

West and Central Planning Committee

Blended Meeting - Committee Room 2, 5th Floor, Fife House,
North Street, Glenrothes



Wednesday 6 March 2024 - 2.00 pm

AGENDA

Page Nos.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

In terms of Section 5 of the Code of Conduct, members are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.

3. MINUTE - Minute of the meeting of West and Central Planning Committee of 7 February 2024. 4 - 6

4. 22/03982/FULL - LAND FOR PROPOSED SOLAR DEVELOPMENT, PARKEND, CROSSGATES 7 - 31

Construction and operation of a 30MW ground-mounted solar PV farm and 9MW Battery Energy Storage System with associated infrastructure including housing for inverters, transformers and electrical equipment, fencing, security cameras, cabling and access tracks.

5. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS

<https://www.fife.gov.uk/kb/docs/articles/planning-and-building2/planning/planning-applications/weekly-update-of-applications2>

Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services

Fife House
North Street
Glenrothes
Fife, KY7 5LT

28 February, 2024

If telephoning, please ask for:

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BLENDED MEETING NOTICE

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

THE FIFE COUNCIL - WEST AND CENTRAL PLANNING COMMITTEE – BLENDED MEETING

Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes

7 February 2024

2.00 pm – 4.15pm

PRESENT: Councillors David Barratt (Convener), David Alexander, Lesley Backhouse, Alistair Bain, David Barratt, John Beare, James Calder, Ian Cameron, Altany Craik, Dave Dempsey, Derek Glen, James Leslie, Lea Mclelland, Gordon Pryde and Sam Steele.

ATTENDING: Mary Stewart, Service Manager - Major Business & Customer Service, Katherine Pollock, Lead Professional – Strategic Development and Derek Simpson, Lead Officer – Development Management, Planning Services; Gemma Hardie, Solicitor, Steven Paterson, Solicitor and Emma Whyte, Committee Officer, Legal and Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Derek Noble, Andrew Verrecchia

147. DECLARATIONS OF INTEREST

Councillor Barratt declared an interest in para. No 150 - 23/02531/FULL - Black Shed Site, Belleknowes Industrial Estate, Inverkeithing – as he had expressed an opinion on a previous iteration of the application.

148. MINUTE

The committee considered the minute of the West and Central Planning Committee of 10 January 2024.

Decision

The committee agreed to approve the minute.

149. 23/01942/FULL - LAND AT ADMIRALTY PARK ROSYTH

The committee considered a report by the Head of Planning Services relating to an application for erection of new high school (Class 10), formation of associated sports pitches, landscaping and footpaths, erection of floodlighting, formation of vehicular access and associated infrastructure.

Members were advised of the following changes to the conditions set out in the report:-

Conditions 14 and 17 - to be amended to BEFORE THE SCHOOL BUILDING IS BROUGHT INTO USE.

Condition 17 - the condition is numbered 179 - to be amended to 17.

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Condition 24 - to add the following bullet point list of works:

- The provision of a toucan crossing to the west of the Brankholm Brae/Admiralty Road/ Admiralty Park roundabout.
- The provision of a toucan crossing on Admiralty Park to the south of the Brankholm Brae/Admiralty Road/ Admiralty Park roundabout.

Condition 25 - to be amended to BEFORE THE GRASS PITCHES ARE BROUGHT INTO USE and the word 'grass' inserted before the words 'sports pitches'.

Decision

The committee agreed to approve the application subject to:-

- (1) the conclusion of a Memorandum of Understanding to secure the following contributions:-
 - (a) a commuted sum equating to £1,000,000 to mitigate against the employment land lost to non-employment use(s);
 - (b) a contribution equating to £25,000 to mitigate against traffic impact on the trunk road. This sum is indicative and is to be confirmed via detailed design and agreed between Fife Council, Transport Scotland and the applicant; and
 - (c) a contribution equating to £22,614.98 (index linked) to mitigate against potential impact on the strategic transport intervention measures.
- (2) the 25 conditions as amended and for the reasons detailed in the report.

Prior to consideration of the following item, Councillor Barratt, having declared an interest, left the meeting at this point. Councillor Glen assumed the Chair for this item.

150. 23/02531/FULL - BLACK SHED SITE, BELLEKNOWES INDUSTRIAL ESTATE, INVERKEITHING

The committee considered a report by the Head of Planning Services relating to an application for the Installation of a 20.7MW gas-fired peaking plant and associated infrastructure (application to increase capacity from 19.9MW as approved under application reference 22/03551/FULL to 20.7MW).

Councillor Backhouse moved an amendment to refuse the application on the grounds of the principle of development. Having failed to find a seconder, Councillor Backhouse requested that her dissent be recorded.

Decision

The committee agreed to approve the application subject to the 17 conditions and for the reasons detailed in the report.

Councillor Calder left the meeting following consideration of the above item.

The meeting adjourned at 3.30 pm and reconvened at 3.35 pm.

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Councillor Barratt rejoined the meeting prior to consideration of the following item.

**151. 23/00674/FULL - GRAHAMS THE FAMILY DAIRY. MILK PRODUCTS. LTD
BLOCK 1 2 AND 3 GLENFIELD INDUSTRIAL ESTATE**

The committee considered a report by the Head of Planning Services relating to an application for an extension to industrial building (Class 5).

Councillor Bain moved an amendment to add a condition to require the doors to be closed between the hours of 11 pm and 7 am. Having failed to find a seconder, the amendment fell.

Decision

The committee agreed to approve the application subject to the four conditions and for the reasons detailed in the report,

**152. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER
DELEGATED POWERS**

Decision

The committee noted the applications dealt with under delegated powers since the last meeting.

6 March 2024

Agenda Item No. 4

Application for Full Planning Permission**Ref: 22/03982/FULL**

Site Address:	Land For Proposed Solar Development Parkend Crossgates
Proposal:	Construction and operation of a 30MW ground-mounted solar PV farm and 9MW Battery Energy Storage System with associated infrastructure including housing for inverters, transformers and electrical equipment, fencing, security cameras, cabling and access tracks
Applicant:	Mr Yaw Ofori, Challenge House Sherwood Drive
Date Registered:	2 December 2022
Case Officer:	Natasha Cockburn
Wards Affected:	W5R06: Inverkeithing And Dalgety Bay

Reasons for Referral to Committee

This application requires to be considered by the Committee because the application is for a Major Development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009

