

Agenda Item	5.1
Report No	PLN/018/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 7th March 2023
Report Title: 22/05500/PAN: Offshore Wind Power Limited
AC Site Spittal Sub Station, Halkirk, KW12 6XA
Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: West of Orkney Wind Farm - Provision of onshore transmission infrastructure, including approximately 22km of underground cabling, a substation and associated infrastructure
Ward: 03 - Wick and East 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. 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 16th February 2023. 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 that 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 (Onshore search area boundary)
- Location Plan (Showing the search area in relation to the offshore wind farm).

1.4 In line with the consultation requirements outlined under the provision of the Town and Country Planning (Pre-Application Consultations (Scotland) Regulations 2019 which came into force on 01 October 2022, the applicants are proposing two consultation events:

Proposed Public Event 1

- Spittal Village Hall, Spittal, Caithness, KW1 5XR: 28/11/22 at 1600-2000
- Bettyhill Village Hall, Bettyhill, Thurso, KW14 7SS: 29/11/22 at 1500-1930
- North Coast Visitor Centre, High Street, Thurso, KW14 8AJ: 30/11/22 at 1500-1930

Proposed Public Event 2

- The Pentland Hotel, Princess Street, Caithness, KW14 7AA: 21/03/23 at 1530-1930.
- Strathy Village Hall, Strathy, Sutherland, KW14 7RZ: 22/03/23 at 1530-1930.
- Ross Institute, Bridge Street, Halkirk, Caithness, KW12 6XZ: 23/03/23 1530-1930.

As required by the aforementioned regulations the applicant must at the final event provide feedback to members of the public in respect of comments received by the applicant to date.

1.5 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts to be placed in the Caithness Courier and John O'Groats Journal and will be at least 7 days prior to each event.

1.6 The PAN also details that the following consultation methods have or will be undertaken

- EIA Scoping Report published at www.westoforkney.com 1/03/22
- A virtual public consultation commenced 21/03/22 including two live question and answer sessions on 29/03/22 between 1200-1400 and 1800-2000.
- Durness Games 29/07/22.
- Halkirk Games 30/07/22.
- Leaflet drop week commencing the 07/11/22 across Caithness and Sutherland targeting post codes: IV27 4, KW 5, KW12 6, KW14 7 and KW14 8.
- A community questionnaire has been circulated to community leaders, at community events and remains available online at www.westoforkney.com

1.7 The PAN form also indicates that the following parties were sent a copy of the PAN on 16th February 2023. Community Councils: Caithness West. Halkirk, Watten, Bower, Castletown, Melvich, Strathy and Armadale, Bettyhill, Strathnaver

and Altnaharra, Tongue, Durness, Dunnet and Canisbay, Kinlochbervie and Scourie, in addition, Maree Todd MSP, Jamie Stone MP and Orkney Islands Council have also received a copy of the PAN.

- 1.8 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. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposed scheme comprises the onshore infrastructure which will be required to facilitate the proposed West of Orkney Offshore Wind Farm. The wind farm will be located approximately 28km off the Caithness coast. It is understood that the onshore proposal will comprise of the following elements:

- Cable landfalls - at Greeny Geo and/or Crosskirk, Caithness
- One cable transition joint bay at each landfall
- Up to 5 underground onshore cables, buried to a depth of 1m, subject to ground conditions. The underground cables shall extend for a distance of approximately 22km. During construction, a corridor up to 100m wide may be required, which includes haul roads, topsoil and turf storage. Soil and turf shall be reinstated after construction.
- A new onshore substation, at or near the existing Spittal substation. The exact location and size will depend on ground conditions, landowner agreement and grid requirements.
- The onshore substation will include the electrical equipment to connect the West of Orkney Windfarm to the grid. This may include switchgear, transformers, harmonic filters, reactive compensation devices, protection equipment, batteries and other auxiliary equipment.
- Temporary construction compounds for the onshore substation and cable landfalls.
- Potential new access tracks for the onshore export cables, landfalls and onshore substations.
- Additional areas may be required for screening, drainage, biodiversity net gain etc. Any additional areas shall be within the infrastructure area and clearly marked in the application.

- 2.2 The applicant has been actively providing the Planning Authority with regular updates and workshops.

- 2.3 Public consultation events and notification was carried out in relation to the offshore wind farm (22/04846/PAN) in November 2022. The scheme is for up to 125 turbines with a rotor diameter of up to 330m, an overall tip height of 370m (above latitude). In addition, it will include up to 5 offshore substation platforms, substation foundation interconnectors and inter-array cables and has the potential to generate up to 2GW of electricity.

