

## **PROPOSAL OF APPLICATION NOTICE (PAN)**

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**Reference:** 24/00287/PAN

**Applicant:** Pegasus Group

**Proposal:** Proposal of application notice for proposed 49.9Mw battery energy storage system and associated infrastructure

**Site Address:** Ichrachan Farm , Taynuilt (Land T West of existing SSEN Substation)

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### **1.0 INTRODUCTION**

This report informs the Planning Committee of the submission of a Proposal of Application Notice (PAN). The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006. The development which is subject to the PAN is of a scale which will be an application to The Planning Authority as the capacity of the battery storage facility at 49.9Mw, will not exceed 50Mw in total capacity. (Above 50Mw would require a Section 36 Application under the Electricity Act to The Scottish Ministers)

The submitted information includes:

- Proposal of Application Notice
- Location Plan
- Copy of newspaper adverts

The applicant has set out in detail their proposals to ensure sufficient opportunity is provided for the community to view and comment on the proposals in advance of the submission of a formal application. The applicants have confirmed in the PAN form that the following consultation steps will be undertaken:

- Consultation event with Taynuilt Community Council (event took place on 19.2.24)
- Undertaking two further community consultation events at Taynuilt Village Hall ( 6.3.24 and 3.4.24)
- Advertising events within the Oban Times in advance.( 22.2.24 and 21.3.24 respectively)

Officers consider that the steps set out in the PAN are acceptable and in accordance with the requirements of the Regulations to ensure appropriate community consultation is undertaken prior to the submission of a planning application given the nature and scale of the proposals.

## **2.0 DESCRIPTION OF PROPOSED DEVELOPMENT**

The applicants propose to submit a planning application for the construction of Battery Energy Storage System (BESS) of some 49.9Mw together with new access and associated infrastructure, plant and machinery.

## **2.0 SITE DESCRIPTION**

The proposals will be located immediately to the west of the existing SSEN substation at Taynuilt on adjoining land. The site is bounded on its northern and western edges by the A85 Trunk Road and therefore discussions with Transport Scotland will be required in respect of any proposed access off the Trunk Road.

The application site currently comprises part of a large field used for grazing and is of low agricultural value. An almost continual band of trees is located along the northern and western boundary of the site. Immediately to the east is an existing SSEN substation of similar scale and appearance to the likely development. To the south the land rises approximately 20-30m on a gentle slope.

The nearest residential property is Fairy Hill Croft and beyond this to the south west Tugh Ruach and Burnside. Other residential properties are more distant and to the North East including Dalnhor, Alt-Na-Dubh and Inverawe Barn. It is estimated that the nearest residential property, situated on higher ground to the south, is approximately 200m from the site.

The proposal is located outside a settlement boundary on land identified as a countryside location. It is noted that no statutory designations will be directly impacted by the proposed site and that the site is outside the North Argyll APQ which starts on land across the A85 to the north of the site. There are no known constraints which affect the site.

## **3.0 DEVELOPMENT PLAN POLICY**

In considering the merits of this PAN, a number of Development Plan Policy considerations are relevant. The policies to be considered include:

### **[National Planning Framework 4 \(Adopted 13<sup>th</sup> February 2023\)](#)**

#### **Part 2 – National Planning Policy**

NPF4 Policy 1 – Tackling the Climate and Nature Crises  
NPF4 Policy 2 – Climate Mitigation and Adaption  
NPF4 Policy 3 – Biodiversity  
NPF4 Policy 4 – Natural Places  
NPF4 Policy 7 – Historic Assets and Places  
NPF4 Policy 11 - Energy  
NPF4 Policy 14 – Design, Quality and Place  
NPF4 Policy 22 – Flood Risk and Water Management  
NPF4 Policy 23 – Health and Safety  
NPF4 Policy 25 – Community Wealth Building

#### **Annex B – National Statements of Need**

3. Strategic Renewable Electricity Generation and Transmission Infrastructure

## **Argyll and Bute Local Development Plan adopted March 2015**

LDP STRAT 1 – Sustainable Development  
LDP DM1 – Development within the Development Management Zones  
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment  
LDP 5 – Supporting the Sustainable Growth of Our Economy  
LDP 6 – Supporting the Sustainable Growth of Renewables  
LDP 8 – Supporting the Strength of our Communities  
LDP 9 – Development Setting, Layout and Design  
LDP 10 – Maximising our Resources and Reducing our Consumption  
LDP 11 – Improving our Connectivity and Infrastructure