Summary Recommendation

The application is recommended for: Conditional Approval

1.0 Background

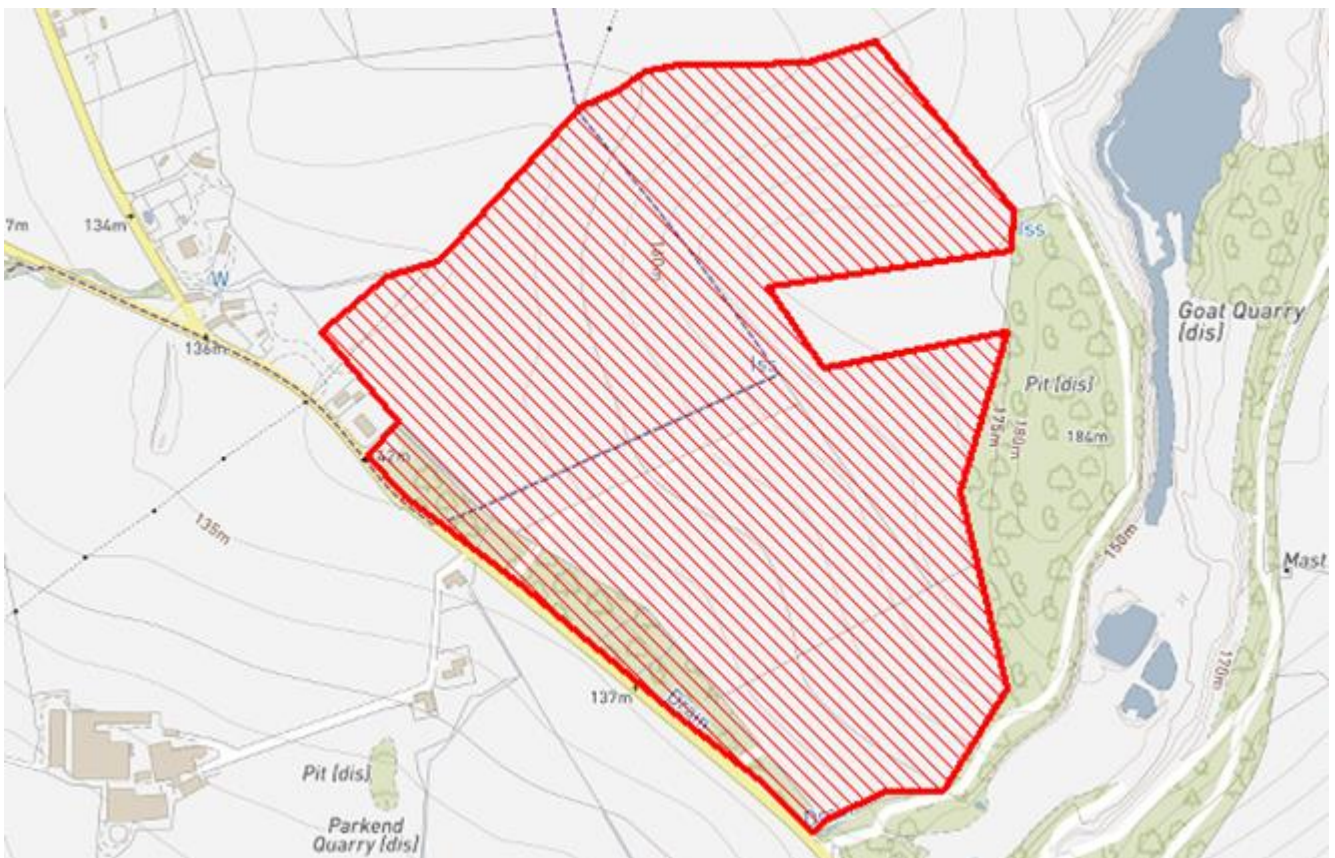
1.1 The Site

1.1.1 The application site covers approximately 31 hectares and is located to the east of Elmbank Farm, to the northwest of Aberdour, and to the south east of Crossgates. Mill Farm Road is adjacent to the site, to the west, which connects to the B925, A909 and A92. The inactive Goat Quarry lies to the south and east of the site. The site is located on a western facing slope. Trees, hedges and woodland surround the east and west boundaries, which provides established screening at these locations. There are areas of woodland around the site, within the adjacent landscape. The land is currently in agricultural use, used for sheep grazing, with associated farm steadings and outbuildings, and there is an existing access to the west. The closest sensitive receptors to the site are located to the north and north west of the site. Braehead Cottages are located approximately 80m, 120, and 250m west of the site, one property is located approximately 150m north west of the site, two properties are located approximately 90m north west of the site, and one property is located on the western boundary

of the site. An access is currently located to the west of the site, onto the C26. A 33kV overhead line crosses a small northern portion of the site from east to west.

1.1.2 The site is located out with the settlement boundary as identified within FIFEplan (2017) Local Development Plan. The site is located within the Cullaloe Hills and Coast Local Landscape Area (DWF-SAEF) as identified within FIFEplan (2017) Local Development Plan. This local-level designation encompasses extensive parts of the landscape to the north, south and east of the site, with an area of approximately 6,038 hectares. Fordell Castle Garden and Designed Landscape is located 1.4km to the southwest of the site. Core Path Network: Groat quarry, Cullaloe Hills (R738) runs north to south, out with the site to the east, Core Path Networks: Old Whitehill to Croftgary (R734) and Otterstone Road (R719) adjoin this one also to the east. Core Path Network: Muir Row Wood, Fordell Loop (R741) runs out with the site to the north west. Cullaloe Woods Ancient Woodland is located to the southern and eastern boundaries of the site. The site is located in an area with Low Likelihood of river, surface and coastal water flooding. Core Path 741 represents the Core Path in closest proximity to the Site from which there would be potential views of the Development (670m to the northwest). National Cycle Route 76, and the long distance walking routes of the Fife Coastal Path and St Margaret's Way, are located 2.1km to the southeast at the closest point.

1.1.3 LOCATION PLAN



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1.1.4 In the surrounding area, Inchcolm Local Landscape Area is 2.4km south of the site, and Letham Hill Local Landscape Area is 3.69km south west of the site. Cullaloe Local Nature Reserve (LNR) is located approximately 1.14 km east of the Site and within the LNR sits the Cullaloe Reservoir Site of Special Scientific Interest (SSSI). The Firth of Forth Ramsar site and the Outer Firth of Forth and St Andrews Bay Complex Special Protection Area (SPA) are

located 2.4 km south of the site. Aberdour Conservation Area is located approximately 2km south east of the site and the following heritage assets are within 1km:

- Category B Listed Building 'Whitehall House, Dovecot', 660m southeast;
- At least eight Category B Listed Buildings, associated with Bouprrie Farm approximately 870 m south east; and
- Category B Listed Building 'Cullaloe Temple', approximately 930m to the north east.

The Fordell Castle, The Murrel, St Colme and Aberdour Castle Gardens Designed Landscapes ('GDLs') are situated 1.57km west, 1.17km east, 1.62km south and 2.2km south east.

1.2 The Proposed Development

1.2.1 The application site covers an area of 31 hectares for the proposed development, which is an electricity generating station comprising arrays of ground-mounted photo-voltaic (PV) solar panels with a combined generating capacity of up to 30MW. The array is a galvanised steel and anodised aluminium mounting structure, onto which the solar panels are attached. The maximum top height (northern edge) of the arrays would be 3.09m; minimum height of the lowest part of the arrays will be 0.7m; and the solar panels would be dark blue, grey or black in colour. The panels would be screwed or driven into the ground to a depth of 1-2m.

1.2.2 The development proposal also includes 4 battery energy storage system containers, located to the south of the site, measuring 12m long x 3m wide x 3m high. The nature of the National Grid offer to the applicant is such that only 30MW of energy can be exported to the Grid at any one time - it will be physically impossible to export any more than that and only one technology (either PV panels or battery units) will ever be feeding into the Grid at any one time.

1.2.3 Further elements of the development comprise: underground (shallow trench) cabling; 9 solar inverter and transformers (6.9m long x 2.8m wide x 2.4m high); Customer substation building measuring 7.7m long x 2.9m wide x 3.5m high; a Control Room measuring 11.06m long x 5.4m wide x 3.5m high; a Switch Room measuring 4.7m long x 2.7m wide x 3.5m high (all located to the south within a substation compound area to the south). The substation compound area would be enclosed by a security fence measuring 2.4m high, which would also surround the remainder of the site. CCTV cameras would be located to the south of the site, mounted on 4m high poles.

1.2.4 The proposed security measures include 2.4m high stock proof perimeter fencing (mesh with wooden posts or similar) around the parcels of arrays proposed within the different field enclosures. 6m wide access gates would be installed at the access point to each parcel of arrays and will be designed and finished to match the fencing. Badger friendly and small mammal access points will be provided at various locations along any fencing to allow the passage of badgers across the site. CCTV security cameras would be positioned at suitable intervals on the inside edge of the security fencing and these would face into the proposal site only, in order to ensure privacy. Access to the site is proposed to the C26 Mill Farm Road during both construction and operational phases.

1.2.5 The development would generate and then subsequently export electricity to the grid network via the existing Inverkeithing substation and facilitate a shift to low carbon energy. The operational period of the array would be up to 40 years with provision for it to be decommissioned on the expiration of the planning permission. The site will be restored within 6 months of this time unless planning permission is sought for the extension of the operational period. Any application for extension would be assessed in accordance with the legislation and regulations at the time of applying. If an extension for operation is not sought, then all

equipment which is above ground would require to be removed from the site completely and the land reinstated to its existing agricultural use.

1.3 Relevant Planning History

17/01930/SCR - Screening request for proposed 20MW solar development

- EIA not required - 21/07/17

22/02344/SCR - EIA screening opinion request for a proposed ground mounted solar photovoltaic (PV) development (circa 30MW) with a combined battery energy storage system (approximately 9MW) - EIA not required - 11/08/22

22/02600/PAN - Proposal of application notice for solar PV development (30MW) with battery energy storage system (9MW) - PAN agreed - 18/08/22

1.4 Application Procedures

1.4.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017).

1.4.2 The proposal falls within 'Class 4: 'Electricity Generation' of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. As the capacity of the generating station would exceed 20MW., the proposal is categorised as a Major development. The applicant has carried out the required Pre- Application Consultation (PAC) through holding public information events (Ref: 22/02600/PAN). A PAC report outlining comments made by the public and the consideration of these in the design process of the proposal has been submitted as part of this application. Overall, the manner of public consultation is considered to be acceptable.

