

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

25 MARCH 2024

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 23/01038/S36
OFFICER:	Mr Scott Shearer
WARD:	Mid Berwickshire
PROPOSAL:	Construct of a Battery Energy Storage System and associated infrastructure
SITE:	Land West of the Eccles Substation
APPLICANT:	Eccles Energy Centre Ltd
AGENT:	AECOM

1.0 PLANNING PROCESSING AGREEMENT:

1.1 Scottish Borders Council (SBC) have advised the Energy Consents Unit that a response to the Section 36 consultation will be provided on 25 March 2024.

2.0 PURPOSE OF REPORT

2.1 To advise the Scottish Government of the response from Scottish Borders Council on an application which has been submitted under section 36 of The Electricity Act 1989 (as amended) for the development of Battery Electricity Storage System (BESS) and Associated Infrastructure on Land West of Eccles Substation.

3.0 PROCEDURE

3.1 Scottish Borders Council (SBC) is a consultee as a 'relevant planning authority'.

3.2 The views of SBC will be provided to the Energy Consents Unit at Scottish Government (ECU) who are the body responsible for determining developments involved with electricity generation in excess of 50MW, under the Electricity Act 1989. The ECU advertises the application and carries out consultation with other interested bodies. There is, therefore, no need for Scottish Borders Council to undertake a parallel consultation exercise although internal consultation has taken place with relevant specialists within SBC.

3.3 It should be noted that if permission is granted, the Council (rather than the ECU) would become a relevant enforcement authority responsible for monitoring compliance with the terms of an approval and any conditions imposed thereon.

4.0 SITE DESCRIPTION

- 4.1 The site is located approximately 2.8km to the east of the village of Eccles in Berwickshire. The application site is a triangle of agricultural land directly to the west of the Eccles substation and woodland buffer. The A697 bounds the site to the south. A small burn runs along the northern boundary of the site separating it from agricultural land to the north. Overhead electricity lines dissect the northern corner of the site connecting to the adjacent substation.
- 4.2 The access to Whitrig Farm is located directly opposite the site to the south with the farmhouse located approximately 300m from the development. Todrig Farm is located 400m to the northeast, with Woodside Sawmill and two further residential properties located on the southern side of the A697 to the east.
- 4.3 The site is not located within or adjacent to any designated landscapes. No ecological or heritage designations lie within or immediately adjacent to the site. The site is designated as Prime Quality Agricultural Land (PQAL) within the Local Development Plan 2016 (LDP).

5.0 PROPOSED DEVELOPMENT

- 5.1 The applicant is seeking consent for the installation of a Battery Energy Storage System (BESS) and associated infrastructure with a storage capacity of 500MW.
- 5.2 The main components of the proposals are:
- Approximately 216 containerised battery energy storage units approximately 3.1 m in height, with each set of four battery units supported by a transformer unit and inverter cabinet.
 - Internal access tracks.
 - Electrical substation compounds including 2 x 400 kV transformers and associated switchgear.
 - Electrical equipment (up to 12 m in height) to facilitate connection to the electricity grid.
 - Welfare facility.
 - Infrared CCTV fixed on poles.
 - Perimeter fencing.
 - Underground surface water drainage infrastructure.
 - Vehicular parking area, and
 - Landscaping and biodiversity areas.

6.0 PLANNING HISTORY

- 6.1 The site itself does not have any direct planning history. The following planning history is however relevant to the proposal and the immediate surrounding area;
- 22/01532/S36 - Erection of Battery Electricity Storage System (BESS) and Associated Infrastructure - Land East of Fernyrig Farm – Consented by ECU subject to conditions – 11 August 2023

- 22/01988/FUL - Construction and operation of battery energy storage system facility with ancillary infrastructure and access - Land West of Eccles Substation Eccles – Approved, subject to conditions & informatives – 15 June 2023
- 23/00249/FUL - Extension to the Eccles substation – Approved, subject to conditions and informatives – 4 September 2023

7.0 DEVELOPMENT PLAN POLICIES:

7.1 National Planning Policy Framework 4 (NPF4)

Policy Reference	Policy Name
1	Tackling the climate and nature crises
2	Climate mitigate and adaptation3
3	Biodiversity
5	Soils
6	Forestry woodland and trees
7	Historic assets and places
11	Energy
14	Design, Quality and Place
22	Flood risk and water management
23	Health and safety
29	Rural Development

