

Agenda Item	5.1
Report No	PLN/074/22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 18 October 2022

Report Title: 22/04095/PAN: Balmeanach Wind Farm Limited
Land 2400M NE Of An Cleireach, 8 Balmeanach, Struan, Isle of Skye

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Balmeanach Wind Farm – Erection and operation of a wind farm comprising up to 10 wind turbines with blade tip heights of up to 149.9m and associated infrastructure.

Ward: 10 – Eilean A' Cheò

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 23rd September 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 / Site Layout Plan

1.4 The developer proposes to undertake the following public consultation events

- Online event on 26th October 2022 between 3-7pm.
- In person event at Dunvegan Hall on 22nd November 2022 between 4-8pm.
- In person event at Edinbane Village Hall on 23rd November 2022 between 2-6pm.

1.5 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements. Advertisements for the events will be published in the West Highland Free Press on 14th October 2022 and 11th November 2022. Leaflets will be circulated to local households within approximately 10km of the proposed site at least one week prior to the events outlined in paragraph 1.4 above. Posters advertising the events will also be displayed on local community council Facebook pages. The PAN form also indicates that the following parties received a copy of the PAN.

- Dunvegan Community Council
- Glendale Community Council
- Skeabost & District Community Council
- Struan Community Council
- Waternish Hall as a Community Council has not been formed
- Dunvegan Community Trust
- Edinbane Community Company
- Struan Community Trust

Local Councillors and MSP's will also be contacted at least 7 days prior to the public information events outlined in paragraph 1.4 above.

- 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.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This PAN provides notice of the developer's intention to submit a planning application for a scheme which is classified as 'major development', as defined by the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009) and under the Town and Country Planning (Scotland) Act 1997 (As Amended). At this stage it is envisaged that the proposed development will consist of up to 10 wind turbines with tip heights up to 149.9m and an overall estimated capacity of 45MW. The associated infrastructure would include the following components:

- On site access tracks and associated watercourse crossings and drainage.
- Crane hardstands adjacent to each turbine, foundations and associated drainage.
- Power cables linking the turbines laid in trenches underground.
- One permanent and one temporary anemometry mast, including associated foundations and hardstandings.
- Borrow pit search areas.
- A site construction compound (with potential for future battery storage), laydown areas and car park and a substation compound including a control building.

- 2.3 The developer has undertaken 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 site boundary comprises approximately 680ha of land and is located on moorland and grazing land approximately 3km to the south of the settlement of Edinbane and approximately 6.5km east of the settlement of Dunvegan. There are several residential properties and crofts located to the south and south-west of the site which extend down to the A863 and Loch Caroy; the closest being approximately 1.5km from the nearest proposed turbine. Topography of the site ranges from approximately 155m above ordnance datum (AOD) to 283m AOD with the northern extent of the proposed Site forming the most elevated part along the ridge between Ben Aketil (266m AOD) and Ben Sca (283m AOD).
- 3.2 To the east of the site is the operational Edinbane Windfarm (18 turbines, 100m to tip), to the northwest is the operational Ben Aketil Wind Farm (12 turbines, 100m to tip). To the north is the consented scheme of Ben Sca Wind Farm/ extension (up to 7 turbines 135m to tip and 2 turbines 149.9m to tip). To the south is the consented Glen Ullinish Wind Farm (up to 11 turbines, 149.9m to tip). Access to the site is likely to be via the existing Ben Aketil Wind Farm access track from the A850.
- 3.3 As identified by the Councils Onshore Wind Energy Supplementary Guidance (OWESG) the majority of the proposed site lies within a Group 2 Area of Significant Protection. This is due to it being located within an area of Carbon Rich Soils, deep peat and priority peatland habitat (CPP) which is a Group 2 constraint. The An

Cleireach Site of Special Scientific Interest (SSSI) is also a Group 2 geological feature and this lies adjacent to the south-east of the site.

