

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 11 FEBRUARY 2025

**PROPOSAL OF APPLICATION NOTICE – LAND 250M SOUTH OF PITPOINTIE,
KIRKTON OF AUCHTERHOUSE**

GRID REF: 335090 : 737274

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

1. ABSTRACT

- 1.1 This report advises Committee that a proposal of application notice (PAN) (ref: [25/00012/PAN](#)) has been submitted by Murray Planning Associates on behalf of Mespil Solar Energy Ltd in respect of a major development comprising of the construction and operation of a solar farm with an output of up to 46MW and its associated infrastructure on land 250m south of Pitpointie, Kirkton of Auchterhouse. Committee is invited to identify issues which it would like to see addressed in the planning application that is subsequently submitted.

2. RECOMMENDATION

- 2.1 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.

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: [25/00012/PAN](#)) has been submitted which indicates that an application for planning permission is to be submitted for a solar farm with an output of up to 46MW and its associated infrastructure on land 250m south of Pitpointie, Kirkton of Auchterhouse. The proposed development site would measure around 66 hectares and the proposal would involve the siting of solar panels with associated works on two parcels of adjoining farmland. 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 been advised that a location which is closer to the site is considered to be more suitable to facilitate public engagement in the pre-application consultation process, and that is currently subject to further discussion. The agent indicated adverts will be placed in the local press prior to each physical event and posters advertising the events will be pinned in the local area. They suggest a consultation website will also be set up to allow members of the public further opportunity to submit questions to

the applicant and their planning team. The agent has also advised that letters will be sent to all residential addresses surrounding the site. Subject to further discussion regarding the revised in person events, the consultation activity generally appears to comply with the current legislative requirements for PAC.

- 3.4 A planning application cannot be submitted prior to 9 April 2025 (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 [National Planning Framework 4 \(NPF4\)](#) and in the [Angus Local Development Plan \(ALDP\)](#) will be relevant to the proposal.
- 4.2 NPF4 aims to support development that helps to meet greenhouse gas emissions targets and also 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 these are generally supportive of developments of that nature. 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.
- 4.3 Other policies in NPF4 and the ALDP will be relevant to the determination of any application, including those that encourage, promote and facilitate development that addresses the global climate emergency and nature crisis; those that deal with the use of prime quality 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. 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 relevant policies, having particular regard to the following matters: -
- Locational justification for 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 impacts on ancient woodland, protected species, disturbance, displacement, habitat loss and/ or fragmentation and/ or opportunities for habitat improvement;
 - Built and cultural heritage impacts, including impacts upon areas of potential archaeological interest and listed buildings;
 - Impacts on infrastructure, including public road network, public access and overhead lines;
 - Impacts on the water environment, including flood risk;

- Glint, glare and aviation impacts;
- 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 Solar PV 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

5.1 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