

Agenda Item	5.2
Report No	PLN/060/21

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 14 September 2021

Report Title: 21/04098/PAN : Highland Wind Limited

Land 400M SW Of Former Kennels Building, Dounreay Nuclear Research Establishment, Dounreay

Report By: Area Planning Manager North

Purpose/Executive Summary

Description: Pentland Offshore Wind Farm - Provision of onshore infrastructure including cable landfall, cable joint transition bay, underground grid connection and ancillary infrastructure.

Ward: 02 - Thurso And North West Caithness

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 an application for planning permission.

1.0 BACKGROUND

- 1.1 This report informs 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 made valid on 20 August 2021. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. 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 (Application Form)
 - Location Plan
 - Cover Letter and Email
- 1.4 In line with Covid-19 public health advice and temporary modifications made to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, the developer proposes to undertake online public consultation. This will go live via a dedicated web link, <http://www.pentlandfloatingwind.com>. Two online exhibitions will also be held. The events will include a presentation and live chat session. The information from the events will also then be made available on a dedicated page on the agent's website. A link will be provided to leave further comments. Events are due to take place as follows:
- Event 1: 27 September 2021;
 - Event 2: 05 October 2021
- 1.5 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with an advert to be placed within the John O Groats Journal. The advert will be placed in this newspaper on Friday 20 August 2021. Additionally, a telephone contact will be provided for those who are otherwise unable to attend or contribute via the online events and channels. An invitation maildrop was also sent. The PAN form also indicates that the Caithness West Community Council and Melvich Community Council have been notified in line with the statutory requirements.
- 1.6 Any forthcoming application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposed scheme comprises the onshore infrastructure for the proposed Pentland Offshore Wind Farm which will be located approximately 6km off the coast from Dounreay. It is understood that the proposal will comprise:
- A cable landfall;

- A joint cable transition bay where the onshore and offshore cables are spliced together;
- Onshore buried cabling; and
- Substation / switchgear to include transformers, harmonic filter reactive compensation devices, protective equipment, batteries and auxiliary equipment to be housed within a building and enclosed by a fenced compound.

2.2 This application will be brought forward at the same time as an application under the Electricity Act for the offshore wind turbines associated with the development. The Council will be consulted on the application by Marine Scotland.

2.3 The developer has sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments.

3.0 SITE DESCRIPTION

3.1 The PAN boundary comprises approximately 79ha of coastal land at the edge of the Dounreay Nuclear Facility and HMS Vulcan. The site is bounded to the north by the Pentland Firth and to the south by the A836 public road.

3.2 The Sandside Bay Site of Special Scientific Interest lies within the proposed site boundary. Beyond the site lies the North Caithness Cliff Special Area of Conservation.

3.3 There are no national or local landscape designations within the proposed application site boundary. The nearest local landscape designation is the Dunnet Head Special Landscape Area (SLA) which lies to the east of the site.

3.4 The Knock Urray Scheduled Ancient Monument is within the site boundary but there are no Listed Buildings or Conservation Areas within the proposed application site.

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

4.0 DEVELOPMENT PLAN

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

4.1 Highland Wide Local Development Plan (2012)

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 51 - Trees and Development
- 53 - Minerals
- 54 - Mineral Wastes
- 55 - Peat and Soils
- 56 - Travel

- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments:
 - 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
- 68 - "Community" Renewable Energy Developments
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 77 - Public Access

4.2 **Caithness and Sutherland Local Development Plan, 2018 (CaSPlan)**

No specific policies relevant

4.3 **Highland Council Supplementary Guidance**

- Developer Contributions (Nov 2018)
- Physical Constraints (March 2013)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Managing Waste in New Developments (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)
- Renewable Energy Strategy (May 2006)
- Construction Environmental Management Process for Large Scale Projects (August 2010)

4.4 **Scottish Government Policy and Other Guidance**

- Scottish Planning Policy (Jun 2014)
- National Planning Framework 3, NPF3 (Jun 2014) and the emerging content of NPF4

- PAN 33 – Development of contaminated land (Dec 2017)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 64 - Reclamation of surface mineral workings
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)
- PAN 1/2011 – Planning and Noise
- Energy Storage Planning Advice (July 2013)
- 2020 Routemap for Renewable Energy in Scotland

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- a) Development Plan and other planning policy;
 - b) Energy and Economic Benefits;
 - c) Construction;
 - d) Roads, Transport and Access;
 - e) Water, Flood Risk, Drainage and Peat;
 - f) Natural Heritage (including Ornithology);
 - g) Built and Cultural Heritage;
 - h) Design, Landscape and Visual Impact (including Wild Land Areas and cumulative impact);
 - i) Noise and Shadow Flicker;
 - j) Telecommunications; Aviation; and
- Any other material considerations raised 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 IMPLICATIONS

- 7.1 Not applicable.

