

Perth and Kinross Council
Planning and Placemaking Committee – 13 December 2023
Report of Handling by Strategic Lead – Economy, Development and Planning
(Report No. 23/352)

PROPOSAL: Formation of a 49.9MW solar farm comprising ground mounted solar arrays, inverters, transformers, a substation, security fencing, CCTV cameras, cabling, access tracks and associated works

LOCATION: Land 130 Metres South East of Coupar Angus Substation, Pleasance Road, Coupar Angus

Ref. No: [23/01294/FLM](#)

Ward No: P2- Strathmore

Summary

This report recommends refusal of the application which proposes the formation of a 49.9MW solar farm comprising: ground mounted solar arrays, inverters, transformers, a substation, security fencing, CCTV cameras, cabling, access tracks and associated works all on land 130 Metres southeast of Coupar Angus Substation, Pleasance Road Coupar Angus. The report concludes that the proposal does not comply with the provisions of the Development Plan, namely Policies 1A, 1B, 39 and 50 of the Perth and Kinross Local Development Plan 2, nor does it comply with Policy 11 of the National Planning Framework 4, and there are no material considerations apparent which outweigh the Development Plan in this instance.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site, referred to as 'Markethill Solar Farm,' is c.90.6 Hectares (ha) in area, and located approximately 650m south from the centre of Coupar Angus. Although not directly bordering, the site will be clearly visible from the northwest and northeast by the A923 and A94 public roads particularly on approach into Coupar Angus. The southern and south-eastern site boundaries are defined by Wester Balgersho and Pleasance Road. The site is located approximately 2.5 km northwest of the 'Sidlaw Hills' Special Landscape Area and approximately 900 m south of the 'River Tay' Special Area of Conservation (SAC). The 'Coupar Angus' Conservation Area is located 245 m to the north (at the nearest point) and the Category C Listed Building 'Pleasance Farmhouse' and the Category B Listed Building 'Balgersho House' are located approximately 200 m north and 100 m southeast. The 'Coupar Angus Abbey precinct' and 'Coupar Angus Abbey gatehouse,' both Scheduled Monuments are located 290 m and 390 m north.

- 2 There are no core paths affected by proposed development, however Pleasance Road, which is used by the public as a footpath and walking route (non-designated), bisects the eastern area on a northwest to southeast angle. There are several other core paths in the vicinity, including the A923 footway (COUP/121) - located near to the north-eastern boundary of the site and the A94 footway (COUP/139) - located near the north-western boundary of the site.
- 3 In physical terms the design and layout submitted is partially indicative, as the exact type and model of solar panels are not confirmed, and further pre-commencement surveys may indicate a need for micro siting of panels. However, in broad terms the development would consist of rows or 'strings' of solar photovoltaic (PV) panels occupying approximately 70 of the 90.6ha area. The panels would comprise photovoltaic cells (typically 60 to 72 cells per module) which are dark coloured and designed to maximise the absorbency of the sun's rays and minimise solar glare. Each string of panels would be mounted on a metal frame and supports, pile driven into the ground to a depth of approximately 1 to 2 m or on concrete footings. Fixing details will be confirmed after pre-construction surveys. Between each frame there would be a distance of between 3 m - 6 m, to avoid inter-panel shading and provide suitable access. Panels would be tilted at typically 15 to 30 degrees from the horizontal and orientated to face south. Panels would sit approximately 0.8 m from the ground at the lowest point (the southern edge) rising to approximately 3 m at the highest point (the northern edge)
- 4 Further associated infrastructure will comprise: electrical equipment, inverters and transformers, housed inside a container (c.7 m x 2.5 m x 3 m); a substation compound and two buildings (c.10 m x 6 m x 3 m and 18 m x 6 m x 3 m); a temporary construction compound to store equipment and a site office (indicated on Drawing 08); a 2.4 m high perimeter/ deer fence; 4 m wide access tracks as indicated on the site layout as well as landscape planting.
- 5 The application is a resubmission of application [22/01285/FLM](#), which was refused at the Planning & Placemaking Committee on the 22nd February 2023. This current application seeks to address the previous reasons for refusal. It is considered that the development remains to have an immediate and extended negative impacts on the landscape character and visual amenity within two kilometres of the development and on residents within Coupar Angus, owing to its size, form and location. This is discussed in more detail within the appraisal of this report

Environmental Impact Assessment

- 6 Directive 2011/92/EU (as amended) requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning permission for particular large-scale projects to do so in the knowledge of any likely significant effects on the environment. The Directive therefore sets out a procedure that must be followed before 'development consent' can be given.

- 7 This procedure, known as Environmental Impact Assessment (EIA), is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. The EIA Report helps to ensure that the importance of the predicted effects, and the scope for reducing any adverse effects, are properly understood by the public and the relevant competent authority before it makes its decision.
- 8 An EIA screening has previously been undertaken for a development of similar scale and type to that now set out, (Reference 21/02234/SCRN), concluding that an EIA was not required as the proposal was not considered likely to have significant environmental effects. However, a suite of supporting assessments, presenting environmental information in respect of archaeological, flooding/drainage, noise, ecology, traffic and transport, landscape visual impact and a risk management of development near to major gas pipelines was required to support any planning application.

Pre-Application Consultation

- 9 The proposed development is a 'Major' development, in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, due to size and scale. The applicant was therefore required to undertake formal pre-application consultation with the local community. Significant feedback resulted with the principle issues raised being: concerns over landscape and visual amenity; if there were any community and or economic benefits; impacts to recreation in the area and/or if there would be any benefits resulting from the development, such as community paths of recreation areas; concerns over the site selection and the use of prime agricultural land; impacts from artificial light and safety equipment; foundation design and impacts to archaeology; and impacts on the gas pipeline running through the site.
- 10 The Pre-Application Consultation (PAC) Report submitted with this application noted that two webinars or online events were held on 23 March and 2 of April 2022. The content and coverage of the community consultation exercise was considered sufficient and proportionate and in line with the aforementioned regulations, including the emergency provisions in place at the time due to the pandemic. Notwithstanding the approach taken aligns with the relevant regulations significant concern has been raised that the two online events were inadequate given the scale of development proposed and relaying that many residents in Coupar Angus were elderly and did not have adequate access to the consultation events.