7.2 Local Development Plan 2016 (LDP):

Policy Reference	Policy Name
PMD1	Sustainability
PMD2	Quality Standards
ED9	Renewable Energy Development
ED10	Protection of Agricultural Land and Carbon Rich Soils
HD3	Protection of Residential Amenity
EP1	International Nature Conservation Sites and Protected Species
EP2	National Nature Conservations Sites and Protected Species
EP3	Local Biodiversity
EP8	Archaeology
EP10	Gardens and Designated Landscapes
EP13	Trees Woodlands and Hedgerows
EP15	Development Affecting the Water Environment
IS8	Flooding
IS9	Waste Water Treatment Standards and Sustainable Urban Drainage

7.3 Supplementary Planning Guidance

- Biodiversity (2005)
- Landscape and Development (2008)
- Local Biodiversity Action Plan: Biodiversity in the Scottish Borders (2001)
- Local Landscape Designations (2012)

- Placemaking and Design (2010)
- Renewable Energy (2018)
- Trees and Development (2008)

8.0 REPRESENTATION SUMMARY

- 8.1 Third party representations are submitted directly to the ECU and it is for that authority to take these in to consideration when assessing the merits of the proposed developments on behalf of the Scottish Ministers. Third party representations are available to view on the ECU's public portal [Public Representations](#)

9.0 APPLICANTS' SUPPORTING INFORMATION

- 9.1 The Section 36 application is supported by the following documents;

- Planning and Design Statement
- Landscape and Visual Impact Appraisal
- Noise Impact Assessment
- Flood Risk Assessment
- Ecological Impact Assessment
- Biodiversity Net Gain Assessment
- Transport Statement

10.0 CONSULTATION RESPONSES:

- 10.1 The following internal consultation responses have been received by specialist SBC officers. A summary of the consultation responses received to each is provided below.
- 10.2 **Archaeology Officer:** No objection. Note that a milepost was recorded on the northern side of the A697 but has not previously been found. Accept applicants' proposals for evaluation trenching in this area to mitigate potential archaeological impacts. Otherwise consider that the site has a low potential to encounter buried archaeology elsewhere in the site.
- 10.3 **Environmental Health:** No objection. Recommend conditions are attached to ensure that noise from equipment and machinery does not exceed suitable levels when measured from any noise sensitive properties and that all plant and machinery is suitability maintained to avoid noise breaching noise limits.
- 10.4 **Landscape Architect:** Initially raised concerns that the dense layout of the development and limited landscaping would result in the development appearing prominent within the rural landscape where its appearance would conflict with the character of the rural area. Recommended that screen planting may be more successful in mitigating visual impact.
- 10.5 Revised proposals show that the development would be screened from view within 15 years which is acceptable. The proposed planting belt along the road edge is 15m but if it were increased to 20m it would reinforce its screening and set a good precedent. Recommend more conifers are added to the planting to improve winter screening, link to the adjacent woodland (and add biodiversity). Relocation of the compound area may enable units BESS units to be pushed further back within the site or if there is potential for soft

landscaping in this area after its construction is complete. Recommend conditions are attached covering the precise details of soft landscaping.

- 10.6 **Roads Planning:** Accept that it is not possible to connect the development to an SPEN access to limit number of new access on to the A Class road. Recommend that the new access is required to be formed to an agreed standard and visibility splays should be completed and retained before construction works commence.

11.0 Other Consultation Responses Submitted to the ECU

- 11.1 As the Council is a consultee in the Section 36 application process, the planning authority does not undertake any external consultations. Consultation responses provided by other third party bodies are returned directly to the ECU and are available via the ECU's public portal here; [Other Consultation Responses](#)

12.0 KEY PLANNING ISSUES:

- 12.1 The key issues are whether the development of a battery energy storage system in this location accords with all relevant matters of the Council's local development plan and material planning considerations the Council are responsible for.

