts will be limited in extent. With the introduction of native woodland creation as part of the development will help to reduce and mitigate landscape impacts.

Visual Impact

Ten viewpoints were assessed for visual impact. The LVIA notes that “Carolanne Brown from East Lothian Council was contacted by email, initially on 8 February 2024, which was followed up on 29 February 2024, to consult on the scope of the LVIA and selected viewpoint locations”. There is no Carolanne Brown in the planning or landscape service at East Lothian Council and this may be why no response was received. No contact was made with the landscape team at East Lothian Council at scoping stage and we therefore had no opportunity to input into the viewpoint assessment.

If we had been consulted we would have asked for a viewpoint from the B6370 at the northern side of Pitcox to represent impact on the SLA, local road users and residents of Pitcox, and a north viewpoint from the core path at Thistly Cross to represent impact on recreational users to the north. In addition there appears to be several viewpoints where there will be no visibility

of the proposals given the intervening vegetation cover. Figures 13 from viewpoint 5 do not appear to have been submitted. We would ask that the applicant provide these.

Viewpoint 1 is taken from the B6370 directly south of the site. The road and site are both undulating however from this location there is an open view over the site. This viewpoint is representative of the views from the B6370 from the northern edge of Pitcox to the site, a distance of approximately 450m. The current view is open across farmland and woodland out to the North Sea. The visuals (Figure 7b) show the impact the proposals will have on this view. The majority of the development will be visible from the road given the raised position of the road above the site to the south of the site. The proposals create a large industrial element within the view. Their low height at 4.45m will help to contain their impact with views of the North Sea still visible above the development. The visuals do show how important colouring can be in reducing visual impact. The visuals show the acoustic fencing and BESS units in dark green. An appropriate colour could help to reduce the visual impact of the proposals, helping to reduce the industrial nature of the development. Should the development be granted we would ask that the colour of the different elements be conditioned to be agreed with East Lothian Council. Figure 7c gives a montage of the view of the site at year 15 which suggests full screening of the site by tree planting in this view.

The site plan does show a native tree belt to the west side of the site and this is supported. It however ranges in width from 12.5 m to 6.5 m and is proposed to be entirely planted with transplants at 60-80cm in height at 1.5m centres. These will take a long time to offer any screening to the site. Other woodland areas around the site include feathered trees at 1.25 m to 1.5 m in height and standard trees between 4.25 m and 6 m in height. I would ask that the native tree belt is widened up to the edge of the security fence, as is shown to the east side of the proposal, and feathered and standard trees are included. These will provide a higher landscape element immediately helping to reduce the impact of the industrial development short term. This is important as this is likely to be the view most often seen of the development even if just of a short duration. The importance of this could be further increased should there be a requirement to remove more of the road boundary hedgerow for sightlines.

In addition there is little screening landscaping proposed to the southwest corner of the site. I would ask that the applicant widen the woodland here to offer screening of the site in views further south along the B6370. I have included an area in green on the above sketch in the location where it would be beneficial to provide more woodland.

Viewpoint 2 is from the south from a track from raised ground under the overhead lines. The development at around 400m from this raised viewpoint forms a large element within this view. This does demonstrate how the proposal is contained within the landscape with woodland to the west. The visual for 15 years shows the development completely contained within a woodland belt such that the woodland just appears as a continuation of the woodland to the west side of the B6370.

Viewpoint 3a, 3b and 3c are from the B6370 to the north of the site. They are representative of the sequential views for road users travelling south towards Pitcox. Visibility of the site varies due to landform and location of trees in places along the verge edge. There is open visibility of the site from viewpoint 3c. The development will be seen from here spread across the site and due to the oblique angle of view the spread will appear greater across the landscape from here. It will however be fairly well contained by the woodlands to the west to the rear of the development in this view. A 10m wide belt of native woodland is proposed along the northeastern boundary of the site. In time this will help screen the development in views from the northeast thereby reducing visual impacts from the development in these views. In the meantime whilst the woodland planting establishes and grows to a height and mass to offer this screening, the use of appropriate colours to all elements of the development, could help reduce the impact of the proposals from the B6370 to the north of the site. As previously

noted, should the development be granted we would ask that the colour of the different elements be conditioned to be agreed with East Lothian Council.

Viewpoints 4 and 7 are from within the Biel Garden and Designed Landscape and Biel and Belton Special Landscape Area. Together with the view from the North Belton Local Designed Landscape to the northwest (**viewpoint 8**), these illustrate the containing nature of the valley woodlands and the limited impact the proposal would have on visual appreciation of these areas.

The visuals for **Viewpoint 5** have not been submitted.

