

# Construction of a 49.99MW Battery Energy Storage System with Associated Works and Access

## KEY INFORMATION

**Ward** East End

**Address**

1 New Craigie Road  
New Craigie Retail Park

**Applicant**

Mr James Perkins  
Whirlwind Renewables

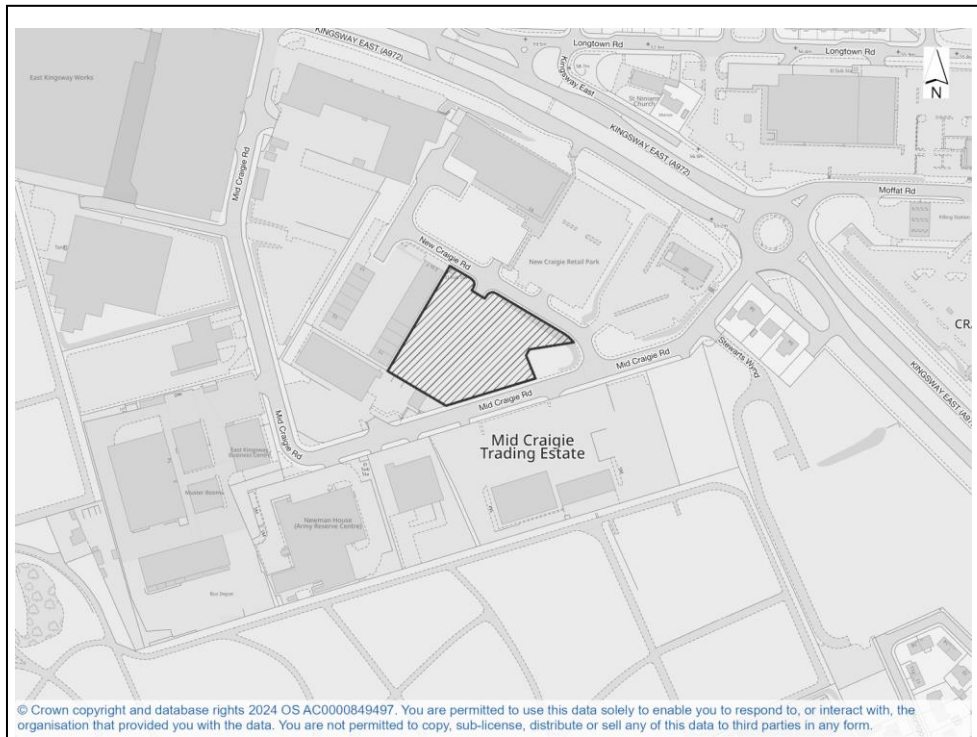
**Agent**

Dan Grierson  
The Energy Workshop

**Validated:** 14 Feb 2024

**Report by Head of  
Planning & Economic  
Development**

**Contact:** Sharon Dorward



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## SUMMARY OF REPORT

- Planning permission is sought for the construction of a battery energy storage facility with a maximum import or export capacity of 49.99 megawatts.
- The application site is located within Mid Craigie General Economic Development Area, on brownfield land between New Craigie Road and Mid Craigie Road.
- The application is in accordance with the Development Plan.
- The statutory neighbour notification process was undertaken, and the application was advertised in the press. One letter of support was received.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as it is classed as a Major development as identified in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. It is a major development due to the capacity of the battery energy storage system exceeding 20 megawatts.
- More details can be found at: <https://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=S8DW84GCI6H00>.

## RECOMMENDATION

The proposal is in accordance with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be APPROVED subject to conditions.