13.0 ASSESSMENT OF APPLICATION:

Planning Policy

- 13.1 The development will not generate electricity, instead, it provides a location where it can be imported, stored and exported to meet the demands of the electricity grid network. Policy 11 (Energy) of NPF4 promotes battery storage as a renewable technology which can assist in meeting zero emissions targets. It is anticipated that the development will store energy from both renewable and non-renewable sources. The development also draws support from Policy 1 (Sustainable Places) of NPF4 which requires that significant weight is given to developments which seek to address the climate emergency and Policy 2 (climate mitigation and adaptation) by reducing future energy emissions.
- 13.2 At a local level, Policy ED9 Renewable Energy Development of the Scottish Borders Local Development Plan and the Council's Renewable Energy Supplementary Guidance confirm SBC are supportive of a range of renewable energy developments to reduce carbon dioxide emissions and address the global climate emergency. To achieve net zero, it is understood that there will be greater demands to store energy. This is as a result of nuclear power stations and other non-renewable energy technologies reaching the end of their operational life where it is the national intention to stop generating energy from these sources. Greater emphasis is being placed on meeting our energy demands from renewable sources such as wind and solar. During and after the transition to net zero, there will be times when these technologies are not able to generate enough electricity or have operational issues. At these times, surplus energy stored at battery storage stations can be used to meet grid demands. It is also worth considering that by having greater storage potential in the short term it may help to reduce the

amount of non-renewable energy which is required to be generated which can help to lower carbon levels over this period.

- 13.3 Members will be aware that land around the Eccles substation has recently attracted other BESS developments and the Eccles substation received planning approval for an extension so it can accommodate increased electricity demands. Similar to the other consented development, this site is strategically positioned immediately next to the substation where it can take advantage of short connections to the substation which significantly limits the need for extensive supporting structures such as new pylons and/or underground cables which would pose other impacts and disruption. The close proximity of the development to the substation is understood to assist with the efficiency of the BESS development to ensure it can meet the future demands of the electricity network. Additionally, the applicants have advised that the existing substation can accommodate the transfer of electricity to and from this latest proposal.
- 13.4 This development will play an important role as part of the wider mix of renewable energy technologies to help decarbonise electricity supplies and meet the commitments of the Climate Change Act. From an operational perspective, it is acknowledged that the site is an optimum and logical location for a BESS development. In principle, the proposal aligns favourably with Policies 1, 2 and 11 of NPF4 and Policy EP9 of the LDP which in principle support renewable energy developments which help to meet net zero targets.

Impact on Prime Quality Agricultural Land (PQAL)

- 13.5 The Macaulay Institute classifies the quality of land and its capability for agricultural purposes where classes 1, 2 and 3.1 are defined as PQAL. Under these classifications the southeastern corner of the site is class 2 land which is defined as land capable of producing a wide range of crops with the remainder of the site being class 3.1 defined as Land capable of producing consistently high yields of a narrow range of crops and/or moderate yields of a wider range. The whole of the site is therefore defined as PQAL in the LDP.
- 13.6 Policy ED10 seeks to avoid developments which result in the permanent loss of PQAL unless certain policy criteria are met or the proposal is for renewable energy development which is compliant with the objectives and requirements of Policy ED9. Policy 5 (Soils) of NPF4 has adopted a similar position where development on PQAL is only acceptable under certain criteria, one of which is that the development is for the generation of renewable energy.
- 13.7 This proposal represents a recognised form of renewable energy development consistent with the underlying aims of the development plan. While respective LDP and NPF4 policies covering PQAL seek to protect this land as a valuable resource, they both make critical policy exceptions for renewable energy developments. Given the location of the field immediately next to the Eccles substation it makes perfect sense to locate such technology in this location.
- 13.8 Regrettably, if consented, the proposed development will result in the permanent (for the duration of the consent) loss of PQAL. However, a plentiful supply of Class 2 and Class 3.1 PQAL would be retained in this part of the Scottish Borders.

In terms of the impact that the development would have on the viability of the existing farm, that is ultimately a commercial decision for the affected farm holding as part of any negotiations they would have with the developers over the sale or lease of this land.

- 13.9 Despite resulting in the loss of PQAL, both Policy 5 of NPF4 and Policy ED10 of the LDP are supportive of renewable energy developments as being an exceptional form of development which can take place on prime quality agricultural land. The layout of the proposed development would minimise the amount of PQAL that would be lost by restricting the development to the triangular field to the west of the substation, and not extending across any other neighbouring fields.

