

Agenda Item	5.1
Report No	PLN/071/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 11 November 2023
Report Title: 23/03842/PAN: Wind Harvest Limited
Land 1600M NE Of Sumardale Croft, Struan
Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Beinn Mheadhonach Wind Farm, Construction and operation of a wind farm, comprising 5 wind turbines with a maximum blade tip height of 149.9m, access tracks, borrow pits, substation and ancillary 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 01 September 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 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; and
 - Supporting Statement.
- 1.4 The prospective developer held two in person events on 19 September and 04 October 2023 at Struan Primary School between 14.00 and 19.00. The advertisement for the first event was published in the West Highland Free Press on 10 August 2023.
- 1.5 The Proposal of Application Notice has also been served on the host Struan Community Council, along with the nearby Minginish, Portree, Dunvegan, and, Skeabost Community Councils, as well as local Elected Members and MSPs.
- 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 The PAN provides notice of the developer's intention to submit a planning application classified as a major development. In this instance the applicant seeks to replace the approval of a scheme of 4no turbines of 120m tip height, 78m hub height, and rotor diameters of 82m (as approved and subsequently modified under applications refs. 18/03214/FUL and 20/04065/S42), along with associated control building, site compound, cabling, access tracks, watercourse crossings, and hard standings. The new scheme is for 5no turbines of maximum 149.9m tip height, 92m hub height, and unspecified rotor diameter (although the Enercon website specifies a diameter of 116m), which increases the wind farm's energy output to 24MW making this a major development. The route of the access track is also amended from the previous permission.
- 2.3 The applicant has not sought pre-application advice through the Council's Pre-Application Advice Service for Major Developments.

3.0 SITE DESCRIPTION

- 3.1 The PAN site boundary has been expanded to encompass a wider area of 385 ha in comparison to the previous PAN, which was submitted in April 2022 for the same development (ref. 22/01644/PAN), whereby the earlier PAN site boundary was drawn tighter around the route of the proposed access track, turbines and hardstanding areas, as well as the control building site compound. The site comprises rough agricultural grazing, commercial forestry, and upper moorland, and is wholly located within the Stepped Moorland Landscape Character Type (LCT 360) as mapped by NatureScot. The turbines are located on elevated ground between 245m and 310m AOD. The site is accessed from the A863 public road via an existing rough track that currently serves a single turbine (referred to as Struan Turbine – 67m to tip) to the south west of the proposed wind farm where the track currently ends. There is another single turbine located further to the south and on the opposite side of the A863 (referred to as Meadale turbine- 61m to tip).
- 3.2 The nearest settlement of Struan is 4km to the northwest, Port na Long is 4.4km to the west, while Portree is 10km to the east. There is sporadic housing and farm steadings along the A863 and a private access track between the public road and the application site, with the closest residential properties being Sumardale Croft (13.km to turbines), Meadale Farm (2.3km to turbines), the housing groups at Coilore and Gesto Bay (3km to turbines), and Leachkin Cottage (3.3km to turbines).
- 3.3 The application site is located within an area of Carbon Rich Soils, deep peat and priority peatland habitat (CPP) however there are no natural heritage designations on the wind farm site. The Cuillins Special Protection Area (SPA), the features of which are its breeding population of golden eagle, lies 5km southeast from the site, while the Roineval Site of Special Scientific Interest (SSSI) protected for its geological lava formations is 2.4km to the southeast.
- 3.4 There are no landscape designations covering the site itself however the Cuillin Hills National Scenic Area (NSA) is 10.5km distant southwards, and Trotternish NSA 25km NNE. The North West Skye Special Landscape Area (SLA) that covers much of the west coast of Skye is just west of the A863, while the Trotternish and Tianavaig NSA is 11km to the west, and Raasay and Rona NSA 16.5km further west still. There are two areas of wild land within 30km of the application site, Duirinish (13km west), and, Cuillin (9km south).
- 3.5 There are no cultural heritage features within the site itself however due to peat depths there is potential for archaeological remains. There are several Scheduled Monuments and listed buildings within 10km of the site

