

THE HIGHLAND COUNCIL

**SOUTH PLANNING APPLICATIONS COMMITTEE
30 September 2014**

Agenda Item	5.2
Report No	PLS/066/14

**14/03473/PAN: RES UK AND IRELAND LIMITED
LAND 6KM SOUTH EAST OF NEWTOWN, INVERGARRY**

Report by Head of Planning and Building Standards

Proposal of Application Notice

Description : Formation of a 44 M W wind farm including the erection of 13 wind turbines (height to tip 149.5m), hard standings, access tracks, site access, borrow pits, erection of a meteorological mast, erection of a substation compound and control building, temporary construction compounds, drainage works, associated ancillary and engineering works.

Ward : 12 - Caol and Mallaig and 13 - Aird and Loch Ness

1.0 BACKGROUND

- 1.1 To inform the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on 5th September 2014. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The following information was submitted in support of the Proposal of Application Notice:
 - Covering Letter; and
 - Supporting Statement which includes:
 - Introduction to the proposal;
 - Project Description;
 - Information about the applicant;
 - The approach to consultation;
 - Consultation process, including the developers aims, who they will consult with and process;
 - Contact details for the applicant; and
 - Site location plan.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

2.1 Based upon the information provided, the development is likely to comprise of the following:

- Approximately 13 three-bladed horizontal axis wind turbines of up to 149.5m tip-height;
- Hard-standing areas next to each turbine;
- Access tracks and associated water crossings;
- A site access from the public road network;
- Borrow pits;
- A meteorological mast;
- 3 temporary site calibration masts;
- A substation compound containing a control building;
- Network of required cables between the turbines and the substation;
- Temporary construction compound;
- Drainage works; and
- Associated ancillary works and engineering operations.

3.0 SITE DESCRIPTION

3.1 The site lies approximately 5km to the south of Fort Augustus on the Culachy Estate to the east of the A82(T) and extends to 3000 hectares, the built development will occupy a much smaller area. The turbines will be set on a plateau adjacent to the Corrieyairick Pass on the Monadhliath Hills between Glen Buck and Glen Tarff at elevations of between 350m AOD and 430m AOD. In some areas within the site elevation reach to 470m AOD.

3.2 The site will be accessed from the U1667 road (Ardachy Road) which connects to the A82(T).

3.3 There are a number of sites designated for natural heritage interests in the area. The north eastern boundary of the site runs alongside the River Tarff which forms part of wider sites designated for natural heritage interests. These designated sites are:

- Ness Woods Special Area of Conservation; and
- Glen Tarff Site of Special Scientific Interest.

3.4 There are a number of scheduled monuments in the area, including those associated with the Corrieyairack Pass and Caledonian Canal, as well as other heritage assets, including but not limited to the following:

- Bridge of Oich, suspension bridge and embankment (Index no. 90343) - This is also a category A listed building (HB Num 1872) and a Property in the Care of Scottish Ministers;
- Torr Dhuin, fort, Fort Augustus (Index no. 794);
- Invergarry Castle (Index no. 5481);
- Kilwhimen Barracks, Fort Augustus (Index no. 9903);
- Fort Augustus Abbey Church (HB Num 1862) and Fort Augustus Abbey Monastery and School (HB Num 1861); and

- Blar Na Léine Inventory Historic Battlefield.

3.5 In addition to the above there are a number of archaeological records, identified within the Highland Historic Environment Record, which exist within and in proximity of the site.

3.6 The site sits within catchments of the River Tarff and Calder Burn. The main water courses on site are the following tributaries of the River Tarff:

- Connachie Burn;
- Black Burn; and
- Allt Lagan a Bhainne.

3.7 The site is not located within any international or regional landscape designations. However, it is in close proximity of the Loch Ness Special Landscape Area (SLA) and the Loch Lochy SLA. The majority of the site area is within the Braeroy - Glenshirra - Creag Meagaidh Wild Land Area identified on as identified on SNH's Wild Land Areas Map 2014.

