

Perth and Kinross Council  
Planning & Development Management Committee –16 March 2022  
Pre-Application Report by Head of Planning and Development (Report No. 22/53)

Formation of a battery energy storage compound comprising battery storage units, ancillary buildings storage containers, landscaping, erection of fencing and associated works, land NE of Jamesfield Organic Centre, Newburgh

Ref. No: [22/00004/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 installation of up to 26 battery storage units housed within steel contains along with ancillary structures including transformers, switch gear rooms and general storage containers, on land NE of Jamesfield Organic Centre, Newburgh. 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 3rd of February 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 Harmony JF Limited, pertaining to the installation of up to 26 battery storage units (with a storage capacity of approximately 49.9 MW), 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 26 battery storage units in containers, along with ancillary structures, including transformers, switchgear and general storage containers. Landscaping is to be undertaken.
- 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 two public online events were to be held via Zoom on the 10<sup>th</sup> of February 2022 between 6 and 7pm and on the 10<sup>th</sup> March 2022 between 6 and 7 pm. The Ward Councillors and Abernethy Community Council, as well as those landowners /occupiers within the immediate vicinity of the site have all been notified. Subsequent notifications have also been provided to the Local MP and MSP. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

## **NATIONAL POLICY AND GUIDANCE**

- 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 40: Forestry, Woodland and Trees  
Policy 41: Biodiversity  
Policy 42: Green Infrastructure  
Policy 52: New Development and Flooding  
Policy 53: Water Environment and Drainage  
Policy 55: Nuisance from Artificial Light and Light Pollution  
Policy 56: Noise Pollution  
Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

### **OTHER POLICIES**

- 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**

#### On adjoining land

- 16 05/01911/FUL Construction of 275/33kv electricity substation, associated building and temporary storage areas, site huts, upgrading/widening works to existing private access road and improvements to junction where access road meets the B8033. Approved April 2006.
- 17 13/01036/FLL Formation of a temporary works compound and topsoil storage area. Approved July 2013.
- 18 14/01758/FLL Retention of temporary access track constructed as part of Beauly-Denny overhead power line. Approved December 2014.
- 19 15/00470/FLL Erection of substation control building, formation of access road and associated works. Approved June 2015.
- 20 16/01719/PN Formation of a forestry track. Approved November 2016.
- 21 17/01810/FLL Formation of an energy storage facility, vehicular access and associated works. Approved November 2017

### At the Application Site

- 22 17/00951/FLL Installation of an energy storage facility, formation of vehicular access, erection of fence and associated works. Approved 18<sup>th</sup> September 2017.
- 23 18/02336/FLL Installation of an energy storage facility, erection of fence and associated works. Approved 7<sup>th</sup> March 2019.
- 24 21/01575/FLL S42 application to delete condition 1 (compliance) of permission 17/00951/FLL. Approved 4<sup>th</sup> February 2022.
- 25 21/01576/FLL S42 application to delete condition 1 (compliance) of permission 18/02336/FLL. Approved 4<sup>th</sup> February 2022.

### **CONSULTATIONS**

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

#### **External**

27

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

#### **Internal**

28

- 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**

- 29 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**

30 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
- Sustainability Assessment
- Noise and Light Assessment
- Grid Connection Site Survey
- Construction Traffic Management Plan

### **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  
Contact Officer: Jamie Torrance  
Date: 3rd March 2022

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

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.