1.4.3 As the application site for the proposed development exceeds 0.5ha in area, per the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, the proposed development is identified as a 'Schedule 2' development which required to be screened for EIA. The proposed development was screened by the Planning Authority (Ref: 22/02344/SCR), where it was concluded that an EIA was not required.

1.5 Relevant Policies

National Planning Framework 4 (2023)

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 3: Biodiversity

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Policy 4: Natural places

To protect, restore and enhance natural assets making best use of nature-based solutions.

Policy 6: Forestry, woodland and trees

To protect and expand forests, woodland and trees.

Policy 9: Brownfield, vacant and derelict land and empty buildings

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

Policy 11: Energy

To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).

Policy 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

Policy 14: Design, quality and place

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

Policy 15: Local Living and 20 minute neighbourhoods

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

Policy 20: Blue and green infrastructure

To protect and enhance blue and green infrastructure and their networks

Policy 22: Flood risk and water management

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Policy 23: Health and safety

To protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

Policy 25: Community wealth building

To encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.

Adopted FIFEplan (2017)

Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts.

Policy 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

Policy 4: Planning Obligations

Outcomes: New development provides for additional capacity or improvements in existing infrastructure to avoid a net loss in infrastructure capacity.

Policy 7: Development in the Countryside

Outcome: A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

Policy 10: Amenity

Outcome: Places in which people feel their environment offers them a good quality of life.

Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

Policy 14: Built and Historic Environment

Outcomes: Better quality places across Fife from new, good quality development and in which environmental assets are maintained, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

Policy 12: Flooding and the Water Environment

Outcome: Flood risk and surface drainage is managed to avoid or reduce the potential for surface water flooding. The functional floodplain is safeguarded. The quality of the water environment is improved.

National Guidance and Legislation

PAN 1/2011: Planning and Noise

PAN 51: Planning, Environmental Protection and Regulation (2006)

Scottish Government's Control of Woodland Removal Policy (2009)

Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR)

Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

Wildlife and Countryside Act 1981 (as amended)

Wildlife and Natural Environment (Scotland) Act (2011)

Nature Conservation Scotland Act 2004 (as amended)

British Standard (BS) 5837:2012 Trees in relation to Design, Demolition and Construction

Supplementary Guidance

Supplementary Guidance: Low Carbon Fife (2019)

Low Carbon Fife Supplementary Planning Guidance provides guidance on:

- assessing low carbon energy applications
- demonstrating compliance with CO₂ emissions reduction targets and district heating requirements;
- requirements for air quality assessments.

Supplementary Guidance: Making Fife's Places (2018)

Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

Planning Policy Guidance

Trees and Development

2.0 Assessment

2.1 Relevant Matters

The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Community and Economic Benefits
- Loss of Prime Agricultural Land
- Landscape and the Built and Historic Environment
- Residential Amenity
- Transportation/Road Safety
- Flooding and Drainage
- Contaminated Land and Air Quality
- Natural Heritage and Trees
- Decommissioning of the Proposals

2.2 Principle of Development

2.2.1 NPF4 (2023) Policies 1, 2, 3, 11, 25 and 29, FIFEplan (2017) Policies 1, 3, 7, 11 and 13, Making Fife's Places Supplementary Guidance (2018) and Low Carbon Supplementary Guidance (2019) shall be considered in the assessment of the principle of development.

2.2.2 The proposed solar array is required to generate clean, renewable electricity to feed directly into the National Grid, with the battery storage element of the proposal enhancing the development by providing the facility to store energy at times of low demand and feed that into the Grid at peak demand times, thus assisting in maintaining balance and stability in a National Grid increasingly reliant upon renewable sources. This is in line with national policy to address the declared Climate Emergency and slow down the impact of global warming and aligns with Fife Council's own declaration of a Climate Emergency in 2019. Renewable technologies including battery storage and solar PV panels are consistent with broader low carbon objectives, including the recently approved 'Climate Fife Strategy'. Given the drive towards a low carbon economy, the Planning Authority is generally supportive of the proposed development.

2.2.3 The application site is located out with the settlement boundary, within the Cullaloe Hills and Coast Local Landscape Area (LLA) as identified within FIFEplan (2017) Local Development Plan. Policy 29 of NPF4 states that proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including essential infrastructure. This policy further advises that proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area, whilst they should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location. The glossary of NPF4 defines essential infrastructure as including all forms of renewable, low-carbon and zero emission technologies for electricity generation and distribution and transmission, electricity grid networks and primary sub stations. The proposal is therefore supported by NPF4.

2.2.4 Policy 1, Part A, of the Adopted FIFEplan Local Development Plan (LDP) states that the principle of development will be supported if it is within a defined settlement boundary and compliant with the policies for this location; or is in a location where the proposed use is supported by the LDP. Policy 7 (Development in the Countryside) of the LDP states that development in the countryside will only be supported where it is for other development which demonstrates a proven need for a countryside location. Policy 7 advises that in all cases development must be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area.

2.2.5 Fife Council's Low Carbon Supplementary Guidance (2019) advises that consideration of the scale of contribution to renewable energy generation targets and the effect of proposals on greenhouse emissions shall form part of the assessment process.

2.2.6 It is accepted that this type of infrastructure may have a proven need for a countryside location as required by Policy 7 of the LDP. Policy 29 (a) (Rural Development) of NPF4 also provides support for essential infrastructure applications within the countryside, whilst Policy 11 of NPF4 provides support in principle to new and replacement transmission and distribution infrastructure providing the proposal is designed to address its impacts, with significant weight to be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

2.2.7 In terms of site selection, the applicant has been through a feasibility exercise to assess the suitability of the site for solar power to generate electricity. It is considered by the applicant that the site is located in an area where power received from the sun is high and the development is intended to make efficient use of this resource. The applicant considered; solar irradiation levels; proximity to a viable grid connection; separation from settlements and areas of local population (if closer to settlements, suitable land available for landscape mitigation and planting to be implemented successfully); separation from heritage assets; existing screening provided by trees and hedges; topography; flood risk; field size/shading; suitable access to the site for the purposes of construction, operation and de-commissioning; agricultural land classification (endeavouring to avoid use of prime agricultural land); and ecological sensitivity and opportunities for biodiversity enhancements. The site is located on land with capacity to accept the development, which has been confirmed by a grid connection offer from the Distribution Network Operator (DNO), which was a key factor in the selection of the site. Other factors resulting in the selection of this site included solar radiance, ease of access, topography, flood risk, separation from nearby heritage assets and other environmental designations and presence of existing screening.

2.2.8 The proposal would also comply with Policy 29 of NPF4 as it is essential infrastructure. The proposal has evidenced the need for a countryside location in compliance with Policy 7 of the LDP. The proposal would also contribute to the need for improved energy infrastructure within Fife and would contribute to Fife's Net Zero targets and would, therefore, comply with Policy 11 of NPF4 which provides support for all forms of renewable, low-carbon and zero emissions technologies.

2.2.9 In conclusion, it is considered that the applicant has justified the need for the development to be located in the countryside and the proposal has met the requirements of the Development Plan. The principle of the solar PV facility therefore accords with the provisions of National Guidance and the Development Plan. The proposal would also operate for a temporary period and a draft condition has been attached to this recommendation requiring that on expiry of the temporary period, the battery storage facility and its ancillary equipment shall be dismantled,

removed from the site and the ground fully reinstated to the satisfaction of Fife Council as Planning authority.

2.2.10 Policy 11 of NPF4 supports proposals for renewable energy generation and sets out that the contribution the proposed development can make towards the renewable energy generation targets and greenhouse gas emissions reduction targets shall be given significant weight when considering the principle of development. Policy 11 of NPF4 also sets out that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. This is addressed below in Section 2.3. The policy further states that project design and mitigation will demonstrate how various material impacts are addressed; such impacts shall be considered within the following sections of this report.

2.2.11 Taking all of the above into account, the principle of the proposed development accords with the Development Plan policy framework covering the site as identified in NPF4 (2023) and the adopted FIFEplan Local Development Plan (2017). This is subject to compliance with other elements of the planning policy framework covering the site, and these matters are considered in the following sections of this Committee Report. The proposal would also operate for a temporary period and a condition has been attached to this recommendation requiring that on expiry of the temporary period, the development shall be dismantled, removed from the site and the ground fully reinstated to the satisfaction of Fife Council as Planning authority.

2.3 Community and Economic Benefits

2.3.1 Policy 11 (Energy) of NPF4, Policy 25 (Community Wealth Building), Policy 11 of FIFEplan (2017) and Low Carbon Supplementary Guidance (2019) applies in regard to community and economic benefits.