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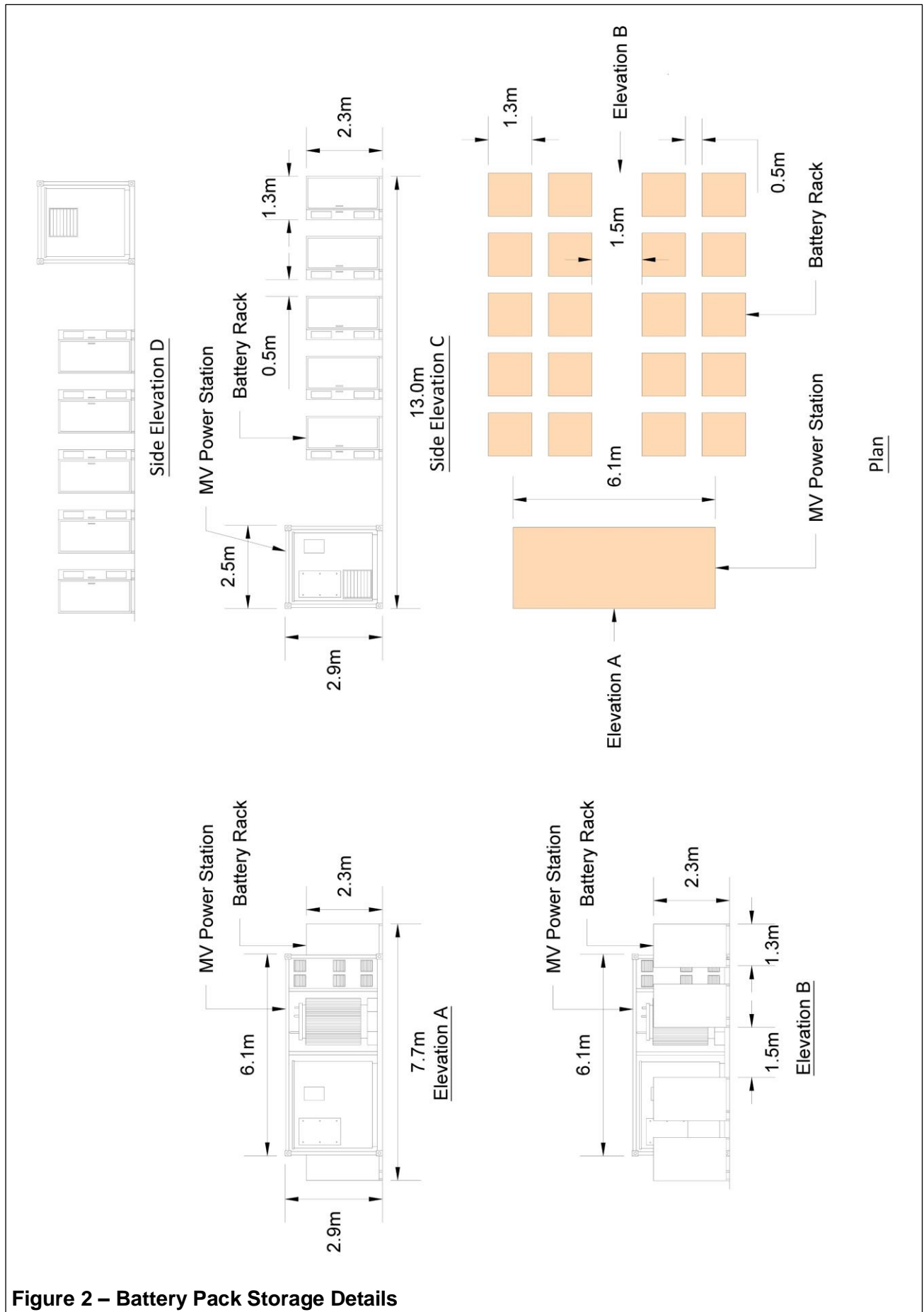
## 1 DESCRIPTION OF PROPOSAL

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- 1.1 Planning permission is sought for the construction of a battery energy storage facility which would have a maximum import or export capacity of 49.99 megawatts, and a maximum storage capacity of 100 megawatt hours. The batteries would store electricity and allow the local electricity network to operate more efficiently by taking excess energy, storing it and releasing it onto the network when the grid needs it at times of peak demand.
- 1.2 The proposal falls into the major development category as an energy storage facility with a capacity up to 49.99 megawatts; those proposals exceeding 20 megawatts fall into this category.
- 1.3 The development would comprise 14 sets of battery containers, housed within steel cabinets. Ancillary containers and structures include power conversion units, a control room, switch room, site office and storage container. The containers and units would be mounted on concrete supports. These are all connected to the switch room via underground cables.
- 1.4 A 2.4-metre-high steel security fence is proposed around the perimeter of the site, with a double access gate and pedestrian gate. The fencing would be finished in a dark green powder coating. Lighting for the site would consist of motion-sensitive lighting at the entrances to the buildings and storage units, all to be downward facing. Two fire hydrants would be installed within the site, along with an alarm and CCTV system, and four, 3-metre-high CCTV columns. Landscaped areas within site cover an area of some 366 square metres.
- 1.5 The individual battery cabinets would be 3.3 metres high, including the concrete support pads. External finishes would be powder-coated steel in a light grey and/or green finish. The control building and switch room would be 5 metres and 4.5 metres high respectively, constructed in blockwork with a render or glass reinforced plastic finish. The site storage and site office buildings would comprise shipping containers with a footprint each of 32.5 square metres, again mounted on small concrete plinths. The applicant proposes that finalised finishing details are secured by planning condition.
- 1.6 The applicant has submitted a supporting statement which includes a design and access statement and a planning statement, along with a transport assessment, drainage strategy, noise impact assessment, remediation statement and pre-application consultation report.



