

Agenda Item	<b>5.3</b>
Report No	<b>PLN/005/24</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 30 January 2024

**Report Title:** 23/05499/PAN: Ackron Windfarm  
Land 1575M NE Of Ackron Farm, Golval, Forsinard

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

### **Purpose/Executive Summary**

**Description:** Ackron Farm - The Proposed Development will comprise of 11 turbines with maximum tip heights of 200m, a battery energy storage system (BESS) and associated access and ancillary infrastructure

**Ward:** 01 –North West and Central Sutherland

### **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 15 December 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 Forms)
  - Location Plan
- 1.4 In October 2022, The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 were amended by The Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021. This changed some of the consultation activities required by the applicant for PANs submitted after 1 October 2022. The previous arrangements associated with the Covid-19 public health advice and previous modifications to the regulations, are now superseded. In line with the current regulations, the developer proposes to undertake two in person public consultation events, in the Halladale Community Hall and Halladale Inn respectively, scheduled as follows:
- Event 1:**
- 14 November 2023, between 3-7pm
  - 15 November 2023, between 3-7pm
- Event 2:**
- 19 February 2024, time to be confirmed.
  - 20 February 2024, time to be confirmed.
- 1.5 The consultation was publicised and advertised in accordance with the appropriate statutory requirements, with adverts placed within the John O' Groats Journal, Caithness Courier and Northern Times respectively on 3 November 2023, 1 November 2023 and 27 October 2023. The applicant has confirmed that they will also advertise the second consultation event at least 7 days in advance of the date. An invitation maildrop was undertaken, making local residents aware of the proposed development and the consultation events. The catchment for its wider distribution covered a radius of 2.5km from the proposed site. The PAN form also indicates that the Melvich Community Council was notified, in line with the statutory requirements.
- 1.6 The consultation information was also made available on a website set up by the applicant. A telephone contact is also available.
- 1.7 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 proposed scheme is an onshore windfarm, comprising 11 turbines with maximum tip heights of 200m, a battery energy storage system (BESS) and associated access and ancillary infrastructure.
- 2.2 The applicant undertook a windfarm design workshop with the Council Officers in November 2023.
- 2.3 The developer is encouraged to submit an EIA screening request in respect of the proposals.

## **3.0 SITE DESCRIPTION**

- 3.1 The PAN boundary comprises some 650 Ha of agricultural land and undeveloped moorland, associated with the Ackron Farm steading. The site is mainly surrounded by open land, with the Halladale River running to the west and further small watercourse across the site.
- 3.2 The site is not within any natural heritage designations. There are however a number of designations within a 20km radius study area. These are listed below and notably includes the adjacent Caithness and Sutherland Peatlands Special Protection Area (SPA) and Special Area of Conservation (SAC), as well as the East Halladale SSSI located to the east of the site:

### Special Areas of Conservation & Ramsar

- Caithness and Sutherland Peatlands
- Broubster Leans

### Special Protection Areas

- Caithness and Sutherland Peatlands
- North Caithness Cliffs
- Caithness Lochs

### Sites of Special Scientific Interest

- East Halladale
- Strathy Coast
- Red Point Coast
- West Halladale
- Sandside Bay
- Loch Buidhe Mires
- Broubster Leans
- Caithness and Sutherland Peatlands

- 3.3 Cultural heritage assets of national status also exist within a 10km radius study area. These include:
- 20 Scheduled Monument, 7 of which were selected for further assessment, notably including: the Halladale Hut Circles Scheduled Monument (SM3304) located adjacent to the north west of the site across the A836

- 26 Listed Buildings, 18 of which were selected for further assessment notably including: Bighouse, Sandside House, Sandside Harbour, and Reay Parish Church

3.4 The site is not located within any international or regional landscape designations. The site lies in proximity (within 35km) to the following designations:

National Scenic Area

- Kyle of Tongue

Special Landscape Areas

- Farr Bay, Strathy and Portskerra
- Ben Griam and Loch Nan Clar
- Flow Country and Berriedale Coast.
- Dunnet Head

3.5 The site is adjacent to the north western boundary of the East Halladale Flows Wild Land Area (WLA 39) as identified on SNH's Wild Land Areas Map 2014. The application site is in close proximity to the following wild land areas:

