

THE HIGHLAND COUNCIL

**NORTH PLANNING APPLICATIONS COMMITTEE
13 SEPTEMBER 2016**

Agenda Item	5.2
Report No	PLN/045/16

16/03825/PAN: RES Ltd

Cairnmore Wind Farm 1,360m NW of Hill of Foss Quarry, Hopefield, Janetstown, Thurso.

Report by Area Planning Manager – North

Proposal of Application Notice

Description : Wind farm comprising up to ten turbines (Cairnmore Wind Farm).

Ward : 04 - Landward Caithness

1 BACKGROUND

1.1 To inform the North 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 24 August 2016. Members are asked to note this may form the basis of a subsequent “major” planning application.

1.3 The submitted information attached includes: -

- Proposal of Application Notice.
- Site & Location Plan
- Supporting Information - statement.

1.4 The proposal has been presented as a Pre Application enquiry to the Council and an Environmental Impact Assessment Scoping request. Key sensitivities and constraints highlighted included:

- landscape and visual impact from the perspective of visitors to the area both travelling along the north coast and visiting the county in general;
- landscape and visual impact from the perspective of local residents in the immediate countryside and Thurso. There are a large number of houses in the countryside around the site which could be significantly affected by the development. Within a 2km radius there are approximately 110 properties and within 1 km there are approximately 60 properties and
- potential impacts on the Northern Caithness Cliffs SPA which is designated for its breeding seabird population.
- Dunnet Head Special Landscape Area (SLA) - See the SLA citations for further information.

- Development of larger-scale wind turbines near residential buildings requiring assessment of Residential amenity addressing visual amenity, noise and shadow flicker impacts individually and cummulatively.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

2.1 The proposed development is for:

- Up to 10 wind turbines each with a maximum tip height of 125m; transformers and related switchgear at each turbine;
- turbine foundations and hard-standing areas for erection and maintenance cranes at each turbine location;
- one permanent free-standing meteorological mast;
- a series of on-site tracks with associated water crossings;
- a site access route with any necessary road improvements works from public road network;
- borrow pits (dependent on suitability of stone on site);
- a control building, substation compound and communications mast;
- a network of on-site buried electrical cables;
- a temporary construction compound with laydown areas;
- temporary guyed meteorological masts to be used for detailed wind definition and wind farm commissioning/acceptance testing; and
- energy storage unit and associated infrastructure.

2.2 The proposed construction access is to be taken from the Council network, specifically the A836 Thurso – Bettyhill North coast road, with turbines (abnormal loads) like to arrive via Scrabster Harbour. The site is prominent to users of the north coast.

3.0 SITE DESCRIPTION

3.1 The site totalling approximately 370ha consists of farmland / grazing's / moorland on rising ground on the Hill of Forss, south of the main A836. It lies to the west of Thurso, the main settlement in the area which lies approximately 5km away.

3.2 In the surrounding area there are a number of protected sites. Of particular note these include the Caithness Lochs Special Protection Area (SPA) valued for geese and swans and North Caithness Cliffs (SPA) valued for peregrine falcon.

3.3 SEPA has highlighted that the site has a complicated drainage network which arises from a mixture of natural water courses, heavily engineered natural watercourses and man made drains and ditches. The site includes areas of valued habitat peat (limited) and ecosystems.

3.4 The proposed development is located within a rich cultural landscape. A wide range of historic environment features are situated within the development area and these include the remains of prehistoric settlement and burial features. Two scheduled monuments are located between 1 and 2 km from the proposed area, with many more scheduled monuments within 5km.

4.0 DEVELOPMENT PLAN

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 30 - Physical Constraints.
- Policy 31 - Developer Contributions.
- Policy 36 - Development in the Wider Countryside.
- Policy 55 - Peat and Soils.
- Policy 56 - Travel.
- Policy 57 - Natural and 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 64 - Flood Risk.
- Policy 66 - Surface Water Drainage.
- Policy 67 – Renewable Energy Developments.
- Policy 69 - Electricity Transmission Infrastructure.
- Policy 72 - Pollution.
- Policy 77 - Public Access.