Figure 1 – Proposed Site Plan



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## 2 SITE DESCRIPTION

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- 2.1 The application site measures 5.28 hectares and is located to the east of Dundee within Mid Craigie General Economic Development Area, on brownfield land between New Craigie Road and Mid Craigie Road. The site is accessed from New Craigie Road, which leads from the A972 Kingsway.
- 2.2 The site is currently vacant and comprises bare earth and part grass and weeds, with some mounding. The site is currently partly bound by temporary fencing. The site slopes gently from north-east to south-west and then steeply down to meet Mid Craigie Road.
- 2.3 Surrounding land uses are largely commercial, with residential properties beyond. The site is near the A972 trunk road.
- 2.4 Planning permission 17/00144/PPPM approved the development in principle of a mixed-use site, across a wider area than the application site. Developments completed adjacent to the application site to date include the access road, industrial units, a food retail store (Lidl) and a drive-thru coffee shop (Tim Hortons).



Figure 3: View of Site From Mid Craigie Road



Figure 4: View of Site From New Craigie Road

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### 3 POLICY BACKGROUND

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3.1 The following plans and policies are considered to be of direct relevance to this application:

**NATIONAL PLANNING FRAMEWORK 4 (NPF4)**

Policy 1: Tackling the climate and nature crisis

Policy 2: Climate mitigation and adaptation

Policy 3: Biodiversity

Policy 9: Brownfield, vacant and derelict land and empty buildings

Policy 11: Energy

Policy 12: Zero waste

Policy 13: Sustainable transport

Policy 14: Design, quality and place

Policy 22: Flood risk and water management

Policy 23: Health and safety

Policy 26: Business and industry

**DUNDEE LOCAL DEVELOPMENT PLAN 2019 (LDP)**

Policy 1: High Quality Design and Placemaking

Policy 5: General Economic Development Areas

Policy 37: Sustainable Drainage Systems

Policy 39: Environmental Protection

Policy 41: Land Contamination

Policy 44: Waste Management Requirements for Development

Policy 45: Energy Generating Facilities

Policy 54: Safe and Sustainable Transport

3.2 There are no other plans, policies and non-statutory statements that are of direct relevance.

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### 4 SITE HISTORY

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4.1 Proposal of application notice 23/00442/PAN for the construction and operation of a 49.9-megawatt containerised energy store facility was submitted in July 2023.

4.2 Planning application 17/00144/PPPM gave planning permission in principle for a mixed-use development across the wider Mid Craigie site, comprising industrial units, a car showroom, family restaurant, coffee shop, food retail store, and associated works. Development to date includes the access road, industrial units, a food retail store (Lidl) and a drive-thru coffee shop (Tim Hortons). The indicative masterplan submitted with 17/00144/PPPM identified a car showroom on the current application site.

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### 5 PUBLIC PARTICIPATION

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5.1 A Pre-application Community Consultation Report has been submitted with this Major planning application. This sets out what has been done during the pre-application phase to comply with the statutory requirements for pre-application consultation with the public. Namely that the applicant conducted two in person consultation events and hosted a consultation website.

5.2 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.

- 5.3 One letter of support has been received for the proposal, which asks that additional landscaping and solar PV panels are incorporated into the design.

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## 6 CONSULTATIONS

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- 6.1 **Head of Communities, Safety and Protection** has no objection to the application, but has commented on the following matters:

**Contaminated Land** – advised that the submitted remediation scheme is accepted and a planning condition is recommended to ensure implementation and verification.

**Noise** – advised that the noise impact assessment should be revised once plant details are finalised. Appropriate planning conditions are recommended.

- 6.2 **Head of Sustainable Roads and Transport** – has no concerns, following the repositioning of the access gates.