- WLA 35 – Ben Klibreck – Armine Forest
- WLA 36 – Causeymire – Knockfin Flows
- WLA 38 – Ben Hope – Ben Loyal

#### **4.0 DEVELOPMENT PLAN**

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

##### **4.1 National Planning Framework (NPF) 4 (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
- 22 – Flood risk and water management
- 23 – Health and safety

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

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 34 - Settlement Development Areas
- 42 – Previously Used Land

51 - Trees and Development  
55 - Peat and Soils  
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  
65 - Waste Water Treatment  
66 - Surface Water Drainage  
67 - Renewable Energy Developments  
70 - Waste Management Facilities  
72 - Pollution  
77 - Public Access

### **Caithness and Sutherland Local Development Plan (CaSPlan) (2022)**

4.3 The site is located within the wider countryside.

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

- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Public Art Strategy (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**

- Historic Environment Policy for Scotland (Apr 2019)
- PAN 1/2011 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)
- PAN 77 – Designing for Safer Places (Mar 2006)
- PAN 83 – Master Planning (Sept 2008)

## **5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan and other planning policy;
- b) Community amenity including operational noise impacts;
- c) Construction impacts;
- d) Roads and transport;
- e) Flood risk and drainage impacts;
- f) Impact on trees and woodland;
- g) Design, landscape, and visual impact (including cumulative impacts);
- h) Natural heritage including protected species and habitats (including biodiversity gains);
- i) Built and cultural heritage;
- j) Economic impact and tourism;
- k) Construction impacts;
- l) Pollution;
- m) Noise and Shadow Flicker;
- n) Telecommunications;
- o) Aviation;
- p) Decommissioning and restoration
- q) Outdoor access, and
- r) Other material considerations raised within representations.

## **6.0 CONCLUSION**

- 6.1 The report presents the information submitted to date as part of the PAN. Summarised are the policy considerations against which any future planning application will be considered 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: Michael Kordas  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - Proposal of Application Notice  
Plan 2 - Figure 1 - 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.

**Data Protection**

Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: [https://www.highland.gov.uk/directory\\_record/1052173/planning\\_applications\\_consents\\_and\\_notice\\_of\\_review](https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review)

I have read and understood the privacy notice.