Caithness Local Plan (as continued in Force following adoption of the HwLDP)

4.2 No specific policies.

Caithness and Sutherland Proposed Local Plan

4.3 The Proposed Caithness and Sutherland Local Development Plan (CaSPian) was approved at Committee in November 2015 and is now a material consideration in determining planning applications. Although the Plan does not attempt to provide a planning framework for the determination of wind farm applications some elements may be relevant, including: -

- The Plan's Vision and Spatial Strategy promotes the area as an internationally renowned centre for renewable energy and aims to maximise opportunities arising from the energy sector.
- Thurso is identified as a settlement development area (SDA) within both the Caithness Local Plan and the Proposed CaSPian and the focus on expanding the town to the west is set out in both plans. Land at to the south west of Pennyland and west of High Ormlie is the largest development site in the Plan and allocated for 260houses within the Caithness Local Plan. As the site slopes to the north-west any new housing may look out towards the proposed windfarm.

Other Policy and Advice

Scottish Planning Policy

- 4.4 The Scottish Government's policy and advice is set out in its National Planning Framework 3 (NPF 3) and Scottish Planning Policy, which advances policies on Sustainability and Placemaking, and subject policies on a Successful, Sustainable Place; a Low Carbon Place; a Natural, Resilient Place; and a Connect Place. Policy is very supportive of renewable energy development. SPP highlights that the Development Plan is the starting point of decision making on planning applications. The content of SPP is a material consideration that carries significant weight, although it is for the decision maker to determine the appropriate weight to be afforded to it in each case.

Highland Council Supplementary Guidance

- 4.5 The key document in respect of this application is the Council's Onshore Wind Energy Supplementary Guidance as approved by the Council in August 2016. It should be noted that several pieces of ongoing work for the SG continue, including work to identify strategic capacity within several areas of Highland, including the north coast and Caithness. The SG presents the Spatial Framework which groups areas into three categories including Group 1: Areas where windfarms will not be acceptable; Group 2: Areas of significant protection; and Group 3: Areas with potential for wind farm development. The proposed windfarm site is almost exclusively within a Group 3 area. However, the Spatial Framework shows that there are several Group 2 areas in close proximity.

Other guidance includes: -

- Sustainable Design Guide.
- Managing waste in new developments.
- Flood risk and drainage impact assessment.
- Construction and environmental management – largescale projects.

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- Development Plan Policy.
 - National Planning Policy.
 - Access and Transport Impacts.
 - Water, Waste Water, Drainage and Flood Risk.
 - Layout, Design and Mitigation.
 - Landscape and Visual Impacts including cumulative impacts.
 - Natural (Ecology and Ornithology) Heritage.
 - Cultural Heritage.
 - Socio Economic Impacts – including tourism.
 - Aviation Issues.
 - Noise.
 - Construction Impacts.

6.0 CONCLUSION

6.1 The report presents 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 material issues it wishes to be brought to the applicant's attention.

Signature: Dafydd Jones

Designation: Area Planning Manager – North

Author: Ken McCorquodale

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

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	RES LTD	c/o RUTH LIDDICOTT	Agent
Address	THIRD FLOOR STV		
	PACIFIC QUAY		
	GLASGOW G51 1PQ		
Phone No.	[REDACTED]		
E-mail	[REDACTED]		

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

CAIRMORE HILL, FORSS, THURSO, CAITHNESS, KW14 7XU

(LOCATION PLAN PROVIDED IN ATTACHED PAN)

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.

SEE ATTACHED PAN (SECTION 1)

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
CAITNESS WEST COMMUNITY COUNCIL	23/08/16
THURSO COMMUNITY COUNCIL	23/08/16

Names/details of any other parties	Date Notice Served
.....
.....

Please give details of proposed consultation

Proposed public event	Venue	Date and time
PUBLIC EXHIBITION	FORSS VILLAGE HALL	THURSDAY 29 th SEPT 2016
AFTERNOON AND EVENING (EXACT TIMINGS TBC)		

Newspaper Advert – name of newspaper	Advert date(when known)
CAITNESS COURIER, JOHN O'GROAT JOURNAL, AND NORTHERN TIMES	

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

SEE ATTACHED PAN (SECTION 4)

Signed  Date... 23/08/16

CAIRNMORE HILL WIND FARM

PROPOSAL OF APPLICATION NOTICE 2016



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1 THE PROPOSAL

Introduction

This document relates to a proposal by RES Ltd (RES) for a wind farm at Cairnmore Hill, approximately 4.5km west of Scrabster on the north coast of Caithness in the Scottish Highlands (shown on the attached location plan).