3.8 When assessing a wind farm proposal consideration of similar developments around the site is required. The list below sets out the projects around this development site that are operational, approved or have been submitted but not yet determined.

Built and / or Consented

Beinneun
 Bhlàraidh
 Corriegarh
 Corriemony
 Druim Fada
 Dunmaglass
 Farr
 Millennium (and Extensions)
 Stronelaig

Under consideration

Allt Duine
 Beinn Mhor
 Dell
 Millennium South
 Talladh a' Bheithe

4.0 DEVELOPMENT PLAN POLICY

The following policies are likely to be relevant to the assessment of the proposal:

4.1 Highland Wide Local Development Plan 2012

Policy 28	Sustainable Development
Policy 29	Design, Quality and Place Making
Policy 31	Developer Contributions
Policy 51	Trees and Development
Policy 55	Peat and Soils
Policy 56	Travel
Policy 57	Natural, Built and Cultural Heritage
Policy 58	Protected Species
Policy 59	Other Important Species
Policy 60	Other Important Habitats
Policy 61	Landscape
Policy 63	Water Environment
Policy 67	Renewable Energy Developments <ul style="list-style-type: none">• Natural, Built and Cultural Heritage• Other Species and Habitat Interests• Landscape and Visual Impact• Amenity at Sensitive Locations• Safety and Amenity of Individuals and Individual Properties• The Water Environment• Safety of Airport, Defence and Emergency Service Operations• The Operational Efficiency of Other Communications• The Quantity and Quality of Public Access• Other Tourism and Recreation Interests• Traffic and Transport Interests
Policy 72	Pollution
Policy 77	Public Access

4.2 Inverness Local Plan (As Continued in Force) April 2012

The general policies and land allocations of the Local Plan pertinent to this application have been superseded by the policies of the Highland-wide Local Development Plan.

4.3 Adopted Supplementary Planning Guidance

- Flood Risk and Drainage Impact Assessment: Supplementary Guidance (January 2013);
- Highland Historic Environment Strategy: Supplementary Guidance (March 2013);
- Sustainable Design Guide: Supplementary Guidance (January 2013);
- Trees, Woodlands and Development: Supplementary Guidance (January 2013); and
- Highland Statutorily Protected Species: Supplementary Guidance (March 2013);

2014.

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- Planning History;
 - Interim Supplementary Guidance;
 - Highland Renewable Energy Strategy;
 - National Policy;
 - Roads and Transport;
 - Water, Flood Risk, Drainage and Peat;
 - Natural Heritage;
 - Built and Cultural Heritage;
 - Design, Landscape and Visual Impact (including Wild Land);
 - Access and Recreation;
 - Economic Impact and Tourism;
 - Noise and Shadow Flicker;
 - Telecommunications;
 - Aviation;
 - Construction;
 - Other Relevant Planning Documents including but not limited to:
 - Onshore Wind Energy: Interim Supplementary Guidance (March 2012);
 - Highland Renewable Energy Strategy (HRES) (May 2006);
 - Scottish Government Planning Policy (June 2014);
 - National Planning Framework for Scotland 3 (June 2014);
 - PAN 56 – Planning and Noise;
 - PAN 58 – Environmental Impact Assessment;
 - PAN 60 – Planning for Natural Heritage;
 - 2020 Routemap for Renewable Energy;
 - Onshore Wind Turbines; and
 - Wind Farm developments on Peat Lands.
 - Any other material considerations within representations.

6.0 CONCLUSION

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

7.0 RECOMMENDATION

- 7.1 It is recommended the Committee notes the submission of the PAN and advises of any issues it wishes to be brought to the applicant's attention.

Signature:

Designation: Head of Planning and Building Standards

Author: Simon Hindson

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Location Plan

PROPOSAL OF APPLICATION NOTICE MOLADH BRATH IARRTAIS

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006
Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

The Council will respond within 21 days of receiving the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required. Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.