3.0 SITE DESCRIPTION

3.1 The red line boundary for the onshore infrastructure area includes the cable area of search which extends in a south-easterly direction from the proposed cable landfalls sites at Greeny Geo and/or Crosskirk on the north coast of Caithness down to the inland settlement of Halkirk. The red line also includes the onshore substation area of search which encompasses land from Halkirk to Spittal. It covers an area of approximately 5km by 3.5km, with the A882 forming the north-eastern boundary to this search area. It is envisaged that the substation will be located at or near the existing Spittal substation. The land-use within the study area is mainly made up of improved grassland, with areas of bracken, heather moor, and blanket bog and peatlands to the west. There is woodland around Bridge of Forss, Sibster Forest and other pockets of woodland around Spittal and Loch Calder.

3.2 Within the site boundary there are two designations

- Ushat Head SSSI– Maritime Cliff
- River Thurso SAC– Atlantic Salmon

There are no landscape designations within the site boundary or within 5km of the area. However, the following ecological designations are located within 5km of the project area.

- Caithness Lochs SPA (Loch Calder) – Whooper swan, Greylag goose and Greenland white-fronted goose (1.5 km)
- River Thurso SSSI - Flood-plain fen (1.1km)
- Loch Lieurary SSSI – Basin Fen (0.1 km)
- Westfield Bridge SSSI – Fen meadow and Lowland Calcareous grassland (0.6 km)
- Newlands of Giese Mire SSSI – Valley fen (2.4 km)
- Loch Scarmclate SSSI – Base-rich loch and Greylag goose (3.1 km)
- Holborn Head SSSI - Maritime cliff (3.4 km)
- Sandside Bay SSSI – Sand dunes(4.6 km)
- Red Point Coast SSSI – Guillemot, Maritime cliff and Scottish primrose (4.6km)

3.3 In terms of cultural heritage, the following scheduled monuments / listed buildings are located within the site area.

- Green Tullochs, broch and cairn
- Lybster Farm Steading
- Forss House
- West Mill, Forss
- East Mill, Forss
- Miller’s House, East Mill, Forss

- Bridge of Forss
- Tollhouse, Forss
- Old bridge of Forss
- Halkirk St Thomas's Chapel
- Achanarras Cairns
- Achanarras hut circle
- St Magnus's church, burial ground and hospital
- St Mary's Chapel

3.4 Within the site area there are a number of core paths

- St Marys chapel path (CA13.25)
- Halkirk Railside to river link (CA06.10)
- Halkirk Land along east edge of village (CA06.05)
- Halkirk Riverside (CA06.02)
- Forss Roadside Footway (CA13.16)
- Brawl Castle and pond (CA06.01)
- Achscrabster quarries (CA09.02)
- Westfield to Achnavast (CA09.01)

4. **DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

4.1 **Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constrains
- 31 - Developer Contributions
- 36- Development in the Wider Countryside
- 51 – Trees and Development
- 52 – Principle of Development in Woodland
- 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

65 – Waste Water Treatment
66 - Surface Water Drainage
69 - Electricity Transmission
72 - Pollution
74 – Green Networks
77 - Public Access

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

There are no site-specific policies covering the application site therefore the application requires to be assessed against the general policies of the Highland-wide Local Development Plan referred to above. However, the CaSPlan does confirm the boundaries for the Special Landscape Areas (SLA) within the plan area.

4.3 **Highland Council Supplementary Planning Policy Guidance**

- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Sustainable Design Guide (Jan 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**

- National Planning Framework 4, NPF4 (2023)
- Scotland's Energy Strategy 2017
- Draft Energy Strategy and Just Transition Plan (2023)
- 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)

- Energy Efficient Scotland Route Map, Scottish Government (May 2018)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- a) Compliance with the development plan and other planning policy
 - b) Construction impacts;
 - c) Transport and access (including wider public access);
 - d) Soils and peat;
 - e) Water Environment including Flood Risk and Drainage;
 - f) Natural heritage (including ornithology and impact upon trees);
 - g) Built and cultural heritage;
 - h) Design, landscape and visual impact (including cumulative impacts)
 - i) Noise;
 - j) Decommissioning, and
 - k) 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.

Signature: Dafydd Jones

Designation: Area Planning Manager –North

Author: Alison Harvey, Planner

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 - Location Plan

**The Town and Country Planning (Scotland) Act 1997 as amended by the Planning
Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019**

**Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations
2021**

The Council will respond within 21 days of validation 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.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council

Contact Details

Applicant	Offshore Wind Power Limited	Agent	N/A
Address	32 Charlotte Square Edinburgh EH2 4ET	Address	-
Phone	0787 524 5015	Phone	-
Email	Jack.Farnham@westoforkney.com	Email	-

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

Cable landfalls

Up to two cable landfalls at Greeny Geo and/or Crosskirk
Thurso
Caithness
KW14 7UZ

Onshore substation

The onshore substation shall be located at or near the existing Spittal substation
Halkirk
Caithness
KW12 6XA

The onshore transmission infrastructure area is highlighted in the attached Base Plan.

Description of Development

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² 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.