2.3.2 Policy 11 of FIFEplan (2017) states that permission will only be granted for new development where it has been demonstrated that the net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities have been demonstrated and NPF4 (2023) states that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

2.3.3 NPF4 Policy 25 states that proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.

2.3.4 A Socio-economics and Land-use Impact Assessment has been submitted with the application (RSK, February 2024). The assessment explains how the development would maximise socio-economic benefit, in accordance with NPF4 Policy 11. In terms of socio-economic impacts, the assessment submitted details of construction phase impacts, capital expenditure, gross employment and gross value-added estimates. The report sets out that when the proposed development is operational, a team of personnel would be required to provide servicing, maintenance, repairs and other operational support (including the use of a local security firm and landscape maintenance contractors). This would be required throughout the lifetime of the development. It sets out an estimation that the Fife economy would be boosted by £278,985 and 3.8 job years would be created in Fife during the construction phase. £665,400 expenditure would be spent in the Fife economy through the construction phase. In terms of potential supply chain benefits, the development would provide

opportunities for the involvement of local, regional and Scottish suppliers including research and development, design, project management, civil engineering, component fabrication / manufacture, installation and maintenance. Local contractors would be required for services including: haulage and transport services; site clearance; landscaping; civil engineering services; site and ground investigation services; crane companies to provide lifting services; plant and equipment hire; fencing and signage installation; mechanical, electrical, project management and supervisory services; provision and servicing of temporary welfare facilities; and supply of fuel and other consumables. During the construction process there would be opportunities where those employed will develop skills that would be of benefit to the local economy and to local businesses in the longer term. The applicant is a member of the Fife Chambers of Commerce with the aspiration that this will assist in understanding local capabilities and the opportunity to maximise tenders issued to the local supply chain. The applicant has advised that they are committed to using local contractors through the tendering process, including from the local area, including the position of a site maintenance role and specialist engineers which would need to be based within 60 – 90 minutes of the site to attend to any power outages. In terms of materials, the construction contractor would be required by the applicant to give local companies due consideration for the provision of goods and services. Local sourcing of equipment and materials is preferred whenever possible.

2.3.5 The report details some community benefits which would result from the development, including voluntary funding and engagement with Aberdour and Crossgates and Mossgreen Community Councils to benefit the local community. The applicant has advised that they would be working with local communities and is committed to offering a package of community measures, including the provision of solar panels to nearby households, the sponsorship of Dunfermline Football Club, the contribution of funds for local broadband connections and actively participating in and becoming a member of the local chamber of commerce. These are positive benefits resulting from the scheme and are welcomed but it is to be noted that the community benefit contributions are proposed voluntarily, separate from the requirements of Policy 11 as set out in paragraph 2.3.4, and do not form part of the assessment.

2.3.6 The development would result in positive socio-economic effects during the construction and operation phases of the development, with the majority to take place during construction. With the applicant proposing to prioritise local contracts and materials throughout all stages of the development, the development would maximise net economic impact, including local and community socio-economic impacts such as employment, associated business and supply chain opportunities.

2.3.7 Based on the submitted information therefore, it is considered that the proposal would provide socio-economic benefits as required by Policy 11 of NPF4. The proposals would also be supported by Policy 25 of NPF4 in that they would ensure the use of local supply chains and services; local job creation; and support community led proposals through the applicant's support to the local Community Councils.

2.4 Loss of Prime Agricultural Land

2.4.1 NPF4 (2023) Policy 5, FIFEplan (2017) Policy 7 and Fife Council's Low Carbon Supplementary Guidance (2019) apply.

2.4.2 The site is identified as Land Capability Code 3.2 (non-prime agricultural land) by the Hutton Institute. As Code 3.2 represents non-prime land, an assessment of the loss of Prime Agricultural Land is not required. Nonetheless, the applicant has submitted a Land Capability Classification for Agriculture report (Soil Environment Services Ltd, March 2022). The report

confirms that the land is currently grassland used for sheep grazing and concludes that the entire site is Code 3.2 with limitations for wetness and gradient.

2.4.3 The solar panels would be raised, allowing for the opportunity for sheep grazing to take place within the application site. Whilst the potential for sheep grazing has its benefits, crop harvesting would not be possible for the lifetime of the development. Given that the proposed development would not result in the loss of any areas of prime agricultural land, it would meet the terms of the Development Plan in this respect of the (temporary) loss of non-prime agricultural land.

2.5 Landscape and the Built and Historic Environment

2.5.1 NPF4 (2023) Policies 4, 11, 14 and 20, FIFEplan Policies 1, 10, 11, 13 and 14, Making Fife's Places Supplementary Guidance (2018), Low Carbon Fife Supplementary Guidance (2019), The Landscape Institute and Institute for Environmental Management and Assessment's Guidelines for Landscape and Visual Impact Assessment (3rd Edition, 2013) and NatureScot's Landscape Character Assessment of Scotland (2019) apply with consideration of the design and visual impact of the proposed development.

2.5.2 The site area indicated covers 31 hectares of land to the east of the C26 Crossgates to Aberdour Road. The land is currently in agricultural use and the main access is proposed to be via the existing farm access off the C26. The surrounding landscape mainly consists of agricultural land with some scattered isolated properties. The inactive Goat Quarry lies to the south and east of the site. The land is currently in agricultural use and much of the site is well screened and contained by existing woodland/hedge boundaries. Around 875m to the west is the former Muirdean Opencast Coal site, which is now restored back to agriculture, and the settlements of Crossgates, Coaledge and Fordell are located 1.75km northwest of the site, with Aberdour and Dalgety Bay around 3km to the south. There are individual dwellings in the local vicinity of the site.

2.5.3 Information relating to the visual impact on the local area has been submitted with the planning application, in the form of a Landscape and Visual Impact Assessment (LVIA), including photomontages and visualisations of how the development would look once completed. The LVIA concludes that the proposed development would only result in limited landscape and visual effects, primarily restricted to the site and its immediate setting. It has been demonstrated that, beyond the site boundaries, the effects would reduce with distance and the screening impact of vegetation and topography.

2.5.4 Existing perimeter and field boundary trees and hedge rows already provide natural screening. These areas will be retained and managed. Where gaps have been identified along certain sections of the site boundary, new hedge planting is proposed. This will both improve screening of the proposal from out with the site, while also creating the opportunity to enhance biodiversity and the local green network. Should Members be minded to approve the application, and dependent on timing, the intention would be to plant at the first available season to allow time to establish before the construction phase commences. The proposed landscape planting and habitat enhancements would provide the opportunity to reinstate and reinforce the existing landscape structure and would contribute to mitigating adverse effects of the scheme as the proposed boundary hedgerows, hedgerow-standard tree planting, and grassland areas establish and mature.

2.5.5 A Landscape and Visual Impact Assessment (LVIA) has been submitted in relation to the proposal's landscape and visual effects. The LVIA includes a Zone of Theoretical Visibility (ZTV) which includes ZTV maps to indicate the potential influence of the proposals in the wider landscape, photos taken from 8 viewpoints and photomontages from each of these viewpoints showing a modelled visual impact of the proposal. These demonstrate how the proposal would sit within the site and the surrounding landscape. The LVA sets out a Landscape Character Sensitivity assessment, which assesses the sensitivity of the Lowland Hills and Valleys Landscape Character Type (LCT) and an assessment of the effects on the Pronounced Hills LCT and Landscape Designation Cullaloe Hills and Coast Local Landscape Area (LLA) and Fordell Castle Garden and Designed Landscape (GDL). The eight viewpoints which were identified to illustrate the potential visual and landscape impacts of the development are as follows;

- Viewpoint 1 was taken from the dwellings to the west at Whitehill Knowe with a view east
- Viewpoint 2 was taken from a potential future path to the north of the site with a view south
- Viewpoint 3 was taken from the south west from a minor road to Chapel with a view north east
- Viewpoint 4 was taken from the north west from Core Path 741 with a view south east
- Viewpoint 5 was taken from the south west from Bankhead Farm with a view north east
- Viewpoint 6 was taken from the north from a layby on the B925 with a view south
- Viewpoint 7 was taken from Core Path 744, near Mossgreen, from the north with a view south east
- Viewpoint 8 was taken from Core Path 718 from within Fordell Castle GDL with a view east

2.5.6 Viewpoints 1 and 2 originally showed that the solar panels would encroach into the hill crest and it was considered that further mitigation would be required to address this concern. Consequently, solar panels have been removed from this area of the site and further tree planting added, with the photomontages updated to reflect this amendment, which is welcomed. New areas of woodland edge planting would be focused within the north west corner of the site. This would link with the existing tree belt along the western boundary. New areas of hedging, interspersed with hedgerow trees, are proposed, to provide further containment and partial screening of the development. The proposals also include species-rich grassland / meadow within the site, which is welcomed and would provide additional biodiversity enhancement, alongside visual softening.

