

Agenda Item	<b>5.4</b>
Report No	<b>PLN/081/23</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 6 December 2023

**Report Title:** 23/03944/PAN: Swarclett Wind Energy Limited  
Land 975M SE of Mains of Durran  
Castletown

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

### Purpose/Executive Summary

**Description:** Swarclett Wind Farm - erection and operation of a wind farm, comprising 2 turbines with a maximum blade tip height of 149.9m, battery storage 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 29 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
- 1.4 There have been two in-person consultation events, the first took place on Tuesday 11 July 2023 between 4pm and 7pm at Castletown Drill Hall, and the second on Wednesday 26 July 2023 between 4pm and 7pm at Bower Community Centre. The first event was advertised on 28 June 2023 in the Caithness Courier and on 30 June 2023 in the John o Groats Journal. The second event was advertised on 19 July 2023 also in the Caithness Courier and on 21 July 2023 in the John o Groats Journal.
- 1.5 Details of all notified parties are contained / appended to the PAN form and include Bower and Castletown Community Councils, as well as local Members, Members of Scottish Parliament and Members of Parliament. The applicant undertook a letter drop to advise the public of the consultation events. The applicant also included QR codes within these letters which would link directly to their feedback form.
- 1.6 Any 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 proposal consists of 2 turbines up to a maximum 149.9m blade tip height and battery storage and ancillary infrastructure. The wind turbine generators will have an indicative output of approximately 9.6 MW and an indicative battery storage capacity of up to 12 MW, resulting in a total capacity of 21.6 MW.
- 2.2 The developer sought an EIA Scoping Response from the Planning Authority in March 2022 for the erection and operation of a wind farm comprising 4 turbines of up to 149.9m blade tip height and ancillary infrastructure (ref. 22/00790/SCOP).

## **3.0 SITE DESCRIPTION**

- 3.1 The PAN boundary covers approximately of 34 hectares. There are no other natural heritage designations within the site boundary nor is the site within connectivity distance of any Special Protection Area (SPA), Special Area of Conservation (SAC),

or Sites of Special Scientific Interest (SSSI). The topography of the site and surround area is relatively flat with slight inclines and vast open agricultural areas.

- 3.2 The site falls wholly within the Farmed Lowland Plain Landscape Character Type as defined by NatureScot's Landscape Character Assessment and is approximately 4.5 km south of Castletown. There are no Core Paths however the track and wider area is subject to the Land Reform (Scotland) Act 2003 where members of the public may reasonably exercise their rights to public access. There are no Listed Buildings or Scheduled Monuments in the vicinity of the site however there are three Listed Buildings within 3 km of the proposed site boundary which are as follows:

Category Listing	Site Name	Reference Code	Approximate Distance from Site
B	Bower Parish Church	LB586	2.36 km E
B	Stemster House	LB589	2.31 km SW
C	Stemster Dovecote and Memorial	LB590	2.25 km SW

#### 4.0 DEVELOPMENT PLAN

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

##### 4.1 National Planning Framework 4 (NPF4) (2023)

- 1 – Tackling the climate and nature crisis
- 2 – Climate mitigation and adaptation
- 3 – Biodiversity
- 4 – Natural places
- 5 – Soils
- 7 – Historic assets and places
- 11 – Energy
- 13 – Sustainable transport
- 22 – Flood risk and water management
- 23 – Health and safety
- 25 – Community wealth benefits
- 33 – Minerals

##### 4.2 Highland Wide Local Development Plan (2012) (HwLDP)

- 28 - Sustainable Design
- 29 - Design Quality and Placemaking
- 30 - Physical Constraints
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 56 - Travel
- 57 - Natural, Built and 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 Infrastructure
- 72 - Pollution
- 74 - Green Networks
- 77 - Public Access

#### 4.3 **Caithness and Sutherland Local Development Plan (CaSPlan)**

No site specific policies or allocations, application will be assessed against the general policies of the HwLDP.

#### 4.4 **Highland Council Supplementary Guidance**

- Developer Contributions (November 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

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

- Onshore Wind Energy Policy Statement (2022)
- Onshore Wind Sector Deal for Scotland (2023)
- 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) Compliance with the Development Plan / Other Planning Policy

- b) Energy and Economic Benefits
- c) Construction
- d) Roads, Transport and Access
- e) Water, Flood Risk, Drainage and Peat
- f) Natural Heritage (including ornithology)
- g) Built and Cultural Heritage
- h) Design, Landscape and Visual Impacts (including on Wild Land Areas)
- i) Noise and Shadow Flicker
- j) Telecommunications
- k) Aviation
- l) Any Other Material Considerations 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(s): Harry Goacher  
 Background Papers: Documents referred to in report and in case file.  
 Relevant Plans: Plan 1 – Proposal of Application Notice (Application Form)  
 Plan 2 – 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	Swarclett Wind Energy Limited	Agent	Atmos Consulting Ltd
Address	Wind 2 Office The Hub Cromarty IV11 8YL	Address	CBC House 24 Canning Street Edinburgh EH3 8EG
Phone	07778129856	Phone	0131 346 9100
Email	hannah.brown@wind2.co.uk	Email	office@atmosconsulting.com

**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 Proposed Development would be located approximately 1km South East of Mains of Durran, Castletown (ND 21032 62606). Please see Figure 1 attached.

