

Agenda Item	5.1
Report No	PLN/057/19

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 31 July 2019

Report Title: 19/02649/PAN: EnergieKontor UK Ltd
Land At Braemore Road, Dunbeath

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

Description: Bad Fearn Wind Farm - comprising of up to 10 turbines and associated infrastructure, with tip heights of up to 200m, and an installed capacity of up to 49.9mw, including associated electrical infrastructure.

Ward: 01 - Wick and East Caithness

2. 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.

3. BACKGROUND

- 3.1 To inform the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 3.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on the 5th June 2019 and made valid on 5th June. Members are asked to note this may form the basis of a subsequent planning application
- 3.3 The submitted information attached includes:
- Proposal of Application Notice
 - Location Plan
 - Copy of Advert (detailing public events)

4. DESCRIPTION OF PROPOSED DEVELOPMENT

- 4.1 The PAN provides notice of the developer's intention to submit a planning application for a proposed wind farm (known as Bad Fearn Wind Farm). The wind farm would comprise of 10 wind turbines, with a maximum height to tip of 200m and once installed they will generate up to 49.9MW of electricity. The proposal would include ancillary infrastructure and electrical infrastructure.

5. SITE DESCRIPTION

- 5.1 The proposed development site forms approximately 440 hectares and is located to the north-west of Dunbeath, approximately 1.5km north-west of the A9 road. The site lies directly to the north side of the C1021 (Achorn Road) public road and to the south of Dunbeath Water. The land itself is mainly rolling moorland ascending to Wag Hill on the North West boundary of the site that is largely covered in blanket bog.
- 5.2 The site is located on the south side of Dunbeath Water that is designated as a Site of Special Scientific Interest (SSSI). The Dunbeath Water site is designated for two nationally important features: the woodland habitat and the sediments that were deposited by glaciers during the Ice Age. Other interests include the quality and range of semi-natural habitats within the site that provide a diverse and rich fauna. Badgers and slow-worms, which are unusual in much of the rest of Caithness, are found here. The relatively uncommon plant broad-leaved cotton-grass *Eriophorum latifolium* is also found here.
- 5.3 There site is located adjacent to the Causeymire – Knockfin Flows Wild Land Area and there are several Scheduled Monuments that lie within or adjacent to the site.
- 5.4 The developer has since submitted a Scoping Request that is pending consideration. In addition to this in 2005 a S36 application was submitted for the erection of Twenty Three 80 Metre High to Hub Wind Turbines, Switch Room, Access Tracks and Associated Infrastructure, this application was refused by the Scottish Ministers on 7 June 2003.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28 - Sustainable Design
29 - Design Quality & Place-making
30 - Physical Constraints
31 - Developer Contributions
36 - Development in the Wider Countryside
51 - Trees and Development
52 - Principle of Development in Woodland
56 - Travel
57 - Natural, Built & Cultural Heritage
58 - Protected Species
59 - Other Protected Species
60 - Other Important Habitats
61 - Landscape
64 - Flood Risk
66 - Surface Water Drainage
67 - Renewable Energy Developments
68 – Community Renewable Energy Developments

6.2 Caithness and Sutherland Local Development Plan (August 2018)

No site specific policies

6.3 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010)
Highland Historic Environment Strategy (Jan 2013)
Highland's Statutorily Protected Species (March 2013)
Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
Onshore Wind Energy: Interim Supplementary Guidance including Landscape Appraisals (March 2012 & December 2017)
Standards for Archaeological Work (March 2012)
Sustainable Design Guidance
Trees, Woodlands and Development (Jan 2013)

6.4 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (June 2014)

7. POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 7.1
- National Policy
 - National Planning Framework 3
 - Development plan policies and relevant supplementary guidance
 - Planning history

- Siting and Design
- Landscape and visual impacts (including cumulatively)
- Transport planning and road safety issues
- Access and parking (operational and construction) including public access during road realignment
- Impact on amenity including noise considerations and shadow flicker
- Impact upon the Historic Environment
- Drainage, Flooding and the Water Environment
- Impact on aviation
- Impact on designated landscapes, Ecology and protected species
- Impact on Peat

8. CONCLUSION

8.1 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.

9. IMPLICATIONS

9.1 Resource: Not applicable

9.2 Legal: Not applicable

9.3 Community (Equality, Poverty and Rural): Not applicable

9.4 Climate Change/Carbon Clever: Not applicable

9.5 Risk: Not applicable

9.6 Gaelic: Not applicable

10. 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.

Designation: Acting Head of Development Management – Highland

Author: Claire Farmer

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

Relevant Plans: Plan 1 - Application Form

Plan 2 - Location Plan 01

Supporting Information: Copy of Public Event Advertisement

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	ENERGIEKONTOR UK LTD	Agent	N/A
Address	11 SOMERSET PLACE GLASGOW G3 7JT	Address	
Phone No.	041 354 6544	Phone	
E-mail	CLOES@ENERGIEKONTOR.CO.UK	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

BAD FEARN WIND FARM, LOCATED AT GRID REFERENCE
312163, 931777

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.

A WIND FARM COMPRISING OF UP TO TEN TURBINES AND
ASSOCIATED INFRASTRUCTURE, WITH TIP HEIGHTS OF UP TO 200M
AND AN INSTALLED CAPACITY OF UP TO 49.9MW, INCLUDING
ASSOCIATED ELECTRICAL INFRASTRUCTURE,

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
..... BERRIE DALE AND DUNBEATH COMMUNITY COUNCIL..... 05/06/19.....