- 3.4 There are no natural heritage designations located within the proposed site boundary. The Inner Hebrides and the Minches Special Area of Conservation (SAC) is located 2.8km to the west and is designated for the harbour porpoise. The Ascrib, Isay and Dunvegan SAC designated for harbour seals is located 8.2km from the site. The Cuillins Special Protection Area (SPA) which is designated for Golden Eagles is located approx. 14.24km from the proposed site boundary.
- 3.5 There are no landscape designations covering the site itself. In terms of national designations, the Trotternish National Scenic Area (NSA) is 18km to the northeast, the Cuillin Hills NSA is 20km to the southeast. The North-West Skye Special Landscape Area (SLA) is located approx. 3.5km from the nearest proposed turbine, Greshornish SLA is 5.5km away and the Trotternish and Tianavaig SLA is 14km. The nearest Wild Land Areas (WLA) are Duirinish which is approx. 8.7km to the south-west and the Cuillin WLA which is 17.8km to the south-east.
- 3.6 There are no cultural heritage features within the site, however there are six Scheduled Monuments within 5km of the site. There are no Inventoried Gardens and Designed Landscapes or Listed Buildings within 5km of the proposed turbines.

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
- 47 - Safeguarding Inbye/ Apportioned Croftland
- 51 – Trees and Development
- 52 – Principle of Development in Woodland
- 53 - Minerals
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other Important Species
- 60 - Other Important Habitats
- 61 – Landscape
- 62 – Geodiversity
- 63 - Water Environment
- 64 - Flood Risk
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments

69 - Electricity Transmission
72 - Pollution
77 - Public Access
78 – Long Distance Routes

4.2 **West Highland and Islands Local Development Plan (2019) (WestPlan)**

The site is not covered by any specific development allocation or safeguarding notation. The plan did review and confirm the boundaries for the Special Landscape Areas (SLA).

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)

Other guidance is contained within

- Construction Environmental Management Process for Large Scale Projects
- The Highland Council Visualisation Standards for Wind Energy Developments.

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) compliance with the development plan and other planning policy
- b) energy and economic benefits;
- c) construction impacts;
- d) transport and access (including wider public access);
- e) hydrology, hydrogeology and peat;
- f) natural heritage (including ornithology);
- g) built and cultural heritage;
- h) design, landscape and visual impact (including wild land areas, cumulative impacts and residential visual amenity impacts);
- i) noise and shadow flicker;
- j) telecommunications;
- k) aviation (including any requirement for visible turbine lighting);
- l) decommissioning, and 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: Alison Harvey

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

Relevant Plans: Plan 1 – Proposal of Application Notice
Plan 2 – Location / Site Layout 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.

<p>Applicant: Balmeanach Wind Farm Limited Address: 5th Floor, Atria 1, 144 Morrison Street, Edinburgh, Scotland EH3 8EX</p> <p>Phone: 07570 948886 E-mail: Ryan.Bissoonauth@wind2.co.uk</p>	<p>Agent: SLR Consulting Ltd Address: 2nd Floor 4/5 Lochside View Edinburgh Park EH12 9DH</p> <p>Phone: 07850 503569 E-mail: fscott@slrconsulting.com</p>
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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

The site is located in the north west of the Isle of Skye, primarily on the Bracadale Estate, on the Balmeanach and Caroy Common Grazings, and partly on the Coishletter Estate approximately 3km to the south of Edinbane, and approximately 6.5km to the east of Dunvegan. The centre of the Site is at NGR 133515, 846005. The nearest postcode is IV56 8FH.

The red line boundary is shown on Figure 1.

The existing Ben Aketil Wind Farm is located to the north west of the site and the existing Edinbane Wind Farm is located to the north east and east of the site. The consented Ben Sca Wind Farm and Ben Sca Wind Farm Extension are located to the north of the site. The consented Glen Ullinish Wind Farm is located to the south east of the site.

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.

The proposed wind farm development is expected to contribute towards the Scottish Government's renewable energy targets and would constitute a Major development (as defined by the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009) under the Town and Country Planning (Scotland) Act 1997 (As Amended).