Landscape and Visual Impacts

- 13.10 NPF4 Policy 11 and LDP Policy ED9 requires consideration of the proposals landscape and visual impacts. The application has been supported by a Landscape and Visual Appraisal which includes a zone of theoretical visibility as well as a series of photographs from selected viewpoints. Policy PMD2 of the LDP also requires that the development is of a high-quality design and respects the visual amenity of its environment.
- 13.11 Members are advised that the proposed layout and appearance of the equipment is indicative only at this stage, the batteries are shown to be set in containers which will be approximately 3.1m in height. Other infrastructure and buildings which include substations, transformers, switchgear and welfare facilities are detailed on the drawings. The final technical choice of all infrastructure is informed by a tender process which would take place at a later stage in the project. The design and scale of the equipment shown within the submission is commensurate with BESS apparatus approved under other consents nationally, but as it is indicative, it is possible that their appearance could change, in the event of an approval being granted by the ECU.
- 13.12 A Landscape and Visual Appraisal (LVA) supports the submission. Figure 3 of the LVA does show visibility extending to the northwest and southeast towards and beyond a 5km distance but given the relative low-lying nature of the development, visibility should generally be restricted within close proximity of the site. The original photography in the LVA did not superimpose the development to provide a photomontage, but this has been resolved in the updated photomontages.
- 13.13 Following previous BESS development at Eccles and the substation extension to the north, including compensatory planting belt to the west of this application site and the burn to the north, in a visual sense this field has in some way been segregated from the rest of the farm. Due to the location of the site directly next to other large energy infrastructure the site presents itself in an appropriate location for further BESS development. The site is flat and relatively low lying and the presence of the substation, along with the existing tree belts will help screen the development from the east. There were however concerns that the site is potentially exposed when approaching from the west on the A697 and on passing the site to the south. The proposal does involve a high-density layout surrounded by high fencing, which was not considered to benefit from an appropriate layout or landscaping to help to mitigate its visual impact as required by Policy 11 of NPF4.

- 13.14 The overhead electrical lines which dissect the northern corner of the site requires a 30m exclusion zone which restricts equipment being placed underneath these lines. The layout has been refined with the boundary fence realigned so that it is closer to the equipment particularly along its northwestern edge. This pulls the fencing further from its boundaries and helps to reduce the extent of hard surfaces within the site. It was questioned if the number of batteries could be reduced to further limit the density of the development and provide additional space landscaping, however the applicant has advised that a reduction to the number of batteries would affect the viability of the development, however it should be noted that the proposed layout does represent a 'worst case' scenario in the event of any approval.
- 13.15 In comparison with the original proposals the depth of landscaping has been improved along the front and northwestern boundaries of the site. A strong landscaped tree belt is required to enclose the development in a similar way the existing woodland directly to the east encloses the substation. It has not been possible to provide the same extent of landscaping within the site, however the proposal now includes bunding along the site's boundary with the A697 which will help provide early screening to the proposal including the security fencing. A greater depth of planting is provided at the western corner of the site and along the site's northwestern boundary. Once this is established, SBC's Landscape Architect acknowledges that this will help to suitably screen the development on approach. The appearance of the equipment and electrical infrastructure is commensurate with other consented and existing electricity apparatus already evident at this location.
- 13.16 Once the final equipment and apparatus is chosen, it will be important to ensure that the final layout of the revised planting proposals allow it to be further enhanced. Additionally agreeing suitable materials and dark colour finishes for the apparatus would help to further minimise its visual impact, especially for the initial period it takes for the landscaping to establish.
- 13.17 It is considered that the revised layout and landscape proposals provide mitigation which now tempers the landscape and visual impact of the proposed development. Once established the landscaping will provide screening and enclosure to the proposal. Additionally, this landscaping will provide an important sense of containment to consolidate the extent of energy development in and around the Eccles substation. Agreement of suitable planting species and the height and gradient of the bund are necessary. Provided precise details of landscaping are agreed which includes planting species and height and gradient of bund along with a requirement that all soft landscaping is implemented early in the development process, ideally before batteries are installed on site, in time the development will be suitably screened from the surrounding environment.
- 13.18 Subject to conditions seeking to agree final siting and design of all equipment, finished site levels, all external materials and colours and precise details of all landscaping around the boundaries of the site (including its implementation and future management) it is considered that the development would not adversely impact on the landscape character or visual amenity of the surrounding area. It is recommended that these matters can be addressed by suitably worded planning conditions.