- 6.3 **Transport Scotland** – no objection subject to planning conditions to ensure that a construction traffic management plan is submitted and that wheel cleaning facilities are installed.

## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended provides that an application for planning permission (other than for a national development) shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.**

### THE DEVELOPMENT PLAN

The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

#### Principle of Development

- 7.2 **NPF4 Policy 9a: Brownfield, Vacant and Derelict Land and Empty Buildings** – states development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be considered.
- 7.3 The site has been vacant and derelict for several years following the wider decontamination of this former industrial site. It does not contribute positively to the surrounding area. Redevelopment would improve this situation to a significant degree. The proposal would support the long-term use and occupation of the site.
- 7.4 The existing site does not provide any positive contributions to biodiversity, other than the rough self-seeded grass and shrubs. As is discussed later in this report the redevelopment of the site provides opportunities to incorporate planting and measures to support wildlife which will enhance the biodiversity value of this vacant site. Overall, the proposed development would support the re-use of long-term vacant land.



7.5 **The proposal is in accordance with NPF4 Policy 9a of.**

7.6 **NPF4 Policy 26: Business and Industry** seeks to encourage, promote and facilitate business and industry uses, and ensure that there is a suitable range of available sites that meet current market demand, location, size and quality in terms of accessibility and services.

Part a) states that development proposals for business and industry uses on sites allocated for those uses in the Local Development Plan (LDP) will be supported.

Part c) states that proposals for business and industry uses will be supported where they are compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area.

Part e) seeks to ensure that development proposals for business and industry will take into account:

- i impact on surrounding residential amenity and sensitive uses; and
- ii the need for appropriate site restoration at the end of the life of the development.

7.7 **LDP Policy 5: General Economic Development Areas** supports proposals for Class 4 (Business), Class 5 (General Industry) and Class 6 (Storage and Distribution) developments. Other uses of a wider industrial nature such as car showrooms, wholesaling and scrap yards may be permitted provided:

- there is no detrimental impact on neighbouring uses and local residential amenity;
- there is no unacceptable traffic impact; and
- the scale of the development is appropriate to the size and location of the site.

7.8 The application site is located within Mid Craigie General Economic Development Area as shown on the LDP Proposals Map. The proposal is for an energy storage facility, which falls under the industrial use classes supported in these locations.

7.9 It is demonstrated later in this report that the development could be accommodated without a detrimental impact on residential amenity, or any other sensitive land uses. A site decommissioning and restoration plan is proposed, with further details to be sought by planning condition. There would be no unacceptable traffic impact, and the scale of the proposed development is appropriate for the size and location of the site. The principle of locating this type of development on this site is supported by these policies.

7.10 **NPF4 Policy 11: Energy** aims to encourage, promote and facilitate all forms of renewable energy development, including generation, storage, new and replacement transmission and distribution infrastructure, and emerging low-carbon and zero emissions technologies.

Part a) states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

- i wind farms including repowering, extending, expanding and extending the life of existing wind farms;
- ii enabling works, such as grid transmission and distribution infrastructure;

- iii energy storage, such as battery storage and pumped storage hydro;
- iv small scale renewable energy generation technology;
- v solar arrays;
- vi proposals associated with negative emissions technologies and carbon capture; and
- vii proposals including co-location of these technologies.

7.11 **Policy 45: Energy Generating Facilities** of the Dundee LDP states that major energy generating facilities, not ancillary to wider development proposals, should be directed to Principal or General Economic Development Areas.

7.7 Although no additional energy would be generated at the facility, battery storage has been confirmed by the Scottish Government's Chief Planner as an energy generating development. The application relates to a major energy storage facility, which would be located within the Mid Craigie General Economic Development Area. The development is therefore supported by these two policies.

7.12 **The proposal complies with NPF4 Policies 26 a), c) and e) and 11 a) and LDP Policies 5 and 45.**

### **Design**

7.13 **NPF4 Policy 14: Design, Quality and Place** seeks to encourage, promote and facilitate well designed development to deliver quality places and environments.

Part a) requires that development proposals are designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

Part b) requires development proposals to be consistent with the six qualities of successful places, and are healthy, pleasant, connected, distinctive, sustainable and adaptable; supporting commitment to investing in the long-term value of buildings by allowing for flexibility so that they can be changed as well as maintained over time.

Part c) states that poorly designed development proposals which are detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places will not be supported.

