

FPRB Reference: 24/423

Review Decision Notice

Decision by Fife Planning Review Body (the FPRB)

- Site Address: Land 200 metres West of Fife Tractors Ltd., Drum Road, Cuparmuir, Fife, KY15 5DU
- Application for review by Pegasus Planning Group Ltd. on behalf of Downing Renewable Developments LLP against the decision by an appointed officer of Fife Council.
- Application 24/01082/FULL for Installation of 12.5MW Battery Energy Storage System (BESS) and associated infrastructure including substation, transformer, switchgear, access track, fencing, hardstanding, cabling, Sustainable Urban Drainage System (SuDS) and formation of vehicular access (temporary for 40 years).
- Application Drawings and Supporting Documents:
Location Plan; Existing Site Plan; Planning Statement; Environmental Appraisal; Noise Impact Assessment; Residential Exclusion Zone Report; Ecological Statement; Drainage Strategy; Flood Risk Assessment; Low Carbon Sustainability Checklist; Proposed Site Layouts; Proposed Infrastructure Plans; Supporting Technical Reports and all documents forming the application submission

Date of Decision Notice: 2nd July, 2026.

Decision

The Fife Planning Review Body (FPRB) upholds the determination reviewed by them and refuses Planning Permission for the reasons outlined in Section 4.0 below.

1.0 Preliminary

- 1.1 This Notice constitutes the formal Decision Notice of the Local Review Body in accordance with the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application for Planning Permission was considered by the Fife Planning Review Body at its meeting on 15 June 2026. The Review Body comprised Councillors David Barratt (Convener), Lesley Backhouse, Altany Craik, Jane Ann Liston and Gordon Pryde.
- 1.3 The Review Body determined that sufficient information was available to determine the review without the need for further procedure. The Review Body also determined that the applicant's submitted indicative Masterplan constituted new information which had not been before the Appointed Officer and therefore should not be accepted as part of the review.

2.0 Proposal

- 2.1 The application site extends to approximately 0.224 hectares and lies on land approximately 200 metres west of Fife Tractors Ltd., Drum Road, Cuparmuir. The site forms part of the allocated Cupar North Strategic Development Area (CUP001) within the adopted FIFEplan (2017), specifically within the Gilliesfaulds West allocation. The site currently comprises previously disturbed land adjoining agricultural land, the Cupar electricity substation and established industrial and residential development.
- 2.2 Planning permission was sought for the installation of a temporary Battery Energy Storage System (BESS) with an operational life of forty years comprising six battery storage containers, associated inverter units, switchgear, substation, access track, hardstanding, fencing, CCTV, drainage infrastructure, SuDS, underground cabling and associated engineering works. The proposal also included the formation of vehicular access and landscape mitigation.
- 2.3 The proposed development would provide storage of electricity generated from renewable sources before exporting electricity back to the National Grid during periods of demand. The Review Body recognised that battery storage infrastructure forms an important element of the transition towards a low carbon energy system.

3.0 Reasoning

- 3.1 The Review Body considered the Development Plan comprising National Planning Framework 4 (2023) and the adopted FIFEplan Local Development Plan (2017). The Review Body also had regard to Making Fife's Places Supplementary Guidance (2018), Low Carbon Fife Supplementary Guidance (2019), the planning authority's Report of Handling, the Notice of Review and all accompanying representations.

Principle of Development

- 3.2 The Review Body considered that significant weight should properly be afforded to National Planning Framework 4 Policies 1, 2 and 11 in recognition of the climate emergency and the contribution battery energy storage developments can make towards renewable energy infrastructure and greenhouse gas reduction.
 - 3.2.1 However, the Review Body also concluded that these policy considerations required to be balanced against the Development Plan as a whole.
 - 3.2.2 The application site forms part of the allocated Cupar North Strategic Development Area (CUP001), where the adopted Local Development Plan identifies comprehensive mixed-use development comprising housing, employment land, community facilities and associated infrastructure supported through an approved masterplanning process. The Review Body accepted that the proposed BESS development represented a land use which was not identified within the allocation and that, in the absence of an approved revised masterplan, it had not been demonstrated that the proposal could be accommodated without prejudicing delivery of the allocated development or associated infrastructure requirements.
 - 3.2.3 The Review Body therefore concluded that the proposal conflicted with Policies 1, 2 and 5 of the FIFEplan and Policy 18 of National Planning Framework 4.