4.0 DEVELOPMENT PLAN

The following policies are relevant to the assessment of the proposal:

4.1 National Planning Framework 4 (2023)

- 1 - Tackling Climate Change
- 2 - Climate Mitigation and Adaptation
- 3 - Biodiversity

- 4 - Natural Places
- 5 - Soils
- 7 - Historic assets and places
- 11 - Energy
- 22 - Flood risk and water management
- 23 - Health and safety
- 25 - Community wealth benefits
- 33 - Minerals

4.2 **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
- 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
- 69 - Electricity Transmission
- 72 - Pollution
- 77 - Public Access

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

The site is not covered by any specific development allocation or safeguarding notation within the adopted West Highland and Islands LDP.

4.4 **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)

4.5 Scottish Government Policy and Guidance

- Onshore Wind Sector Deal for Scotland (2023)
- Onshore Wind Energy Policy Statement (2022)
- Draft Energy Strategy and Just Transition Plan (2023)
- Scottish Energy Strategy (2017)
- 2020 Routemap for Renewable Energy (2011)
- Energy Efficient Scotland Route Map, Scottish Government (2018)
- Siting and Designing Wind Farms in the Landscape, SNH (2017)
- Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (2020)
- Wind Farm Developments on Peat Lands, Scottish Government (2011)
- Historic Environment Policy for Scotland, HES (2019)
- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (2008)
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)

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) as well as Residential Visual Amenity Impact
- l) Noise and Shadow Flicker
- m) Telecommunications
- n) Aviation
- 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: Mark Fitzpatrick

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

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	Wind Harvest Limited	Agent
Address	14 Rosslyn Crescent Edinburgh EH6 5AX	Address
Phone	07825 183837	Phone
Email	alex@windharvest.co.uk	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

Land to the north east of Sumardale croft, Isle of Skye. Site centre: 139000, 837000

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.

-See attached project description and background.

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?

Yes

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
Struan Community Council	07/08/2023
Minginish Community Council	01/09/23
Portree Community Council	01/09/23
Dunvegan Community Council	01/09/23
Skeabost Community Council	01/09/23

Local Elected Members	Date Notice Served
John Finlayson	07/08/2023
Drew Millar	07/08/2023
Calum Munro	07/08/2023
Ruraidh Stewart	07/08/2023

Members of Scottish Parliament and Members of Parliament	Date Notice Served
Kate Forbes	07/08/2023
Ian Blackford	07/08/2023

Names / details of other parties	Date Notice Served
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Details of Proposed Consultation

Proposed Public Event 1	Venue	Date and Time
Struan Community public exhibition	Struan Primary School	19 th September 2023, 14:00 – 19:00

Proposed Public Event 2	Venue	Date and Time
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Struan Community public Struan Primary School
exhibition