7.14 **LDP Policy 1: High Quality Design and Placemaking** requires all development proposals to follow a design-led approach to sustainable and high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, creating a sense of community and identity, and enhancing connectivity, with creative approaches to urban design, landscaping and green infrastructure. New development is required to meet the six qualities of successful place, in accordance with Appendix 1, creating development which would be distinctive, safe and pleasant, easy to move around and beyond, welcoming, adaptable, and resource efficient.

7.15 The proposed structures would be constructed to 3.3 metres in height, with two reaching 4.5 and 5 metres. Finishes are proposed as muted colours with the finalised details proposed to be agreed by planning condition. The development would also be screened by a powder coated green perimeter fence and mature planting. Trees would be planted up to 3 metres in

height to provide some immediate screening, which would further develop as the trees and shrubs mature. A planning condition is proposed to seek further landscaping details. The development would not result in a dominant feature within the local landscape. The proposed design and finishes would complement the scale and design of the neighbouring buildings and would be in keeping with the commercial and industrial nature of the area. The proposal would respect the character and amenity of the place.

7.16 **The proposal would comply with NPF4 Policy 14 and LDP Policy 1 subject to conditions.**

### **Transport**

7.17 **NPF4 Policy 13: Sustainable Transport** seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport.

Part g) states that development proposals which have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact.

7.18 **NPF4 Policy 54: Safe and Sustainable Transport** seeks to ensure that all development proposals which generate travel should be designed and well served by all modes of transport, and that they meet relevant standards and requirements in terms of road safety.

7.19 As the development will generate a very low number of vehicle movements the only relevant parts of these policies are those relating to the potential impact on the operation and safety of the local and strategic transport network.

7.20 The application site is near the A972 trunk road. Transport Scotland have advised that conditions are appended to any planning permission granted to require a Construction Traffic Management Plan and to ensure that suitable wheel cleaning facilities are installed. This would mitigate any adverse impact of construction traffic on the trunk road network and ensure that material from the site is not deposited on the trunk road.

7.21 There would be no impact on the local road network and the existing access to the site would comply with Dundee City Council's Road design standards.

7.22 **The proposal would comply with NPF4 Policy 13 and LDP Policy 54 subject to conditions.**

### **Flooding and Drainage**

7.23 **NPF4 Policy 22: Flood Risk and Water Management** is intended to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Of relevance to this application is Part c) which seeks to ensure that development proposals:

- i do not increase the risk of surface water flooding;
- ii manage all rain and surface water flooding through SUDS design, without presuming a surface water connection to the combined sewer; and
- iii seek to minimise the area of impermeable surface.

7.24 **LDP Policy 37: Sustainable Drainage Systems** requires that surface water discharging to the water environment from new development must be treated by a Sustainable Drainage System (SUDS), designed so that water levels remain 600mm below finished floor levels

during a 1:200-year rainstorm event with allowance for climate change and future urban expansion. Proposals are encouraged to adopt an ecological approach.

- 7.25 The site is not identified on the SEPA flood map as at risk from any flooding source. A drainage strategy has been submitted with the application documents. It is proposed to attenuate surface water on site prior to it being discharged at a controlled rate into the combined sewer at a rate that has already been agreed to by Scottish Water.
- 7.26 Further details are required in terms of surface water calculations and porosity test results. Certification is also required; 'compliance' and 'independent check' certificates for the drainage design, with a 'confirmation of future maintenance' certificate for surface water drainage, clarifying who will be responsible. Appropriate planning conditions are proposed.
- 7.27 **The proposal would comply with NPF4 Policy 22 and with LDP Policy 37 subject to conditions.**

