

Perth and Kinross Council
Planning & Development Management Committee –16 March 2022
Pre-Application Report by Head of Planning and Development (Report No. 22/52)

Formation of a battery energy storage compound comprising battery storage units, ancillary buildings and equipment, landscaping and associated works, land north of Abernethy Cemetery, Newburgh Road, Abernethy

Ref. No: [22/00002/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 up to 50 battery storage units housed within steel containers along with ancillary structures including a substation compound containing transformers and an electrical control building, on land north of Abernethy Cemetery, Newburgh Road, 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 has submitted a Proposal of Application Notice (PoAN) on the 12th of January 2021. The purpose of this report is to inform the Planning and Development Management Committee of a forthcoming planning application in respect of a major development for P&M Energy Limited, pertaining to the installation of up to 50 battery storage units, housed within containers along with associated infrastructure. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 This PoAN seeks to formally establish the major development comprising a new battery energy storage compound to house up to 50 battery storage units in containers, along with ancillary structure, including a substation compound containing transformers and an electrical control building. The proposed energy storage facility will provide rapid-response electrical back-up to the Electricity Grid and will represent an early deployment within Scotland of a high-tech grid balancing facility.
- 3 This PoAN seeks to formally establish a major development. The exact scale and design of the development will be arrived at during ongoing discussions with the applicant.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 4 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 request is required to be submitted by the applicant.

PRE-APPLICATION PROCESS

5. The PoAN confirmed that three public online events were to be held via Zoom on the 16th of December between 2 and 7pm, on the 1st February 2022 between 4 and 7 pm and a third online event will be held near the end of February with an exact date to be confirmed. The Ward Councillors, local MSPs, Local MP, Abernethy Community Council, as well as all owners and occupiers within 500 metres of the site boundary have all 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.

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 (SPP)

- 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
- 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

9 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 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

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 7 – Energy, Waste and Resources
- Policy 9 – 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 LDP2, the following policies are of particular importance in the assessment of this application:

- Policy 1: Placemaking
- Policy 2: Design Statements
- Policy 6: Settlement Boundaries
- Policy 8: Rural Business and Diversification
- Policy 15: Public Access
- 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 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

- 15 The following supplementary guidance and documents may be of particular importance in the assessment of this application:
- Placemaking Supplementary Guidance March 2020
 - Developer Contributions Supplementary Guidance April 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

PLANNING SITE HISTORY

- 16 **17/00951/FLL** - Installation of an energy storage facility, formation of vehicular access, erection of fence and associated works. Approved September 2017
- 17 **18/02336/FLL** - Installation of an energy storage facility, erection of fence and associated works. Approved March 2019.
- 18 **20/00501/SCRN** - Installation of a 132kv extension, replacement of 60 mega volt amps transformers and erection of a control building. May 2020.
- 19 **22/00004/PAN** - Formation of a battery energy storage facility comprising battery storage units, ancillary buildings, storage containers, landscaping, erection of fencing and associated works. January 2022.

- 20 **20/00005/PAN** - Extension to substation comprising installation of 2 replacement transformers, plant and infrastructure, formation of access track, hardstanding, laydown areas, SUDS and associated works. July 2020.
- 21 **21/01575/FLL** - S42 application to delete condition 1 (compliance) of permission 17/00951/FLL. Application Returned February 2022.
- 22 **21/01576/FLL** - S42 application to delete condition 1 (compliance) of permission 18/02336/FLL. Application Returned February 2022.
- 23 **20/01770/FLM** - Extension to substation comprising installation of 2 replacement transformers, plant and infrastructure, formation of access track, hardstanding, laydown areas, SUDS and associated work. Approved May 2021.

CONSULTATIONS

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

External

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- Scottish Environmental Protection Agency (SEPA)
- NatureScot
- Scottish Water
- Transport Scotland
- Scottish Forestry
- Abernethy Community Council

Internal

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- 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

- 27 The key considerations against which the eventual application will be assessed include:
- a. Principle
 - b. Need
 - c. Visual impact
 - d. Scale, design and layout
 - e. Relationship to nearby land uses
 - f. Natural heritage and ecology
 - g. Landscape

- h. Water resources and soils
- i. Noise
- j. Transport implications
- k. Impact on woodland
- l. Cumulative impact

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

28 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
- Sustainability Assessment
- Noise and Light Assessment
- Grid Connection Site Survey
- Construction Traffic Management Plan

CONCLUSION AND RECOMMENDATION

29 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: 3rd March 2022

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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