Applicant	RFS % RACHEL ANDERSON	Agent
Address	THIRD FLOOR STV	Address
	PACIFIC QUAY	
	GLASGOW G51 1PQ	
Phone No.	[REDACTED]	Phone
E-mail	[REDACTED]	E-mail

Address or Location of Proposed Development Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice

CULACHY WIND FARM, CULACHY ESTATE, FORT AUGUSTUS

.....

.....

Description of Development Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

PLEASE SEE SECTION 1 OF THE ATTACHED REPORT

.....

.....

Pre-application Screening Notice

Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development?

If yes please provide a copy of this Opinion.

YES.....

NO.....✓

Community Consultation [See checklist of Statutory minimum consultation attached]

State which other parties have received a copy of this Proposal of Application Notice.

Community Council/s

Date Notice Served

FORT AUGUSTUS + GLENMORISTON 05/09/2014.....

GLENGARRY 05/09/2014.....

Names/details of any other parties

Date Notice Served

.....
.....

Please give details of proposed consultation

Proposed public event

Venue

Date and time

22ND OCTOBER 2014 - FORT AUGUSTUS VILLAGE HALL

AFTERNOON + EVENING (EXACT TIMINGS TBC)

Newspaper Advert – name of newspaper

Advert date(where known)

INVERNESS COURIER

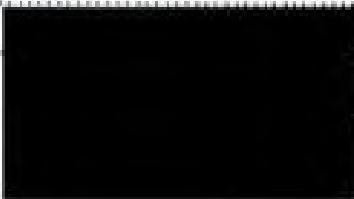
PRESS AND JOURNAL

Details of any other consultation methods (date, time and with whom)

PLEASE SEE SECTION 4 OF THE ATTACHED REPORT

.....

Signed



Date..... 05/09/2014.....

From: [Lisa Miller](#)
To: [Simon Hindson](#)
Cc: [Rachel Anderson](#); [Alan Macintyre](#); [Ken McCorquodale](#)
Subject: Culachy Wind Farm - Proposal of Application Notice
Date: 05 September 2014 17:10:48
Attachments: [Culachy Wind Farm Proposal of Application Notice.pdf](#)
[THC PAN Form - RES Culachy Wind Farm 05 09 2014.pdf](#)
Importance: High

Hi Simon,

Please find enclosed an electronic version of the Proposal of Application Notice (PAN) for RES' proposed Culachy Wind Farm on Culachy Estate near Fort Augustus.

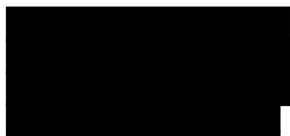
Further to our recent discussions, RES initially scoped Culachy Wind Farm with the Scottish Government under Section 36 of the Electricity Act 1989. The project has now reduced in size to below 50 megawatts and as set out in the Schedule, Regulation 2(1) of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, Culachy Wind Farm is defined as a Major Development, as the capacity is, or exceeds 20 megawatts. The proposed wind farm therefore requires a Proposal of Application Notice which is attached.

Please feel free to contact my colleague Rachel Anderson in the first instance should you have any questions. We look forward to receiving confirmation that our consultation process is acceptable.