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

Please give details of proposed consultation

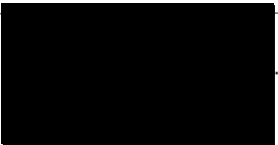
Proposed public event	Venue	Date and time
..... PUBLIC EXHIBITION..... DUNBEATH COMMUNITY CENTRE..... 13/06/19..... 4PM - 7PM.....

Newspaper Advert – name of newspaper	Advert date(when known)
..... JOHN O' GOATS JOURNAL..... TBC.....

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

.....

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Signed ...  ... Date... 04/06/2019.....

EnergieKontor

Energiekontor will be holding a public exhibition on the Bad Fearn Wind Farm. The site is located on land approximately 2.5km west of Dunbeath.

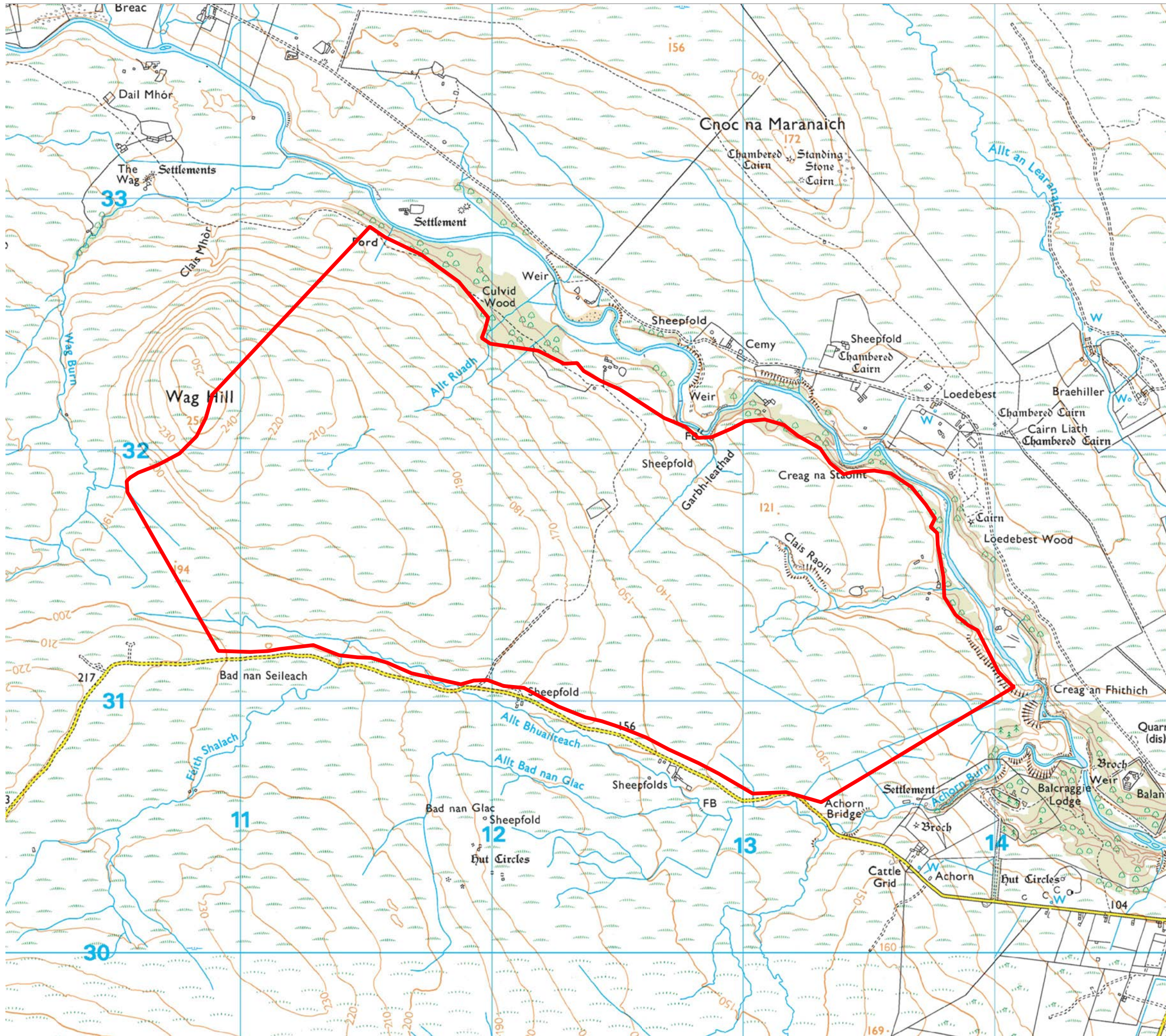
The exhibition will be held at **Dunbeath Community Centre** on **Thursday 13th June** from 4pm-7pm.

We are seeking the views of the public on this proposal and look forward to welcoming you to the exhibition.

Comments submitted are not representations to the Local Planning Authority.

Further information can be obtained from:

Energiekontor, 11 Somerset Place, Glasgow, G3 7JT.



Bad Fearn Wind Farm

Key:
— Site Boundary



Drawn by: RC Scale:1:15,000 @ A3 Date: 24/05/2019

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