NATIONAL POLICY AND GUIDANCE

- 11 The Scottish Government expresses its planning policies 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 (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 69 Planning and Building standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 79 Water and Drainage

Other Policies

13 The Council has relevant supplementary guidance applicable to the proposal. Supplementary guidance is intended to aid the implementation of policies.

14 The relevant supplementary guidance is:

- Perth & Kinross Council Supplementary guidance on Flood Risk and Flood Risk Assessments, March 2021.
- Landscape Supplementary Guidance, February 2020.
- Placemaking Supplementary Guidance, February 2020.
- Planning for Nature – Development Management and Wildlife Supplementary Guidance, April 2022.
- Renewable & Low Carbon Energy Supplementary Guidance (Draft).

15 All supplementary guidance can be viewed on the Council's [website](#).

DEVELOPMENT PLAN

16 The Development Plan for the area comprises NPF4 and the Perth and Kinross Local Development Plan 2 (2019).

National Planning Framework 4

17 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.

18 NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

19 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 6: Forestry, Woodland and Tree
- Policy 7: Historic Assets and Places
- Policy 11: Energy
- Policy 12: Zero Waste
- Policy 14: Design, Quality and Place
- Policy 29: Rural Development

Perth and Kinross Local Development Plan 2

- 20 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 14B: Open Space Retention and Provision: Open Space within New Developments
- Policy 15: Public Access
- Policy 26A: Scheduled Monuments and Archaeology: Scheduled Monuments
- Policy 28B: Demolition within Conservation Areas
- Policy 27A: Listed Buildings
- Policy 33A: Renewable and Low Carbon Energy: New Proposals for Renewable and Low-Carbon Energy
- Policy 35: Electricity Transmission Infrastructure
- Policy 38C: Environment and Conservation: Local Designations
- Policy 39: Landscape
- Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy
- Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
- Policy 41: Biodiversity
- Policy 50: Prime Agricultural Land
- Policy 51: Soils

- Policy 52: New Development and Flooding
- Policy 53A: Water Environment and Drainage: Water Environment
- Policy 54: Health and Safety Consultation Zone
- Policy 55: Nuisance from Artificial Light and Light Pollution
- Policy 56: Noise Pollution
- Policy 57: Air Quality
- Policy 60A: Transport Standards and Accessibility Requirements: Existing Infrastructure
- Policy 61: Airfield Safeguarding

Site History

- 21 [16/02230/FLL](#) Full planning permission was approved on 9 March 2017 for the erection of switch room facility and associated works
- 22 [18/01672/FLL](#) Full planning permission was approved on 19 November 2018 for Formation of an energy storage compound including battery storage containers, ancillary equipment, vehicular accesses, track and associated works
- 23 [18/00015/PAN](#) On 4 January 2019 for the formation of an energy storage compound including battery storage containers, ancillary equipment, vehicular accesses, track and associated works
- 24 [18/00016/PAN](#) On 6 February 2019 the formation of an energy storage compound including 15 battery storage units, inverters and transformers, a substation, ancillary equipment, store, vehicular access, track and associated works
- 25 [19/00513/FLM](#) Full planning permission (major) was approved on 24 September 2019 for the formation of a battery storage facility, vehicular access and associated works
- 26 [21/01186/FLL](#) Full planning permission for a battery storage facility. Application returned.
- 27 [21/01226/AML](#) Full planning permission for a battery storage facility. Application returned.
- 28 [21/00015/PAN](#) On 18 November 2021 for the formation of battery energy storage system with associated work and infrastructure of up to 49.9 MW
- 29 [21/02234/SCRN](#) On 1 February 2022 for ground mounted solar photovoltaic array
- 30 [22/00003/PAN](#) application was withdrawn on 4 February 2022 for the installation of a 49.9MW ground-mounted solar array and associated works

- 31 [22/00195/FLM](#) Full planning permission (major) was approved on 1 June 2022 for the Formation of battery energy storage system with associated work and infrastructure of up to 49.9 MW
- 32 [22/00006/PAN](#) On 25 February 2022 for the installation of a 49.9MW ground-mounted solar array and associated works
- 33 [22/01285/FLM](#) Full planning permission (major) was refused on 23 February 2023 for the formation of a 49.9MW solar farm comprising ground mounted solar arrays, inverters, transformers, a substation, security fencing, CCTV cameras, cabling, access tracks and associated works
- 34 [23/00014/PAN](#) On 26 October 2023 for the extension to battery energy storage system comprising of 144 additional battery units and associated works
- 35 [23/00015/PAN](#) On 3 October 2023 for the formation of a battery energy storage facility, including welfare and storage units, ancillary structures, control room, switchgear room, steel enclosures containing inverters, security and deer fencing, landscaping and associated works

CONSULTATIONS

- 36 As part of the planning application process the following bodies were consulted:

External

Scottish Water

- 37 No objection. The applicant will be required to consult with Scottish Water regarding any required water connections.

Transport Scotland

- 38 No objection. Conditions are recommended to secure further consultation with Transport Scotland in the event that any abnormal loads and or temporary traffic signage are required.

Scottish Environment Protection Agency

- 39 No Objection. No land raising is proposed and based on the land use vulnerability identified by this development no concerns are raised.

National Grid Plant Protection Team

- 40 No Objection. The applicant is advised they must consult National Grid prior to works starting.

Dundee Airport Ltd

41 No objection. No comments offered.

Blairgowrie And Rattray Community Council

42 No response

Kettins Parish Community Council

43 No response

Scottish And Southern Energy (SSEN)

44 No Objection. Initial concerns raised in respect of thermal radiation and earthworks impacting on SSE existing infrastructure. However, clarifications have seen these concerns addressed.