2.5.7 Existing field boundaries, woodland and grassland ground cover would be retained within the site and additional tree and hedge planting is proposed to supplement this and provide additional screening. In terms of landscape effects, the undulating nature of the landform, in combination with established woodland along the western edge of the site and nearby tree cover means that landscape effects would be primarily focused within 300-400m to the north / northwest of the site where effects would be notable. This accounts for a small part of the Lowland Hills and Valleys LCT. Effects to the west and south west would be reduced by the established band of woodland extending along the western edge of the Site. Effects to the east would be diminished by the surrounding landform. As such, the effects on the Lowland Hills and Valleys LCT as a whole, would not be notable and there would be no notable effects on surrounding landscape character types. There would be similar, localised effects on the western edge of the Cullaloe Hills and Coast LLA. The proposed development would therefore not have any significant impact on the majority of the LLA.

2.5.8 Visual effects would be restricted based on the site location, which is remote from the settlement, and is enclosed by woodland along the western edge of the site and the landform to the east. The clearest views would be experienced by residents adjacent to the site, including Ferryview, Whitehill Knowe, Whitehill Kennels, and Woodend Farm, as well as future residents

at 2-9 Whitehill Knowe. The effects experienced at these locations would reduce over time as a result of the proposed tree and hedgerow planting within the site. Following discussions with the applicant and Fife Council's Tree Officer and Urban Design Officer, more mature heavy standard trees are proposed to be planted to mitigate against any visual impacts from an earlier stage. Views from the recreational routes within the area would be restricted by the landform, along with intervening tree cover and woodland. As such, no notable effects would occur as a result of the proposals to users of these routes. In terms of road users, there would initially be close proximity views of the development from localised sections of Mill Farm Road. However, the glimpsed views would reduce over time as the proposed woodland edge planting within the north west part of the site establishes

2.5.9 The cumulative impact of the development was considered in the assessment of its landscape impact. The assessment includes the following sites:

- Goathill Quarry, located 1.3km to the northeast;
- Goathill Quarry Wind Turbine (100m to tip), 1.75km to the northeast; and
- Mossmorran Wind Turbines (2no, 100m to tip), 1.98km to the northeast.

It is considered that there would be sufficient separation between the proposed development and the Goathill Quarry and wind turbines that the existing landscape characteristics would re-exert themselves across intervening areas. On balance, the cumulative magnitude of change across the area would only be moderate or slight. The cumulative level of effect across the Lowland Hills and Valleys LCT would be moderate. However, this is assessed as not notable on the basis that the characteristics of the wider LCT would remain predominantly unchanged. The development would contribute to cumulative effects on the Cullaloe Hills and Coast LLA in association with Goathill Quarry, Goathill Quarry Wind Turbine and the Mossmorran Wind Turbines. The cumulative magnitude of change across the LLA would be slight. The cumulative level of effect across the Cullaloe Hills and Coast LLA would be moderate. This is assessed as not notable in this instance on the basis that the wider LLA would remain predominantly unchanged. The development in particular would have no cumulative impact across the extensive central parts of the LLA to the east of the site. The development would contribute to sequential cumulative effects in association with the existing developments but these effects would be intermittent. As the proposed planting establishes over time, the views of the development would become more limited and have an even further reduced cumulative influence. Overall, the key views of the development are restricted to localised areas close to the site.

2.5.10 In terms of colour and materials, the enclosures, kiosks and battery containers would be painted with a muted colour (RAL 6003 Olive Green) to soften their appearance and assist in blending in with the surrounding landscape. In addition, these elements would be located in the lower-lying southern part of the site, near existing tree cover.

2.5.11 The applicant has demonstrated through the siting of the development and the submitted Landscape and Visual Impact Assessment that the expected landscape impacts of the proposed development are modest, and any localised impacts will be appropriately and successfully mitigated by carrying out improvements to existing landscape screening. The Development Plan framework indicates that, where impacts are localised and/or appropriate design mitigation has been applied for this type of development, they will generally be considered to be acceptable. It is therefore considered that any localised impact on the landscape, as described above, can be accepted. The proposal would, therefore, be visually acceptable, would have no significant detrimental impact on the site or surrounding landscape and would comply with the Development Plan in this respect.

2.5.12 There are very few sensitive receptors in immediate proximity to the site. The proposal affects no listed buildings although it would be close to Cullaloe which is a designed landscape

and contains three listed buildings. However due to the topography and tree planting they would not be affected.

2.5.13 A Heritage Impact Assessment has been submitted with the application (Arcus, November 2022), which includes a 1km study area for the site's heritage baseline and archaeological potential. Within the 1km Study Area three Designated Heritage Assets are recorded, made up entirely of Category B Listed Buildings with eight separate structures associated with the Bouprie Steading/Banks Farm, located 850 m south of the study area. LB3572, Cullaloe Temple, is located 900 m north-east of the study area, in Woodland of the Cullaloe Hills. Dovecot LB3604 is located in open fields 650 m south-east of the study area. These designated assets are all vernacular buildings associated with Post-Medieval rural settlement and the rural economy. Cullaloe Temple, is a 19th century folly associated with Cullaloe Farmhouse (LB3601) and its estate. Cullaloe Farmhouse is located outside of the 1km study area, 1.9 km north-east. No Scheduled Monuments, World Heritage Sites, Gardens and Design Landscapes, Conservation Areas or Registered Battlefields are recorded within the 1km study area.

2.5.14 GDL00182 (Fordell Castle Gardens) is a Garden and Designed Landscape (GDL) (grouped as Category A) and is assessed as having the potential to be subject to a negligible change in setting. The change would impact views along the northern edge of the Garden and Designed Landscape, with a negligible impact on its scenic value. Views from the northern edge of Fordell Castle Gardens would include glimpses of panels sited on the upper elevations of the site. The panels and substation, sited at lower elevations, would be screened by existing vegetation along the western edge of the site. The key views to and from Fordell Castle Gardens are located along its southern edge from the A912. In weighing up the negligible impact of the proposals on the views from Fordell Castle Gardens GDL, the impact would result in glimpses of panels from the northern edge, which would not have a significant impact on the designated area. The proposals have also been amended slightly since initial submission and the number of solar panels at the upper elevations of the site have been reduced, so the impact would be reduced.

2.5.15 In terms of archaeological interest on the site, there is known and potential archaeological interest within the study area. Three archaeological assets have been identified, relating to the Medieval period and Post Medieval periods. Two assets are likely to be impacted during construction. Bronze Age cremations are recorded within Cullaloe Woods, to the northeast of the study area. It is considered that the Cullaloe Woods may have been used for funerary rights during the Bronze Age and associated features may be present in the study area. These archaeological remains, if still surviving as below ground features, could be directly impacted by the proposed development. To determine the site's potential for unknown buried archaeological features, particularly those associated with the Bronze Age, Medieval and Post-Medieval periods, the applicant's Heritage Statement suggests that a programme of geophysical survey be conducted ahead of construction. Fife Council's Archaeologist has reviewed the proposals and has stated that the site is not considered to be particularly archaeologically sensitive and development would not have a significant visual impact on the surrounding historic environment. However, there is the potential for unrecorded buried archaeological deposits to exist on site as acknowledged within the Heritage Statement submitted by the applicant. Fife Council's Archaeologist agrees with the applicant's Heritage Statement and a condition is recommended requiring the implementation of a programme of archaeological works and the submission of a written scheme of investigation.

2.5.16 The proposals, subject to conditions, would comply with the relevant policies and guidance in relation to the impact on Built Heritage, subject to the aforementioned condition.

2.5.17 The proposed landscape impact of the proposal would be acceptable and there would be no significant detrimental impact on the landscape character of the area. Conditions are recommended which require that details of all finishing materials are submitted to this Planning Authority for approval before any works commences on site. The proposal subject to conditions, would therefore, be visually acceptable, would have no significant detrimental impact on the landscape or the Cullaloe Hills and Coast Landscape area and would comply with the Development Plan in this respect.