Best regards

Lisa

Lisa Miller
Project Developer
UK & Ireland Development



www.res-group.com

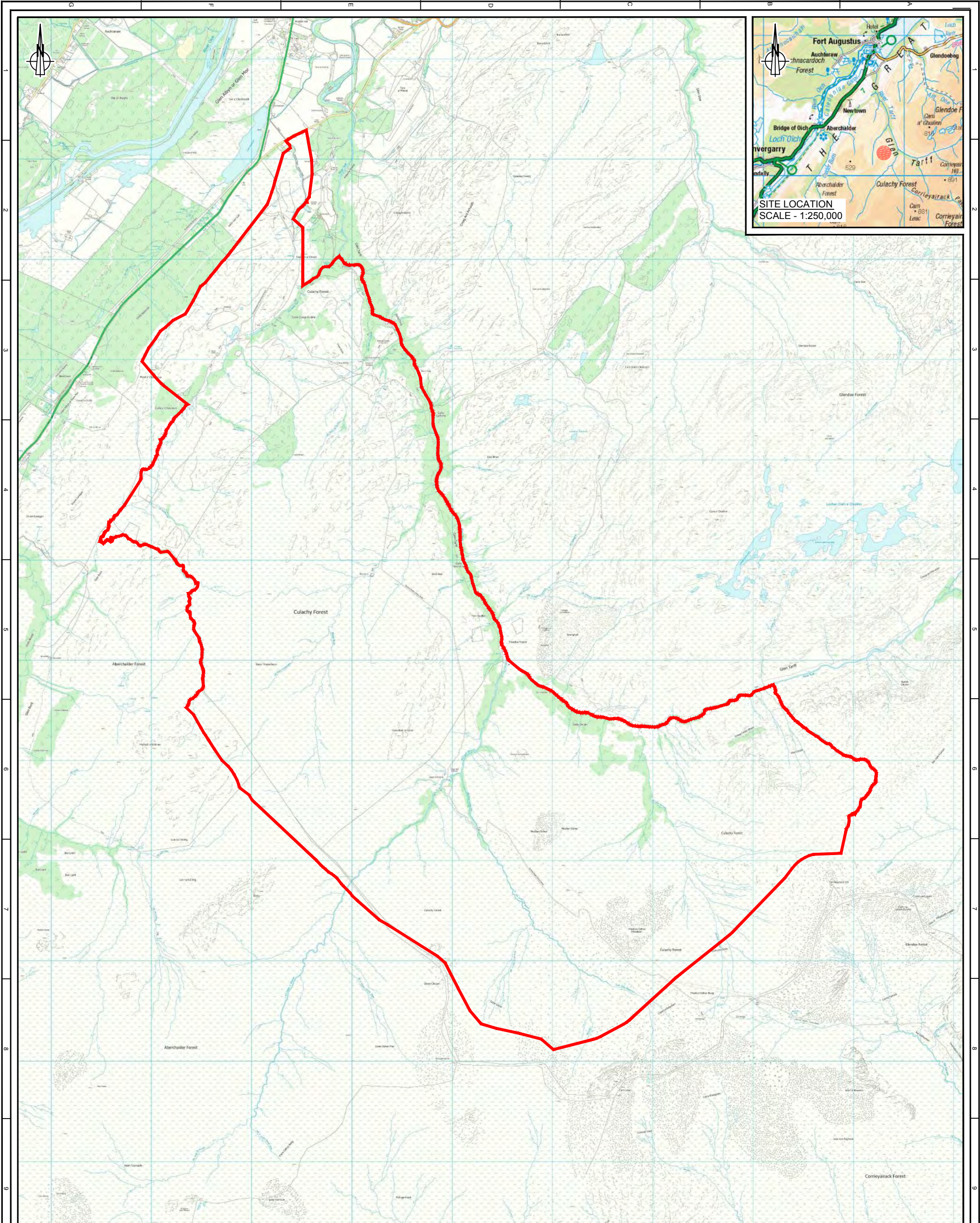
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RES UK & Ireland Limited, registered in England and Wales with Company Number 4913493
Registered Office: Beaufort Court, Egg Farm Lane, Kings Langley, Hertfordshire WD4 8LR



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KEY
 SITE BOUNDARY

NOTE
 SITE BOUNDARY IS SUBJECT TO CHANGE.