Historic Environment Scotland

45 No Objection. HES confirm the solar farm will have a visual impact on the wider countryside and setting of Scheduled Monuments SM5772 – Coupar Angus Abbey prescient and SM7250 – Lintrose House, but that any impacts will not detract in a way which impacts experience and appreciation.

Perth and Kinross Heritage Trust

46 No Objection, subject to an archaeological watching brief condition, as the site is within an area of Archaeological interest and due to the undeveloped nature of this site, there remains the possibility of buried remains still existing.

NatureScot

47 No objection and no comments to make.

Internal

Development Plan Team

48 No objection, subject to conditions regarding: the decommissioning of the development at the end of its life; and a soil management plan. The general principle of the development is broadly supported by LDP2. However, the renewable energy considerations must be balanced against any landscape impacts.

Environmental Health

- 49 No objections, subject to conditions. In terms of 'Glint and Glare' modelling predicts significant impacts on road users travelling along a section of the A94 and for two dwellinghouses: Wester Balgersho Farm and dwelling 53 Easter Balgersho and, therefore there is a requirement for mitigation. Screening mitigation in line with what is proposed is recommended. Noise impacts are identified from construction work and conditions are recommended that a Noise Impact Assessment is submitted, measures to control plant equipment operations and that an appropriate complaint procedure is secured.

Transportation and Development

- 50 No Objection subject to conditions related to an upgraded vehicle access and visibility splays, a construction traffic management plan and the provision of passing places on the C443 Road (Pleasence Road).

Community Greenspace

- 51 No objection subject to the inclusion of an informative relating to public access and existing core path / right of way. Furthermore, if this application is approved Community Greenspace would welcome discussions and proposals to improve the local core path network as proposed in the Planning, Design and Access Statement, subject to landowner agreements.

Floods and Drainage

- 52 No objection subject to the inclusion of a condition relating to the implementation of the submitted Flood Risk Assessment.

Developer Contributions Officer

- 53 No objection and no comments to make in terms of the Developer Contributions and Affordable Housing supplementary guidance.

Conservation Officer

- 54 No objections. However, mitigation measures would be particularly important to protect the agricultural character of the wider setting of adjacent listed buildings and the Coupar Angus Conservation Area. If the application is to be approved, it should therefore, be ensured that a landscape management plan is implemented to provide appropriate year-round screen planting which is maintained for the lifetime of the development.

Representations

55 180 representations were received, and 7 in support of the proposals. The main issues raised within the representations are:

Inappropriate land use

- Loss of prime agricultural land
- The applicant cites Policy 5 from NPF to justify the use of good agricultural land but there is no supporting plan outlining the restoration and returning the land to good agricultural use.
- Poorly chosen North facing location.
- Counterproductive use of prime arable for a small amount of energy produced.

Adverse effect visual amenity

- Irrevocable destruction of landscape and environment
- Inadequate screening of development with fencing and small bushes/trees that will take 15-20 years to mature.
- Elevated site will mean development will be seen from all entry and exit points from Coupar Angus
- What provision is in place for land/weed management once the solar farm is in place.
- Any other infrastructure which may be required ie pylons, power line will affect amenity
- Security fencing will be an eyesore and give the impression of closed land as opposed to the present open space.
- Cumulative visual impact considering already approved Keithick Solar Farm
- The change to site footprint will mean the panels are more concentrated making the impact more severe.
- Glint and glare from solar panels
- Solar panels can deteriorate exponentially.

Air quality

- Air pollution from diesel fuel in the solar farm's equipment
- Will cause a significant carbon footprint when imported materials are hauled to site and also once the panels have been installed.

Contrary to Development Plan Policy

- Policy prioritizes agricultural land development unless in exceptional and essential exceptions.
- NPF4 Policy 31 and LDP2 Policy 50, NPF4 Policy 11 and LDP2 Policy 39 and LDP2 Policy 1 (Button)
- Policy 33A (Michael Carmichael)
- Policy 35, 1A and 1B

Road safety concerns

- Impact on Pedestrian and Cyclist road safety
- Inadequate transport plan for impact during construction phase
- Visual impact and distraction for road users
- Route through Campmuir away from site has no pavements or passing places.
- Proposed access roads are in constant state of disrepair.
- No changes made to road network to accommodate the development.
- Glint and glare from solar panels causing issues for road users

Negative impact on wildlife, local biodiversity

- Bats, red squirrels and other protected species
- Perimeter/deer fencing will displace wildlife/deer. May lead to more animals on the road and potentially more road accidents.
- Lack of ecological surveys taken over the recognised survey window
- No biodiversity gains.

Negative impact on local economy

- Affect tourism.
- No financial gain for Coupar Angus

Employment provision

- Will not provide significant new employment opportunities.
- Loss of farming skills, jobs

Out of character with the area

- Industrialisation of rural landscape with solar panels, CCTV, security fencing and lighting
- Size and proximity to Coupar Angus along with acres of solar panels will dwarf Coupar Angus
- Scale of development is excessive and unacceptable even with the reduction in area covered.
- Monotony of appearance
- Will be out of keeping with all the recent effort by locals and the Council to improve the character and appearance of Coupar Angus
- Coupar Angus is a Conservation Town, and this will be a detrimental impact
- Cumulative visual impact considering already approved Keithick Solar Farm would change the nature of Strathmore Valley

Flooding risk

- Kinnochtry – Coupar Angus Burn – has previously burst its banks and flood out onto the road and nearby fields.
- Detrimental impact on the water table

Traffic congestion

- If site access is not taken from A94 this add significant overloading and congestion to local roads i.e., Pleasance Road, Colward Lintrose Holding

Overlooking

- Living next the solar farm will affect residential amenity and impact on privacy.

Light and noise pollution

- From security lighting, effecting wildlife and dark skies around Coupar Angus
- Affect local residents.

