

Agenda Item	5.2
Report No	PLS-071-21

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 2 November 2021

Report Title: 21/04373/PAN: Energiekontor UK Ltd

Land 4670M NE Of Glenloyne Cottage, Cluanie Estate, Glenmoriston

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Bunloinn Wind Farm - Construction and Operation of a Wind Farm including up to 18 turbines with a blade tip height of up to 230m and associated infrastructure

Ward: 12 – Aird and Loch Ness

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 to Scottish Ministers.

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 PAN which was received by the Council on 7 September 2021 has been submitted voluntarily. The PAN is not a statutory requirement for an application made under Section 36 of the Electricity Act 1989, as is the case for full planning applications for major or national developments. It has therefore been submitted in the spirit of public engagement to advise the Council of public exhibitions taking place ahead of the submission of a Section 36 application to the Energy Consents Unit.
- 1.3 The submitted information attached includes:
- Proposal of Application Notice (Application Form)
 - Location Plan
- 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 prospective developer proposes to undertake an online public consultation. Virtual events are to be hosted on a public engagement platform which will allow members of the public to submit questions to the applicant's project design team for live discussion. Two events are due to take place on:
- Event 1 – 22 September 2021, 1400 - 1800hrs; and
 - Event 2 – 18 November 2021, 1400 - 1800hrs.
- 1.5 The virtual events will be accessible through the project webpage: www.energiekontor.co.uk/our-projects/bunloinn
- 1.6 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts to be placed within the Inverness Courier and West Highland Free Press. An information booklet drop will also be undertaken by the applicant to make people aware of the proposed development. The catchment for its distribution has been set by the Planning Authority and will cover all properties with visibility within a 10km radius. Details of all notified parties are contained and appended to the PAN form, and include the host Fort Augustus and Glenmoriston Community Council, the neighbouring Loch Duich Community Council and the Glengarry Community Council, as well as, local Aird and Loch Ness ward Councillors, the ward manager, MSP and MP.
- 1.7 The 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 prospective development comprises: Construction and Operation of a Wind Farm including up to 18 turbines with a blade tip height of up to 230m and associated infrastructure.
- 2.2 Prior to lodging the PAN the developer sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service. The pre-application

advice pack was issued on 8 September 2021 with the submitted details and advice given remaining confidential until such a time an application is submitted.

- 2.3 The applicant has sought an Environmental Impact Assessment (EIA) Scoping Response (21/03743/SCOP / ECU ref: ECU00003304) for the development. The Energy Consents Unit's response is pending, and shall be informed by The Highland Council's 8 September 2021 response and other consultee responses, which outline the environmental and technical assessment requirements to help inform the design of the forthcoming wind farm proposal.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises 1,855ha of rolling open moorland, rocky outcrops and commercial forestry located 14.5km north west of Invergarry and 13km south west of Dalcherichart. The site is bound by Loch Cluanie to the north and Loch Loyne to the south. The site is in close proximity to two roads, namely the A87 which lies to the north and east of the site, and the connecting A887 located further to the north east.
- 3.2 As can be seen by the online Highland Wind Turbine Mapping, which is up to date to January 2021, the land east of the site has been subject of extensive wind farm activity, the planning history of which includes the operational Beinneun Wind Farm and its extension, the operational Millennium Wind Farm, and the consented Millennium South Wind Farm.
- 3.3 The Loch Lochy and Loch Oich Special Landscape Area (SLA) covers the north west of the site, with the remainder of the site not being located within any natural heritage designation. There are however Site of Scientific Special Interest (SSSI) and Special Protection Area (SPA) designations on Loch Cluanie and on Loch Loyne, which are designated for ornithological interests - black-throated diver and common scoter. There are also several landscape designations / wild land areas in close proximity, including:
- Glen Affric National Scenic Area - 5km north;
 - Central Highlands Wild Land Area (WLA) - 2km north;
 - Kinlochhourne-Knoydart-Morar WLA – 5km west and 10km south; and
 - Loch Ness and Duntelchaig SLA – 10km north east.

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
46 - Siting and Design of Communications Infrastructure
51 - Trees and Development
52 – Principle of Development in Woodland
53 - Minerals

54 - Mineral Wastes
55 - Peat and Soils
57 - Natural, Built & Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
62 - Geodiversity
63 - Water Environment
64 - Flood Risk
66 - Surface Water Drainage
67 - Renewable Energy Developments
68 - Community Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution
73 - Air Quality
74 - Green Networks
77 - Public Access
78 - Long Distance Routes

4.2 **Inner Moray Firth Local Development Plan (2015)**

The site itself is not allocated for development, however, the proposal has the potential to impact upon the IMFLDP's Special Landscape Areas. The IMFLDP is currently under review with the Proposed Plan due in early 2022.