ISSUE	DRAWN	CHKD	APPD	DATE	REVISION NOTES
01	CT	NB	NB	03-06-2013	FIRST ISSUE
03	CT		NB	03-09-2013	BOUNDARY REDUCTION
04	PS	AM	JS	20-08-2014	BOUNDARY AMENDED
05	CT	LM	NB	02-09-2014	SITE BOUNDARY CORRECTED

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DRAWING NUMBER
03001D2502-05

PROJECT TITLE
CULACHY WIND FARM

DRAWING TITLE
SITE BOUNDARY

PURPOSE	PRELIMINARY	COORDS	UK OS
SCALE	1:35,000 @ A3	ORIGINAL PLOT SIZE	A3
LAYOUT DWG	N/A	T-LAYOUT NO.	N/A

CULACHY WIND FARM

Proposal of Application Notice (PAN)

September 2014



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1.0 THE PROPOSAL

Introduction

This document relates to a proposal by RES for a wind farm. The proposed Culachy Wind Farm is located on Culachy Estate, approximately 5 km south of Fort Augustus as shown in appendix 1 (Site Boundary - 03001D2205-01).

It is estimated that the site could accommodate up to 13 wind turbines with an expected total installed capacity of approximately 44 megawatts (MW), although it is recognised that the number may change due to technical, environmental, commercial constraints and the suitability of the site.

Project Description

RES initially scoped Culachy Wind Farm with the Scottish Government under Section 36 of the Electricity Act 1989. The project has now reduced in size to below 50 megawatts and as set out in the Schedule, Regulation 2(1) of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, Culachy Wind Farm is defined as a Major Development, as the capacity is, or exceeds 20 megawatts.

The proposed wind farm development at Culachy will comprise:

- Approximately 13 three-bladed horizontal axis wind turbines of up to 149.5 m tip-height;
- at each turbine, associated low to medium voltage internal transformers and related switchgear;
- turbine foundations;
- hard-standing areas at each turbine location for use by cranes for erection and maintenance;
- a series of on-site tracks with associated water crossings;
- a site access route from the main road network;
- borrow pits;
- a single, permanent, free-standing meteorological mast;
- up to 3 temporary site calibration masts;
- a sub-station compound containing a control building;
- an on-site electrical and control network of buried cables;
- a connection from the substation to the local grid network (not part of the wind farm planning application);
- temporary construction compounds including welfare and gatehouse compounds;
- drainage works;
- associated ancillary works; and
- engineering operations.

2.0 THE APPLICANT

RES is one of the world's leading independent renewable energy developers with operations across Europe, the Americas and Asia-Pacific. RES, a British company, has been at the forefront of wind energy development since the 1970s and has developed and/or built 135 wind farms (8 Gigawatts (GW) of wind capacity) worldwide. In the UK alone RES currently has more than 1,000 MW of wind energy either constructed, under construction or consented. In Scotland, RES has developed and/or built eleven wind farms with a total generation capacity of nearly 215 MW. In 2013, RES completed construction of Meikle Carewe Wind Farm in Aberdeenshire.

RES is active in a range of renewable energy technologies, including the development of large-scale solar and biomass and on-site heat, and the delivery of on-site renewable heat and power technologies. In the field of renewable energy and sustainable buildings RES also offers strategic advice to the public and private sectors. RES has offices across the UK and worldwide.

Drawing on decades of experience in the renewable energy and construction industries, RES has the expertise to develop, construct and operate projects of outstanding quality. From its Glasgow Office RES has been developing, constructing and operating wind farms in Scotland since 1993. RES has a growing team of over 117 staff in Scotland, working across a range of disciplines

3.0 OUR APPROACH TO COMMUNITY CONSULTATION

RES is experienced in wind energy project development and community consultation is an integral part of the process. A comprehensive process that engages with local people and stakeholders at an early stage allows an informed debate that helps us identify issues of concerns, explore solutions and design a low-impact project that will be welcomed as a positive asset by the local community.

As outlined in Section 1.0 of this report, Culachy Wind Farm constitutes a Major Development, as the capacity is, or exceeds 20 megawatts. This requires the applicant to carry out Pre-Application Consultation (PAC) with the local community and submit a PAC report with the planning application. As a prerequisite, an applicant must provide a Proposal of Application Notice setting out how it intends to carry out consultation and engage with the community local to its proposed development. This document fulfils this requirement.