Access

- 13.19 The impact of the proposed development on existing roads and traffic numbers are considered against Policy 11 of NPF4 and LDP Policy EP9. Policy LDP Policy PMD2 requires all development to avoid causing any adverse impacts on road safety. The proposal has been supported by a Transport Statement.
- 13.20 The site will be accessed directly via the A697 and via a series of A class roads. It is anticipated that the vast majority of the traffic generated by this development would be during the construction stage (anticipated to be a maximum of 83 two-way HGV movements) and any decommissioning stages. Once the development is operational, vehicle movements are anticipated to be low. The precise delivery route has yet to be chosen, but this can be confirmed via a Transport Management Plan which will ensure that the chosen route is suitable and traffic movements are appropriately controlled.
- 13.21 The development will require a new access on to an A Class Road. Generally, there is a preference to limit the number of new accesses on to A Class Roads. RPS investigated if it was possible to utilise the existing access through the neighbouring Eccles substation however due to ownership restrictions this connection is not possible. It is proposed to form a new access towards the southeastern corner of the site. RPS have accepted the principle of a new access being formed in this location in road safety terms and that suitable visibility should be achievable. It is recommended that precise details of the new access which includes its visibility splays and construction details are agreed by condition. As the development will generate additional traffic movements, its greatest impact on traffic anticipated during the construction stage, the new access should be completed before construction works commence within the site itself.

Residential Amenity

- 13.22 Policy ED9 requires the impacts on communities and individual dwellings (including noise impacts) to be considered with Policy 11 of NPF4 seeking impact on amenity to be addressed by the project design and mitigation. Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted and Policy 23 (Health and safety) of NPF4 seeking to guard against developments which pose unacceptable noise issues.
- 13.23 The closest neighbouring residential properties lie to the southwest on the opposite side of the public road. The development will not pose any adverse impacts on the visual amenity of these dwellinghouses. A Noise Impact Assessment has been carried out which has considered potential noise impacts from the operation of the equipment on neighbouring residential properties. The noise assessment concludes that the development will not generate noise levels to the detriment of residential amenity of neighbouring properties and the Councils Environmental Health Officer is satisfied with these findings. It is recommended that a planning condition sets standard noise limits for the equipment to ensure it operates within appropriate levels, i.e. noise emanating from the development not exceed NR30 during the day and NR20 at night, in accordance with best practice measures.

Cultural Heritage

- 13.24 The application also has to be assessed against Policy ED7, EP8 and EP9 of the LDP and Policy 7 of NPF4 in respect of impacts on the historic environment.
- 13.25 The Council's Archaeologist has identified a milepost, of archaeological interest, may be located within the site. The applicants are aware of this and have proposed mitigation in the form of evaluation trenching within the site. This would provide an acceptable form of archaeological mitigation and the precise details can be agreed as part of a condition covering and Archaeological Evaluation.
- 13.26 The development does not adversely affect the setting of any Listed Buildings or Conservation Areas.
- 13.27 Having considered the proposal against relevant LDP policies covering cultural heritage, including archaeology and NPF4 policy provision on these matters, the development is not considered to pose any conflicts subject to condition to secure suitable boundary planting.

Flood Risk and Hydrology

- 13.28 Policy IS8 of the LDP and Policy 22 of NPF4 requires consideration of flood risk. A burn runs along the northwestern boundary of the site which connects into the Leet Water. SEPA flood maps suggest that the northwestern boundary of the site has a low to medium flood risk. The proposed layout avoids the proposal seeking to develop the small area which is at risk of flooding. Any flood risk will be further mitigated by the improved planting which is to be provided along this boundary.
- 13.29 The development creates a sizeable area of hard surface which will generate surface water. Policies IS9 of the LDP and Policy 22 (Flood risk and water management) seek for surface water to be handled through sustainable urban drainage systems (SUDS). To ensure that the development provides suitable surface water discharge rates an attenuation pond is proposed to its northern point. In principle, the proposed handling of surface water does comply with SUDS principles. As the final layout of the development is still to be confirmed, it is recommended that the final design of the SUDS measures should be agreed by condition to ensure it caters for the final site design and avoids any surface water flood risk.