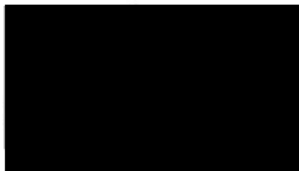
4th October 2023, 14:00 –
19:00

Publication of Event

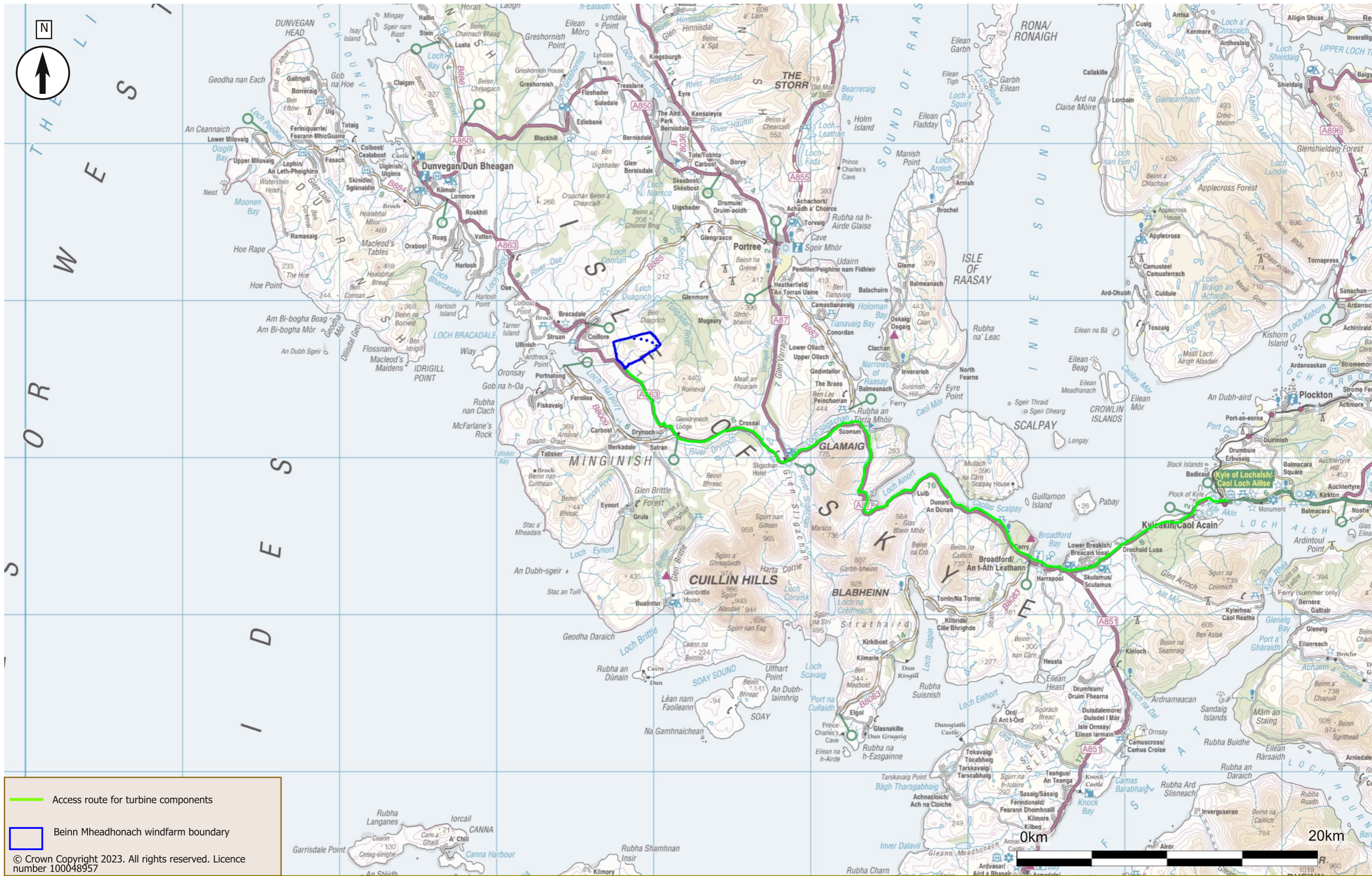
Newspaper Advert	Name of Newspaper	Advert Date
	West Highland Free Press	10/08/23