**Description of Development**

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m<sup>2</sup> 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 Development consists of 2 turbines up to a maximum 149.9m tip height and battery storage. The wind turbine generators will have an indicative output of approximately 9.6MW and an indicative battery storage capacity of up to 12MW, resulting in a total capacity of 21.6MW. Please see Figure 1 attached.

## 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**

If yes, please provide a copy of this Opinion.

A Scoping Opinion was provided by The Highland Council on 28 March 2022. Please see Appendix A 22/00790/SCOP attached.

## **Community Consultation**

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

<b>Community Council/s</b>	<b>Date Notice Served</b>
Bower Community Council ( <i>bowercommunitycouncil@gmail.com</i> )	11/08/2023 and 05/09/2023
Castletown Community Council ( <i>info@castletowncommunitycouncil.co.uk</i> )	11/08/2023 and 05/09/2023
Dunnet and Canisbay Community Council ( <i>dandccommunitycouncil@gmail.com</i> )	05/09/2023
Watten Community Council ( <i>wattenc@gmail.com</i> )	05/09/2023
Halkirk and District Community Council ( <i>secretary@halkirkcommunitycouncil.org</i> )	05/09/2023
Thurso Community Council ( <i>ccthurso@gmail.com</i> )	05/09/2023
Caithness West Community Council ( <i>chair@caithnesswestcc.co.uk</i> )	05/09/2023
Sinclair Bay Community Council ( <i>sinclairbaycc@hotmail.co.uk</i> )	05/09/2023
Tannach and District Community Council ( <i>tannachanddistrictcc@outlook.com</i> )	05/09/2023
<b>Local Elected Members</b>	<b>Date Notice Served</b>
Cllr. Ron Gunn ( <i>Ron.Gunn.cllr@highland.gov.uk</i> )	11/08/2023 and 05/09/2023
Cllr. Struan Mackie ( <i>struan.mackie.cllr@highland.gov.uk</i> )	11/08/2023 and 05/09/2023
Cllr. Matthew Reiss ( <i>Matthew.Reiss.cllr@highland.gov.uk</i> )	11/08/2023 and 05/09/2023
Cllr. Karl Rosie ( <i>karl.rosie.cllr@highland.gov.uk</i> )	11/08/2023 and 05/09/2023

**Members of Scottish Parliament and Members of Parliament**

Maree Todd  
MSP for Caithness, Sutherland and Ross  
(*Maree.Todd.msp@parliament.scot*)

**Date Notice Served**

11/08/2023 and 05/09/2023

**Names / details of other parties****Date Notice Served****Details of Proposed Consultation****Proposed Public Event 1****Venue****Date and Time**

Castletown Drill Hall, Thurso  
KW14 8TU

11/07/2023 4-7pm

**Venue****Date and Time****Proposed Public Event 2**

(*at least 14 days after Public  
Event 1*)

Bower Community Centre,  
Bower, Caithness, KW1 4TT

26/07/2023 4-7pm

**Publication of Event****Newspaper Advert****Name of Newspaper****Advert Date**

Please see Appendix B1 and  
B2 attached.

John o Groats Journal  
Caithness Courier

30/06/2023 and 21/07/2023  
28/06/2023 and 19/07/2023

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

Mailshots: Distributed prior to each public consultation event on 28/06/2023 and 18/07/2023  
(Appendix C1 and Appendix C2)

Historic Environment Scotland – 27/06/2023 09:35 via email - Urszula Szupczynska

The Highland Council Archaeologist – 27/06/2023 09:40 via email - Kirsty Cameron

The Highland Council Case Officer- 27/06/2023 14:11 via email, 18/07/2023 11:44 via email,  
08/08/2023 14:48 via email – Peter Wheelan

Nature Scot – 27/06/2023 14:11 via email - Karen Reid

Signed

Date 05/09/2023



Martina Tully  
Project Manager  
Atmos Consulting Ltd.





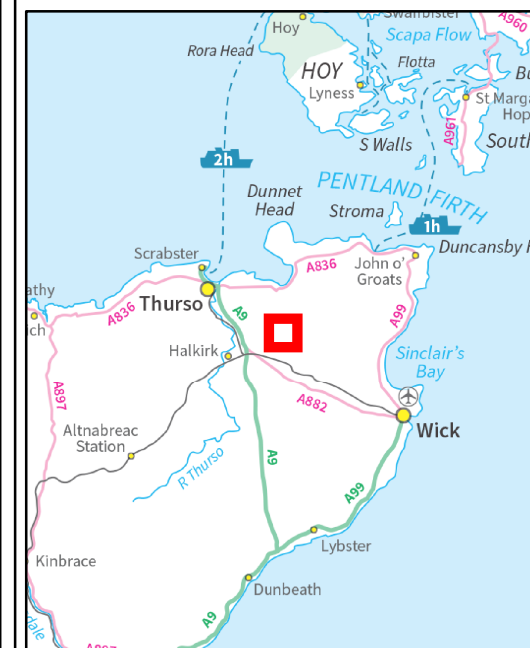
# Swarclett Wind Farm

## wind2

Figure 1  
Site Location

Key

-  Proposed turbine
-  Site boundary



atmos  
CONSULTING

0 0.5 1 2  
Kilometres



Scale @ A3:  
1:50,000



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