Ecology

- 13.30 The proposal has to be assessed against policies EP1, EP2 and EP3 of the LDP and Policy 3 of NPF4 which seek to protect international and national nature conservation sites, protected species and habitats from development.
- 13.31 The site is not located within or in close proximity to any designated ecological sites. An Ecological Assessment has been carried out which identifies a range of embedded mitigation which includes the appointment of an Ecological Clerk of Works, pre commencement surveys, and a Construction Environment Management Plan can address Ecological impacts. Other than potential impacts on badgers the development was not found to

impact any other protected species. Suitable badger impacts can be addressed by seeking a species protection plan.

- 13.32 In accordance with Policy 3 of NPF4 and EP3 there are opportunities for biodiversity enhancements to take place, most notably the provision of wildlife strips and hedgerow management. These matters can be addressed by suitably worded planning conditions.

Other Matters

Fire safety

- 13.33 It is acknowledged that BESS developments have the potential to create a fire safety hazard. Officers are aware that interested parties are increasingly raising concerns to both planning and S36 applications for BESS's on the grounds of fire safety, noting that they have the potential for environmental impacts and contaminated water run-off. However, fire safety is not a material planning consideration and the safety of BESS's themselves are subject to regulation from outwith the planning system in terms of their design, technology and operation.

Duration of Consent

- 13.34 The development is to operate for a period of 40 years. It is understood that this has been informed by the projected operational life of the equipment and as noted above there is a clear operational need for battery storage to address the predicted energy use. In the event that the development reaches the end of its operational life and is no longer required the site should be decommissioned with the site restored to its former condition. This process can be addressed by a planning condition seeking to address site decommissioning, restoration and aftercare to ensure the development is removed in a safe and timely manner which will avoid any long standing visual or potentially health and safety issues when the batteries and ancillary equipment is no longer required.

14.0 CONCLUSIONS

- 14.1 The development would contribute towards meeting Scottish Government national energy targets and the transition towards net zero. The proposal would result in some minor landscape and visual impacts, but these will be localised and will not result in unacceptable adverse impacts, subject to suitable landscaping/boundary treatments and agreement of the final appearance of the equipment. Noise impacts have not been found to be unacceptable subject to conditions regulating noise emissions from the site. Suitably worded planning conditions can agree appropriate access to the site during both the construction and operational phase of the development. Overall, whilst the development would result in the loss of prime quality agricultural land, it is accepted that the development complies with prevailing policies of the Scottish Borders Council Local Development Plan and NPF4 and there are no material considerations that would justify a departure from these provisions, subject to the agreement of matters covered within the recommended planning conditions.

15.0 RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:

15.1 I recommend that the Council indicate to the Energy Consents Unit that it does not object to the proposed development, subject to the imposition of the following planning conditions;

1. The development hereby permitted shall be begun before the expiration of 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. The battery storage facility and associated infrastructure hereby approved shall be removed from the site no later than 40 years after the date when electricity is first generated unless otherwise approved by the Planning Authority through the grant of a further planning permission following submission of an application. Written confirmation of the commencement date of electricity storage shall be provided to the planning authority within one month of that date.

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

3. No development shall commence until the following precise details have been submitted to and agreed in writing with the Planning Authority and thereafter the development shall be completed in accordance with the agreed details;

- i. the final site layout,
- ii. the design and appearance of all buildings and equipment to be installed within the site including their external material finish and colour
- iii. the design and appearance of all acoustic barriers, fences and means of enclosure including their material finish and colour
- iv. details of any lighting

Reason: The final proposed site layout has not yet been determined therefore further details are required to achieve a satisfactory form of development which respects the character and amenity of the rural area.

4. No development shall commence until a scheme of landscaping details, which has first been submitted to and approved in writing by the Planning Authority and thereafter the development should be undertaken in accordance with the agreed details of the scheme shall include ;

- i. Existing and finished ground levels in relation to a fixed datum preferably ordnance
- ii. Indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
- iii. Location of new trees, shrubs and hedges
- iv. Precise details of the gradient and height of the bund being provided along the southern boundary of the site
- iv. Schedule of plants to comprise species, plant sizes and proposed numbers/density
- v. A programme of completion and subsequent maintenance and in the event of failure proposals for replacement planting.

Once agreed all soft landscaping shall be implemented before development works commence within the site.

Reason: To ensure the satisfactory form, layout and assimilation of the development.