### **Supplementary Guidance**

SG LDP ENV 1 – Development Impact of Habitats, Species and Our Biodiversity (i.e. biological diversity)  
SG LDP ENV 6 – Development Impact on Trees / Woodland  
SG LDP ENV 7 – Water Quality and the Environment  
SG LDP ENV 11 – Protection of Soil and Peat Resources  
SG LDP ENV 14 – Landscape  
SG LDP ENV 19 – Impact on Scheduled Ancient Monuments (SAMs)  
SG LDP BAD 1 – Bad Neighbour Development  
SG LDP Sustainable - Sustainable Siting and Design Principles  
SG LDP SERV 5 – Waste Related Development and Waste Management  
SG LDP SERV 6 – Private Water Supplies and Water Conservation  
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development  
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes  
SG LDP TRAN 6 – Vehicle Parking Provision

These appear to be the most relevant policies. However this cannot be finalised until such time as a formal application has been submitted and the details of the proposals finalised.

### **Other Relevant Policy Considerations:**

#### **Emerging Local Development Plan (LDP2)**

The emerging Local Development Plan (LDP2) will replace the current Local Development Plan 2015, once adopted. The LDP 2015 at time of writing remains the adopted Local Development Plan, however, the Examination Report of the Draft LDP2 is a material consideration of significant weight and may be used as such until the conclusion of the LDP2 adoption process. (It is likely that this will form the statutory plan on 29 Feb 2024,

Policy 02 – Outwith Settlement Areas  
Policy 04 – Sustainable Development  
Policy 05 – Design and Placemaking  
Policy 06 – Green Infrastructure  
Policy 08 – Sustainable Siting  
Policy 09 – Sustainable Design  
Policy 10 – Design: All Development  
Policy 14 – Bad Neighbour Development  
Policy 15 – Supporting the Protection, Conservation and Enhancement of Our Historic Built Environment  
Policy 18 – Enabling Development

Policy 19 – Schedule Monuments  
Policy 22 – Economic Development  
Policy 30 – The Sustainable Growth of Renewables  
Policy 35 – Design of New and Existing, Public Roads and Private Access  
Policy 36 – New Private Accesses  
Policy 37 – Development Utilising an Existing Private Access or Existing Road  
Policy 39 – Construction Standards for Private Access  
Policy 48 – Developer Contributions  
Policy 55 – Flooding  
Policy 58 – Private Water Supplies and Water Conservation  
Policy 59 – Water Quality and the Environment  
Policy 63 – Waste Related Development and Waste Management  
Policy 73 – Development Impact on Habitats, Species and Biodiversity  
Policy 77 – Forestry, Woodland and Trees  
Policy 78 – Woodland Removal  
Policy 79 – Protection of Soil and Peat Resources  
Policy 80 – Geodiversity

- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
- UK Government’s Ten Point Plan for a Green Industrial Revolution (2020),
- Energy White Paper (2020),
- Carbon Plan (2011),
- The UK Renewable Energy Roadmap (2011) (updated 2012 and 2013) and the
- British Energy Security Strategy
- Scotland’s Draft Energy Strategy and Just Transition Plan and the accompanying Ministerial statement (Dated 10.1.23)
- The Scottish Government’s Policy on ‘Control of Woodland Removal’ (Forestry Commission Scotland 2009)
- Views of statutory and other consultees;
- Planning history of the site
- Legitimate public concern or support expressed on relevant planning matters

## 5.0 POTENTIAL MATERIAL CONSIDERATIONS

In respect of this proposal, it is considered that the following matters will be material considerations in the determination of any future planning application:

- a) LDP 2
- b) National Energy Policy Objectives;
- c) Community and Socio Economic Benefits;
- d) Roads, Transport and Access;
- e) Flood Risk, Water Quality and Drainage;
- f) Fire Management Plan
- g) Access from Trunk Road
- h) Natural Heritage and Biodiversity enhancement
- i) Built and Cultural Heritage;(Ancient Monument)
- j) Design and Layout;
- k) Landscape integration and Visual Impact
- l) Noise (During charging and discharging and associated with cooling fans)
- m) Any other material considerations raised within representations.

## **6.0 CONCLUSION**

The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will most likely be considered as well as potential material considerations and key issues based upon the information received to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

## **7.0 RECOMMENDATION**

That Members' note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the applicant's in finalising any future application submission.

**Author of Report: David Moore**

**Date: 23.02.2024**

**Reviewing Officer: Sandra Davies**

**Date: 8.03.24**

**Fergus Murray**  
**Head of Development and Economic Growth**