2.6 Residential Amenity

2.6.1 NPF4 (2023) Policies 11, 14 and 23, FIFEplan (2017) Policies 1, 10 and 11, Planning Advice Note (PAN) 1/2011: Planning and Noise, Low Carbon Fife Supplementary Guidance (2019) and Fife Council Policy for Development and Noise (2021), apply in terms of residential amenity.

2.6.2 A Noise Impact Assessment has been submitted with this application (Arcus, November 2022). The primary sources of noise from the proposed development are identified as 10 inverter stations (distributed across the development); 10 Transformers (in the same location as the inverter stations); 4 Battery energy storage containers which would include Heating, Ventilation, and Air Conditioning systems; and each pair of battery containers would be connected to a transformer and inverter. An assessment of the noise impact was undertaken in accordance with BS 4142:2014 and it has been found that the levels would be acceptable in terms of both BS4142 and Fife Council's criteria at all existing and proposed properties. There would be no adverse noise impacts as a result of the proposed development and no mitigation measures are required. Fife Council Environmental Health Officers have reviewed the Noise Impact Assessment submitted with the application and have confirmed that they have no objections to the proposals in regards to noise.

2.6.3 Construction activities could also impact on amenity given the location adjacent to residential properties. However, a requirement for a Construction Environmental Management Plan (CEMP) as a condition of planning permission would be sufficient to control any potentially adverse amenity impacts occasioned during the construction period. Dust has the potential to be an issue in very dry conditions, but adherence to best working practices detailed in the CEMP to safeguard amenity will be sufficient to mitigate this potential negative impact of the proposed development. In terms of nuisance, adherence to good site practices and the use of a planning condition to set noise limits are expected to reduce noise impact. The submitted Planning Statement suggests construction hours would be between 07.00 and 19.00, Monday to Saturday.

2.6.4 With regard to the potential for glint and glare to affect sensitive receptors, a comprehensive Glint and Glare Assessment has been submitted (Pager Power, November 2022) which indicates that solar reflections are geometrically possible towards a 1km section of Mill Farm Road. Screening in the form of existing vegetation, intervening terrain and the proposed screening from the landscape mitigation plan is predicted to obstruct views of the reflecting panels. Therefore, no impacts are predicted concerning road safety and mitigation is not required. In terms of impact on the adjacent residential properties, the assessment concludes that solar reflections are geometrically possible towards six of the eleven assessed dwellings. However, screening in the form of existing vegetation, intervening terrain and the proposed screening from the landscape mitigation plan would obstruct views of the reflecting panels. Therefore, no impacts are predicted in terms of residential amenity and mitigation is not required. Solar reflections would also be geometrically possible towards eight plots where proposed residential properties are to be constructed (planning reference: 17/03923/PPP and

18/02191/ARC). Screening in the form of the proposed landscape mitigation plan would obstruct views of the reflecting panels for all new plots. Therefore, no impact is predicted, and mitigation is not required. With specific regard to the potential for glint and glare to impact on aviation safety, the Directorate of Airspace Policy was consulted on the proposal and no objections were raised.

2.6.5 Site security is provided by the use of security fencing and CCTV cameras. An operational site lighting scheme will, however, be required and details of the scheme will be required as a condition of planning permission to ensure that no light pollution causes amenity impacts to sensitive receptors.

2.6.6 In conclusion, the proposed development would not give rise to adverse residential amenity impacts. The proposed development is thus deemed to be acceptable with regard to residential amenity considerations, complying with Policies 11, 14 and of NPF4 (2023) and Policies 1, 10 and 11 of FIFEplan (2017).

2.7 Transportation/Road Safety

2.7.1 NPF4 (2023) Policies 1, 2, 13, 14 and 15, FIFEplan (2017) Policies 1, 3 and 10 and Fife Council Transportation Development Guidelines (contained within Making Fife's Places Supplementary Guidance) apply with regard to transportation and road safety considerations.

2.7.2 A Transport Statement has been submitted with the application (Environmental Resources Management, July 2023) which details the traffic and transport impact of the proposals during the construction phase and once the solar arrays are operational. Construction traffic is expected to arrive from the north via the A909. The assessment considers effects on routes between the site entrance and the nearest major road, which in this case is the A909. It is expected that during the peak month of construction (Month 3), 69 two-way vehicle movements per day would access the site, which would comprise of 54 car movements and 15 HGV movements on average. The impact of this temporary increase in traffic during construction of the development on routes within the vicinity of the site is expected to be negligible. Traffic management procedures have been proposed, which would ensure the safe operation of the approach route to the site during construction. The final details of these procedures is recommended to be addressed by an appropriate condition. Once construction is completed the site would not be staffed, so operational traffic would be minimal and conducted by small vehicles, therefore the impact of the operational aspect on the wider highway network would be negligible. The visibility splay at the site entrance junction would meet the required visibility splay standard for the C26 without the need for third party land. Minor vegetation removal would be required to achieve and maintain the required forward visibility at the site entrance junctions at all times. The requirement for the removal of the existing vegetation is recommended to be secured by a planning condition.

2.7.3 Fife Council's Transportation Development Management Team has been consulted on the proposal and is content with the information submitted in support of the application, subject to planning conditions being applied.

2.7.4 The proposed development would, therefore, have no significant impact on the site or surrounding area in terms of transportation and road safety and would comply with the Development Plan in this respect.

2.8 Flooding and Drainage

2.8.1 NPF4 (2023) Policy 22, FIFEplan (2017) Policies 1, 3 and 12, the Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) are taken into consideration with regard to flood risk and drainage infrastructure.

2.8.2 Fife Council has no records of incidents of flooding on this site and there are no areas of the site where potential fluvial water flood risk is identified on the SEPA Flood Map. A Drainage Strategy (DS) (Arcus, May 2023) has been submitted with the application, along with certificates signed by a qualified individual verifying that the proposed drainage strategy is competent. The impermeable surface area for the proposal would be 121m². The DS submitted sets out that this increase in impermeable area would be negligible and would not be enough to require any formal discharge to a watercourse. The drainage network serving the hardstanding areas would be designed to intercept runoff through surrounding permeable aggregate before reaching a surface water outfall passively, at a rate not exceeding the Greenfield 1 in 200 year scenario. The surface water would therefore disperse within the aggregate and increase the time taken to reach the outfall providing additional interception and flow control. Due to the small runoff rates associated with the development, the predicted discharge from the attenuation area into the nearby watercourse is not calculated to exceed 0.1 l/s. The solar array area will comprise rows or strings of solar panels composed of PV modules mounted on metal frames, and pile driven into the ground, limiting the footprint of the panels. The installation of the PV arrays will not require the introduction of hardstanding at ground level and the design will incorporate regular rainwater gaps in order to prevent water becoming concentrated in one area. It is intended that any runoff will percolate naturally within the aggregate which will provide attenuation without formal discharge to a watercourse. The DS states that the attenuation area is not indicated to overtop during the 1 in 20 -year (+39 %) climate change scenario. Fife Council Flooding, Shoreline and Harbours Officers were consulted for comment on this application and initially requested further information in regards to the climate change scenario and drainage solutions. The applicant has provided a Drainage Statement, along with signed certificates by relevant qualified engineers to confirm that the proposed drainage solution will work. Fife Council Flooding, Shoreline and Harbours Officers have reviewed the proposals and have advised that they have no objections. Therefore, the proposals are considered acceptable.

2.8.3 The proposals comply with NPF4 (2023) Policy 22, FIFEplan (2017) Policies 1, 3 and 12, the Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) with regard to flood risk and drainage infrastructure.

2.9 Contaminated Land And Air Quality

2.9.1 NPF4 (2023) Policies 9 and 23, FIFEplan (2017) Policies 1 and 10, PAN 33: Development of Contaminated Land (2000) and PAN 51: Planning, Environmental Protection and Regulation (2006) apply.

2.9.2 With regard to land quality, Fife Council's Land and Air Quality team notes that the site has been in long-term agricultural use. This does not appear to have been intensive in nature, likely utilised as a field/seasonal grazing, therefore the Land and Air Quality Team have no comments to make and have no suggested planning conditions.

2.9.3 The proposed development would not give rise to adverse air quality concerns. The proposed development is therefore considered to comply with the Development Plan and associated guidance and is acceptable with regard to land and air quality considerations.

2.10 Natural Heritage And Trees

2.10.1 NPF4 (2023) Policies 1, 2, 3, 4, 6, 11 and 20, Scottish Government's Control of Woodland Removal Policy (2009), Policies 1, 10 and 13 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance Document (2018), Conservation (Natural Habitats) Regulations 1994 (as amended), Wildlife and Countryside Act 1981 (as amended), Wildlife and Natural Environment (Scotland) Act (2011) and Nature Conservation Scotland Act 2004 (as amended) apply in this instance with regard to natural heritage protection.