5. No development shall commence until a scheme of decommissioning and restoration of the site including aftercare measures has been submitted for the written approval of the Planning Authority. The scheme shall set out the means of reinstating the site to agricultural use following the removal of the components of the development. The applicants shall obtain written confirmation from the Planning Authority that all decommissioning has been completed in accordance with the approved scheme and (unless otherwise dictated through the grant of a new planning permission for a similar form of development) the scheme shall be implemented within 12 months of the final date electricity is generated at the site and in any case before the expiry of the time period set by Condition 2.

Reason: In to ensure that the site is satisfactorily restored following the end of the operational life of the development in the interests of the amenity of the area.

6. There shall be no commencement of development until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Planning Authority. The TMP to include:
 - a. The detailed delivery route and vehicle numbers for all cars, HGV deliveries and abnormal loads associated with the development and measures to ensure that the specified routes are adhered to, including monitoring procedures;
 - b. Name and contact details of a nominated person to whom any road safety issues can be referred.
 - c. Details of all dry runs associated with the delivery of any abnormal loads to be communicated to the Council prior to the run.
 - d. Timetables for all deliveries of abnormal loads to be submitted to the Council prior to the deliveries taking place.

The approved TMP shall be implemented in full, unless otherwise agreed in advance in writing by the Planning Authority and all work within the public road boundary to be undertaken by a contractor first approved by the Council.

Reason: To ensure all construction traffic access the site in a safe manner and that any upgrading works or repairs to public roads are carried out timeously to the Council's specifications, in the interests of road safety.

7. No development shall commence until precise details of the site access, which shall include detailed drawings of its construction specification and its visibility splays in both directions, have first been submitted to and approved in writing with the Planning Authority. Thereafter, the access road shall be completed before any other construction works are undertaken on site.

Reason: To ensure the development is served by an acceptable form of access.

8. No development hereby approved shall commence until the detailed design of all drainage arrangements has first been submitted to, and approved in writing by the Planning Authority. Thereafter the agreed

details shall be fully implemented prior to the site becoming operational, unless otherwise agreed in writing.

Reason: To ensure the site is adequately drained and does not increase the likelihood of flooding within and beyond the site.

9. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant Council Headquarters, Newtown St Boswells, MELROSE, Scottish Borders, TD6 0SA Customer Services: 0300 100 1800 www.scotborders.gov.uk archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

10. No development shall commence until the following Ecological mitigation and enhancement measures have been submitted to and approved in writing by the Planning Authority and thereafter, no development shall take place except in strict accordance with those details. The submitted details shall include:

- a) a Species Protection Plan (SPP) for badgers

- b) a scheme detailing compensatory planting and habitat enhancements

Reason: To ensure that species and habitats affected by the development are afforded suitable protection during the construction and operation of the development.

11. Noise levels emitted by any plant and machinery used on the premises should not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR30 at all other times when measured within any noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2.

Reason: In order to protect the residential amenity of nearby properties.

DRAWING NUMBERS

Drawing Number:

Plan Type:

401-12504655-ECC-L002	Elevation
60650570 - ACM - XX – 001	Location Plan
60650507-ACM-XX-00-L-0003	Landscape Plan and Site Layout
60650507-ACM-XX-00-L-0001	Landscape Arrangement
60650507-ACM-XX-00-L-0002	Landscape Arrangement

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

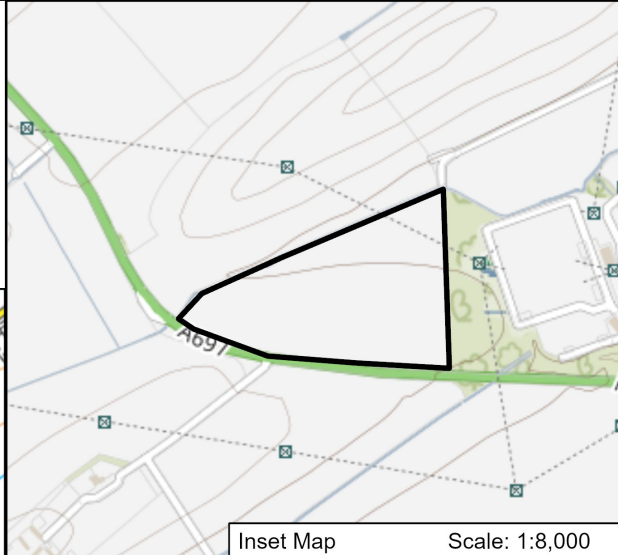
The original version of this report has been signed by the Service Director (Regulatory Services) and the signed copy has been retained by the Council.