Loss of trees

- Removal of existing established hedgerow around site perimeter

Over intensive development

- Set a precedent.

Loss of open space

- Loss of public right to roam.

Support comments

- Employment provision
- Enhances Character of Area
- Support Economic development, proposed community fund.
- Biodiversity gains for small mammals, wildlife corridors and new planted hedgerows
- No loss farming employment
- Land could maybe provide grazing for sheep or be sown with clover to provide food for sheep.
- Land can return to original use once the solar farm has been dismantled.
- Location of development to substation and existing battery storage site will mean that delivering energy to the grid will be efficient.
- Results in environmental improvements – solar renewable energy will help to reduce use of North Sea gas and oil and help with the climate crisis, save on co2 emissions
- Support Petition of 130 standard letters c/o Jonathan Lincoln, mains reasons of support are the Environmental Improvements and solar farms assisting in tackling climate change and achieving Net Zero.

Non material

- Negative impact on property values in surrounding area
- Loss of view of surrounding landscape
- Potential fire risk caused by glare from solar panels.
- In support this would assist in reducing the cost of energy

Other

- Development will require future construction of a new electrical substation, battery storage area.
- What studies have been carried out to ascertain the long-term health issues living in close proximity to solar farms?
- Felt consultation in the local area was not enough, one four-hour drop-in event two representatives which were unable to answer any questions put to them and material in relation to the proposal was not sufficient.
- Lack of detail in relation to specification, size, and rating of the pv panels
- No information on end of life of the solar farm and what happens to the solar panels.
- A petition that was carried out in Perth and did not capture the local opinion and should have been carried out in Coupar Angus.
- The Coupar Angus action plan which was instigated by the Perth and Kinross Council which key themes are to attract visitors and promote Coupar Angus as a historic town.
- Coupar Angus Community Council states that part of proposed site lies within a HSE pipeline consultation zone, but HSE was not consulted.
- Coupar Angus Community Council states that the settlement statement within LDP2 for Coupar Angus “The Council will not permit any development which could prejudice the construction of a bypass at a future date. They feel the location of the application will affect any bypass from linking to the west end of Bunside Road (A94) to the Dundee Road (A923).
- Contributor Deauchar states that the transport statement is incorrect.
- Contributor Steve Galloway states that the Landscape and Visual Appraisal does not show realistic visualisations of what the solar farm will look like in the landscape, he also states that the new application does not sufficiently address how important archaeological remains and assets will be protected from this development. (Cistercian constructed deep stone drainage channels.
- Contributor Nigel and Kay Goody states an inconsistency between the proposed site layout plan and the plans submitted with the flood risk assessment show the area to be covered with solar panels to be different.
- Contributor Joshua Lawton states that what amount and where is the water to be abstracted for the maintenance/cleaning of the panels and has the appropriate licences been obtained.
- Contributor (SORE) states that many of the supporting documents submitted with the application address a different and older proposal and should be updated to reflect the current submission. They provide a list of the documents in their letter. Also, a lack of supporting statement which clarifies the choice of site over alternative options, in summary they feel the new application does not address refusal reasons 1, 2, 3 and 4 of the previous decision notice.

These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

Screening Opinion	Issued – The development is not EIA Development
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment under Habitats Regulations	Habitats Regulations Appraisal completed - addressed within supporting statement
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	<ul style="list-style-type: none"> • Landscape and Visual • Impact Assessment • Glint and Glare Study • Ecological Impact • Assessment • Biodiversity Metric Assessment • Sequential Site Selection • Test Analysis • Flood Risk Assessment • Transport Statement • Land Capability • Classification • Pre-Application • Consultation (PAC) Report • Design and Access Statement • Heritage Impact Assessment

APPRAISAL

- 57 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The adopted Development Plan comprises the National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance, namely the Placemaking Guide, Flood Risks and Flood Assessment and Planning for Nature and Wildlife

Principle

- 58 The key determining policy issues for this specific proposal at this location include: the principle of the development and its contribution towards renewable generation targets/net zero agenda, (Policies 33 and 35 of the LDP2 and Policies 1 and 11 of the NPF 4), landscape/visual impact and recreational interests/access, (Policies 15 and 39 of the LDP2 and Policy 21 of the NPF4), impacts on prime agricultural land (Policy 50 of the LDP2 and Policy 5 of the NPF 4), impacts on/from flooding and the water environment (Policies 52 and 53A of the LDP2 and Policy 22 of the NPF4), residential amenity (Policies 1A and 1B), cultural heritage & historic environment (Policies 26A, 26B, 27A of the LDP2 and Policy 7 of the NPF4), biodiversity/ecological impact (Policies 40 and 41 of the LDP2 and Policy 3 of the NPF4), pipeline and airfield safeguarding (Policies 54 and 61 of the LDP2), and transport (Policy 60A of the LDP2 and Policy 13 of the NPF4).
- 59 Policy 33 of the LDP2 generally provides support for the development of renewable and low carbon energy and associated infrastructure, subject to detailed assessment against various environmental and other planning issues. This is also reflected in Policies 1 and 11 of the NPF4, however, stronger emphasis is placed over the contribution of the proposal to renewable energy generations targets than to other landscape and or amenity impacts. Justification for the development in relation to the net zero agenda is detailed in the submitted Planning, Design & Access Statement. In this case the proposal is a 49.9MW solar farm and associated infrastructure/works which would generate renewably sourced electricity into the national grid, via the Coupar Angus sub-station. It is indicated that this would be the equivalent to providing energy that could power approximately 11,000 homes. Notwithstanding any environmental or other planning issues, the proposal would provide a substantial contribution towards renewable energy generation to support national and local objectives in relation to net zero and carbon emission reduction. This being the case, the proposed development is considered to be supported by NPF4, and in particular Policy 11: Energy.
- 60 Policy 35 of the LDP2 also supports the development of electricity transmission infrastructure, where this is sensitively designed, and suitable mitigation is ensured. In this case, although amendments have been made following the recently refused planning application on the site, it remains that the development is not considered to be sensitively designed, or that suitable mitigation is offered. The development proposed raises significant landscape and visual amenity concerns being of a scale, form and location which will dominate the immediately adjoining settlement of Coupar Angus. It is considered that its visually prominent location, situated on elevated ground between both main approach roads into Coupar Angus from Perth and Dundee, will greatly alter the character and appearance of this location, at odds with the wider agricultural setting in which it is located. Only relatively minor changes have been made in terms of reducing the scale and location of the development, with two small fields being removed. The development as proposed is still excessive in scale and too close to