2.10.2 None of the trees within or adjacent to the site are protected by a Tree Preservation Order and none are located in a Conservation Area. However, the eastern edge of the site borders an area of woodland noted as Ancient or Plantation on Ancient Woodland. The trees within and immediately adjacent to the site are moderate and low-quality, Category B and C trees. The groups of trees have a higher quality grading due to their landscape contribution than they would otherwise have as individual specimens. No trees were considered to be of a high-quality, Category A or determined as unsuitable for retention, Category U.

2.10.3 An Arboricultural Planning Statement has been submitted with the application, which notes the removal of three tree groups (G13, G14 and G15), the removal of four trees from G6, three trees from G9 and two trees from G16 would be required, with the full extent of tree removals to be determined by a Site Arboriculturist and set out within a detailed Arboricultural Method Statement (AMS). The number of trees to be removed is required to be fully confirmed through the submission of an AMS which is recommended to be required by a condition. However, since the number of trees to be removed is relatively small and the quality of these is moderate to low, this does not pose a significant issue in regards to compliance with NPF4 and the Scottish Government Policy on the Control of Woodland Removal, therefore a condition is considered to be acceptable in this instance, to firm up details. The formation of a solar farm and associated battery storage is in line with sustainable and progressive development intended to create sustainable infrastructure, which will help in the broad fight against climate change. In accordance with the Scottish Government Policy on the Control of Woodland Removal, the proposals would help 'Scotland mitigate and adapt to climate change'. Therefore, the stated removal of trees, with appropriate replacement planting, is acceptable. Plans have been submitted which detail where protective fencing will be erected in relation to extant trees and also proposed development areas. This is satisfactory in meeting the standards set out in BS5837 and so there are no further requirements for this. Plans have been submitted which detail new planting, tree transplanting, and ongoing tree maintenance responsibilities. The species composition selected shows a significant number of native broadleaf trees, including flowering and fruiting, which would be positive for local biodiversity and fauna. The number of trees to be removed is required to be fully confirmed through the submission of an Arboricultural Method statement. However, currently the proposed plans are adequate in terms of requirements regarding trees. Fife Council's Tree Officer has accepted the proposals, subject to the submission of an Arboricultural Method Statement, which is recommended to be covered through a planning condition.

2.10.4 An Ecological Impact Assessment (EclA) was carried out in advance of the planning application submission, which set out the potential for protected species to be present and where mitigation measures may be required to ensure the development did not adversely affect them. An updated assessment was carried out in August 2023, including consideration of an additional area added to facilitate the site access visibility splay. Minor habitat changes were recorded (primarily agricultural land-use changes and differences in mapping preferences) and more trees with bat roost potential were highlighted. Additional recommendations were

therefore detailed, for the additional potential bat trees and in regards to timing of works and nesting bird checks. The report notes that compensation would be required should any potential bat trees be identified for removal, but the proposals do not include the removal of any trees which have the potential to contain bats. Mitigation is proposed to include appropriate buffers around potential habitats for protected species, and construction mitigation embedded into a Construction Environment Management Plan (CEMP). It is set out within the EclA that operational mitigation would consist of lighting designed in line with The Bat Conservation Trust good practice guidelines on lighting. Two statutory designated sites were recorded within 2km of the Site: Cullaloe Reservoir SSSI (1.2km east); and Otterston Loch SSSI (1.58km southwest). One non-statutory site was recorded at Cullaloe Local Nature Reserve and 13 woodland sites within 2km on the Ancient Woodland Inventory. There was evidence found of 9 protective and priority species within 2km of the Site. However, only evidence of brown hare activity was recorded during the survey, nothing else relating to the other 8 species listed. A badger survey was undertaken in September 2022 which found no signs of any population. Most of the site is comprised of arable land and other habitats considered to be of low ecological value. As the Firth of Forth SPA is situated approximately 2.6 km from the Site, there is potential connectivity between the site and the SPA. The site is located approximately 11.78 km from Loch Leven SPA and Ramsar site, which includes pink-footed goose. However, targeted surveys for foraging geese were scoped-out of the assessment due to the small size of the site relative to the available suitable habitat present in the wider area for foraging geese, as any potential impacts were considered to be negligible. Based on the topography and habitats present, it is considered that the site is not likely to be optimal for such species. A full appraisal of the suitability of the site for wintering bird species was submitted with the application. Fife Council's Natural Heritage Officer has reviewed the information submitted in regards to protected species, and concurs with the assessment provided and has no objections to the proposals.

2.10.5 The proposals include biodiversity enhancement measures, including additional trees planting, the provision of 10 bird boxes, the provision of 10 bat boxes and planting of native wildflowers and native shrubs across the site and where trees or gorse is removed adjacent to the public road. The seeding of wildflower meadows is proposed, with these maintained via seasonal sheep grazing. These proposals would provide NPF4 compliant biodiversity enhancements to the habitats within the site.

2.10.6 The mitigation and enhancement measures identified in the Landscape Mitigation Plan and described in the updated EclA are considered appropriate and should be applied as described. A condition is recommended to ensure appropriate landscaping is planted at appropriate times and is maintained, as is proposed. Fife Council's Natural Heritage Officer offers no objections to the proposals.

2.10.7 Taking all of the above into account, the proposed development would therefore accord with the Development Plan and other guidance in the context of ecology and the natural environment.

2.11 Decommissioning of the Proposal

2.11.1 NPF4 (2023) Policies 1, 2, 11 and 14, FIFEplan (2017) Policies 1, 10, 11 and 14, Making Fife's Places Supplementary Guidance (2018) and Low Carbon Fife Supplementary Guidance (2019) apply when considering the lifespan and decommissioning of the proposed development.

2.11.2 The Planning Statement submitted by the applicant indicates that the proposed development would operate for a temporary period of 40 years, after which it would be

decommissioned. The land would then be reinstated to open ground. It is advised that on decommissioning, the majority of materials would be removed from the site could be re-used or recycled.

2.11.3 A condition has been attached to this recommendation requiring that on expiry of the temporary period (40 years), the solar PV facility and its ancillary equipment shall be dismantled, removed from the site and the ground fully reinstated to the satisfaction of Fife Council as Planning Authority. The proposed development, subject to this condition would therefore be acceptable and would comply with the Development Plan in this respect.

3.0 Consultation Summary

Built Heritage, Planning Services	No comments received.
Trees, Planning Services	No objections. Full confirmation on tree removal is required, which is recommended to be covered through a planning condition.
Directorate Of Airspace Policy	No response.
Structural Services - Flooding, Shoreline And Harbours	No objections.
TDM, Planning Services	No objections, subject to conditions.
Land And Air Quality, Protective Services	No objections.
Archaeology Team, Planning Services	No objections.
Natural Heritage, Planning Services	No objections, subject to conditions.
Environmental Health (Public Protection)	No objections.
Urban Design, Planning Services	Amendments requested to the landscaping and cover of solar panels at the top of the slope requested to be removed. These amendments have been made and this is covered in paragraph 2.5 of the report of handling.

4.0 Representation Summary

4.1 No representations have been received.

5.0 Conclusions

The principle of this development in this location is considered acceptable in meeting the terms of the Development Plan and national guidance related to the provision of solar farms. Approval of the development would result in a significant step forward in addressing the global climate emergency by assisting the National Electricity Grid to become more reliant on renewable sources of electricity generation and storage. The development can be carried out without unacceptable impacts on the local environment or residential amenity, and no matters of road safety, contaminated land or flooding are raised by the development. There are no issues of visual impact to address, nor concerns for the built and historic environment arising from an approval of this application.

6.0 Recommendation

It is accordingly recommended that the application be approved subject to the following conditions and reasons:

PRE-COMMENCEMENT CONDITIONS:

1. PRIOR TO THE COMMENCEMENT OF WORKS, the junction access bellmouth from the public road shall be constructed in accordance with the current Fife Council Making Fife's Places Appendix G and the approved Site Plan.

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.

2. PRIOR TO THE COMMENCEMENT OF WORKS, 3m x 210m visibility splays shall be provided and maintained clear of all obstructions exceeding 1 metre in height above the adjoining road channel level, at the junction of the vehicular access and the public road, in accordance with the current Fife Council Making Fife's Places Appendix G and the approved Site Plan. These visibility splays shall be retained in perpetuity.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at the junction of the vehicular access with the public road.