### **Climate and Nature Crises**

- 7.28 **NPF4 Policy 1: Tackling the Climate and Nature Crisis** encourages and promotes development that will address the climate emergency and nature crisis, to achieve zero carbon and nature positive places. When considering development proposals, sufficient weight will be given to the global climate and nature crisis. **NPF4 Policy 2: Climate mitigation and adaption** seeks to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. Of relevance are parts a and b of this policy.
- 7.29 The nature of the proposal is to reduce carbon emissions; by storing excess electricity from the grid and releasing it back when required.
- 7.30 The Scottish Government's Energy Storage: Planning Advice document (2013) provides advice for Planning Authorities on energy storage and states that energy can be stored at variable scales, for both electricity and heat, in a number of ways, through technologies such as hydro pumped storage, hydrogen and fuel cells, compressed air and cryogen. This document further advises that a clear case has been made that, if the energy sector is to maximise environmental, economic and social benefits, renewable energy will need to be linked to energy storage. Energy storage technologies can counteract intermittency associated with certain energy supplies, can ensure excess power is not lost at times of high production and can provide energy on demand off-grid in a variety of ways. Oversupply is likely to become more prevalent the closer Scotland gets to realising its 100% electricity from renewables target. It is also expected that energy storage will be essential if Scotland is to realise its ambition to become a renewable energy exporter and to attract the economic advantages of ensuring that the energy storage supply chain locates in Scotland.
- 7.31 The proposed development itself would help to facilitate renewable energy production.
- 7.32 **The proposal complies with NPF4 Policies 1 and 2.**
- 7.33 **NPF4 Policy 3: Biodiversity** seeks to protect biodiversity, reverse any biodiversity loss, encourage biodiversity through development and strengthen nature networks.
- 7.34 Part b) states development proposals for national or major development will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment

methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:

- i the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
- ii wherever feasible, nature-based solutions have been integrated and made best use of;
- iii an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- iv significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and
- v local community benefits of the biodiversity and/or nature networks have been considered.

Part d) requires that any potential adverse effects on biodiversity through development proposals are minimised through careful planning and design.

7.35 The application site does not have any significant existing biodiversity value, as a vacant and derelict site which contains rough self-seeded grasses and buddleia. The applicant has proposed some small areas of landscaping to the east of the site which would include native tree and shrub species. Whilst these would enhance the biodiversity of the site, the policy intent of NPF4 is for major developments to make significant biodiversity enhancements. The scale of such enhancements must be appropriate for the scale and form of the site and development. In this case there is further scope for additional planting and other biodiversity enhancement measures such as those set out in the NatureScot Developing with Nature guidance to be incorporated into the development. These can be secured through a planning condition.

7.36 **The proposal would comply with NPF4 Policy 3 subject to conditions.**

7.37 **NPF4 Policy 12: Zero waste** seeks to encourage, promote and facilitate development that is consistent with the waste hierarchy.

Part a) requires development proposals to reduce reuse, or recycle materials in line with the waste hierarchy.

Part b) supports development proposals where they:

- i reuse existing buildings and infrastructure;
- ii minimise demolition and salvage materials for reuse;
- iii minimise waste, reduce pressure on virgin resources and enable the reuse of materials at the end of their life;
- iv use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;

v use materials that are suitable for reuse with minimal processing.

Part c) expects development proposals which would be likely to generate waste when operational to state how this will be managed, including waste reduction and separation, and facilities for recycling.

- 7.38 **LDP Policy 44: Waste Management Requirements for Development** requires development proposals to demonstrate that they adequately address the Scottish Government's Zero Waste Policy and that sufficient provisions are made to maximise opportunities for waste reduction and waste separation at source with separate collection of recyclable material, as outlined in the Waste (Scotland) Regulations 2012.
- 7.39 The project has been designed to be reversible at the end of its operational life, and the vast majority of its components can be recycled or otherwise reused. The site has been designed to be accessible for waste collection, although this would be limited. A construction method statement is required to clarify how waste would be reused and to secure finalised construction waste details within a Construction Environmental Management Plan (CEMP). An appropriate planning condition is recommended.
- 7.40 **The proposal would comply with NPF4 Policy 12 and LDP Policy 44 subject to conditions.**

#### **Health, Safety and Amenity**

- 7.41 **NPF4 Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings** encourages, promotes and facilitates the re-use of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development. Development is directed to the right locations, maximising the use of existing assets and minimising additional land take. The policy supports the regeneration of derelict buildings and spaces to improve wellbeing and transform our places.

Part c) requires that where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land can be made safe and suitable for the proposed new use.

- 7.42 **LDP Policy 41: Land Contamination** states that the development of potentially contaminated or statutorily identified contaminated land will be considered where a site investigation has been submitted and establishes the nature and extent of the contamination, and where the Council is satisfied that proposed remediation would adequately address contamination risks to all receptors and be suitable for the planned use. Proposals for an alternative use to that identified in the Local Development Plan will be considered where the above criteria are satisfied, and it is established that the site cannot be economically developed for the allocated use, and the proposed use would meet the requirements of other relevant Local Development Plan policies.
- 7.43 A remediation statement has been submitted with the application documents which sets out a strategy to allow for the redevelopment of the site. The strategy advocates a capping layer and barrier pipes; further investigation of existing site soils at foundation level; and general procedures for control during construction. The Head of Communities, Safety and Protection has reviewed the remediation strategy and accepts the recommendations in the report. A planning condition is recommended to ensure that the remediation scheme is fully implemented and verified.
- 7.44 **The proposal would comply with NPF4 Policy 9 and LDP Policy 41 subject to conditions.**

- 7.45 **NPF4 Policy 23: Health and Safety** seeks to protect people and places from environmental harm and facilitate development that improves health and wellbeing.