residential properties, footpaths and roads. Overall, it is considered that the proposal does not contribute positively to its setting and is contrary to Policies 1A and 1B of the LDP2 and the Council's Placemaking Supplementary Guidance

Design and Layout

- 61 The design and layout essentially reflect the physical and engineering requirements for this type of development, taking into account environmental and technical standards. In physical terms all development will not exceed 4m in height with the tallest being the CCTV poles at 4m high. The remaining visual elements are the solar panels, being 3m at their tallest, the storage and or electoral equipment containers at approximately 3m and the security fence at 2.4m.
- 62 In this case horizontal impacts of built development, in terms of the expansive scale of development proposed, are more significant than vertical height. The greatest observed horizontal expanse of panel strings or rows will be from the A94 Perth to Coupar Angus Road, extending to an almost unbroken distance of 800m. Owing to the site topography, whereby the ground level rises moderately from the A94 west to east, the panels will in many instances be located on sloping ground, being oriented in a southwards direction Whilst it is confirmed the panels can be arranged to fit with the site contours, minimising ground disturbance, the raised open ground will increase the visual prominence of any development on this ground. This will be particularly prevalent from the southern areas of Coupar Angus and Pleasance Road.
- 63 However, this application proposes an amended layout plan, with the removal of solar panels and associated infrastructure from a field in the northeast of the site (adjacent to Pleasance Road) and another field in the southwest of the site (which was the closest part of the site to Campmuir). In addition, the new location for the infrastructure is in close proximity to the existing substation and battery infrastructure. It is appropriately located having regard to flooding and also in relation to the wider site.
- 64 Compared to the previous application at the site (22/01285/FLM), the extent of the panels across rising ground has been reduced from the southern parts of the site, so as to be at a lower elevation on the landform. The extent of panels to the east of Pleasance Road in proximity to Coupar Angus has also been reduced. However, the reduction in the overall area covered by panels is not considered sufficient enough to reduce the impact on the visual and landscape character of the site and surrounding area.
- 65 Mitigation of any visual and landscape character impacts is to be almost entirely addressed through a mix of existing perimeter planting, supplemented by an extensive landscape and planting scheme. Some mitigation is offered by the layout, through physical separation of panel rows from key residential receptors. Furthermore, the revised landscape and visual appraisal states that a grazing

meadow mix will be planted beneath the panels and a wildflower meadow mix will be planted between the proposed fence and the new tree and shrub planting.

- 66 Whilst it is appreciated that the revised planting scheme is a positive and would provide some mitigation, significant concern is raised that such planting will take time to become established and provide any significant mitigation. This will mean that significant mitigation will not be fully effective on completion of the development and will take some 10-15 years to establish and provide full benefit. This statement is supported by the applicant's Landscape and Visual Impact assessment (LVIA) which confirms that whilst the predicted impacts on landscape character and visual amenity are likely to be localised (within 2 km), such impacts are 'minor-adverse' and "major-adverse" respectfully, following the immediate implementation of development.
- 67 Given the scale and location of the proposed development it is considered that the introduction of such an industrialised feature into the landscape, with limited mitigation (at least in the first decade), will have a significant and immediate impact on the character and amenity of this location. In terms of scale and appearance the development is considering in this case contrary to Policy 1B of the LDP2 2019.

Landscape and Visual Amenity

- 68 Safeguarding and enhancing landscape character and green infrastructure is considered via LDP Policies 1A, 1B and 33 of the LDP2. Whilst Policy 4 of the NPF4 considers impacts on the natural environment, Policy 11 (Energy) is of more relevance to an equivalent landscape assessment. In that case the policy balance favours renewable energy contribution over any landscape impacts.
- 69 A revised Landscape and Visual Impact Assessment (LVIA) has been prepared as part of the Planning; Design & Access Statement submitted in support of this application. Policy 39 of LDP2 and associated Placemaking Supplementary Guidance is of relevance in relation to the potential landscape & visual impact of the development. The landscape context sees the site set in a predominantly rural/agricultural setting with the settlement of Coupar Angus to the north/northeast and smaller clusters of, and individual, buildings in the surrounding area. The location is within the 'The Broad Valley Lowlands – Tayside Landscape Character Type' as defined in the Landscape Character Assessment. However, there are no formal landscape designations associated, but the Sidlaw Hills Local Landscape Area is located approximately 2.5km to the east and southeast.
- 70 The revised LVIA includes: a desk-based study; field study; Zone of Theoretical Visibility (ZTV); and assessment of selected viewpoints. The study has considered landscape character (national/regional/local), local landscape context, character of the site and immediate context, landscape designations and a range of other considerations such as scheduled monuments, conservation areas, listed buildings, gardens and designed landscapes, long distance

recreational routes, public rights of way, and visual receptors (e.g. settlements and residential properties, recreational routes, transport routes). The study also provides an appraisal of likely effects, mitigation and residual landscape effects in relation to the above-noted considerations. In addition, it considers the potential for cumulative effects. Mitigation measures are then detailed and are supported by a landscape mitigation plan which includes supplementing existing and new additional planting as noted above. Landscape mitigation is considered over a 15-year timeframe as a result of vegetation becoming established and taking full-effect.

