

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 15 AUGUST 2023

PROPOSAL OF APPLICATION NOTICE – MUIR OF PERT FARM, TEALING,
DD4 0QL

GRID REF: 340864 : 736794

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

Abstract: This report advises committee that a proposal of application notice (PAN) (ref: [23/00442/PAN](#)) has been submitted in respect of a major development comprising the erection of an energy storage facility up to 50MW, compound of equipment, access, fencing, security cameras, landscaping, tree planting, demolition of derelict buildings and other associated works Muir Of Pert Farm, Tealing for LoganPM Ltd. Committee is invited to identify issues which it would like to see addressed in any planning application that is subsequently submitted.

1. RECOMMENDATION

It is recommended that committee notes the key issues identified at this pre-application stage and advise 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: [23/00442/PAN](#)) has been submitted which indicates that an application for planning permission is to be submitted for an energy storage facility up to 50MW, compound of equipment, access, fencing, security cameras, landscaping, tree planting, demolition of derelict buildings and other associated works Muir Of Pert Farm, Tealing. The proposed development site would measure around 12 hectares and comprises agricultural land and existing buildings. A plan showing the outline of the site on which the development is proposed is attached at Appendix 1.

3.3 The submitted PAN sets out the proposed pre-application consultation (PAC) activity that the applicant intends to undertake with the local community. The applicant has

indicated that public consultation events will be held at Tealing Hall, Inveraldie with associated publicity and notification. They also advise that a project website would be made available. The prospective applicant has been provided with further advice in relation to the consultation activity, including a request to notify properties within 1km of the site about the events.

- 3.4 The planning application cannot be submitted within the 12-week period following the submission of the 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.
- 3.6 The agent has advised that this proposal follows consideration of a site nearby at Moatmill for which a Proposal of Application Notice was submitted ref: 23/00254/PAN (report 139/23 refers) and consultations held recently. The developer wishes to pursue this current Muir of Pert site as an alternative and is no longer actively pursuing the Moatmill site.

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 [National Planning Framework 4 \(NPF4\)](#) and in the [Angus Local Development Plan \(ALDP\)](#) will be relevant to the proposal.
- 4.2 NPF4 seeks to support development that helps to meet greenhouse gas emissions targets and it gives significant weight to the global climate emergency. There are specific policies in the development plan that relate to renewable and low carbon energy development (NPF4 Policy 11 and ALDP Policy PV9) and they provide a generally supportive policy framework. 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](#). Those policies and associated documents would be relevant to the determination of any planning application
- 4.3 Other policies in NPF4 and the ALDP will be relevant, including those that encourage, promote and facilitate development that addresses the global climate emergency and nature crisis; those that deal with the use of brownfield and agricultural land; protection of amenity; safeguarding of the natural and built environment, including landscape and visual impact; access and informal recreation; essential infrastructure; and the water environment will be relevant to the determination of any application. National policy guidance and targets related to the generation of renewable and low carbon energy will also be relevant.
- 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 those 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: -
 - Locational justification for the proposed development;
 - Soil quality, farm viability, and potential land contamination;
 - Landscape and visual Impact, including cumulative impact;
 - Impact on amenity, including residential and recreational amenity;
 - Ecological impact, including disturbance, displacement, habitat loss and/ or fragmentation and/ or opportunities for habitat improvement;
 - Built and cultural heritage impacts, including impacts on archaeological areas;

- Impacts on infrastructure, including the public road network and specifically the trunk road network;
- Impacts on the water environment, including flood risk;
- Electricity transmission arrangements;
- Cumulative impacts;
- Site decommissioning and restoration;
- Contribution to energy generation targets and local socio-economic impact;
- Other material considerations including relevant local and national guidance on renewable and low carbon development, and representations in support or objection to the proposal that raise relevant planning considerations

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: LOCATION PLAN