Part e) states that development proposals which are likely to raise unacceptable noise levels will not be supported.

- 7.46 **LDP Policy 39: Environmental Protection** requires that all new development that would generate noise, vibration or light pollution is required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance to the surrounding area. New development in close proximity to existing sources of noise, vibration or light pollution will need to demonstrate that it can achieve a satisfactory level of amenity without impacting on the viability of existing businesses or uses.

- 7.47 There are residential properties 120 metres to the east of the site and within the TA centre 75 metres to the south west. Properties to the north on the opposite side of the Kingsway are some 180 metres away. There are also houses under construction 60 metres to the east within the Permission development site.

- 7.48 A Noise Impact Assessment (NIA) has been submitted with the application documents. The NIA does not anticipate any adverse noise impacts.

- 7.49 The Head of Communities, Safety and Protection has advised that the NIA is speculative, as the detail for the plant and equipment is not yet available and the operational characteristics of the plant are not yet known. A revised NIA will be required to be prepared once details of all plant and operations are known. It is expected that plant and equipment can be installed that will not generate significant noise, or that mitigation measures can be used and it is therefore appropriate to use planning conditions to secure submission of a further NIA.

- 7.50 External lighting is proposed which has the potential to impact on residential properties. Further details are required for the lighting and to ensure that the operation of the lights is limited to only when required, to reduce impact. An appropriate planning condition is proposed to secure these details.

- 7.51 **The proposal would comply with NPF4 Policy 23 and LDP Policy 39 subject to conditions.**

- 7.52 **It is concluded that the proposal is in accordance with the Development Plan.**

## **MATERIAL CONSIDERATIONS**

- 7.53 The material considerations to be taken into account are as follows:

### **A – REPRESENTATIONS**

- 7.54 One letter of support was received. The letter welcomes the proposal for a new battery storage plant and asks that additional planting as screening and to require the developer to provide solar PV panels.

- 7.55 The comments are noted. Planning conditions are proposed to seek enhanced planting and landscaping within the development. It is not reasonable or necessary for the planning authority to require the developer to install solar PV panels within the development.
- 7.56 **There are no material considerations to justify refusal of the application.**

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## 8 CONCLUSION

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- 8.1 The application is in accordance with the relevant policies of National Planning Framework 4 and the adopted Dundee Local Development Plan, 2019. There are no material considerations that would justify refusal of the application.

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## 9 RECOMMENDATION

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- 9.1 It is recommended that planning permission be GRANTED subject to the following conditions:
- 1 **Condition** - the development hereby permitted shall be commenced within three years from the date of this permission.  
  
**Reason** - to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.
  - 2 **Condition** - prior to the commencement of any works on site, full finalised details of all plant and machinery and operational methods shall be submitted for the prior agreement of Dundee City Council as planning authority. Thereafter, the battery storage facility shall be developed and operated as per the agreed details.  
  
**Reason** – to ensure that an appropriate and maintainable operation is provided.
  - 3 **Condition** - prior to commencement of the construction phase of the development, a Construction Traffic Management Plan (CTMP) shall be submitted for the approval of Dundee City Council, in consultation with Transport Scotland as the trunk roads authority. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed CTMP.  
  
**Reason** - to mitigate the adverse impact of construction traffic on the safe and efficient operation of the trunk road network.
  - 4 **Condition** - prior to the commencement of the construction phase of the development, vehicle wheel cleansing facilities or other suitable facilities shall be installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of Dundee City Council, in consultation with Transport Scotland as the trunk roads authority.  
  
**Reason** - to ensure that material from the site is not deposited on the trunk road to the detriment of road safety.
  - 5 **Condition** – prior to the energy storage system coming into first use, the remediation scheme prepared by Fairhurst dated November 2023 shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority.