- 71 Taking in to account the results of the assessment work undertaken to consider landscape and visual effects, the study concludes: *“The nature, scale and form of the Development would inevitably result in some adverse effects on landscape character and on visual amenity...However, the limited height of the Development combined with the containment afforded by the framework of existing and new boundary vegetation ensures that effect would be mostly localised in their extent. In physical terms prior to planting the study sets out that 70-100% of the development will be visible in a local setting. After planting has been fully established in 15 years this reduces to approximately 50 -70% total visibility overall, reducing the visibility impact threshold to “moderate neutral”.* As noted, a planning balance in this case must be considered having regard to any landscape impacts against the zero carbon renewable energy benefits provided by the NPF4. In this case it is the view of officers that the significant landscape impacts outweigh those renewable energy benefits. Consideration has been given to a comparable planning application currently before the Scottish Government Energy Consents Unit (Reference: ECU00004521) which seeks authorisation for two battery energy storage compounds and a 32MW Solar Farm, occupying approximately 70 ha of agricultural land in total at Keithick Farm, approximately 900 metres north west of Coupar Angus or 1.3 kilometres to the west of the centre of this proposed development. Whilst that development seeks a slightly smaller solar farm footprint than that proposed in this case, overall, the proposed development site lends itself more to an energy development in landscape terms. That development site is broken up by changes in land orientation (i.e parts of it slope east and other parts slope west) and has well established hedgerows and mature woodland surrounding much of the development land. This will have an immediately benefit to break up any visual mass. The site is also not located near any main transportation routes and as such is less obvious in a wider setting. This directly contrasts to this development proposal, which will have longer unbroken visual massing, be located in a very visually prominent location and only partial landscape mitigation existing. It is considered the development, owing to its proximity to Coupar Angus, will appear to dominate this settlement, negatively impacting residents, particularly those residing in the southern most areas of the village.
- 72 Whilst the development may soften in time as planting becomes established, there will be an immediate and sudden change in landscape character in this localised setting, impacting not just views outward from Coupar Angus, but also local walking and cycling routes nearby. the proposal will result in major or

moderate adverse visual effects from key viewpoints for users of footpaths and roads and from residential homes adjoining the site. The development is considered contrary to Policies 1A and 1B of the LDP2 2019 as well as the adopted Placemaking Supplementary Guidance.

- 73 It is not considered the development is contrary to Policy 11 of the NPF4 whereby greater weight in any planning balance under this policy is placed on renewable energy benefits. However, in order for a development to be fully supported by this policy it is necessary for a development proposal to set out appropriate mitigation. Even with a proposed increase in tree planting and landscaping, it is not considered that appropriate mitigation is offered to offset significant landscape character impacts. Whilst the amendments from the previous application have been considered, the impacts are not considered to be satisfactorily resolved.

Residential Amenity

74 Glint and Glare

Policies 55 and 56 of the LDP2 are of relevance in relation to light and noise pollution. The Council's Environmental Health team has been consulted to consider any impact in relation to noise as well as glint & glare and a Glint & Glare Study has been submitted as part of the Planning, Design & Access Statement. This assessment has been undertaken to consider the possible effects on the surrounding road network and the residential properties within a 1km radius.

- 75 The assessment undertakes geometric reflection calculations and, where a solar reflection is predicted, the screening (existing and/or proposed) between the receptor and the reflecting solar panels is taken into consideration. Based on the results of the geometric calculations it is determined whether a reflection can occur, and if so, at what time. Then both the solar reflection from the solar development and the location of the direct sunlight with respect to the receptor's position is considered. This assessment was carried out using different panel characteristics and modelling has predicted significant impacts upon road users travelling along a section of the A94 and for two dwellinghouses, 9 Wester Balgersho Farm and dwelling 53 Easter Balgersho and, therefore a requirement for mitigation.
- 76 The report outlines the proposed screening mitigation for the A94, which with other existing mitigation factors would result in a moderate impact and no further mitigation is required. The mitigation screening for the two dwellinghouses would reduce the impact on dwelling 9 to 'low' and no impact is predicted for dwelling 53. Consequently, it is concluded that the any impacts are negligible owing to the existing and proposed mitigation. Environmental Health raise no objection, subject to a condition to secure the proposed mitigation planting, and that a Noise Impact Assessment is submitted.

77 Whilst the proposed planting scheme will afford some mitigation, the full effects will take time to establish. It therefore cannot be assured that there will be no impacts on the A94 Road and or those dwellings identified as being affected by glint and glare, with such effects being considered moderate / low as opposed to nil. When these impacts are considered in a wider context within the overall landscape and visual amenity impacts assessed, the potential for road safety concerns and direct impacts on nearby dwellings raises further concern that the development is of a scale which is too large for its proposed setting.

78 Noise

The planning and design statement states that the construction and installation of the development will take approximately 6 months and there will be a temporary construction compound on site for the duration of the construction period. There is the potential for noise and vibration during any piling stage for the panel mounting posts structures. During operations there is the potential for noise from the inverter kiosks, cooling fans and transformers to adversely affect residential amenity. The operation of the fans will be related to both the intensity of light and the air temperature. During night-time periods, any sound emitted would be from the substation transformers. Inverters and transformers will operate in varying loads depending on cooling requirements. The assessed noise sources can create noise which has characteristics, such as low frequency humming, which if not mitigated can have adverse impacts on residential amenity. Environmental Health Officers are satisfied any such impacts can be mitigated and controlled by conditions.

79 Light from Operational Sources

Any light required for the development would likely be for maintenance and or security purposes. It is not stated what external lighting is proposed but such impacts are considered to be able to be mitigated through appropriate placement and that it should only be required where necessary. No significant concerns in terms of light pollution are assessed.