Design and Visual Impact

- 3.3 The Review Body accepted that, within the site's existing context, the proposed infrastructure would not be expected to give rise to significant landscape, visual or cultural heritage impacts. Nevertheless, because the application site forms part of a strategic allocation intended for comprehensive development, and in the absence of an agreed revised masterplan, the Review Body was not satisfied that the proposal could be appropriately integrated into the future design and layout of the Strategic Development Area.
- 3.3.1 Accordingly, the proposal was considered to conflict with National Planning Framework 4 Policy 14 together with Policies 10 and 14 of the FIFEplan.

Residential Amenity

- 3.4 The Review Body considered the submitted Noise Impact Assessment and associated technical reports. While the submitted information indicated that existing neighbouring residential properties would not experience unacceptable impacts, the Review Body accepted the planning authority's assessment that insufficient information had been provided to demonstrate that cumulative noise effects, when considered alongside the adjacent industrial use at Fife Tractors, would not prejudice future residential development within the allocated Strategic Development Area.
- 3.4.1 The Review Body therefore concluded that the proposal failed to demonstrate compliance with National Planning Framework 4 Policy 23 and Policies 1, 5 and 10 of the FIFEplan.

Other Material Considerations

- 3.5 The Review Body recognised the contribution the proposed development would make towards renewable energy infrastructure and reducing greenhouse gas emissions and acknowledged the wider public benefits associated with battery energy storage.
- 3.5.1 However, it concluded that these material considerations were insufficient to outweigh the identified conflict with the Development Plan, particularly the strategic importance of safeguarding delivery of the Cupar North Strategic Development Area and its associated infrastructure.
- 3.6 Having considered all the information before it, the Review Body concluded that there were no material considerations of sufficient weight to justify departing from the Development Plan. The application was therefore refused and the Appointed Officer's determination upheld.

4.0 Decision

- 4.1 The Fife Planning Review Body upholds the determination reviewed by them and refuses Planning Permission for the following reasons:-

1. The proposed Battery Energy Storage System would prejudice the comprehensive delivery of the allocated Cupar North Strategic Development Area (CUP001). In the absence of an approved revised masterplan demonstrating that the allocated housing, employment land and associated infrastructure can continue to be delivered, the proposal conflicts with the adopted Spatial Strategy and the site-specific requirements of the allocation. The proposal is therefore contrary to Policies 1, 2 and 5 of the FIFEplan Local Development Plan (2017) and Policy 18 of National Planning Framework 4.

2. In the absence of an approved revised masterplan, it has not been demonstrated that the proposed development could be satisfactorily integrated into the future design and layout of the allocated Strategic Development Area. Accordingly, the proposal is contrary to Policy 14 of National Planning Framework 4 and Policies 10 and 14 of the FIFEplan Local Development Plan.
3. The applicant has failed to demonstrate that the proposed Battery Energy Storage System would not result in unacceptable cumulative noise impacts, when considered alongside the neighbouring industrial operation, which could prejudice future residential development within the Strategic Development Area. The proposal is therefore contrary to Policy 23 of National Planning Framework 4 and Policies 1, 5 and 10 of the FIFEplan Local Development Plan.

.....
Proper Officer

NOTICE TO ACCOMPANY REFUSAL ETC. TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

*Notification to be sent to applicant on refusal of planning permission or
on the grant of permission subject to conditions*

NOTICE TO ACCOMPANY REFUSAL ETC. TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

*Notification to be sent to applicant on determination by the planning authority of an
application following a review conducted under section 43A(8).*

1. If the applicant is aggrieved by the decision of the planning authority -
 - (a) to refuse permission for the proposed development;
 - (b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission; or
 - (c) to grant permission or approval, consent or agreement subject to conditions,

the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.