Best practice guidance exists in Scotland on community engagement, with the most notable being PAN 3/2010 - Community Engagement. RES agrees with PAN 3/2010, in that each development requires a tailor-made approach to community consultation. RES wishes to undertake high quality, meaningful, public engagement and consultation. RES will use the 10 National Standards for Community Engagement as set out in PAN 3/2010 (and outlined below) to plan, monitor and evaluate our engagement.

1. INVOLVEMENT	Identify and involved the people and organizations who have an interest in the focus of engagement.
2. SUPPORT	Identify and overcome any barriers to involvement.
3. PLANNING	Gather evidence of need and resources to agree purpose, scope and actions.
4. METHODS	Agree and use methods of engagement that are fit for purpose.
5. WORKING TOGETHER	Agree and use clear procedures that enable participants to work together effectively and efficiently.
6. SHARING INFORMATION	Ensure necessary information is communicated between the participants.
7. WORKING WITH OTHERS	Work effectively with others with an interest.
8. IMPROVEMENT	Develop skills, knowledge and confidence of the participants
9. FEEDBACK	Feed results back to the wider community and agencies affected.
10. MONITORING AND EVALUATION	Monitor and evaluate whether engagement achieves its purpose and meets the national standard for community engagement.

RES will also draw on SP=EED (Scottish Planning = Effective Engagement and Delivery) derived from PAN81 to effectively audit the consultation process and use this tool to review the process in PAC report.

RES will work closely with The Highland Council to indentify stakeholders, drawing on their knowledge to build up a good understanding of the community. When working with stakeholders,

RES will listen, respond in a timely manner and, where appropriate either adapt the proposal or mitigate in response to the issues raised. Where this is not appropriate, RES will explain why.

We will ensure that all sectors of the community are involved in the process, identifying any difficult to reach individuals or groups with particular requirements and putting in place effective techniques to remove barriers to consultation.

As part of the Environmental Impact Assessment (EIA) process, as set out in the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011, RES is working closely with the statutory consultees and other technical stakeholders in undertaking environmental studies to identify the potential impact of the proposed development and possible mitigation measures. This is a parallel process and it aims to ensure the whole process is comprehensive and consistent. We aim for this to be a two-way conversation that informs and improves our overall project.

4.0 CONSULTATION PROCESS

Planning Policy

As set out in The Planning etc. (Scotland) Act 2006; the minimum consultation activity (Regulation 7) states that an applicant must consult with community councils and hold a public event. The Scottish Government views the objectives of the new regulations as "...to encourage improved trust and more open, positive working relationships from the earliest stages in the planning process and to provide, where possible, and early opportunity for community views to be reflected." As such, RES believes that meaningful and productive consultation requires a more detailed approach which goes above and beyond the minimum.

Our Aims

- To engage early with the community to facilitate a constructive consultation process; help RES understand and address concerns.
- Assist the public in understanding the benefits and impacts of the proposed wind farm.
- To add value and improve the quality of our proposal through meaningful and productive consultation
- Work with the community to define the structure of community benefits offered as part of the development.

Who we will consult with

As per Part 2, 7 (1) Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008:

"The prospective applicant is to consult as respects a proposed application every community council any part of whose area is within or adjoins the land where the proposed development is situated and in doing so is to give a copy of the proposal of application notice to such community council."

RES will serve the Proposal of Application Notice to the following bodies:

The Highland Council
Fort Augustus and Glenmoriston Community Council
Glengarry Community Council

Culachy Wind Farm is located in Fort Augustus and Glenmoriston Community Council area and the southwest extent of the site boundary adjoins Glengarry Community Council area.

Stakeholders at the local community level who are thought to genuinely represent the communities surrounding the wind farm have been identified as follows:

- Fort Augustus and Glenmoriston Community Council
- Glengarry Community Council

Stakeholders at the district and regional level are identified as:

- The Highland Council
- MSPs, MPs and MEPs
- Local community organisations and NGOs
- Local Schools
- Statutory and non-statutory consultees
- Local media

With every method used RES will emphasise that comments made are not representations to the planning authority, and when RES submits a planning application there will be the opportunity for representations to be made.

