

Perth and Kinross Council  
Planning & Development Management Committee – 1 July 2020  
Pre-Application Report by Head of Planning and Development (Report No. 20/114)

Erection of an energy waste facility and associated works Binn Farm Glenfarg

Ref. No: [20/00004/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 erection of an energy waste facility and associated works at Binn Farm Glenfarg. 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 applicants submitted a Proposal of Application Notice on 17 March 2020. The purpose of this report is to inform the Development Management Committee of a forthcoming planning application in respect of a major development for the erection of an energy waste facility and associated works at Binn Farm, Glenfarg. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 This proposal of application notice (PoAN) seeks to formally establish a major development. The exact scale and design of the development will be arrived at during pre-application discussions.

### **ENVIRONMENTAL IMPACT ASSESSMENT**

- 3 Due to the scale of the proposal it was screened as to whether the proposal is an Environmental Impact Assessment (EIA) development under the EIA 2017 Regulations. A screening request (19/01149/SCRN) was submitted by the applicant and the Planning Authority determined that an EIA would be required to support any planning application.

### **PRE-APPLICATION PROCESS**

- 4 The original Proposal of Application Notice reference 20/00004/PAN confirmed that a public exhibition will be held locally on 30 April. John Nicolson MP; Roseanna Cunningham (MSP); PKC Ward 8 and 9 Councillors; Fife Councillors covering Auchtermuchty and Strathmiglo; Abernethy Community Council, Glenfarg

Community Council, Earn Community Council and Auchtermuchty and Strathmiglo Community Council (Fife) have been notified.

- 5 However, because of the COVID-19 pandemic the applicant was required to modify their public consultation process and ensure they are in line with the latest guidance from the Scottish Government on holding public consultations associate with major planning applications. An online/virtual consultation presentation followed by a live Question and Answer session was held on 21 May 2020. 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**

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

### **National Planning Framework**

- 7 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**

- 8 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
  - Valuing the Natural Environment: paragraphs 193 – 218
  - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
  - Managing Flood Risk and Drainage: paragraphs 254 – 268
  - Promoting Sustainable Transport and Active Travel: paragraphs 269 –291
- 9 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal: -
  - PAN 2/2011 Planning and Archaeology
  - PAN 3/2010 Community Engagement

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 73 Rural Diversification
- PAN 75 Planning for Transport

## **LOCAL POLICY AND GUIDANCE**

### **TAYPlan Strategic Development Plan 2016-2036**

- 10 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”*

- 11 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 6 – Developer Contributions
- Policy 7 – Energy, Waste and Resources
- Policy 8 – Managing TAYPlan’s Assets

### **Perth and Kinross Local Development Plan 2019**

- 12 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.

- 13 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.”*

- 14 Under the LDP, the following policies are of particular importance in the assessment of this application:

Policy 1: Placemaking

Policy 2: Design Statements

Policy 5: Infrastructure Contributions

Policy 7: Employment and Mixed Used Areas: Business and Industrial

Policy 8: Rural Business and Diversification

Policy 14: Open Space Retention and Provision

Policy 15: Public Access

Policy 23: Delivery of Development Sites  
Policy 26: Scheduled Monuments and Archaeology  
Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development  
Policy 33: Renewable and Low Carbon Energy  
Policy 34: Sustainable Heating & Cooling  
Policy 35: Electricity Transmission Infrastructure  
Policy 36: Waste Management Infrastructure  
Policy 37: Management of Inert and Construction Waste  
Policy 38: Environment and Conservation  
Policy 39: Landscape  
Policy 40: Forestry, Woodland and Trees: Forest and Woodland Strategy  
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 57: Air Quality  
Policy 58: Contaminated and Unstable Land  
Policy 60: Transport Standards and Accessibility Requirements

## **OTHER POLICIES**

- 15 The following supplementary guidance and documents are of particular importance in the assessment of this application: -
- Developer Contributions Supplementary Guidance April 2016
  - Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

## **PLANNING SITE HISTORY**

- 16 There is extensive planning history for the area of Binn Farm.
- 17 [90/00330/FUL](#) Formation of a waste tip. Application approved May 1990.
- 18 [01/00395/FUL](#) Erection of landfill gas powered electricity station. Application approved June 2001.
- 19 [01/00464/FUL](#) Change of Use of cattle court and field to form waste recycling centre. Application approved June 2001.
- 20 [01/01119/MOD](#) Modification of 01/00464/FUL to form waste recycling centre. Application approved November 2001.
- 21 [05/00382/FUL](#) Erection of building for storage of compost. Application approved April 2005.
- 22 [05/01224/FUL](#) Extension of existing landfill gas electricity station. Application approved March 2006.

- 23 [06/01427/FUL](#) Erection of energy from waste plant with materials reclamation facility. Application approved September 2007.
- 24 [08/02314/MOD](#) Modification of existing consent 05/01224/FUL for erection of ground flare and gas booster. Application approved July 2009.
- 25 [10/00008/PAN](#) Proposal of Application Notice (PoAN) for erection of gasification facility. Content of PoAN approved September 2010.
- 26 [10/01767/FLM](#) Erection of energy from waste facility. Application approved September 2011.

## **CONSULTATIONS**

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

### **External**

- Scottish Environmental Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)
- Scottish Water
- Transport Scotland
- Historic Environment Scotland
- Health and Safety Executive
- Perth and Kinross Heritage Trust
- Abernethy Community Council

### **Internal**

- Environmental Health
- Strategic Planning and Policy
- Developer Negotiations Officer
- Transport Planning
- Structures and Flooding
- Economic Development
- Waste Services
- Biodiversity Officer

## **KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED**

- 28 The key considerations against which the eventual application will be assessed include:
- a. Visual Impact
  - b. Scale, Design and Layout
  - c. Relationship to Nearby Land Uses
  - d. Natural Heritage and Ecology
  - e. Landscape

- f. Water Resources and Soils
- g. Air Quality
- h. Transport Implications
- i. Economy
- j. Impact on waste services in region
- k. Archaeology and Cultural Heritage

### **ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED**

29 The EIA will be required to cover the following subject matters:

- Traffic and Transportation
- Landscape and Visual Impact
- Air Quality and Public Health
- Noise Impact
- Ecology
- Socio-Economics

30 In addition, the following supporting documents will need to be submitted with any planning application:

- Planning Statement
- Design and Access Statement
- Pre-Application Consultation (PAC) Report

### **CONCLUSION AND RECOMMENDATION**

31 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

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Date: 18 June 2020

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