Author(s)

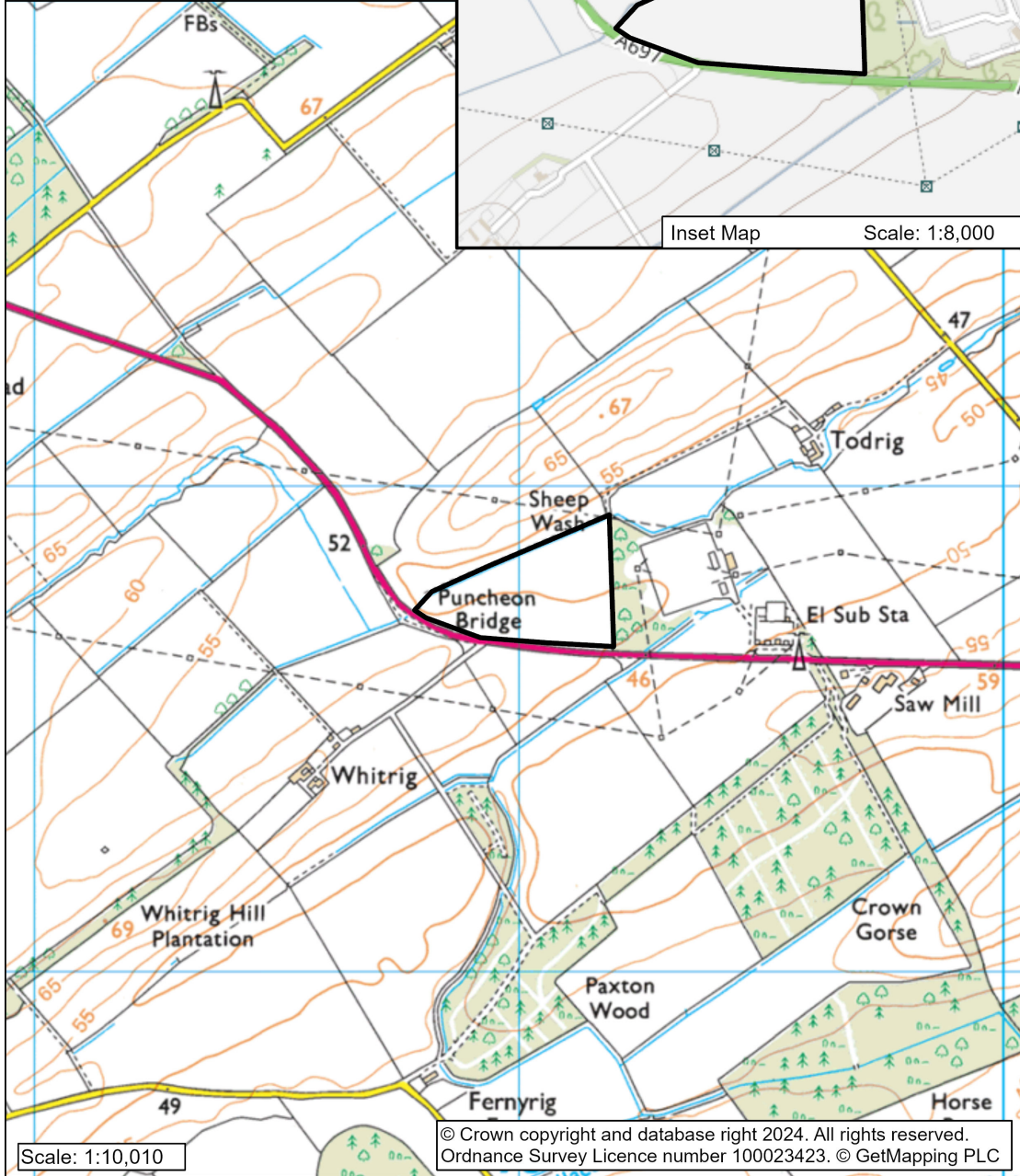
Name	Designation
Scott Shearer	Principal Planning Officer (Local Review and Major Development)



23/01038/S36
Eccles Battery Energy Storage System



Inset Map Scale: 1:8,000



Scale: 1:10,010