8.0 RECOMMENDATION

8.1 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: Simon Hindson

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

Relevant Plans: Plan 1 – Proposal of Application Notice Form
Plan 2 - 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	Agent
Andrew Blyth	Nicola Bain
Address.	Address
	Xodus Group Xodus House, 50 Huntly Street Aberdeen, AB10 1RS, UK
Phone 	Phone +44 1224 628300
E-mail abl@cop.dk	E-mail Nicola.Bain@xodusgroup.com

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

Land adjacent to Dounreay Nuclear Facility
Thurso
Caithness
KW14 7TZ
United Kingdom

The proposed onshore substation location will be located to the west of the Vulcan/Dounreay facilities, the onshore study area as per Figure 1 below.

Description of Development

Please include detail where appropriate – e.g. the number of residential units; the gross floorspace in m 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.

As set out in the Scoping Report submitted to MS-LOT 16th December 2020 the onshore infrastructure for the Pentland Floating Offshore Wind Farm will comprise:

- A cable landfall between the boundary of the Dounreay nuclear facility (east) and the border with the White Geos as identified in the attached Figures (Figure 1 and Figure 2).
- A cable joint transition bay where offshore and onshore cables are spliced together

- An onshore cable buried to a depth of approximately 1 m, subject to ground conditions, landowner requirements and cable characteristics; and
- The required Project infrastructure (project substation/switchgear) and location will depend on the grid connection.

The WTGs will export power up to a maximum of 110 kV. The Project will require an onshore substation to connect to the transmission network at 13.2kV (existing Dounreay Substation) or 275 kV (planned Dounreay West Substation).

The onshore substation or switchgear will include the electrical equipment required to connect the Project to the grid. This may include switchgear, transformers, harmonic filter, reactive compensation devices, protection equipment, batteries and other auxiliary equipment. The entire footprint to the edge of the fence line is likely to be an area of approximately 100 m x 60 m (0.60 hectares).

The majority of electrical plant should be indoors owing to the coastal location. The exact configuration and access roads will be decided at a later stage. External lighting will be used to illuminate the building, but this will be intermittent and only used when people are on site.

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
Caithness West Community Council	20 th August 2021
Melvich Community Council	20 th August 2021
Names/details of any other parties	Date Notice Served
n/a	n/a

Please give details of proposed consultation

As per Figure 3, for the onshore development application, in line with the temporary modifications to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 due to the ongoing COVID-19 pandemic, and in line with similar modifications to the Marine Licence (Pre-application Consultation) (Scotland) Regulations 2013 for the wider offshore project, a joint virtual public exhibition consultation is to be held online for both applications from Monday 27 September 2021. The virtual public exhibition can be accessed on the project website at www.pentlandfloatingwind.com.

Additionally, the project team will be available for a live question and answer session on the proposals. This will take place between 12:00 – 14.30 hrs and 18.00 – 20.30 hrs on Tuesday 5 October 2021 via a live chat function in the virtual public exhibition which will be accessible from www.pentlandfloatingwind.com.

Furthermore, comments can be made by contacting the Project Team on +44 (0)7427186664 or through email at pentland-stakeholder@cop.dk.

Newspaper Advert – name of newspaper

Advert date (where known)

John O' Groats Journal (See Figure 3)

20th August 2021

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

Briefing letters for the Project were issued at the Scoping stage in September and November of 2020.

Signed  Date.....

Highland Wind Limited
Marine (Scotland) Act 2010
The Town and Country Planning (Scotland) Act 1997 (as amended)
PRE-APPLICATION PUBLIC CONSULTATION

Notice is hereby given that Highland Wind Limited (company number: SC675148, 4th Floor 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN) plans to hold a pre-application consultation (PAC) event regarding two applications for proposed licensable activities at Dounreay, Caithness (central grid reference: 58° 39.093' N, 03° 50.976' W). The application for marine activities consist of the installation of up to 10 floating wind turbine generators, associated floating platforms, inter-array and export cables. A separate application for onshore activities includes the commissioning of an onshore substation and associated infrastructure.

Due to the ongoing COVID-19 pandemic there are temporary modifications to the Marine Licence (Pre-application Consultation) (Scotland) Regulations 2013 and the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

In response to these modifications and in order to safeguard the community a **virtual public exhibition on the proposal will be available online from Monday 27 September 2021** on the project website at www.pentlandfloatingwind.com.

