

Agenda Item	<b>5.1</b>
Report No	<b>PLN/023/22</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 26 April 2022

**Report Title:** 22/00436/PAN: CWE Lochend Limited  
Land 600M NE Of 10 Lochend Holding, Barrock

**Report By:** Area Planning Manager – North

### **Purpose/Executive Summary**

**Description:** Lochend Extension Wind Farm - Erection and operation of a wind farm comprising 5 wind turbines with a maximum blade tip height of 150m and a total capacity of up to 21MW 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 02 March 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
  - Site Layout 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 hold online events, one of which took place on 24<sup>th</sup> March 2022 with a second event scheduled for 21<sup>st</sup> April 2022. Advertising of these events took place in the John O' Groat Journal.
- 1.5 The Proposal of Application Notice has also been served on Dunnet and Canisbay Community Council.
- 1.6 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.
- 1.7 The applicant has sought pre-application advice, via the Council's pre-application advice service for major developments. The applicant has also sought specific advice on wind farm design and layout.

## **2.0 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 The PAN provides notice of the developer's intention to submit a planning application classified as a major development. The proposal comprises the installation of 5 turbines each up to 149.9m in tip height plus battery energy storage and ancillary infrastructure. The proposal also allows for the installation of around 1.5km of access track and turbine foundations. The proposed wind farm is referred to a proposed extension to the Lochend Wind Farm which is an existing operational scheme.
- 2.3 The applicant has sought pre-application advice through the Council's Pre-Application Advice Service for Major Developments which was responded to in early February 2022. A further Design Workshop has also taken place with the Planning Authority.

### **3.0 SITE DESCRIPTION**

- 3.1 The PAN boundary comprises 350 hectares of agricultural land which lies to the south and west of an existing wind farm known as Lochend. This existing scheme comprises 4 turbines of 99.5m tip height. The site is bounded to the east by a large area of woodland currently subject to a Section 36 Application for a large-scale wind farm (Hollandmey Wind Farm). The wider area is also subject to another wind farm proposal, known as Slickly, to which the Council has objected with a Public Local Inquiry scheduled to take place later in April 2022.
- 3.2 The site lies in the north-eastern portion of Caithness, with the nearest settlement of Barrock some 2.3km to the north-west. Lyth lies around 4.2km to the southeast with Bower on the B876 located just under 6km south of the site. There are 7 individual houses which lie within 7km of the site although it is understood the majority of these have a financial interest in the proposed development.
- 3.3 There are no environmental designations covering the site itself however it lies close to the Caithness Lochs Special Protection Area and its component parts protected for its wintering populations of Greenland white-fronted goose, greylag goose and whooper swan. In addition the site lies close to the Caithness and Sutherland Special Area of Conservation, Special Protection Area and Ramsar site protected for its range of upland habitats, breeding birds, marsh saxifrage and otter. Advice has been provided to the applicant with regard assessment of impacts on these designated sites through the pre-application process.
- 3.4 There are no landscape designations covering the site itself however the proposal has theoretical visibility from the Dunnet Head Special Landscape Area.
- 3.5 There are no cultural heritage features within the site itself however there are a number of important designations across the wider area which will have theoretical visibility of the proposed development including the A Listed Castle of Mey and its associated Designed Landscape.

### **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 Constrains
- 31 - Developer Contributions
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other Important Species
- 60 - Other Important Habitats
- 61 - Landscape
- 63 - Water Environment

- 64 - Flood Risk
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments

#### 4.2 **Caithness and Sutherland Local Development Plan 2018**

The site is not covered by any specific development allocation or safeguarding notation within the adopted Caithness and Sutherland LDP.

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

- Onshore Wind Energy (Nov 2016) & associated Appendix
- 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 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) Planning History
- c) Onshore Wind Energy Supplementary Guidance
- d) National Policy

- e) Energy and Economic Benefits
- f) Construction
- g) Roads, Transport and Access
- h) Water, Flood Risk, Drainage and Peat
- i) Natural Heritage (including Ornithology)
- j) Built and Cultural Heritage
- k) Design, Landscape and Visual Impact (including Wild Land Areas and cumulative impacts) including Amenity Impact
- l) Noise and Shadow Flicker
- m) Telecommunications
- n) Aviation (including any requirement for visible turbine lighting)
- o) 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. The policy considerations against which any future planning application will be considered have been summarised 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: Gillian Pearson

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

Relevant Plans: Plan 1 – Proposal of Application Notice

Plan 2 – Location Plan

Plan 3 – Site Layout 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.**

<b>Applicant</b> <b>CWE LOCHEND LIMITED</b> <b>Address.</b> <b>Constantine Wind Energy,</b> <b>First Floor River Court,</b> <b>Mill Lane,</b> <b>Godalming,</b> <b>Surrey,</b> <b>GU7 1EZ</b> <b>Phone</b> <b>01483412062</b> <b>E-mail</b> <b>cwe@constantinewindenergy.com</b>	<b>Agent</b> <b>Address</b>  <b>Phone</b> <b>E-mail</b>
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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 600 metres Northeast of 10 Lochend Holding, Barrock, Caithness KW14 8TA**

### **Description of Development**

Please include detail where appropriate – eg 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.

