

Perth and Kinross Council  
Planning and Placemaking Committee – 11 October 2023  
Pre-Application Report by Head of Planning and Development  
(Report No. 23/274)

<b>PROPOSAL:</b>	Formation of 49.9MW battery energy storage facility, formation of access and associated works
<b>LOCATION:</b>	Land 400 metres South East of Endrigg, Jamesfield, Newburgh, Cupar, KY14 6EW

Ref. No: 23/00011/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 formation of 49.9MW battery energy storage facility, formation of access and associated works on land 400 Metres South East of Endrigg, Jamesfield, Newburgh, Cupar, KY14 6EW. 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 (PoAN) on 24 July 2023. 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 the formation of 49.9MW battery energy storage facility, formation of access and associated works on land 400 Metres South East of Endrigg, Jamesfield, Newburgh, Cupar, KY14 6EW.
2. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application. This PoAN seeks to formally establish a major development. The exact range of uses, scale and design of the development will be arrived at during pre-application discussions.

### **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 EIA development under the EIA 2017 Regulations. A screening request is required to be submitted by the applicant. It is noted that screening opinion has already been provided, reference 22/02120/SCRN, and is not subject of an EIA development.

## **PRE-APPLICATION PROCESS**

4. The PoAN (reference **23/00011/PAN**) confirmed that a public exhibition will be held at Williamson Hall, Kirk Wynd, Abernethy, PH2 9JD on 4 August between 4pm and 7pm and a second event will be held on 18 August between 4pm and 7pm. The Ward Councillors and Abernethy and District Community Council have been notified. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

## **DEVELOPMENT PLAN**

5. The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

### **National Planning Framework 4**

6. The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.
7. NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
8. The Council's assessment of this application has considered the following policies of NPF4:
  - Policy 1: Tackling the Climate and Nature Crisis
  - Policy 2: Climate Mitigation and Adaptation
  - Policy 3: Biodiversity
  - Policy 4: Natural Places
  - Policy 5: Soils
  - Policy 7: Historic Assets and Places
  - Policy 11: Energy
  - Policy 13: Sustainable Transport
  - Policy 14: Design, Quality and Place
  - Policy 18: Infrastructure First
  - Policy 22: Flood Risk and Water Management
  - Policy 29: Rural Development

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

9. The Local Development Plan 2 (2019) (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." It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal relevant policies are, in summary;

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 6: Settlement Boundaries
- Policy 8: Rural Business and Diversification
- Policy 26A: Scheduled Monuments and Archaeology: Scheduled Monuments
- Policy 32: Renewable and Low-Carbon Energy
- Policy 33A: Renewable and Low Carbon Energy: New Proposals for Renewable and Low-Carbon Energy
- Policy 35: Electricity Transmission Infrastructure
- Policy 39: Landscape
- Policy 41: Biodiversity
- Policy 50: Prime Agricultural Land
- Policy 51: Soils
- Policy 52: New Development and Flooding
- Policy 53C: Surface Water Drainage
- Policy 55: Nuisance from Artificial Light and Light Pollution
- Policy 56: Noise Pollution
- Policy 58A: Contaminated and Unstable Land: Contaminated Land
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals.

## **OTHER POLICIES**

10. The following non statutory guidance and documents are of particular importance in the assessment of this application:-
  - [Supplementary Guidance - Developer Contributions & Affordable Housing](#) (adopted in 2020)
  - [Supplementary Guidance - Flood Risk and Flood Risk Assessments](#) (adopted in 2021)
  - [Supplementary Guidance - Landscape](#) (adopted in 2020)
  - [Supplementary Guidance - Placemaking](#) (adopted in 2020)
  - [Planning Guidance - Planning & Biodiversity](#)
  - [Supplementary Guidance - Renewable & Low Carbon Energy](#) (draft)
  - Perth and Kinross Community Plan 2013/2023
  - Perth and Kinross Local Transport Strategy (2010)

## **NATIONAL GUIDANCE**

11. The Scottish Government expresses its planning policies and guidance through the National Planning Framework, Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

## **Planning Advice Notes**

12. The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:-

- PAN 1 /2011 Planning and Noise
- 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
- PAN 79 Water and Drainage
- Energy Storage: Planning Advice (2011)

## **PLANNING SITE HISTORY**

13. None.

## **CONSULTATIONS**

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

### **External**

- Scottish Environment Protection Agency
- NatureScot
- Perth and Kinross Heritage Trust
- Abernethy and District Community Council

### **Internal**

- Environmental Health - Noise and Odour
- Environmental Health – Contaminated Land
- Environmental Health - Private Water Supply
- Development Contributions Officer
- Transportation and Development
- Structures and Flooding
- Biodiversity Officer

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

15. 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. Tourism and Economy
- j. Impact on Agriculture
- k. Archaeology and Cultural Heritage

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

16. Should an EIA Report not be required 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
  - Tree and Woodland Survey
  - Habitat Survey
  - Archaeological Assessment
  - Sustainability Assessment
  - Noise Impact Assessment
  - Construction Traffic Management Plan (CTMP)

### **CONCLUSION AND RECOMMENDATION**

17. 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: Kirsty Strong  
Date: 29 September 2023

### **DAVID LITTLEJOHN HEAD OF PLANNING & DEVELOPMENT**

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