

Agenda Item	6.1
Report No	PLN/017/18

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 06 March 2018

Report Title: 18/00682/PAN: Infinergy Ltd

Land Between Lochluichart And Loch Glascarnoch, Garve

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Extension to wind farm - erection of nine 3mw turbines (installed capacity of 27mw) and associated infrastructure works

Ward: 5 – Wester Ross, Strathpeffer and Lochalsh

Recommendation

Members are asked to note the submission of the PAN and highlight any material issues they wish to be brought to the attention of the applicant before the submission of the application for planning permission.

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 13.02.2018. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
 - Proposal of Application Notice
 - Site and Location Plan

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposal is for a 9 wind turbine wind farm that will effectively be an extension to the existing Lochluichart Wind Farm.

3.0 SITE DESCRIPTION

- 3.1 The site is situated between Loch Glascarnoch and Loch Luichart, approximately 18km north-west of Dingwall. The site is grazing land for sheep and deer and comprises primarily wet modified bog and wet dwarf shrub heath. It is located on a landscape character type described as 'rounded hills' in the Ross and Cromarty Landscape Character Assessment (SNH, 1999) and immediately adjacent to the 'rugged mountain massif' landscape character type. The former is a landscape character that could be described as being open and exposed.
- 3.2 There are no statutory natural heritage designations on the site. However, the site is likely to support European Protected Species (EPS) namely otter, and possibly wildcat.
- 3.3 There are three Special Protection Areas (SPA's) designated under the EC 'Wild Birds' Directive within the vicinity of the site. These are at Achanalt to the south-west, Beinn Dearg to the north-west and at Ben Wyvis to the east. The qualifying interest of the Achanalt Marshes SPA is its population of wood sandpiper, totalling some 3 breeding pairs or 50% of the British breeding population. The qualifying interest of the Beinn Dearg SPA and Ben Wyvis SPA is dotterel. Together these SPA's are home to around 5% of the British breeding population. In addition to the qualifying interests, the Beinn Dearg SPA and Ben Wyvis SPA support a number of other Annex 1 species, including one pair of golden eagles and golden plover respectively.
- 3.4 There are a number of Areas of Great Landscape Value (AGLV) focussing on the nearby mountain ranges within the vicinity of the site, particularly the Beinn Dearg – Fannich range directly to the west and Ben Wyvis to the east. The site is also close to two search areas for wild land (as identified in SNH's policy statement Wildness in Scotland's Countryside) and important

tourist routes to Wester Ross and Skye. The Wester Ross National Scenic Area lies 20km to the west. The site lies within the Ministry of Defence Tactical Training Area 14T.

- 3.5 The nearest settlement is the village of Lochluichart, approximately 2km to the south, and nearest residential properties to the proposed turbines is at Aultdearg, approximately 2km to the west, and Forest Hill, approximately 1.5km to the south-east.

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 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 Pr• The Water Environment• Safety of Airport, Defence and Emergency Service• The Operational Efficiency of Other Communicatio• 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 Ross and Cromarty East Local Plan (as continuing in force, July 2015)

No policies or land allocations are considered to be pertinent at this stage.

4.3 West Highland and Islands Proposed Local Development Plan 2017 (Proposed WestPlan)

No policies or land allocations are considered to be pertinent at this stage.

4.4 Highland Council Supplementary Guidance

- On-shore Wind Energy Supplementary Guidance and Landscape November 2016 (with addendum, December 2017)
- 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);
- Green Networks: Supplementary Guidance (January 2013);
- Developer Contributions: Supplementary Guidance (March 2013);
- Physical Constraints: Supplementary Guidance (March 2013); and
- Highland Statutorily Protected Species: Supplementary Guidance (March 2013).

5.0 Potential Material Planning Considerations

- Planning History;
- Roads and Transport;
- Water (including private water supplies) and Drainage;
- Peat;
- Natural Heritage;
- Trees and Forestry;
- Built and Cultural Heritage;
- Design and Layout;
- Design, Landscape and Visual Impact (including Cumulative impacts);
- Wild Land;
- Landscape and Visual Impact;
- Access and Recreation;
- Economic Impact and Tourism;
- Noise and Shadow Flicker;
- Telecommunications;
- Aviation;
- Noise, Dust and Light Pollution;
- Construction and Operational Management;
- Phasing;
- Restoration;
- Other Relevant Planning Documents including but not limited to:

- Scottish Government Planning Policy (June 2014); and
 - National Planning Framework for Scotland 3 (June 2014)
 - Scottish Government's Onshore Wind Policy Statement (December 2017).
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- Any other material considerations within representations.

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

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: David Mudie
Designation: Planning Team Leader
Author: David Mudie
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location/Site 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: Infinergy Ltd

Agent:

Address: 16 West Borough
Wimborne
Dorset, BH21 1NG

Address:

Phone No: 01202 847680

Email: [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

Lochluichart Wind Farm is located on Loch Luichart Estate, north west of Garve in the Scottish Highlands, Grid Reference NH329694.

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.

The Proposed Development is an extension to the existing wind energy development. The proposal comprises of a development of approximately 9 turbines with a minimum generating capacity of 3MW each, giving an installed capacity of at least 27MW and associated infrastructure works.

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.

NO

Community Consultation

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

Community Council/s

- Garve and District CC
- Strathpeffer CC
- Contin CC
- Marybank, Scatwell and Strathconnon CC

Date Notice Served: **Same date as issue to The Highland Council**

Other Parties:

Please give details of proposed consultation

Proposed public event	Venue	Date and time
Community Open Day:	Garve Village Hall, Garve	3 April 2018, 2-7pm

Newspaper Advert – name of newspaper	Advert date (where known)
Ross-shire Journal	23 and 30 March 2018

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

- Community Open Days in Garve and Achnasheen, 3rd/4th October 2017
- Newsletters outlining plans comprising Community Open Days invitation and comment card circulated to all households within the community council area (187 households) up to one month prior to open days;
- Project website with feedback mechanism; and
- Ongoing attendance at Community Council meetings where appropriate.

Signed

Date 12 February 2018