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

Signed



Date 07/08/23



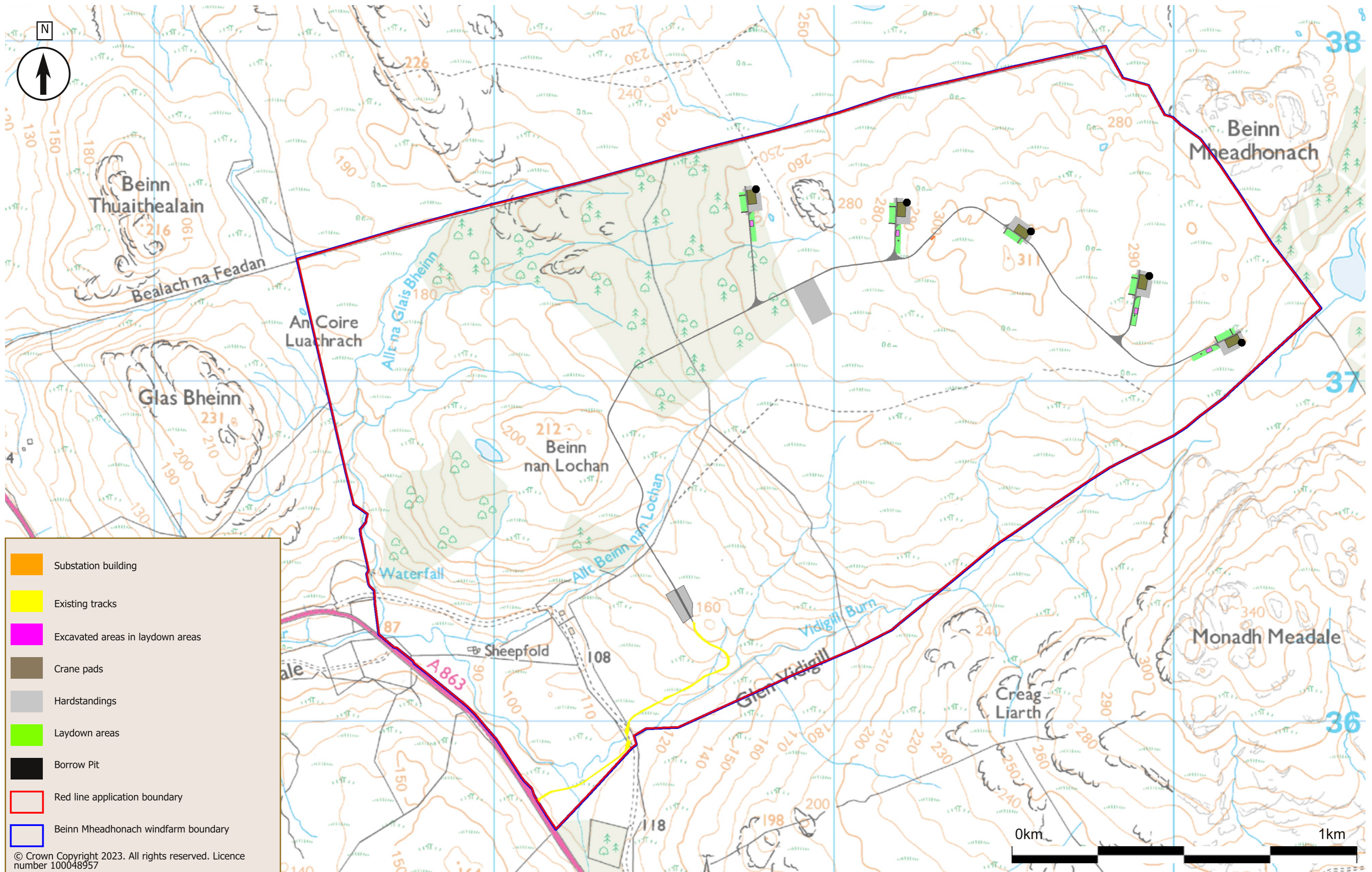
— Access route for turbine components
 Beinn Mheadhonach windfarm boundary

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project : **BEINN MHEADHONACH WIND FARM**
 figure 1.01 : **Site Location**

drawing no : **BM2/Lo1/1.1**
 scale : **1:230,000 @A3**



- Substation building
- Existing tracks
- Excavated areas in laydown areas
- Crane pads
- Hardstandings
- Laydown areas
- Borrow Pit
- Red line application boundary
- Beinn Mheadhonach windfarm boundary

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project : **BEINN MHEADHONACH WIND FARM**
 figure PAN2 : **Site Layout**

drawing no : **BM2/PAN2/1.0**
 scale : **1:10,000 @A3**