

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 13 SEPTEMBER 2022

PROPOSAL OF APPLICATION NOTICE – FIELD 196M NORTHWEST OF WELLBANK FARM, WELLBANK

GRID REF: 346203: 737974

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

Abstract:

This report advises Committee that a Proposal of Application Notice (PAN) (ref: [22/00508/PAN](#)) has been submitted in respect of a major development comprising of the installation of a solar photovoltaic array with an export capacity of up to 35MW at Field 196m northwest of Wellbank Farm, Wellbank for Greentech Ltd. Committee is invited to identify issues which it would like to see addressed in the planning application that is subsequently submitted.

1. RECOMMENDATION

It is recommended that Committee notes the key issues identified at this pre-application stage and advises of any other issues it considers should be addressed in the planning application that is subsequently submitted.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained in the Angus Local Outcomes Improvement Plan and Locality Plans: -

- Safe, secure, vibrant and sustainable communities;
- A reduced carbon footprint; and
- An enhanced, protected and enjoyed natural and built environment.

3. INTRODUCTION

3.1 At its meeting on the 19 June 2014, council approved a guidance note on the role of Councillors in pre-application procedures in respect of national and major planning applications (report 275/14 refers). A key element of that guidance note requires officers to present a report to committee when a PAN is submitted. Such a report will set out what are considered to be the key considerations in the determination of any subsequent planning application and will allow Members the opportunity to identify any additional issues that they consider should be addressed when a planning application is submitted.

3.2 A PAN (ref: [22/00508/PAN](#)) has been submitted which indicates that an application for planning permission is to be submitted for the installation of solar photovoltaic (PV) array with an export capacity up to 35MW located to the northwest of Wellbank Farm, Wellbank. The proposed development site would measure around 45 hectares and the land currently comprises of farmland and woodland. A plan showing the outline of the site on which the development is proposed is attached at Appendix 1. Further details relating to the proposal were provided as part of a request by the applicant for a Screening Opinion (ref. [22/00364/EIASCR](#)) to

ascertain whether the proposal constituted an Environmental Impact Assessment development. The development was screened in accordance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 and Circular 01/2017 and it was concluded that it was unlikely to result in significant environmental effects and does not constitute Environmental Impact Assessment development.

- 3.3 The submitted PAN sets out the proposed pre-application consultation (PAC) which the applicant intends to undertake with the local community. The submitted information indicates that an in person engagement event will be held in September/October 2022 and a dedicated consultation webpage would be made available during the 12 week consultation period. The PAN indicated consultation will be undertaken with the Murroes and Wellbank Community Council and a number of local MP, MSP and councillors. The applicant has been advised to carry out additional consultation activity to ensure they comply with the current legislative requirements for PAC.
- 3.4 The applicant's agent has been advised that a planning application cannot be submitted prior to 26 October 2022 (the date 12 weeks from the submission of the valid PAN).
- 3.5 The results of the community consultation will be submitted with any subsequent major planning application in the form of a PAC Report as required by Development Management Regulations.

4. DISCUSSION

- 4.1 Committee is aware that planning legislation requires decisions in respect of planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. In this respect a number of policies in [TAYplan](#) and in the [Angus Local Development Plan \(ALDP\)](#) will be relevant to the proposal.
- 4.2 The development plan framework provides policies that are generally supportive of renewable and low carbon energy development (TAYplan Policy 7 and ALDP policy PV9). Those policies identify criteria that will be relevant to the assessment of proposals for renewable energy development. In addition, Angus Council has adopted [Renewable and Low Carbon Energy Development Supplementary Guidance](#) and has produced a [Strategic Landscape Capacity Assessment for Solar Energy in Angus](#). Those policies and associated documents would be relevant to the determination of any planning application. In addition, general policies which seek to safeguard landscape character, the amenity of neighbour properties and those which seek to promote a high quality of design would also be relevant, as would those policies that seek to safeguard built, cultural, and natural heritage interests.
- 4.3 In addition, Scottish Planning Policy (SPP) will be relevant, including the criteria it identifies for determining if a proposal contributes to sustainable development.
- 4.4 In these circumstances the key considerations in relation to the determination of a planning application will be whether the proposal complies with relevant development plan policies or whether there are other material considerations that justify a departure from relevant policies. In this respect the main considerations are likely to be the compatibility of the proposal with development plan policy and associated guidance having particular regard to the following matters: -
 - Landscape and visual impact of the panels and any associated infrastructure, such as equipment housing and access tracks;
 - Cumulative landscape and visual impacts;
 - Impact on amenity;
 - Design;

- Glint, glare and aviation impacts;
- Electricity transmission arrangements;
- Impact on natural heritage, including protected species, agricultural land, designated sites and ancient woodland;
- Impact upon built heritage, including listed buildings and sites of archaeological interest;
- Remediation or mitigation of any land contamination;
- Impacts upon recreational access in the area;
- Acceptability of access to the site and the impact of the proposal on road network in the area during construction, operation and decommissioning;
- Impact on the water environment, including drainage, flood risk and associated mitigation;
- Impact of the development on existing infrastructure and other land uses, including recreational access;
- Site decommissioning and restoration;
- Compatibility with SPP;
- Contribution towards renewable energy generation targets; and
- Any third party representations that raise material planning issues.

4.5 Whilst other issues may emerge through the publicity and consultation process associated with any planning application, the above matters are considered to represent the main issues that should be considered at the pre-application stage that are likely to be determining factors for any subsequent planning application. However, Members are invited to identify any additional matters that they would wish to see addressed.

5. OTHER IMPLICATIONS

The human rights implications associated with the proposal will be considered in the determination of any subsequent major planning application for planning permission.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

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APPENDIX 1: SITE LOCATION PLAN
APPENDIX 2: PLANNING SERVICE PRESENTATION