

Agenda Item	<b>5.2</b>
Report No	<b>PLN/015/22</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee  
**Date:** 15 March 2022  
**Report Title:** 22/00310/PAN Energiekontor UK Ltd  
Land At Torr Leathann Strathrory, Ardross, AIness  
**Report By:** Area Planning Manager – North

### **Purpose/Executive Summary**

**Description:** Strathrory Wind Farm - Erection and operation of a wind farm for a period of 35 years, comprising up to 7 wind turbines, access tracks, borrow pits, substation, control building, and ancillary infrastructure  
**Ward:** 06 – Cromarty Firth

### **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 21 January 2022. 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
- 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 an online exhibition and two online public consultation events. The public events will allow members of the public to engage in live discussion. The online exhibition took place from 7 February 2022 until 17 March 2022. The first online public event took place on 03 March 2022 between 1400 - 1900hrs. A second online public event took place on 10 March 2022 between 1400-1900hrs.
- 1.5 The applicant has set up a dedicated webpage with information on the proposal:  
<https://www.energiekontor.co.uk/our-projects/Strathroy>
- 1.6 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts to be placed in the Ross-shire Journal. The Planning Authority has confirmed that the advert must be placed in the newspaper at least 7 days in advance. A maildrop will also be undertaken by the applicant to make people aware of the proposed development. The catchment area for this distribution will be a minimum of 10km from the site and it has been agreed with the Planning Authority that this will cover all properties with visibility of the proposed development, both residential and businesses.
- 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 proposed development is for the erection and operation of a wind farm for a period of 35 years, comprising up to 7 wind turbines, access tracks, borrow pits, substation, control building, and ancillary infrastructure. The site has planning permission (20/00584/FUL, appeal decision issued 7 January 2022) for up to 7 turbines, each with a tip height of 149.9m. This proposal seeks to increase the tip

height of turbines, with 3 turbines at 149.9m, and 4 turbines with a hub height of up to 180m. The proposed turbine positions are anticipated to remain unaltered with the 4 turbines proposed to be increased in height to 180m being those located at a lower elevation on the eastern part of the site, indicative turbine numbers: 1, 2, 3 and 5. The installed capacity of the proposed wind farm would be 40MW, plus 5MW of battery storage.

- 2.2 The developer has not sought formal pre-application advice from the Planning Authority through the Council's Pre-Application Advice Service for Major Developments. It has however sought informal advice in relation to procedural matters.

### **3.0 SITE DESCRIPTION**

- 3.1 The site is situated north of Strathy Burn and west of the B9176, approximately 4km northeast of Ardross and 8km northwest of Aness. The site is a slightly undulating area of ground which falls from east to west from Torr Leathann (637m Above Ordnance Datum (AOD)) down towards the B9176 (210m AOD at the site entrance). The ground on which the proposes turbines sit varies between approximately 300m and 255m AOD. The site comprises open moorland which is partly surrounding by coniferous forestry with existing neighbouring wind farms of Beinn Tharsuinn, Beinn nan Oighrean and Coire na Cloiche being located at a higher elevation to the north west.
- 3.2 The site will likely be accessed from B9176 Struie Road. The delivery of abnormal loads is likely to be via Cromarty Firth Port, Invergordon. The applicant is considering a number of site access options.
- 3.3 There are a number of sites designated for natural heritage interests in the wider area. The closest designated site is the Morangie Forest Special Protection Area, located on the eastern side of the B9176 adjacent to the site.
- 3.4 There are a number of scheduled monuments in the wider area but none on the site. Further there are a number of listed buildings and archaeological records, identified within the Highland Historic Environment Record, which exist within and in proximity to the site.
- 3.5 The site contains a number of watercourses which feed into the Strathroy River. No waterbodies exist within the site.
- 3.6 The site sits within the Rounded Hills and Moorland Slopes and Forest Edge Farming Landscape Character Type but is not located within any international or regional landscape designations.

### **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:
- 68 - "Community" Renewable Energy Developments
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 77 - Public Access

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

- No specific policies are relevant.
- The Inner Moray Firth Local Development Plan is currently under review and following publication of the Proposed Plan in Spring 2022 it will become a material consideration and may contain policies of relevance.