**Extension of existing wind farm at Lochend to encompass a further 21 MW of wind generation capacity through 5 wind turbines each of up to 149.9 m to tip height, plus battery energy storage and ancillary infrastructure**

**Related infrastructure including circa 1.5 km of access track and turbine foundations**

### **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 (Preapp advise response ref 21/05707/PREMAJ received 09/02/2022)**

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

**Dunnet and Canisbay**

**02 March 2022**

Names/details of any other parties

Date Notice Served

Please give details of proposed consultation

Proposed public event

Venue

Date and time

**Public Q&A Session**

**Online**

**18:00 24 March 2022**

**Public Q&A Session**

**Online**

**18:00 21 April 2022**

Newspaper Advert – name of newspaper

Advert date(where known)

**John O’Groat Journal**

**04 March 2022;**

**11 March 2022**

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

**Pre Application Design Session (estimated late March 2022, Highland Council planning office)**

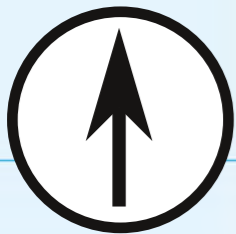
Signed .



... Date..... *2 March 2022*



North



SCRABSTER to  
Bergen approx 18 hrs  
Torshavn approx 14 hrs  
(summer only)

Development boundary

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project : **LOCHEND EXTENSION**

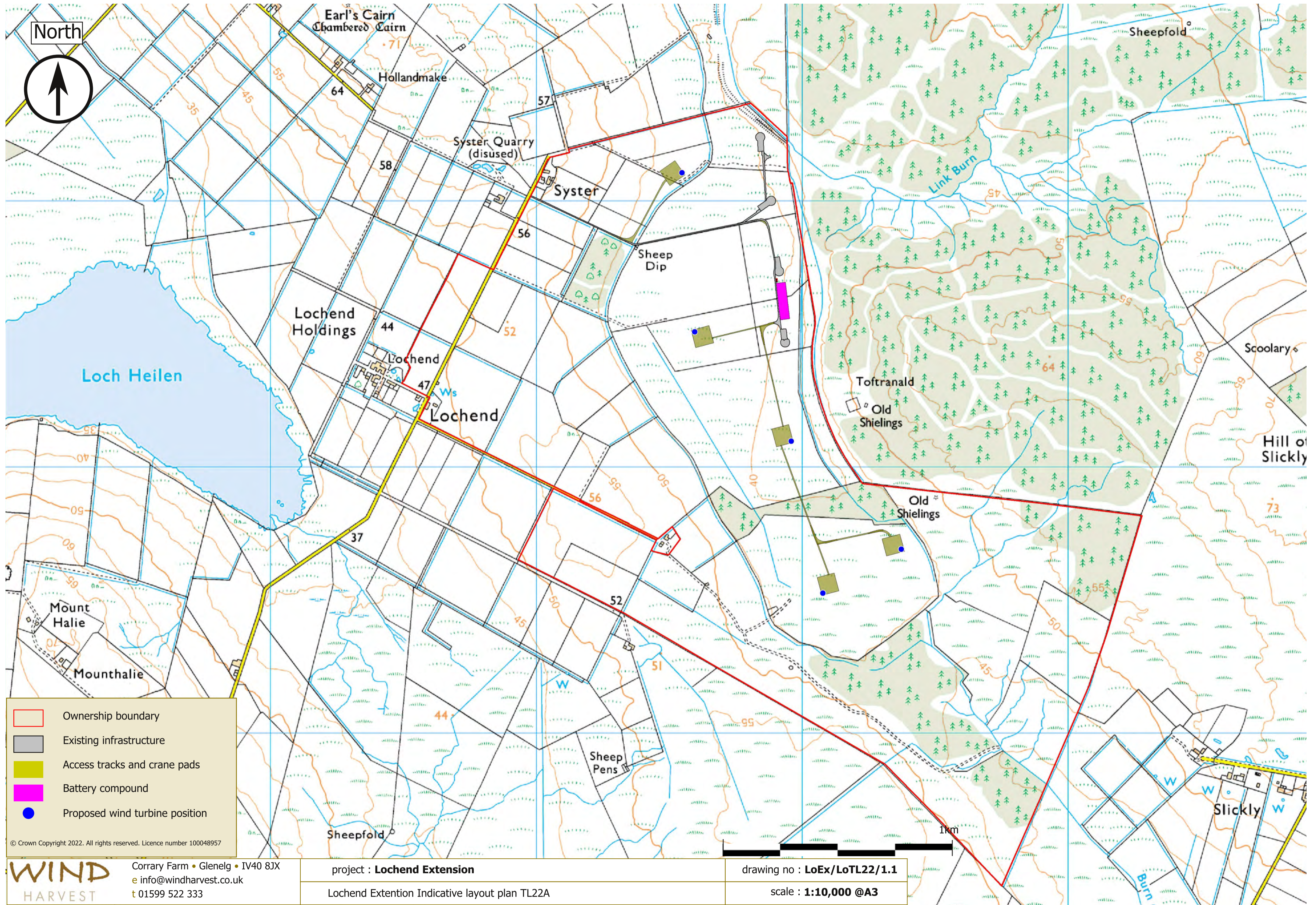
Lochend Extension Location Plan

drawing no : **LoEx/LPSc1/1**

scale : **1:230,000 @A3**







- Ownership boundary
- Existing infrastructure
- Access tracks and crane pads
- Battery compound
- Proposed wind turbine position

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project : **Lochend Extension**  
 Lochend Extension Indicative layout plan TL22A

drawing no : **LoEx/LoTL22/1.1**  
 scale : **1:10,000 @A3**