Provision of onshore transmission infrastructure for an offshore windfarm, located approximately 28km off the Caithness coast and approximately 23km off the coast of Sutherland. The onshore proposal includes approximately 22km of underground cabling, a substation and associated infrastructure.

As set out in the Scoping Report submitted to MS-LOT 2nd March 2022 the Caithness onshore infrastructure for the West of Orkney Windfarm will comprise of:

- Cable landfalls - at Greeny Geo and/or Crosskirk, Caithness
- One cable transition joint bay at each landfall
- Up to 5 underground onshore cables, buried to a depth of 1m, subject to ground conditions. The underground cables shall extend for a distance of approximately 22km. During construction, a corridor up to 100m wide may be required, which includes haul roads, topsoil and turf storage. Soil and turf shall be reinstated after construction.
- A new onshore substation, at or near the existing Spittal substation. This location was deemed suitable by National Grid and Scottish Hydro Electric Transmission Limited. The exact location and size will depend on ground conditions, landowner agreement and grid requirements.
- Temporary construction compounds for the onshore substation and cable landfalls.
- Potential new access tracks for the onshore export cables, landfalls and onshore substations. The exact location and number will depend on landowner agreement and shall be subject to approval from The Highland Council.

The onshore substation will include the electrical equipment to connect the West of Orkney Windfarm to the grid. This may include switchgear, transformers, harmonic filters, reactive compensation devices, protection equipment, batteries and other auxiliary equipment.

The entire footprint of the substation site to the edge of the fence line is likely to be an area of 24 hectares. The exact area of the substation building is yet to be determined. A temporary work compound is likely to require a further area of 15 hectares within the onshore substation area of search.

Additional areas may be required for screening, drainage, biodiversity net gain etc. Any additional areas shall be within the infrastructure area and clearly marked in the application.

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.

Community Consultation

State which other parties have received a copy of this Proposal of Application Notice.

Community Council/s	Date Notice Served
Caithness West	16 th February 2023
Halkirk	16 th February 2023
Watten	16 th February 2023
Bower	16 th February 2023
Castletown	16 th February 2023
Melvich	16 th February 2023
Strathy and Armadale	16 th February 2023
Bettyhill, Strathnaver and Altnaharra	16 th February 2023
Tongue	16 th February 2023
Durness	16 th February 2023
Dunnet and Canisbay	16 th February 2023
Kinlochbervie	16 th February 2023
Scourie	16 th February 2023

Local Elected Members	Date Notice Served
N/A	

Members of Scottish Parliament and Members of Parliament	Date Notice Served
Maree Todd MSP	16 th February 2023
Jamie Stone MP	16 th February 2023

Names / details of other parties	Date Notice Served
Orkney Islands Council	16 th February 2023

Details of Proposed Consultation

Offshore Wind Power Limited will hold two pre-application consultation (PAC) events at a series of venues which will provide an opportunity for stakeholders, including local residents, to hear more about the West of Orkney Windfarm, including the onshore transmission infrastructure, and make comments on the proposals. The Project team will be available to answer questions. The details of the events and venues in Caithness and Sutherland are as follows:

Proposed Public Event 1	Venue	Date and Time
	Spittal Village Hall, Spittal, Caithness, KW1 5XR	28/11/22 1600-2000
	Bettyhill Village Hall, Bettyhill, Thurso, KW14 7SS	29/11/22 1500-1930
	North Coast Visitor Centre, High Street, Thurso, KW14 8AJ	30/11/22 1500-1930
Proposed Public Event 2	Venue	Date and Time
<i>(at least 14 days after Public Event 1)</i>	The Pentland Hotel Princess Street Caithness KW14 7AA	21/03/23 1530-1930
	Strathy Village Hall Strathy Sutherland KW14 7RZ	22/03/23 1530-1930
	Ross Institute Bridge Street Halkirk Caithness KW12 6XZ	23/03/23 1530-1930

Comments received in relation to the Caithness onshore infrastructure will be recorded and presented in the Pre-Application Consultation Report.

Publication of Event

Newspaper Advert	Name of Newspaper	Advert Date
Proposed Public Event 1	Caithness Courier	19/10/22 and 18/11/22
	John O'Groats Journal	14/10/22 and 16/11/22
Proposed Public Event 2	Caithness Courier	01/02/23 and 08//03/23
	John O'Groats Journal	03/02/23 and 10/03/23

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

- EIA Scoping Report published at www.westoforkney.com 1/03/22
- A virtual public consultation commenced 21/03/22 including two live question and answer sessions on 29/03/22 between 1200-1400 and 1800-2000
- Durness Games 29/07/22
- Halkirk Games 30/07/22
- Leaflet drop week commencing the 07/11/22 across Caithness and Sutherland targeting post codes: IV27 4, KW 5, KW12 6, KW14 7 and KW14 8
- A community questionnaire has been circulated to community leaders, at community events and remains available online at www.westoforkney.com

Signed



Date **16th February 2023**

Base Plan