Roads and Access

80 LDP2 Policy 60B requires that local road networks be capable of absorbing traffic generated by development and that satisfactory access is provided. Policy 13 of the NPF4 focuses more of sustainable travel and ensures development is sited approximately. The development proposes to access the site form the C443 between Pleasance Road to Campmuir. The applicant is proposing to erect two vehicle accesses, one to the east of the C443 and the other to the west of C443. The vehicle accesses will be constructed with a larger radius to the south to encourage HGV movements in that direction, rather than travelling into Coupar Angus via Pleasance Road.

81 Up to 145 articulated lorries will be required to deliver the solar panels to site and there would be a period of a month where it is anticipated that there will be 81

two-way movements from the site, with 27 HGV movements per day. This is likely to reduce in other months. With such an increase in HGV traffic movements on the C443 and the width of the road being around 4m some initial concern was raised by Transportation and Development colleagues as to the ability of the road in its current condition to allow lorries to pass one another. However, this could be resolved through the provision of a passing place, secured by conditions. Further conditions could also relate to the vehicle crossings / accesses, visibility splays, road maintenance agreement and a construction traffic management plan. Subject to securing those conditions no objection is raised by Transportation and Development. Notwithstanding, objectors have noted concerns with increased traffic and visual impacts from Pleasence Road as this area is used regularly for walking by residents.

- 82 Having regard to any impacts on the Trunk Road Network no concerns been raised by Transport Scotland, subject to conditions regarding the need for abnormal loads or temporary traffic management in those circumstances.
- 83 Overall, whilst the letters of representation are noted, no significant road and or transport impacts are identified, and it is concluded subject to conditions regarding construction traffic management, that the development conforms with Policy 60B. Whilst no specific engineering concerns are raised, the development is likely to result in landscape and visual impacts along both sides of Pleasence Road due to the position of panels on either side. The existing screen planting at this location will afford some mitigation but will not be sufficient to offset impacts initially. As a key walking route for residents, the development will impact their experience of this location by changing the character and outlook.

Drainage and Flooding

- 84 Policy 53A and 53C of the LDP2 sets out that development proposals must have regard to the water environment and drainage, including floodwater management within any proposal. Policy 22 of the NPF4 sets out that proposals in flood risk areas should only be supported in set situations. In the case of this site, it is known to be within an active surface water flooding area and does regularly flood. The proposed substation compound has been relocated to an area that is outside modelled flood zones. In addition, the flood modelling has been revised and SEPA/PKC advisors agree there is now no flood issue with the proposals. The Councils Flood Risk Officer has not raised any concerns providing the flood prevention measures outlined in the revised Flood Risk Assessment are implemented in full.
- 85 The risk of the development being flooded is considered negligible, owing to the type of development in terms of land use vulnerability (i.e. the development will not be occupied apart from any staff who may happen to be onsite during a flood event) and as the panels themselves are to be raised approximately 1.2m off ground level and above any flood water.

- 86 Accordingly, as matters pertaining to flood risk have been satisfactorily Resolved, the development is considered to comply with Policies 53A and 53C of the LDP2 or Policy 22 of the NPF4.

Conservation Considerations

- 87 Policies 26A, 26B and 27A of the LDP2 and Policy 7 of the NPF4 are applicable to the application. It is confirmed that the site lies within an area considered to be archaeologically sensitive. As it is greenfield and does not appear to have been developed in the past there is potential for unknown buried archaeological remains to survive. Despite the known areas of interest, no objection is raised by Perth and Kinross Heritage Trust. However, a suspensive condition is recommended in the event that permission is granted seeking a programme of archaeological works to ensure the development does not destroy significant archaeological remains.
- 88 In terms of the Coupar Angus Conservation Area and any heritage assets in the immediate location (listed buildings, scheduled monuments), a heritage Impact assessment has been undertaken in this case. This assessment considers the potential effects of the development on the Coupar Angus Conservation Area, Scheduled Monuments and listed buildings within 3km of the site. Impacts to the setting of nearby listed buildings and monuments was observed in terms of landscape character and amenity. However, those impacts were not considered to adversely impact peoples experience of the monuments and architectural heritage. Historic Environment Scotland as well as the Council's Conservation Officer were consulted and confirmed general acceptance of the conclusions noted within the impact assessment. No objections have been raised provided landscape and screening planting is implemented. As the development will not directly impact the identified heritage assets locally, the proposal is considered to accord with Policies 26A, 26B and 27A of the LDP2 2019 as well as Policy 7 of the NPF4.

Natural Heritage and Biodiversity

- 89 Policies 40 and 41 of the LDP2 as well as Policy 3 of the NPF4 are applicable in this regard. The Council will apply the principles of the Scottish Government Policy on Control of Woodland Removal and there will be a presumption in favour of protecting woodland resources. Where the loss of woodland is unavoidable, mitigation measures in the form of compensatory planting will be required. The submitted ecological survey information is good quality and provides a comprehensive assessment of the proposed development impacts on trees, woodland and biodiversity. All existing hedges, woodland, and trees will be retained. Enhancing connectivity between existing and newly created habitats is strongly encouraged to benefit biodiversity.
- 90 The submitted Preliminary Ecological Appraisal Report and Ecological Impact Assessment were undertaken at the correct time of year and do not recommend further survey is required. The Council's Biodiversity Officer has been consulted

on the biodiversity impacts of this development. No objection is raised provided all the mitigation measures listed in the Appraisal Report are adhered to in full. If permission is granted this should be secured by way of condition. A further condition is also recommended that a pre commencement survey be undertaken for breeding birds and nest sites prior to development proceeding.