RES estimate that the site could accommodate up to 10 turbines although the number may change due to technical, environmental and commercial constraints.

Project Description

As set out in the Schedule of Regulation 2(1) of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, Cairnmore Hill Wind Farm is defined as a Major Development as the capacity is, or exceeds, 20 megawatts (MW).

The proposed wind farm development at Cairnmore Hill will comprise:

- Up to 10 wind turbines each with a maximum tip height of 125m;
- transformers and related switchgear at each turbine;
- turbine foundations;
- hard-standing areas for erection and maintenance cranes at each turbine location;
- one permanent free-standing meteorological mast;
- a series of on-site tracks with associated water crossings;
- a site access route with any necessary road improvements works from public road network;
- borrow pits (dependent on suitability of stone on site);
- a control building, substation compound and communications mast;
- a network of on-site buried electrical cables;
- a temporary construction compound with laydown areas;
- temporary guyed meteorological masts to be used for detailed wind definition and wind farm commissioning/acceptance testing; and
- energy storage unit and associated infrastructure.

2 THE APPLICANT

RES is one of the world's leading independent renewable energy project developers with operations across Europe, the Americas and Asia-Pacific. At the forefront of renewable energy development for over 30 years, RES has developed and/or built more than 10,000MW of renewable energy capacity worldwide. In the UK alone, RES currently has more than 1,000MW of projects either constructed, under construction or consented. RES is active in a range of renewable energy technologies including both onshore and offshore wind, solar, wave and tidal as well as enabling technologies such as energy storage and demand-side management.

In Scotland, RES has developed and/or built eleven wind farms with a total generation capacity of nearly 215MW. RES developed, constructed and now operates the 6 turbine Forss Wind Farm on the north coast of Caithness; RES also developed the 33 turbine Dunmaglass Wind Farm south of Inverness (constructed and operated by SSE). Furthermore, RES has a 12 turbine proposal at Aberarder next to Dunmaglass and a 13 turbine proposal at Culachy near Fort Augustus and is also awaiting a decision from Scottish Ministers on its 20 turbine Cairn Duhie proposal south east of Ferness.

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 130 staff in Scotland working across a range of disciplines.

3 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 of this report, Cairnmore Hill Wind Farm constitutes a Major Development, as the capacity exceeds 20MW. 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 (PAN) 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 involve the people and organisations 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.

In addition, RES will also draw on SP=EED (Successful Planning = Effective Engagement and Delivery) devised and produced by Planning Aid Scotland to effectively audit the consultation process and to describe it in the PAC report.

RES will seek advice from The Highland Council, as required, to identify local stakeholders and ensure 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 implement mitigation in response to the issues raised. Where this is not appropriate, RES will explain why.

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

In addition to community consultation, RES is working closely with the statutory consultees and other technical stakeholders to undertake environmental studies to identify the potential impact of the proposed development and any mitigation that may be required. This is part of the Environmental Impact Assessment process, as set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2015.

4 CONSULTATION PROCESS

Planning Policy

Regulation 7 of the Development Management Procedure (Scotland) Regulations 2013, as made under The Planning etc. (Scotland) Act 2006, states that an applicant must consult with community councils and hold a public event. The Scottish Government views the objectives of the 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 that 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.

Who we will consult with

As per Regulation 7, part 2 (1) of the Development Management Procedure (Scotland) Regulations 2013:

“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:

- Highland Council Planning Officer
- Caithness West Community Council
- Thurso Community Council

Cairnmore Hill Wind Farm is located within Caithness West Community Council’s boundary area and therefore we will consult with this Community Council under Regulation 7. In addition, given that the high population area of Thurso lies approximately 5km to the west of the site, we also intend to consult with Thurso Community Council under Regulation 7.

Other key stakeholders whom RES proposes to consult with, as required, at the district and regional level are as follows:

- Constituency MP for Caithness, Sutherland and Easter Ross
- Constituency MSP for Caithness, Sutherland and Ross
- Local Councillors for Landward Caithness Ward
- Local Councillors for Thurso Ward

Statutory and non-statutory consultees involved in the Environmental Impact Assessment process will be consulted separately as part of the EIA process.

With every method used, RES will emphasise that any comments made to RES are not representations to the planning authority. RES will ensure that people are aware that, once a planning application has been submitted, there will be the opportunity for formal representations to be made.

