

Perth and Kinross Council
Planning & Placemaking Committee – 25 January 2023
Pre-Application Report by Head of Planning and Development
(Report No. 23/5)

Installation of a battery energy storage facility with associated access and infrastructure, land 600 metres north-east of Cordon Farm, Abernethy

Ref. No: [22/00026/PAN](#)

Ward No: P9 – Almond and Earn

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for the Installation of a 30-Megawatt (MW) grid connected battery energy storage facility along with ancillary infrastructure and access, approximately 1.2km north of Abernethy. The report also aims to highlight the key planning policies and the likely stakeholders who would be involved in the decision-making process, and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

BACKGROUND AND DESCRIPTION

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 (as amended), the applicant submitted a Proposal of Application Notice (PoAN) on 6 of December 2022. The purpose of this report is to inform the Planning and Placemaking Committee of a forthcoming planning application in respect of a major development for Elgin Energy EsCo Ltd, comprising a 30-Megawatt (MW) battery energy storage facility along with associated access and infrastructure. This pre-application report gives the Committee an opportunity to raise issues which it would like to see considered in the planning application.
- 2 The exact scale and design of the development will be arrived at during ongoing discussions with the applicant and are not provided at this time.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 3 Due to the scale of the proposal it will require to be screened as to whether the proposal is an Environmental Impact Assessment (EIA) development under the EIA 2017 Regulations. A screening application has not yet been received or undertaken and this matter will be raised with the applicant in due course.

PRE-APPLICATION PROCESS

- 4 The PoAN confirmed that two public events are to be held. One online event on 19 January 2023, followed by an in-person event on 15 February 2023 at Williamson Hall, Kirk Wynd, Abernethy. The Ward Councillors as well as the Abernethy and District Community Council have all been notified. Subsequent notifications will also be provided to the Local MP and MSP. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

- 5 The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the finalised draft of the NPF 4, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

National Planning Framework

- 6 The NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc (Scotland) Act 2006, this is now a statutory document and a material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014 (SPP)

- 7 The SPP is a statement of Scottish Government policy on land use planning. The following sections of the SPP will be of particular importance in the assessment of this proposal:
 - Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Promoting Rural Development: paragraphs 74 – 91
 - Supporting Business and Employment: paragraphs 92 – 108
 - Valuing the Historic Environment: paragraphs 135 – 151
 - Delivering Heat and Electricity: Paragraphs 152 -174
 - Valuing the Natural Environment: paragraphs 193 – 218
 - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
 - Managing Flood Risk and Drainage: paragraphs 254 – 268
- 8 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:
 - PAN 3/2010 Community Engagement
 - PAN 1/2011 Planning and Noise
 - PAN 2/2011 Planning and Archaeology
 - PAN 1/2013 Environmental Impact Assessment

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 60 Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 73 Rural Diversification
- PAN 79 Water and Drainage
- Energy Storage: Planning Advice (2011)

LOCAL POLICY AND GUIDANCE

TAYplan Strategic Development Plan 2016-2036

- 9 TAYplan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs”

- 10 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:

- Policy 1 - Location Priorities
- Policy 2 - Shaping better quality places
- Policy 3 – A First Choice for Investment
- Policy 7 – Energy, Waste and Resources
- Policy 9 – Managing Tayplan’s Assets

Perth and Kinross Local Development Plan 2019

- 11 The Local Development Plan 2 (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 12 The LDP2 sets out a vision statement for the area and states that:

“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”

- 13 Under the LDP2, the following policies are of particular importance in the assessment of this application:

- Policy 1: Placemaking
- Policy 2: Design Statements
- Policy 8: Rural Business and Diversification
- Policy 15: Public Access
- Policy 26B Archaeology

- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 33A: Renewable and Low Carbon Energy: New Proposals for Renewable and Low-Carbon Energy
- Policy 35: Electricity Transmission Infrastructure
- Policy 37: Management of Inert and Construction Waste
- Policy 39: Landscape
- Policy 40: Forestry, Woodland and Trees
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 52: New Development and Flooding
- Policy 53: Water Environment and Drainage
- Policy 55: Nuisance from Artificial Light and Light Pollution
- Policy 56: Noise Pollution
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

14 The following supplementary guidance and documents may be of particular importance in the assessment of this application:

- Placemaking Supplementary Guidance March 2020
- Landscape Supplementary Guidance February 2020
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2021
- Perth and Kinross Green and Blue Infrastructure (2020)
- Renewables and Low Carbon Energy (draft)
- Perth and Kinross Community Plan 2013/2023
- Air Quality and Planning Supplementary Guidance, March 2020
- Planning For Nature, Development Management and Wildlife, April 2022 (Non Statutory)

PLANNING SITE HISTORY

15 None.

CONSULTATIONS

16 As part of the planning application process the following would be consulted:

External

- Scottish Environment Protection Agency (SEPA)
- Scottish Water
- Transport Scotland
- Perth and Kinross Heritage Trust
- Historic Environment Scotland
- Abernethy and District Community council

Internal

- Environmental Health
- Strategic Planning and Policy
- Developer Contributions Officer
- Community Greenspace including Access
- Transport Planning
- Structures and Flooding
- Biodiversity Officer

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

- 17 The key considerations against which the eventual application will be assessed include:
- Planning Statement
 - Impacts on local Archaeology in the area
 - Impacts on Core Paths ABNY/109 and ABNY/122
 - Noise and Light from Operation on nearby residents
 - Biodiversity impacts, including protected species
 - Flood and drainage impacts
 - Landscape and visual impacts, including on the Local Landscape Area
 - Traffic and Transport Impacts
 - Economic Impacts and Low Carbon Technology

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

- 18 The following supporting documents will need to be submitted with any planning application:
- Planning Statement
 - Design and Access Statement
 - Pre-Application Consultation (PAC) Report
 - Transport Assessment
 - Flood Risk and Drainage Assessment
 - Landscape and Visual Impact Assessment
 - Noise and Light Assessment
 - Grid Connection Site Survey
 - Construction Traffic Management Plan
 - Habitat survey, including protected species
 - Construction Method statement

CONCLUSION AND RECOMMENDATION

- 19 This report summarises the key issues which should be considered as part of the appraisal of any subsequent planning application which may be lodged in respect of this development and members are recommended to note these key issues and advise officers of any other issues which they consider should be included as part of the application and assessment.

Background Papers: None
Contact Officer: Jamie Torrance
Date: 13 January 2023

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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