- 91 Whilst the overall biodiversity enhancements being offered may benefit the site as a whole, those benefits must be considered against wider visual amenity and the overall scale and location of the development proposed. In this case Policy 39 'Landscape' of the LDP2 provides that development should be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes. Development proposal will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities. In this case Broad Valley Lowlands, in which this development sits, are characterised by, broad straths, undersized rivers, complex local topography, distinctive soils, dominance of arable and root crops in large fields, trees and hedgerows, well settle landscapes with well populated agricultural landscapes and wide panoramic views. It is considered that the development will impact local landscape qualities, including the distinct fullness of this location, owing to its scale, location and form. In particular, the proximity to Coupar Angus and direct impacts on the visual integrity from within the settlement and nearby, including along Pleasance Road are raised as being of concern.
- 92 It is not considered that the proposed planting will provide the necessary mitigation identified in the short to immediate term. As such, the development will result in an abrupt change in the surrounding landscape character which in the opinion of officers directly and negatively impacts the quality and experience of the landscape from these locations, contrary to Policy 39 of the LDP2 2019. As the development would seek to reverse some of the lost biodiversity at this location and enhance it with further planting it is not considered the Development is contrary to Policy 3 of the NPF4.

Loss of Prime Agricultural Land and Soils

- 93 The site is located on an area of prime agricultural land and therefore Policies 50 (Prime Agricultural Land) and 51 (Soils) of the LDP 2 as well as Policy 5 of the NPF4 are of relevance. A sequential test has been undertaken by the applicant to detail the site-specific justification for the development, considering numerous sites within the local area. A 3km buffer has been used for analysing alternative sites taking in to account a viability cost threshold for connecting to the substation.
- 94 The proposal involves a significant area of land, with the developable area extending to approximately 70 ha (as detailed in the Planning, Design & Access Statement). The Land Capability Classification for Agriculture Map (1:50,000 scale) identifies the site is classified as Class 2 prime agricultural land. A follow up soil report & survey has outlined that the site comprises a combination of Class 2 and Class 3.1 land.

- 95 The Development Plans team has been consulted and raised no objection to the development and provided policy assessment relative to Policy 50. In terms of the justification of the proposal in relation to prime agricultural land it is considered that the development has been sequentially justified on the basis that a site is required to be sited within 3km of the existing substation and other sites have not been identified as more favourable for various reasons. It is also identified that the majority of the development will comprise the solar farm element which will not result in the loss of prime agricultural land, rather the land use will change for a temporary period of 35 years (as proposed) with grazing able to take place with the potential for the land to revert back to productive agricultural land following decommissioning of the development. If the energy generation is still viable at the end of the 35-year period, then a further application for planning permission would be required to continue the use and the removal of the agricultural land from production could be once again assessed based upon the policy position at that time.
- 96 Based on individual merits, and the sequential test provided, regard is had to the particular site requirements of this type of development, noting that grid connection is of critical importance to the development viability. As such the use and occupation of prime land alone is not considered to be a reason for refusal. However, consideration of the cumulative loss of prime land, noting the scale of this development, must be considered further under Policy 50. In this case an application is currently before the Scottish Government Energy Consents Unit (Reference: ECU00003397) on land to the at Keithick Farm, Coupar Angus (approximately 800m) to the north-east of the proposed development. That proposal is for a 32MW Solar Farm and two separate Battery Energy Storage Facilities, comprising 66MW capacity.
- 97 That proposed development, if approved, would also occupy approximately 70ha of prime land. Combined both developments if approved could result in approximately 140 ha of prime land being occupied, limiting food production and or food security potential for this location over the lifetime of both developments. at that scale it is considered that the cumulative loss of prime land is significant in a localised sense.
- 98 Furthermore, both proposed developments are justified on the basis of national grid connection via the Coupar Angus Substation. Given the connection capacity which exists at this substation there is a high likelihood for further subsequent energy related development within this immediate location. When this factor is considered alongside any wider visual amenity impacts already identified, the development is not considered to comply with Policy 50 of the LDP2.
- 99 For those elements of the development that require the removal or movement of soils (e.g. substation and access tracks), under the terms of Policy 51 of the LDP2 and Policy 5 of the NPF4 further details will be required to demonstrate that the development complies, i.e. a Soil Management Plan. The Development Plans Team in their assessment of this proposal have considered this matter

could be resolved by pre-commencement conditions if the proposal was to be approved. Accordingly, the development is considered to be in compliance with Policy 51 of the LDP2 2019 and Policy 5 of the NPF4.

Economic Impact

- 100 In the short term, construction will create jobs with scope for local employment. However, the development is not supported by any economic information to further assess this impact. It is however predicted that once construction work is complete, further employment opportunities will be limited. However, and notwithstanding the significant visual and landscape impacts raised by the Planning Authority, the development is a clear fit for the Scottish Governments policy direction set out within the Scottish Energy Strategy and NPF4 of transitioning to a low carbon economy with renewable energy generation. It also represents a significant inward investment in rural Perthshire, assisting in the creation of a national grid asset of regional significance for the Perth and Kinross area.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 101 None

CONCLUSION AND REASONS FOR RECOMMENDATION

- 102 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken account of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.
- 103 Accordingly, the proposal is recommended for refusal on the grounds identified below.

RECOMMENDATION

Reasons for Refusal

1. The development, owing to its size, appearance and location raises significant landscape character and visual impact concerns, failing to contribute positively to the quality of the surrounding built and natural environment. The development is considered contrary to Policies 1A and 1B of the LDP2 2019 as well as the Council's Placemaking Supplementary Guidance.
2. The development, owing to inadequate mitigation in seeking to offset landscape concerns raised, fails to comply with Policy 11 of the National Planning Framework 4.

3. Development and land use change should be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes. The development, owing to its scale, area, and open location, on the main approach roads to Coupar Angus, will erode the local distinctiveness of landscape character at this location significantly impacting the visual integrity of the area. The development is not considered to comply with Policy 39 of the LDP2 2019.
4. The development, owing to its scale, massing, and location may contribute to the cumulative loss of prime agricultural land within a wider setting, whilst also resulting in the loss of food production potential and food security over its lifetime. The development does not comply with Policy 50 of the LDP2 2019.

Background Papers: 180 letters of representation
Contact Officer: Alan Atkins
Date: 1 December 2023

DAVID LITTLEJOHN
STRATEGIC LEAD – ECONOMY, DEVELOPMENT AND PLANNING

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