Viewpoint 6 is from Core Path route 39 from higher ground 1.7m to the east of the site. Traprain Law is a dominant feature of this view rising above the woodlands of the river valley. The development will sit in the mid ground of this view contained by the woodland of the Biel valley behind and its visibility disrupted by the woodland along the valley in front of the site. The development will form a distinct but fairly distant element in the view. As with the view from the north, the introduction of a woodland belt to the northeast of the site will help, in time, to reduce visibility of the proposals in views from the east. As with other views, to reduce visual impact whilst the woodland planting establishes, the use of appropriate colours to all elements of the development should be used. As previously noted, should the development be granted we would ask that the colour of the different elements be conditioned to be agreed with East Lothian Council.

Overall we would agree with the LVIA that the proposed development will appear well contained in most views and will appear as a small element within wider views. This is not so for views immediately adjacent to the site and we have identified mitigation that could help to address this. The plans should be revised to include additional landscaping as suggested. In addition we do have a number of concerns over the accuracy of the information submitted for consideration and we would ask that the additional information is submitted for our consideration. We would also recommend a number of conditions over implementation of landscaping and colouring of development.

APPENDIX B

Response from the Council's Road Services

Proposed site accesses

- It is proposed to access the site from the B6370 with a main access located to the south of the main part of the site, together with a secondary access at the northern part of the site which will be for emergency vehicle use only (and gated for general traffic). Details of the gate for the secondary access should be provided for our approval (this can be secured through a relevant planning condition).
- The dimensions of the main site access are for a carriageway width of 6m and junction radii of 10.5m on both sides, whilst the secondary emergency only access would have a carriageway width of 6m and junction radii of 6m – the dimensions for each junction are considered to be acceptable and have been backed up by vehicle tracking that demonstrates access by a 16.5m length articulated vehicle into and out of the main site access can be achieved during the construction phase (based on the vehicles turning around within the site compound). It is noted that generally speaking a 3.5t panel van will be used during the operational phase and no vehicle tracking is required for such a vehicle given the junction dimensions.
- The proposed main site access is shown to achieve a visibility splay of 2.4m by 77m to the south and 2.4m by 131m to the north (note that the drawing in the TS report refers to a 4.5m setback whilst a 2.4m setback is plotted), with the northern emergency access shown to achieve a visibility splay of 2.4m by 113m to the north and 2.4m by 123m to the south. It is recognised in the Transport Statement that the splays do not meet the Council's visibility requirements and the justification given for this is that the volume of traffic would be very low during the operational phase at 1-2 movements per month and that, for the construction phase, there will be mitigation measures including warning signs on approach to the junction and the use of a banksman.
- The main site access would need to conform to our online design standards as set out in our *Transport Infrastructure in New Developments* guidance - the minimum visibility splay requirements for rural roads with a speed limit of 60mph would be 4.5m by 215m (with no obstructions within the splay above 1.05m in height). Given the low trip generating nature of the proposed development, we could accept a relaxation to the visibility splay requirement with a reduced 'x' distance of 2.4m and we could consider a reduced 'y' distance based on Table 2 of our guidance if provided with up to date speed survey information that demonstrates the recorded speeds to be lower than the speed limit of 60mph on this road, together with information on how speeds would be managed during the construction period. The agreed visibility splay would then need to be demonstrated as achievable for the site accesses within the land ownership limits of the applicant / within the adopted road corridor. Subject to details of the emergency access gating arrangement and management, a further relaxation to the visibility at that junction may be acceptable.

Car parking / trip generation

- Reference is made in the Construction Traffic Management Plan of a site compound to provide car parking and welfare facilities as well as to allow space for HGVs to turn around on site, which is noted.
- There does not appear to be any car parking for maintenance vehicles shown during the operational phase - details should be provided on the proposed site plan to allow for this on the site (note that we do not have any relevant car parking standards for this use so would be able to accept what would be required for the operational needs of the site).
- The proposed turning head within the site is noted and this, in combination with the internal loop roads, will allow the maintenance vehicles to depart from the site back onto the B6370 in forward gear, which is therefore acceptable.

- The information provided in the Transport Statement and CTMP states that the construction period will be of 32 weeks duration and that there would be a maximum of 15 two-way construction vehicle movements per day during the peak construction period. It also states that during the operation phase there would only be 1-2 movements per month, which is noted.

Construction impacts

- The submitted Construction Traffic Management Plan sets out the construction vehicle trip generation and routes from the A1, which is noted and is acceptable in principle. The measures to be put in place include the following, which is supported:
 - Warning signs on the B6370;
 - Use of a banksman at the site access;
 - Wheel washing.
- No mention is made of the need for any abnormal loads for the construction period – confirmation should be provided that no such abnormal loads are required to access the site.
- It is noted that the proposed facility will have an operational life of 40 years, following which it would be fully removed and therefore there will be an impact at the decommissioning stage, however, we would not require any further assessment for this.
- A final version of the CTMP should be secured through a relevant planning condition for agreement prior to the commencement of works on site.

The above comments should be fully addressed by the applicant and appropriate changes to the proposals / additional information provided, as well as agreement on the required planning conditions, before we will be in a position to fully support the proposals as they stand.