The project team will be available for a live question and answer session on the proposals between **12:00 – 14.30 hrs and 18.00 – 20.30 hrs on Tuesday 5 October 2021** via a live chat function in the virtual public exhibition which will be accessible from www.pentlandfloatingwind.com. The event will provide an opportunity for the public and stakeholders to consider and comment on the **prospective application**.

If you are unable to access the online question and answer session, you can contact the project team on +44 (0)7427186664.

The virtual public exhibition will include a link to a feedback form where comments and questions on the proposal, as well as any requests for further information, can be submitted directly to the Project Team. Alternatively, you may do so by emailing pentland-stakeholder@cop.dk.

If you have any further questions or comments on the proposals, we request that these be submitted via the feedback form by 5pm on **Sunday 31 October 2021**. Alternatively, you may do so by emailing the Project Team at the above contact details.

Please note that comments made to Highland Wind Limited are not representations to the Scottish Ministers or The Highland Council. Once the licence applications are submitted there will be an opportunity for representations to be made to the Scottish Ministers and The Highland Council on the associated applications.

Figure 3 Pre-Application Public Consultation Advert published within the John O'Groats Journal

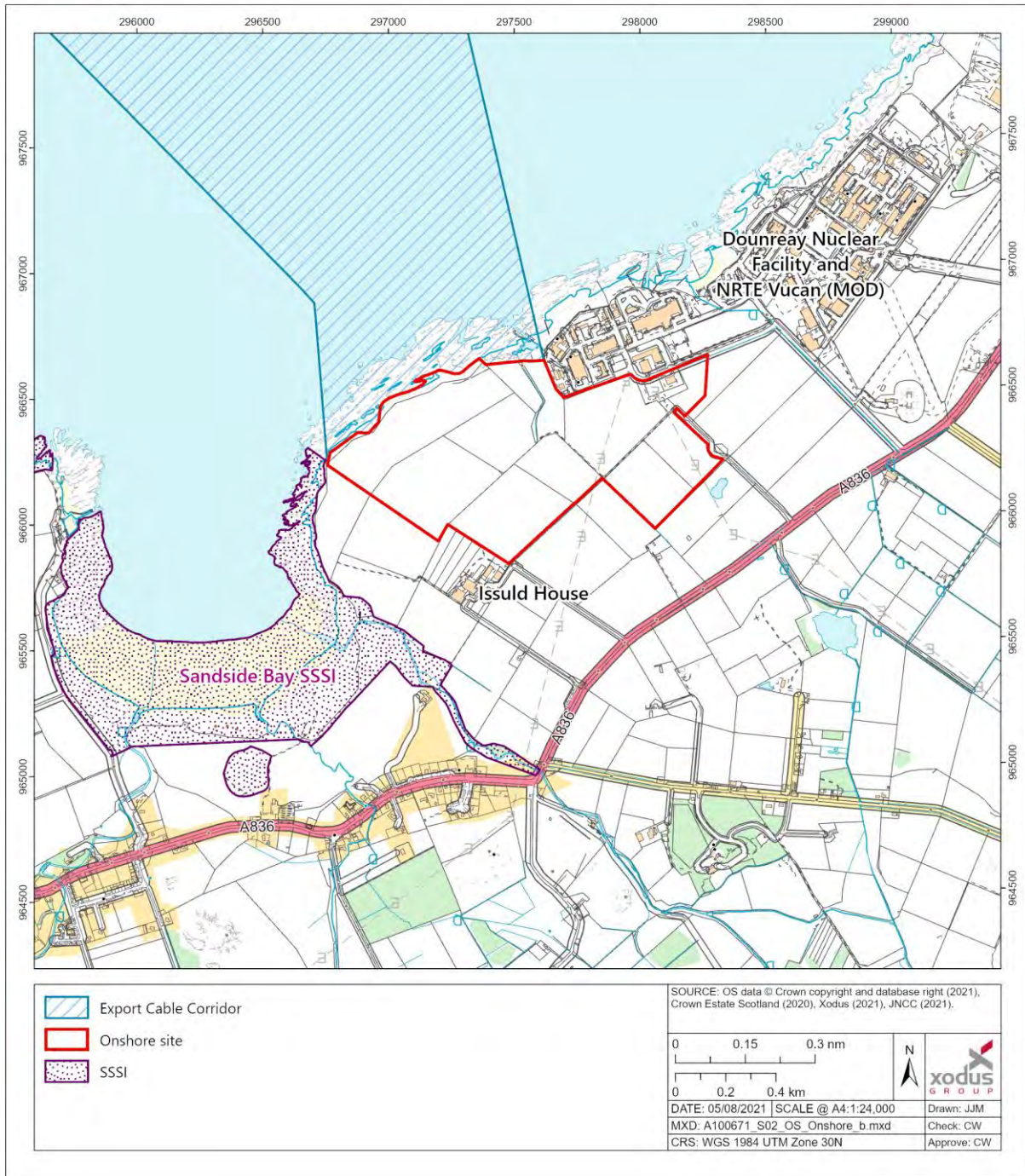


Figure 1 Onshore Site

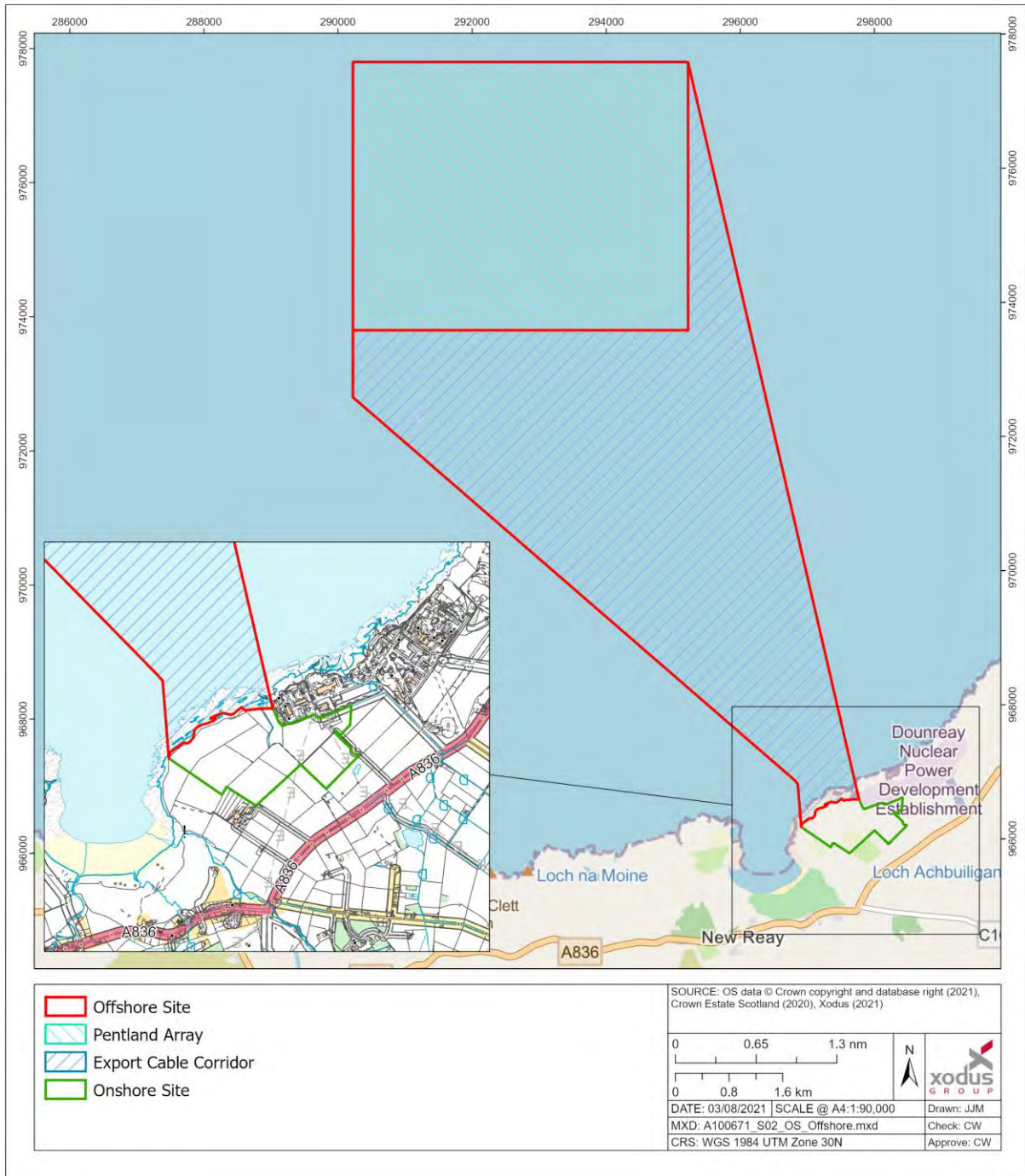


Figure 2 PFOWF Development site