The proposed development would consist of up to 10 wind turbines with tip heights up to 149.9m and an overall estimated capacity of 45MW. The associated infrastructure would

include the following components:

- a network of on Site access tracks and associated watercourse crossings and drainage;
- crane hardstands adjacent to each turbine and associated drainage;
- foundations supporting each turbine location;
- power cables linking the turbines laid in trenches underground;
- one permanent and one temporary anemometry mast, including associated foundations and hardstandings;
- borrow pit search areas;
- a substation compound including a control building;
- a Site construction compound (with potential for future battery storage), laydown areas and car park.

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? No

If yes, please provide a copy of this Opinion. N/A

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

- Dunvegan Community Council
- Glendale Community Council
- Skeabost & District Community Council
- Struan Community Council
- Waternish Community Council

Date Notice Served

22/09/2022
22/09/2022
22/09/2022
22/09/2022
22/09/2022

Names/details of any other parties

- Dunvegan Community Trust
- Edinbane Community Company
- Struan Community Trust

Date Notice Served

22/09/2022
22/09/2022
22/09/2022

Please give details of proposed consultation

Proposed public event

Venue

Date and time

Virtual Public Information Event

Online

26/10/2022 3-7pm

In person Public Information Event 1

Dunvegan Hall

22/11/2022 4-8pm

In person Public Information Event 2

Edinbane Village Hall

23/11/2022 2-6pm

Newspaper Advert – name of newspaper

Advert date (where known)

West Highland Free Press

14/10/2022

(at least 7 days prior to public information days)

11/11/2022

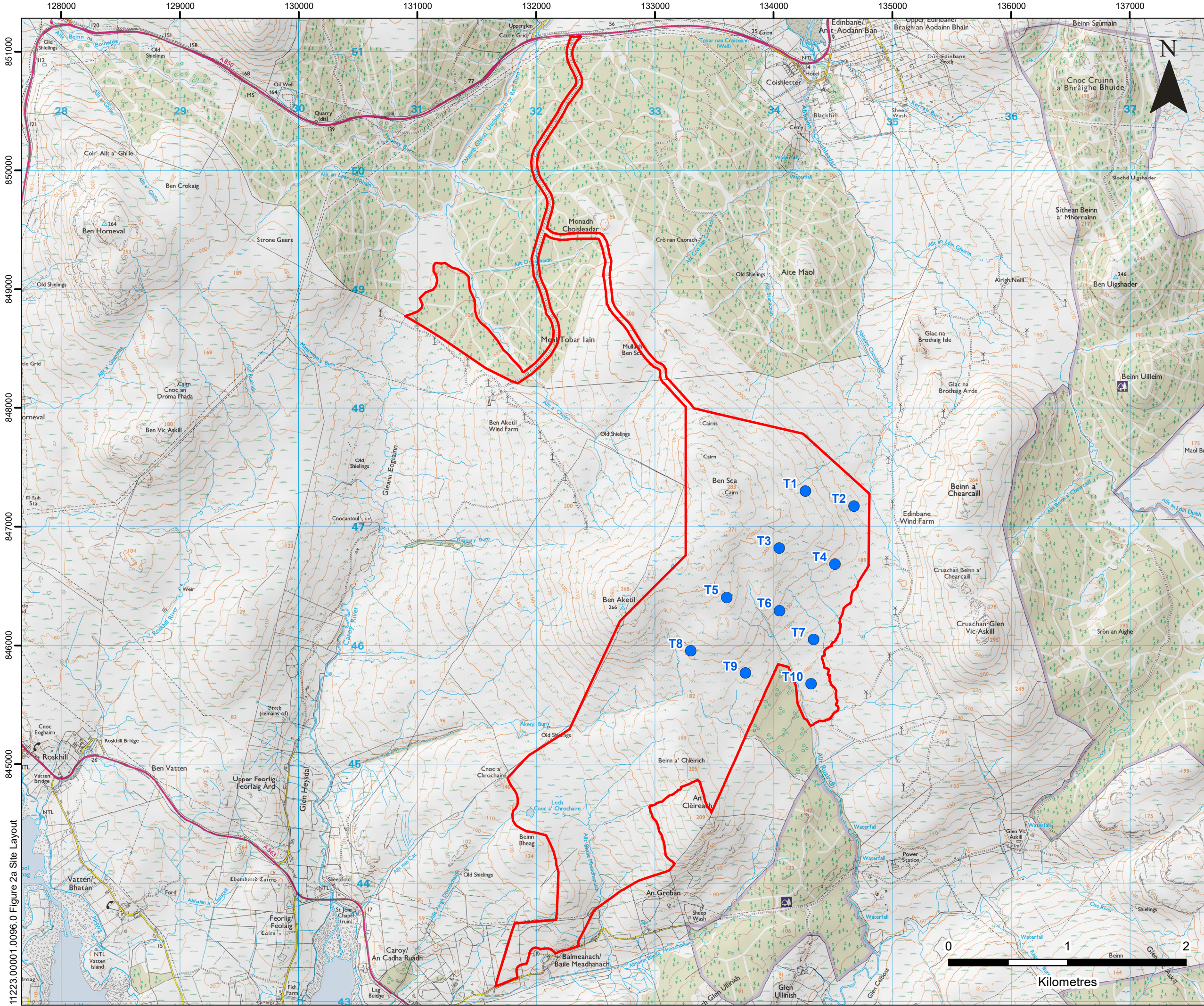
Details of any other consultation methods (date, time and with whom)