4.3 **Highland Council Supplementary Guidance**

- Developer Contributions (November 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
- Physical Constraints (Mar 2013)
- Public Art Strategy (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Special Landscape Area Citations (Jun 2011)
- Trees, Woodlands and Development Supplementary Guidance (Jan 2013)
- Onshore Wind Energy Supplementary Guidance (OWESG) (Nov 2016) and Addendum Supplementary Guidance: Part 2b (2017)

4.4 **Scottish Government Policy and Guidance**

- Scottish Planning Policy
- National Planning Framework for Scotland 3, NPF3
- Scottish Energy Strategy (Dec 2017)
- Historic Environment Policy for Scotland (HEPS, 2019)
- PAN 1/2011 - Planning and Noise (Mar 2011)
- Circular 1/2017: Environmental Impact Assessment Regulations (May 2017)
- PAN 60 – Planning for Natural Heritage (Jan 2008)

- 2020 Routemap for Renewable Energy (Jun 2011)
- Onshore Wind Energy (Statement), Scottish Government (Dec 2017)
- Siting and Designing Wind Farms in the Landscape, SNH (Aug 2017)
- Wind Farm Developments on Peat Lands, Scottish Government (Jun 2011)
- Energy Efficient Scotland Route Map, Scottish Government (May 2018)
- Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (Sep 2020)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- a) Development Plan;
- b) National Policy;
- c) Planning History;
- d) Roads and Transport;
- e) Water Environment (including private water supplies);
- f) Flood Risk and Drainage;
- g) Peat;
- h) Natural Heritage (including protected species, ornithology and designated sites);
- i) Built and Cultural Heritage;
- j) Design, Landscape and Visual Impact (including Cumulative impacts and Impact on Wild Land Areas);
- k) Access and Recreation;
- l) Economic Impact and Tourism;
- m) Noise and Shadow Flicker;
- n) Telecommunications;
- o) Aviation;
- p) Construction; and
- q) 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 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 an 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.

Designation: Area Planning Manager – South

Author: Peter Wheelan

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

Relevant Plans: Plan 1 - Location Plan

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 Address: 44 Elliot Street Glasgow G3 8DZ Phone: 07940908687 E-mail: lauren.mallon@energiekontor.com	Agent Address Phone E-mail
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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

Approximately 14.5km north-west of Invergarry and 13km south-west of the hamlet of Dalchreichart

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.

Construction of a wind farm consisting of up to 18 turbines with a tip height of up to 230m including associated 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.

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
Loch Duich Community Council	06/10/2021
Fort Augustus and Glenmoriston Community Council	06/10/2021
Glengarry Community Council	06/10/2021

Names/details of any other parties	Date Notice Served
Dot Ferguson (Senior Ward Manager for Ward 12)	06/10/2021
Helen Carmichael (Ward 12 Councillor)	06/10/2021
Margaret Davidson (Ward 12 Councillor)	06/10/2021
David Fraser (Ward 12 Councillor)	06/10/2021
Emma Knox (Ward 12 Councillor)	06/10/2021

Please give details of proposed consultation

Proposed public event	Venue	Date and time
Bunloinn Wind Farm Exhibition	Virtual Event	17/09/2021 – 24/09/2021
Bunloinn Wind Farm Exhibition	Virtual Event	15/11/2021 – 22/11/2021
Bunloinn Q&A	Telephone and Online Event	22/09/2021
Bunloinn Q&A	Telephone and Online Event	18/11/2021

Newspaper Advert – name of newspaper	Advert date(where known)
Inverness Courier	17/09/2021
West Highland Free Press	16/09/2021
Inverness Courier	05/11/2021
West Highland Free Press	04/11/2021

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

Email communication with community councils has been established prior to the submission of scoping and in advance of the first exhibition.

Energiekontor's website has been updated and a project specific web page which provides links to the scoping report and associated figures has been created. Contact details, both email and telephone, for the project manager have been clearly provided to ensure that anyone who has queries about the project can get in contact. The project manager will take calls, emails, and requests for virtual chats as an when they are received.

Two advertisements were placed in both the Inverness Courier and the West Highland Free Press (dates listed above) detailing the timing of the public exhibition held between 17/09 and 24/09 as well as details on the Q&A session. This will be repeated for the second exhibition with the dates of the adverts listed above.

An online Q&A session was held between 2pm-6pm on Microsoft Teams on 22/09/2021. This will be repeated for the second exhibition on the date listed above.

This website will also host two virtual events (dates listed above), showing detailed information on the scheme similar to the information which would be presented during an in-person exhibition.

An online questionnaire was provided on the website for members of the public to provide feedback on the proposed development. This will be repeated for the second online exhibition.

Written invitations to both public events shall be issued to all neighbouring residents and business premises with visibility of the proposal located within 10km of the proposal of application notice site boundary.

Notification of the PAN will also be provided to the local ward councillors in addition to the relevant Highland Council Ward Managers

Signed .



Date: 05/10/2021



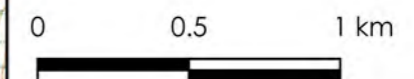
Bunloinn Wind Farm

Office England: 4330 Park Approach Leeds LS15 8GB	Office North Scotland: 44 Elliot Street Glasgow G3 8DZ	Office South Scotland: 31 Dewar Place Lane Edinburgh EH3 8EF
T:+44 (0)113 204 4850	T:+44 (0)141 354 6544	T:+44 (0)131 600 0852

www.energiekontor.co.uk

Figure 1.1: Site Location

Key:
 Site Boundary



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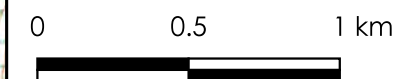
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