Process

RES will use the following methods of engagement:

1. Community Council meetings
2. Public exhibition(s)
3. Key stakeholder meetings
4. Newsletters
5. Letters/emails/phone-calls/meetings
6. Project website: www.cairnmorehill-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
Meetings	Community Councils	<p>Identify and involve the people and organisations who have an interest in the focus of engagement. Introduce the proposal and explain development process.</p> <p>Outline the associated consultation process RES proposes to undertake and respond to any feedback.</p>	<p>Letters will be sent to the Community Councils identified above with a copy of the PAN in order to confirm RES's approach to consultation and to offer to meet in order to discuss the project and proposed engagement further.</p> <p>RES has already contacted Calthness West Community Council to give a high-level overview of the proposal and to seek views on proposed engagement moving forward.</p>
Public exhibition(s)	All	<p>Provide a public event which is easily accessible and enables stakeholders to meet and engage with RES staff, face to face, in order to find out more, ask questions and provide comments on the development at an early stage.</p>	<p>RES proposes to hold a public exhibition in Forss Village Hall as it is located within the host Community Council area of Calthness West and close to the proposed site; Calthness West Community Council has endorsed this location. RES may also consider holding a public exhibition in Thurso should this be advocated during engagement with Thurso Community Council.</p> <p>RES is proposing to hold the event(s) on a midweek day running from mid-afternoon through to the evening, for example 2pm until 8pm, to allow the community ample opportunity to attend and find out more about the proposal. It is likely that this event will be held towards the end of September 2016 and the date will be dependent upon venue availability. RES will organise the event in such a way as to ensure that it is as accessible as possible.</p> <p>The exhibition will include display materials providing people with representations of how the wind farm will look in situ, an overview of the design process and information on the environmental aspects that have been considered throughout the design process. RES specialists will be available to discuss the proposal and answer any questions that people have. If there is more than one public exhibition the content presented at each event will be consistent.</p> <p>Adverts will be placed in the Northern Times, John O'Groat Journal and Calthness Courier at least seven days before the event and will include:</p> <ul style="list-style-type: none"> • a brief description of the proposal; • the date, time and location of the exhibition(s); • a statement explaining how and by when comments to RES on the proposal should be made; • a statement explaining that comments made to RES are not representations to the planning authority and that there will be an opportunity to make formal representations to the planning authority on the proposal if RES submits a planning application; and • details about where to obtain further information about the proposal. <p>Posters will also be issued to advertise the exhibition(s) locally.</p>
Key stakeholder meetings	Key stakeholders (as identified above)	<p>Provide information on the development to ensure key stakeholders can discuss and comment on the proposal.</p>	<p>RES will send letters to key stakeholders to inform them of the proposal and associated public exhibition(s) and to offer to meet with them to provide a briefing. RES will continue to update them at key stages of the project as required.</p>

Method	Stakeholders	Rationale	Further Information
Newsletters	All	Distribute information more widely within the local community to ensure that people are aware of the proposal and to highlight the public exhibition(s) and consultation process. Provide contact details for further information.	Newsletters will be sent out to houses and businesses within the area. RES will provide the opportunity for people to access the information in alternative formats such as Braille, large text and audio.
Emails/letters/phone-calls/meetings	All	Share necessary information with and respond to queries from Community Councils and key stakeholders in addition to the wider community, local residents and general public.	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	Provide another platform for information. The internet enables access to information for a variety of hard to reach groups who may be unable to attend exhibitions or meetings for reasons that could include, but are not limited to, mobility, child care issues or work commitments.	RES will create a dedicated website for the project which will provide information about the proposed development. A project website has already been established (www.cairmorehill-windfarm.co.uk) and will be developed further with more information as the project progresses. The website will include information on the public exhibition(s) and how to comment on the proposal as well as contact details for the project. The website will be updated at key stages of the project.



CAIRNMORE HILL WIND FARM
FIGURE 1
TURBINE LAYOUT

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2018 LICENCE NUMBER 0100031673.

- Project Area
- Turbine Location

Turbine ID	Easting	Northing
T1	306963	968600
T2	306930	968600
T3	306688	968299
T4	306321	968338
T5	306378	967927
T6	306877	967676
T7	306246	967552
T8	306079	968094
T9	305925	967293
T10	306306	967771



PROJECT NO: N/A
CLIENT: RES
03022D0101-03
SCALE - 1 : 15,000 @ A3
PAN
2016

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