Leaflets to be circulated to local households within approximately 10km of the proposed site at least one week prior to the information days. Poster advertising the events will also be displayed on the local community council Facebook page.

The following councillors and MSP's will be contacted at 7 days prior to the public information events:

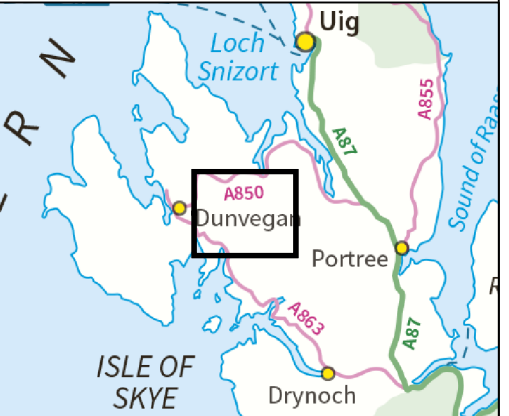
John Finlayson (Councillor)
Drew Millar (Councillor)
Calum Munro (Councillor)
Ruraidh Stewart (Councillor)
Kate Forbes (Constituency MSP)
Araine Burgess (Regional MSP)
Donald Cameron (Regional MSP)
Rhoda Grant (Regional MSP)
Jamie Halcro Johnston (Regional MSP)
Edward Mountain (Regional MSP)
Emma Roddick (Regional MSP)
Douglas Ross (Regional MSP)
Ian Blackford (MP)

Signed  Date.....22/09/22.....