**Reason** – in the interests of providing a site that is safe and suitable for development.

- 6 **Condition** - prior to commencement of any works on site, a review of the Noise Impact Assessment shall be submitted to the Council for written approval. The Noise Impact Assessment shall assess all noise sources associated with the proposed development, including plant and equipment, to determine the cumulative noise impact on the existing residents and those dwellings with planning permission at the time the review is undertaken. The NIA must also demonstrate compliance with the noise levels as detailed in the other conditions attached to this consent.

Thereafter, full details of any noise mitigation measures recommended in the assessment shall be submitted to the Council for written approval. The approved mitigation measures will be implemented in full prior to first occupation of the development hereby approved.

**Reason** - in the interests of protecting residential amenity.

- 7 **Condition** – the total noise from mechanical and electrical plant/services, particularly the air conditioning units, shall not exceed NR45 during the day and shall not exceed NR35 during night-time, as measured 1 metre external to the facade of adjacent residential property.

For the avoidance of doubt night-time shall be 2300 to 0700 hours.

**Reason** - in the interests of protecting residential amenity.

- 8 **Condition** – the received noise from the transformers shall not exceed NR30, as measured 1 metre external to the facade of any residential properties within the vicinity of the site.

**Reason** - in the interests of protecting residential amenity.

- 9 **Condition** – an emergency standby generator shall not be installed without the prior written approval of the Council.

**Reason** - in the interests of protecting residential amenity.

- 10 **Condition** – prior to the commencement of any works on site, details of the proposed lighting shall be submitted to the Council for written approval. Thereafter, the lighting shall be installed only as per the agreed details.

**Reason** - in the interests of protecting residential amenity.

- 11 **Condition** - the received noise from the electrical substation(s) shall not exceed NR30 as measured 1 metre external to the facade of adjacent residential property.

**Reason** - in the interests of protecting residential amenity.

- 12 **Condition** - prior to the commencement of any works on site, a detailed surface water drainage/SUDS design including drawings, calculations, full modelling, simulation results, design risk assessment, signed Dundee City Council Design Compliance and Independent Check Certification, evidence of compliance with the Simple Index Approach as described in section 26.7.1 of the CIRIA SUDS Manual (C753), and where appropriate SEPA comments shall be submitted to the Council for written approval. Thereafter, all

works approved by virtue of this condition shall be carried out prior to the first occupation of the development hereby approved.

**Reason** - in the interests of flood protection.

- 13 **Condition** - prior to the commencement of any works on site, maintenance responsibilities along with a maintenance schedule for the surface water drainage system/ SUDS features shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out in perpetuity.

**Reason** – in the interests of flood protection.

- 14 **Condition** – prior to the commencement of any works on site, full details for all external finishes shall be submitted for the prior approval of Dundee City Council as planning authority. Thereafter, the works shall be undertaken as per the agreed details.

**Reason** – in the interests of protecting visual amenity.

- 15 **Condition** – prior to the commencement of any works on site, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earth mounding, shall be developed and submitted for approval in writing by this Planning Authority. The scheme as approved shall be implemented within the first planting season following the first operation of the development.

**Reason** – in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

- 16 **Condition** - prior to the commencement of any works on site, a scheme of features or measures to conserve, restore and enhance biodiversity, such as those measures set out in the NatureScot Developing with Nature guidance, shall be submitted for the prior approval of this planning authority. The approved details thereafter shall be implemented prior to the first operation of the development and then retained and maintained for their designed purpose in accordance with the approved scheme.

**Reason** - in the interests of conserving, restoring and enhancing biodiversity.

- 17 **Condition** – within 6 months of the cessation of the development hereby approved, a scheme for the demolition and removal of the development from the site shall be submitted to the Council for approval in writing. The scheme shall include:

- a details of all structures and buildings which are to be demolished;
- b details of the proposed reuse of any buildings to be retained;
- c details of the means of removal of materials resulting from the demolition and methods for the control of dust and noise;
- d the phasing of the demolition and removal; and
- e details and phasing of the restoration work.

**Reason** – to ensure that the site does not become derelict and in the interests of environmental quality and public health.

- 18 **Condition** - prior to the commencement of any works on site, a Construction Environmental Management Plan (CEMP) shall be submitted for the approval of Dundee City Council. Thereafter, all site waste management associated with the development shall conform to the requirements of the agreed CEMP.

**Reason** – to ensure that site operations are managed appropriately during the construction period.