Process

RES will use the following methods of community involvement for engaging with stakeholders:

1. Community Council Meetings
2. Public Exhibitions
3. Meetings with Key Stakeholders
4. Individuals
 - a) Newsletters
 - b) Emails/Letters
5. Dedicated Wind Farm Website: www.culachy-windfarm.co.uk

RES will evaluate all of the methods of engagement used and will provide detailed findings within the PAC report submitted with the planning application. RES will ensure findings are presented with transparency and integrity.

Method	Stakeholders	Rationale	Further Information
Community Council Meetings	Community Councils	Identify and involve the people and organisations who have an interest in the focus of engagement. To outline our development plans and the consultation process RES wishes to undertake.	Letters will be sent with PAN to request a meeting. RES will present its development plans and discuss with the community council the best approach to consultation for their area.
Public Exhibitions	All	To share information on the development plans in an easily accessible way. Enable local residents to meet with RES staff to find out information, ask questions and leave comments on the development.	<p>A public exhibition will be held in Fort Augustus on 22nd October 2014. RES will ensure the public exhibition venue is accessible to everyone in the community. Adverts will be placed in the local papers (Inverness Courier and Press & Journal) at least seven days before the event including:</p> <ul style="list-style-type: none"> • a description and location of the proposed development; • where to obtain further information; • date, time and place of the exhibition; • statement explaining how and by when comments to RES on the proposal should be made; • statement that comments made to RES are not representations to the planning authority and that these can be made once a planning application has been submitted.
Meetings	Key Stakeholders (MSPs, MPs, Community Councils, Councillors, Community organisations, NGOs)	To provide information on the development to ensure key stakeholders can discuss and comment on the proposed development.	RES will send letters to key stakeholders to inform them of the public exhibition, inviting them to a private viewing before it opens to the public. RES will also seek a face to face meeting if this is not convenient.
Newsletters	All	To keep the local community updated with the timescale for the project and disseminate key information in a meaningful way. Provide contact details of the project team.	Newsletters will be sent out to all properties in Glengarry Community Council and Fort Augustus and Glenmoriston Community Council areas. If required, RES will provide opportunity to access the information in alternative formats such as Braille, large text and audio.
Emails/letters	All	To share necessary information with the local community. Respond to comments and questions on the proposed development.	RES will keep a database of those wishing to be kept informed with the proposal in accordance with the Data Protection Act (DPA) 1998. RES will respond in a timely manner and, where appropriate either adapt the proposal or mitigate in response to the issues raised. Where this is not appropriate, RES will explain why.
Website	All	The internet is increasingly being used to disseminate information. The use of digital media as a method of engagement will enable consultation with hard to reach groups. To enable information to be easily accessible for all stakeholders at each stage of the planning process.	RES will create a dedicated website for the project which will provide information about the proposed development, news, a questionnaire and information on the public exhibition. Information will be updated to include inputs made by all stakeholders throughout the process.