#### 4.3 **Highland Council Supplementary Guidance**

- Onshore Wind Energy (Nov 2016)
- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Special Landscape Area Citations (Jun 2011)
- Standards for Archaeological Work (Mar 2012)
- Trees, Woodlands and Development (Jan 2013)

#### 4.4 **Scottish Government Policy and Other Guidance**

- Scottish Planning Policy (Jun 2014)
- National Planning Framework 3, NPF3 (Jun 2014)
- National Planning Framework 4, NPF4 Consultative Draft (Nov 2021)
- Scotland's Energy Strategy 2017 and Scotland's Energy Strategy Position Statement (Mar 2021)
- Onshore Wind – Policy Statement Refresh 2021 Consultative Draft (Oct 2021)
- 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) Onshore Wind Energy Supplementary Guidance
- c) National Policy
- d) Energy and Economic Benefits
- e) Construction
- f) Roads, Transport and Access
- g) Water, Flood Risk, Drainage and Peat
- h) Natural Heritage (including Ornithology)
- i) Built and Cultural Heritage
- j) Design, Landscape and Visual Impact (including Wild Land Areas and cumulative impacts)
- k) Noise and Shadow Flicker
- l) Telecommunications
- m) Aviation (including any requirement for visible turbine lighting)
- n) Other Material Considerations including matters 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.

Designation: Area Planning Manager – North

Author: Peter Wheelan

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

Relevant Plans: Plan 1 - Proposal of Application Notice Form  
Plan 2 - 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: 07985 549074 E-mail: <a href="mailto:calum.morris@energiekontor.com">calum.morris@energiekontor.com</a>	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

### Land at Torr Leathann Strathroy, Ardross, Alesss

**Situated north of the Strathy Burn and west of the B9176, approx. 4km northeast of Ardross and 8km northwest of Alesss.**

### 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.

**Re-design - Erection and operation of a wind farm for a period of 35 years, comprising up to 7 wind turbines, access tracks, borrow pits, substation, control building, and ancillary 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**

Ardross Community Council  
Kilmuir & Logie Community Council  
Strathpeffer Community Council

**Date Notice Served**

21/01/2022  
21/01/2022  
21/01/2022

**Names/details of any other parties**

Helen Ross (Ward Manager for Ward 6)  
Mike Finlayson (Ward 6 Councillor)  
Pauline Munro (Ward 6 Councillor)  
Maxine Smith (Ward 6 Councillor)  
Carolyn Wilson (Ward 6 Councillor)  
Maree Todd MSP (Caithness, Sutherland and Ross)  
Jamie Stone MP Caithness, Sutherland and Ross)

**Date Notice Served**

21/01/2022  
21/01/2022  
21/01/2022  
21/01/2022  
21/01/2022  
28/01/2022  
28/01/2022

Please give details of proposed consultation

**Proposed public event**

Strathroy Wind Farm Exhibition  
Strathroy Q&A  
Strathroy Q&A

**Venue**

Virtual Event  
Telephone and Online Event  
Telephone and Online Event

**Date and time**

07/02/2022 – 17/03/2022  
03/03/2022 (2-7pm)  
10/03/2022 (2-7pm)

**Newspaper Advert – name of newspaper**

Ross-shire Journal

**Advert date(when known)**

25/02/2022

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

Communication with community councils has been established prior to the submission of the first application and this will be further continued via telephone and email/online communications.

Energiekontor's website has a project specific web page which provides links to the proposed development details and associated figures. This provides details of the previous application and previous approval on site. 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 and when they are received. The website can be found at: <https://www.energiekontor.co.uk/our-projects/Strathroy>

Two advertisements have been placed in the Ross-shire Journal (dates listed above) with a further being placed on Friday 25<sup>th</sup> February to correct an incorrect telephone previously printed by the paper. This ad will detail the timings of the public exhibition held between 07/02 and 17/03 as well as provide details on the Q&A session.