LEGEND

- Site Boundary
- Indicative Turbine Location



BALMEANACH WIND FARM LIMITED

4/5 LOCHSIDE VIEW
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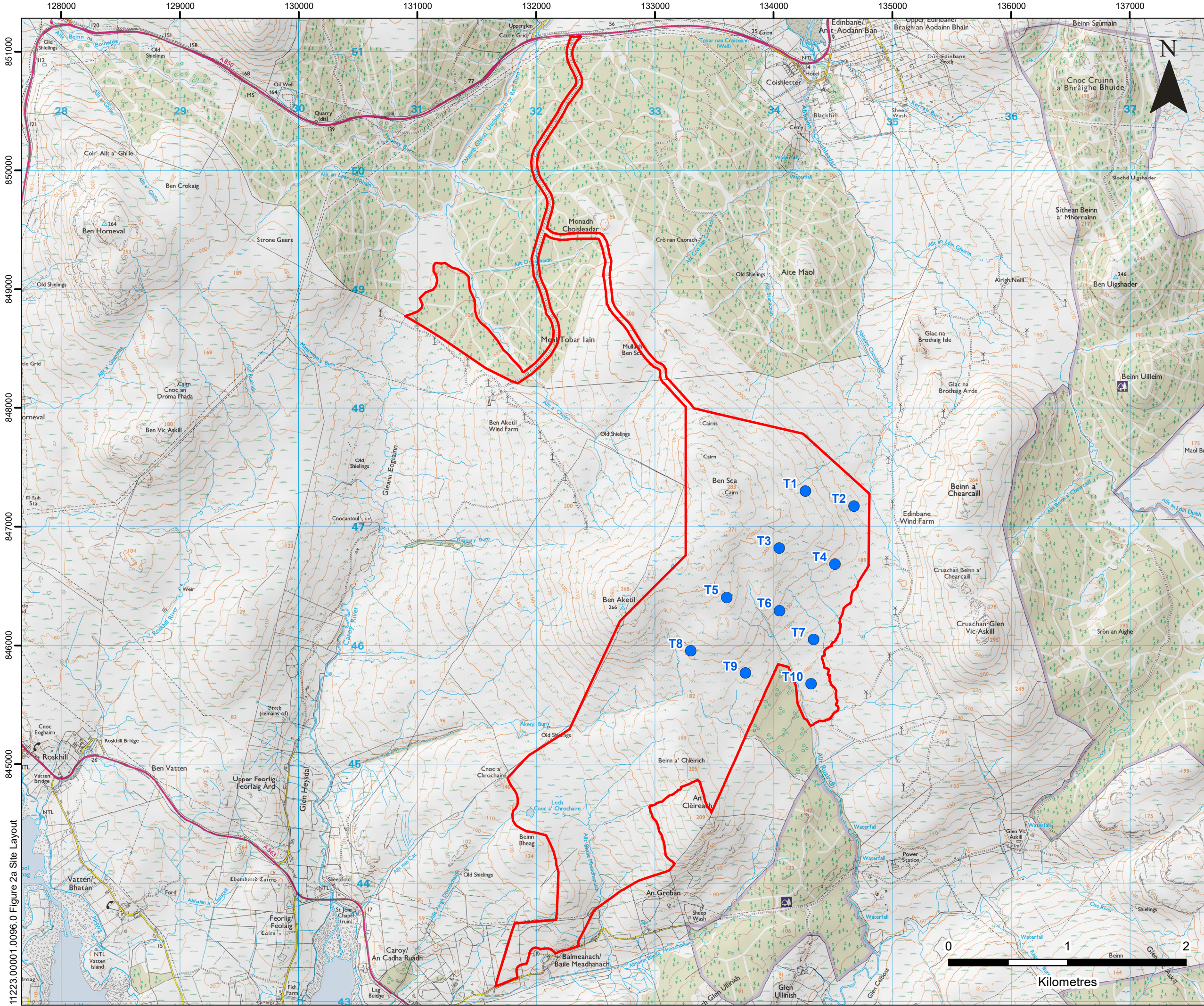
BALMEANACH
PROPOSAL OF APPLICATION NOTICE

SITE LAYOUT

FIGURE 1

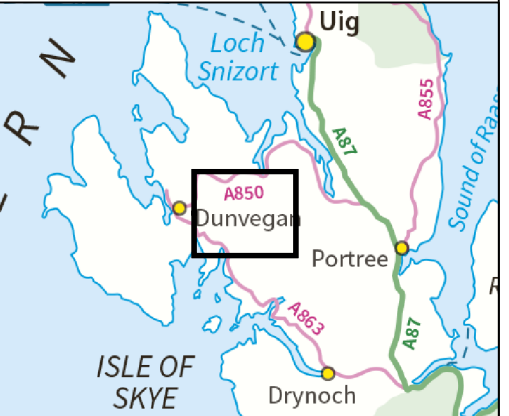
Scale 1:30,000 @ A3 Date AUGUST 2022

11223.00001.0096.0 Figure 2a Site Layout



LEGEND

- Site Boundary
- Indicative Turbine Location



**BALMEANACH
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BALMEANACH
PROPOSAL OF APPLICATION NOTICE
SITE LAYOUT
FIGURE 1

Scale 1:30,000 @ A3 Date AUGUST 2022

11223.00001.0096.0 Figure 2a Site Layout