5.0 CONTACT DETAILS

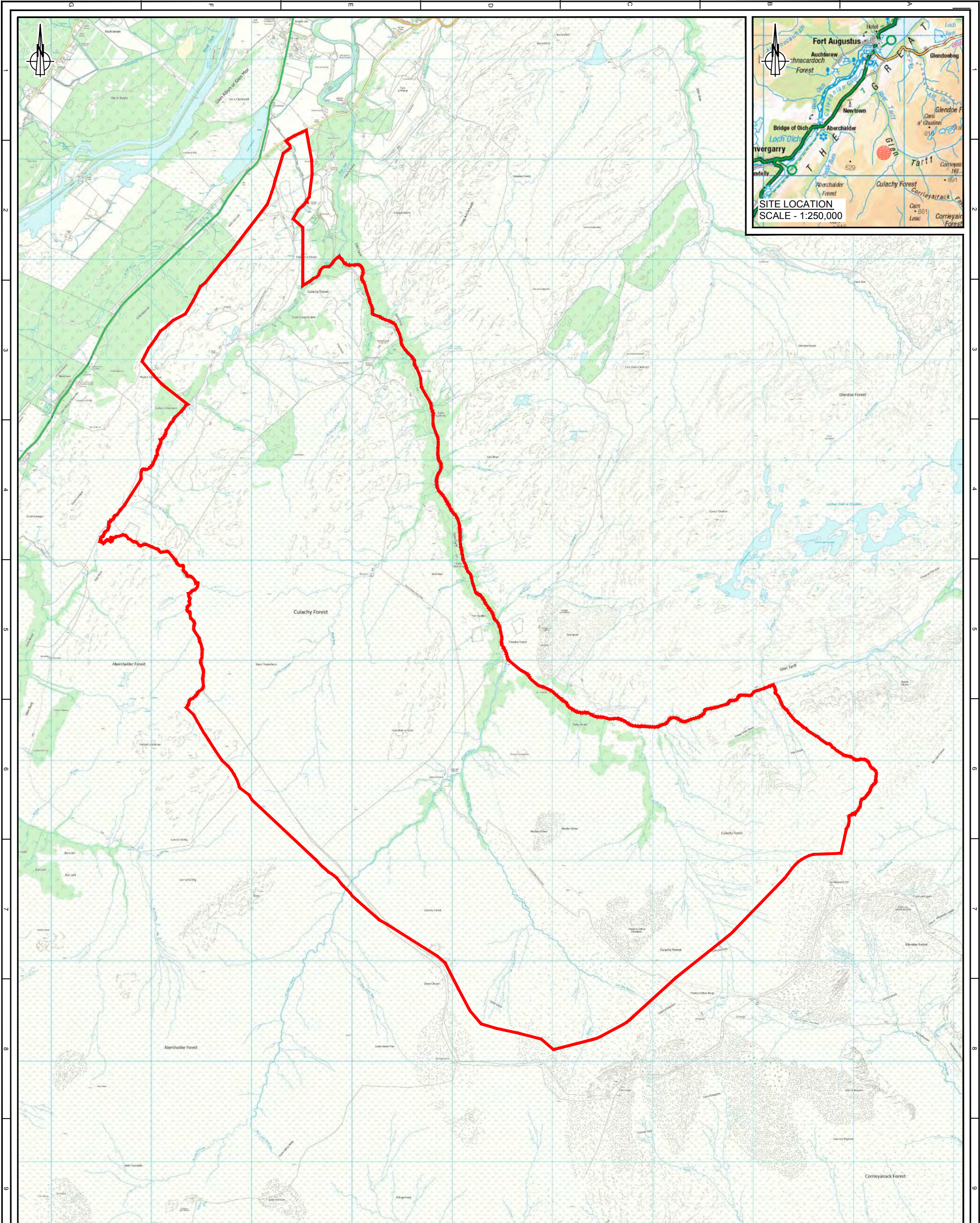
For further information, please contact:

Rachel Anderson
Regional Communications Manager - Scotland



6.0 APPENDICES

Appendix 1 - Site Location



KEY
 SITE BOUNDARY

NOTE
 SITE BOUNDARY IS SUBJECT TO CHANGE.

ISSUE	DRAWN	CHKD	APPD	DATE	REVISION NOTES
01	CT	NB	NB	03-06-2013	FIRST ISSUE
03	CT		NB	03-09-2013	BOUNDARY REDUCTION
04	PS	AM	JS	20-08-2014	BOUNDARY AMENDED
05	CT	LM	NB	02-09-2014	SITE BOUNDARY CORRECTED

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DRAWING NUMBER
03001D2502-05

PROJECT TITLE
CULACHY WIND FARM

DRAWING TITLE
SITE BOUNDARY

PURPOSE	PRELIMINARY	COORDS	UK OS
SCALE	1:35,000 @ A3	ORIGINAL PLOT SIZE	A3
LAYOUT DWG	N/A	T-LAYOUT NO.	N/A



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