
Report to: Planning Committee

Date of Meeting: 8th February 2022

Subject: Planning Appeal Decision - Erection of Reserve Gas Generation Facility with a Proposed Generation Capacity of 22.5 MW With Associated Infrastructure Including Ancillary Buildings, Access, Fencing and Landscaping at Land South Of Hennings Wood, Collyland Road, Fishcross – 20/00220/FULL

Report by: Keith Johnstone, Principal Planner

1.0 Purpose

- 1.1. This report advises Members of the recent appeal decision on the above proposed development and is for noting only.

2.0 Recommendations

- 2.1. It is recommended that Members note the decision of the Reporter to dismiss the planning appeal.

3.0 Considerations

- 3.1. Members will recall the decision of the Planning Committee at its meeting on 20th May 2021 to refuse planning permission for the above application in line with the recommendation by the Service. The Committee also heard representations on behalf of the applicant and from an objector when it met to determine the application.
- 3.2. The applicant sought permission to erect a “gas peaking plant” on an area of agricultural land to the west of Fishcross. The plant would generate electricity at short notice to supply the National Grid at periods where there is stress or fluctuations in the grid, or constraints on other electricity generation sources. The electricity generated would have been fed into the grid at the nearby electricity substation on Collyland Road.
- 3.3. The applicants lodged an appeal to Scottish Ministers against the Council’s decision on 25th June 2021. The Reporter appointed by Ministers issued a decision on 11th November 2021 that dismissed the appeal and refused planning permission (DPEA Ref PPA-150-2011).
- 3.4. In summary, the Reporter concluded that;

- i) The development is not considered to require a countryside location and would be an incongruous intrusion into an area of attractive countryside.
- ii) The development is contrary to Policies SC23 (Development in the Countryside – General Principles) and EA4 (Landscape Quality). The development would not comply with the local development plan.
- iii) There are no other material considerations which would outweigh the development plan position. The Reporter's assessment of considerations included; the evidence available to show that the proposal would fit within a strategic network of plants, where gaps needed to be filled; the requirement to locate the development close to the substation; the need for gas peaking plants to maintain a secure energy supply and help support the expansion of renewable electricity generation; and the provisions in Scottish Planning Policy (2014) relevant to the proposal.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☐

5.3. Finance have been consulted and has agreed the financial implications as set out in the report. Yes ☐

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

☒

Our families; children and young people will have the best possible start in life

☐

Women and girls will be confident and aspirational, and achieve their full potential ☐
Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

Clackmannanshire Local Development Plan Policies SC23 and EA4.

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☐

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☒ (please list the documents below) No ☐

- Adopted Clackmannanshire LDP

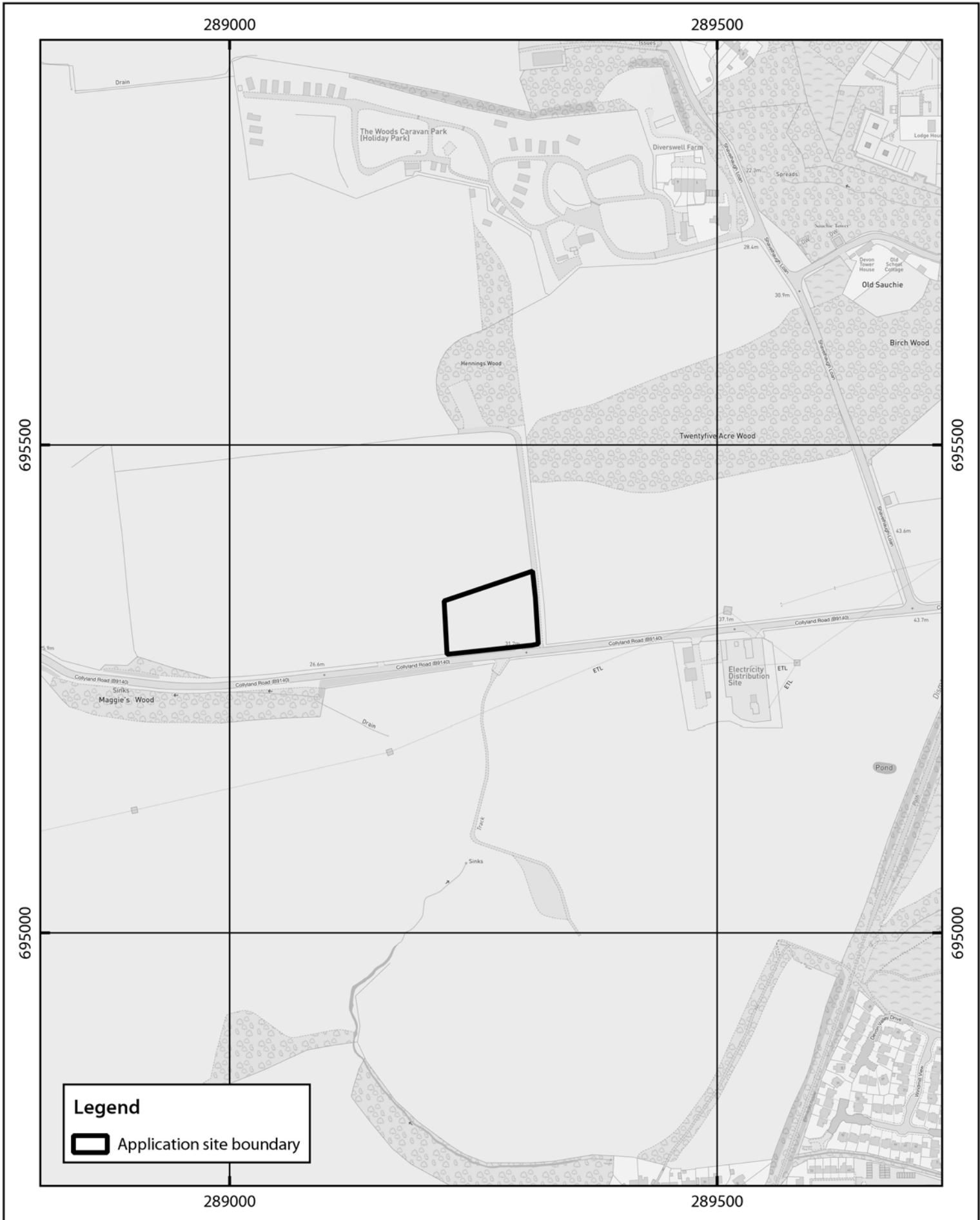
- Scottish Planning Policy (2014)


Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Keith Johnstone	Principal Planner	Ext 2614

Approved by

NAME	DESIGNATION	SIGNATURE
Allan Finlayson	Team Leader	
Emma Fyvie	Senior Manager (Development)	





Date:
24 Jan 2022


20/00220/FULL – Land South Of Hennings Wood, Collyland Road, Fishcross

Erection of Reserve Gas Generation Facility with a Proposed Generation Capacity of 22.5 MW With Associated Infrastructure Including Ancillary Buildings, Access, Fencing and Landscaping

Ward: Clackmannanshire East

OS Grid Ref: NS892953

Scale: 1:5,000



Clackmannanshire Council
www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

Development & Environment
Tel: 01259 450 000
planning@clacks.gov.uk

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