3. PRIOR TO THE COMMENCEMENT OF WORKS, full details of adequate wheel cleaning facilities shall be submitted to and approved in writing by Fife Council as Planning Authority. Any subsequent approved details shall, thereafter, be provided and maintained in an operational manner throughout the construction works so that no mud, debris or other deleterious material is carried by vehicles on to the public roads"

Reason: In the interest of road safety; to eliminate the deposit of deleterious material on public roads.

4. PRIOR TO THE COMMENCEMENT OF WORKS, a parking area for all contractor's vehicles visiting the site shall be provided within the curtilage of the site and retained for the full construction phase. Details shall be submitted for approval by this authority, prior to works commencing.

Reason: In the interest of road safety; to prevent vehicles parking on the public road to the detriment of road safety.

5. PRIOR TO THE COMMENCEMENT OF WORKS, a detailed Construction Traffic Management Plan (CTMP) shall be submitted for approval by Fife Council as Planning Authority. The CTMP shall specify that all construction traffic associated with the proposal will arrive from the North and depart from the site Northwards travelling to and from the site via the C26, B925, A909 and the A92 Cowdenbeath Interchange. Once approved, all construction traffic shall operate in accordance with CTMP for the full duration of the construction phase.

Reason: In the interest of road safety; to ensure the safe operation of construction traffic on the surrounding public road network.

6. PRIOR TO THE COMMENCEMENT OF WORKS, the applicant shall carry out a dilapidation survey in the presence of Fife Council Roads and Transportation Services officers on the C26 road between its junctions with the B925 and the B9157. Any subsequent damage to the carriageway and roadside verges as identified by Fife Council as Planning Authority shall be repaired by the applicant to a standard acceptable to Fife Council.

Reason: To avoid any damage to the public road by construction traffic.

7. PRIOR TO THE COMMENCEMENT OF WORKS; a Construction Environmental Management plan (CEMP) (comprising a Construction Method Statement, a Management Plan, Construction Traffic Management Plan (CTMP), an Environmental Protection Plan and a Scheme of Works to mitigate the effects on sensitive premises/areas from dust, noise and vibration relating to construction activities on site) shall be submitted to, and approved in writing by, Fife Council as Planning Authority. FOR THE AVOIDANCE OF DOUBT British Standard BS 5228: Part 1: 2009: "Noise and Vibration Control on Construction and Open Sites" and BRE Publication BR456 – February 2003 "Control of Dust from Construction and Demolition Activities" shall be consulted. All construction works shall then be carried out in full in accordance with the approved details.

Reason: In the interests of safeguarding amenity

8. PRIOR TO THE COMMENCEMENT OF WORKS, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. This scheme shall specify that any plants which are dead, damaged, missing, diseased or fail to establish within 5 years of the date of planting shall be replaced annually. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

Reason: In the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

9. PRIOR TO THE COMMENCEMENT OF WORKS, the tree protection measures identified within approved Arboricultural Report (Planning Authority ref 25) shall be carried out in full. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the construction process and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery

Reason: In order to ensure that no damage is caused to neighbouring trees during development operations.

10. PRIOR TO THE COMMENCEMENT OF WORKS, an Arboricultural Method Statement shall be submitted for approval in writing by this Planning Authority, confirming the number of trees to be removed from the site. Thereafter, the development shall be carried out in accordance with these approved details.

Reason: In the interest of biodiversity and tree protection.

11. PRIOR TO THE COMMENCEMENT OF WORKS, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

Reason: In order to safeguard the archaeological heritage of the site and to ensure that the developer provides for an adequate opportunity to investigate, record and rescue archaeological remains on the site in advance of development.

12. PRIOR TO THE COMMENCEMENT OF WORKS; full details of the external finishing colour of all structures, including substations, control rooms, switch rooms, inverters, transformers, battery storage elements and all approved fencing shall be submitted to and approved in writing by Fife Council as planning authority.

Reason: In the interest of visual amenity.

13. PRIOR TO THE COMMENCEMENT OF WORKS, a lighting scheme shall be submitted for prior approval in writing by this Planning Authority. The submitted scheme shall indicate the measures to be taken for the control of any glare or stray light arising from the operation of the artificial lighting and shall demonstrate that this will have no detrimental impact on any neighbouring public roads, sensitive properties or surrounding habitat with regards to light spillage and glare. Thereafter, the lighting shall be installed and maintained in a manner which prevents spillage of light or glare into any neighbouring public roads, sensitive properties or habitat in accordance with the manufacturer's specification and approved details.

Reason: In the interest of amenity and protection of habitat

CONDITIONS:

14. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

15. The permission hereby granted shall be for a period of 40 (FORTY) years from the date of energisation of the project (such date to be notified in writing in advance to Fife Council as Planning Authority) and, on expiry of that period, the solar array and all ancillary equipment shall be dismantled and removed from the site within the following six months and the ground fully reinstated to the satisfaction of Fife Council as Planning Authority, taking into account the provisions of conditions 16 and 17 of the planning permission hereby granted, all unless retained with the express prior planning application approval of Fife Council as Planning Authority.

Reason: In the interests of visual amenity; in order that the planning authority retains control of the site after the period of planning permission expires.

16. UNLESS OTHERWISE AGREED IN WRITING WITH FIFE COUNCIL AS PLANNING AUTHORITY, if the solar farm and battery storage facility fails to export electricity to the grid for a continuous period of 12 months, the Company shall; (i) by no later than the date of expiration of the 12 month period, submit a scheme to Fife Council as Planning Authority setting out how the solar farm and battery energy storage facility and its ancillary equipment and associated infrastructure shall be removed from the site and the ground fully restored; and (ii) following written approval of the scheme by Fife Council as Planning Authority, implement the approved scheme within six months of the date of its approval, all to the satisfaction of Fife Council as Planning Authority, all unless retained with the express prior planning application approval of Fife Council as planning authority.

Reason: In the interests of maintaining adequate control of the solar farm and battery storage facility should it become redundant, and to ensure that the site is restored.

17. 12 months prior to the decommissioning of the solar farm facility, an ecological survey, carried out by a suitably qualified ecologist, shall be submitted for the prior written approval of Fife Council as Planning Authority, identifying any ecological constraints arising from decommissioning activities, any areas where new habitats that may have established need to be retained, and where any unavoidable loss of new habitat occasioned by decommissioning activities may need to be compensated for (on or offsite).

Reason: In the interests of protecting the ecology of the site and surrounding area, including new habitats that may have established over the period of planning permission.

18. 6 months prior to the decommissioning of the solar farm facility, a decommissioning and site restoration scheme shall be submitted for the prior written approval of Fife Council as Planning Authority, detailing how plant and equipment located within the site of the development hereby approved would be decommissioned and removed, informed by the ecological survey required by condition 17 of the planning permission hereby approved.

Reason: In the interests of visual amenity; in order that the planning authority retains control of the site after the development period expires and in the interests of protecting the ecology of the site and surrounding area, including new habitats that may have established over the period of planning permission.

19. No tree works or scrub clearance shall occur on site from 1st March through to 31st August, inclusive, each year unless otherwise agreed in writing with this Planning Authority prior to clearance works commencing. In the event that clearance is proposed between 1st March to

31st August, inclusive, an appropriate bird survey shall be carried out by a Suitably Qualified Ecologist (SQE) within 48 hours prior to works commencing in the proposed clearance area. Confirmation of the survey and ecological permission to proceed with the clearance works shall be submitted to this Planning Authority as proof of Condition Compliance. This proof should usually be in the form of a Site Note/Site Visit Report issued by the Suitably Qualified Ecologist.

Reason: In order to avoid disturbance during bird breeding seasons.

20. The scheme of landscaping as approved shall be implemented within the first planting season following the completion of the development and thereafter be maintained, for the lifetime of the planning permission hereby granted, in accordance with the ecological mitigation and biodiversity enhancements as set out in the hereby approved Ecological Impact Assessment (Arcus, November 2022).

Reason: In the interests of biodiversity enhancement and in the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term, and to ensure a satisfactory standard of local environmental quality.

7.0 Background Papers

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

National Guidance and Legislation:

The Scottish Government's Energy Storage: Planning Advice (2013)

Development Plan

National Planning Framework 4 (2023)

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Guidance Document (2018)

Low Carbon Fife Supplementary Guidance (2019)

Other Guidance:

Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022)

Report prepared by Natasha Cockburn, Lead Professional

Report reviewed and agreed by Mary Stewart, Service Manager and Committee Lead