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

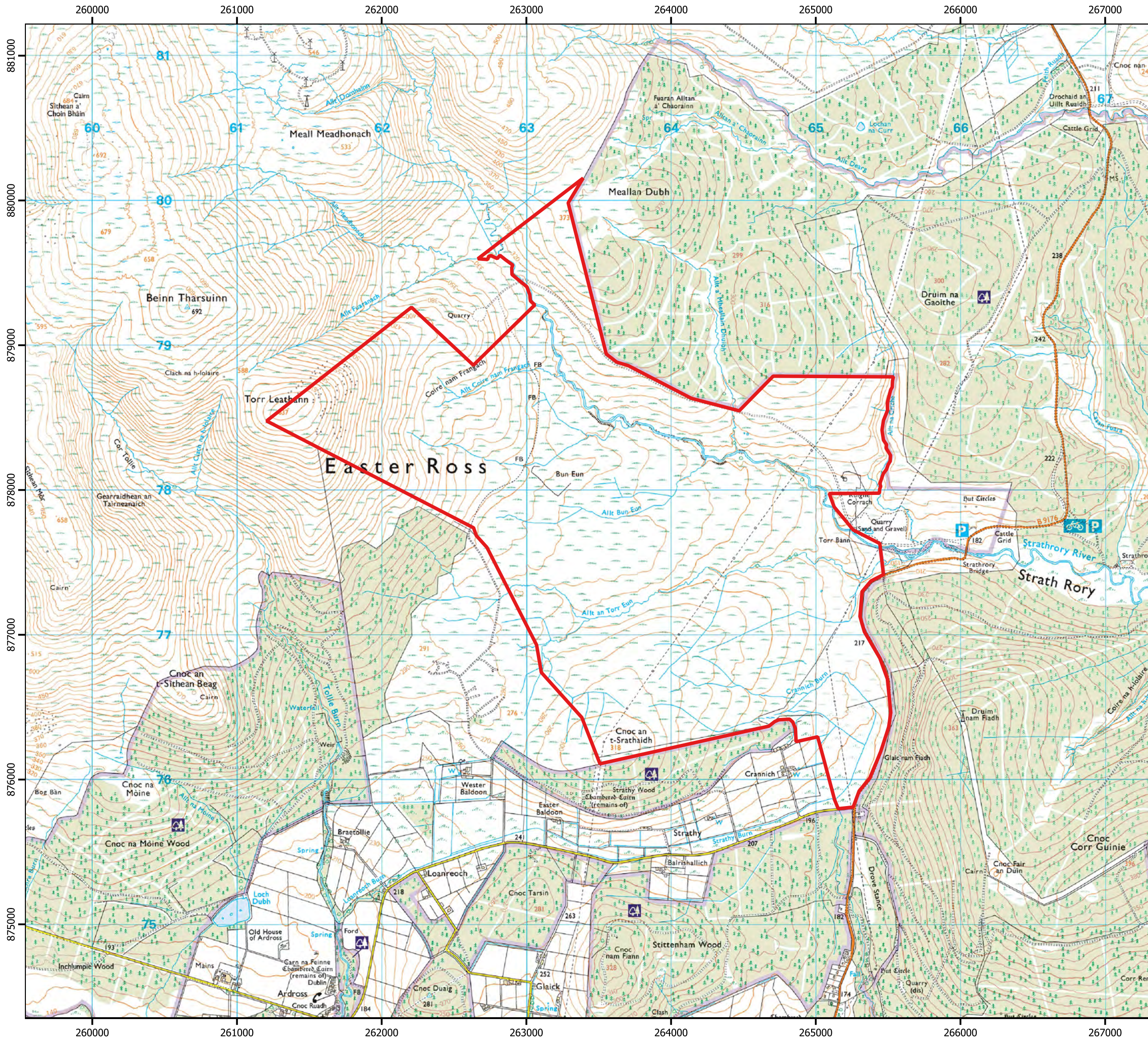


An online questionnaire will be provided on the website for members of the public to provide feedback on the proposed development.

Written invitations to the online events shall be issued to all neighbouring residents and business premises with visibility of the proposed development 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: 21/01/2022



### Strathory Wind Farm

Office England: 4330 Park Approach Leeds LS15 8GB T:+44 (0)113 204 4850	Office North Scotland: 44 Elliot Street Mews Glasgow G38DZ T:+44 (0)141 354 6544	Office South Scotland: 31 Dewar Place Lane Edinburgh EH3 8EF T:+44 (0)131 600 0852
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[www.energiekontor.co.uk](http://www.energiekontor.co.uk)

**Figure 1.1: Site Location Plan**

**Key:**  
**Site Bounday & Layouts**  
 Site Boundary



Drawn by: CM Scale:1:25000 @ A3 Date: January 2022 Revision: A

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