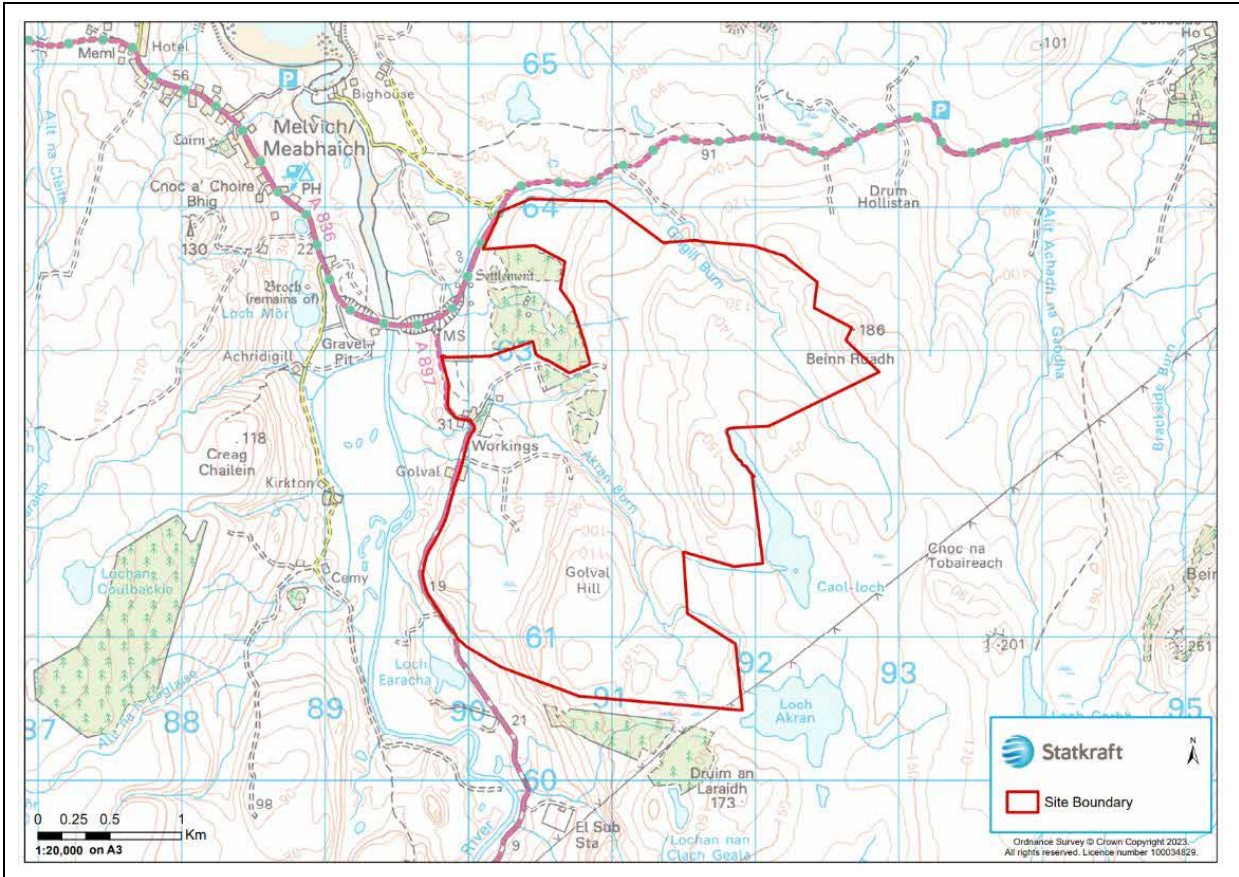
**Contact Details**

Applicant	ACKRON WIND FARM LTD	Agent	Stephenson Halliday Ltd
Address	The Garment Factory, 10 Montrose Street, Glasgow, Scotland, Scotland, G1 1RE	Address	Exchange Tower, 19 Canning Street, Edinburgh, EH£ 8EG
Phone	+44 (0)141 846 1444	Phone	+44 (0)330 002 1780
Email	Joanne.jack@statkraft.com	Email	Sarah.Sinclair@stephenson-halliday.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.

Ackron Farm,  
Caithness.



**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 is located approximately 2km south of Melvich, Highland. The Proposed Development will comprise of 11 turbines with maximum tip heights of 200m, a battery energy storage system (BESS) and associated access and ancillary infrastructure.

**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

**Community Consultation**

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

Community Council/s	Date Notice Served
Mevich Community Council	27.10.23



<b>Local Elected Members</b>	<b>Date Notice Served</b>
Cllr Baird Cllr Morrison Cllr Hutchison	18.12.23
<b>Members of Scottish Parliament and Members of Parliament</b>	<b>Date Notice Served</b>
	18.12.23
<b>Names / details of other parties</b>	<b>Date Notice Served</b>
Melvich Community SCIO	27.10.23 Re-issues on 15.12.23

<b>Details of Proposed Consultation</b>		
<b>Proposed Public Event 1</b>	<b>Venue</b>	<b>Date and Time</b>
Public Consultation Events	Halladale Community Hall, Halladale, KW13 6WT	14 <sup>th</sup> November 3pm – 7pm
Public Consultation Events	Halladale Inn, Melvich, KW14 7YJ	15 <sup>th</sup> November 3pm – 7pm
<b>Proposed Public Event 2</b> <i>(at least 14 days after Public Event 1)</i>	<b>Venue</b>	<b>Date and Time</b>
Public Consultation Events	Halladale Community Hall, Halladale, KW13 6WT	Date: February 19 <sup>th</sup> 2024 Time: To be confirmed.
Public Consultation Events	Halladale Inn, Melvich, KW14 7YJ	Date: February 20 <sup>th</sup> 2024 Time: To be confirmed.

<b>Publication of Event</b>		
<b>Newspaper Advert</b>	<b>Name of Newspaper</b>	<b>Advert Date</b>

	Press and Journal	3.11.23
	John O'Groats Journal	3.11.23
	Caithness Courier	1.11.23
	Northern Times	27.10.23

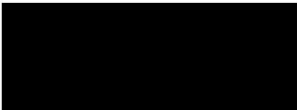
The second round of public consultation events (February 2024) will be advertised in the above news papers and on social media pages.

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

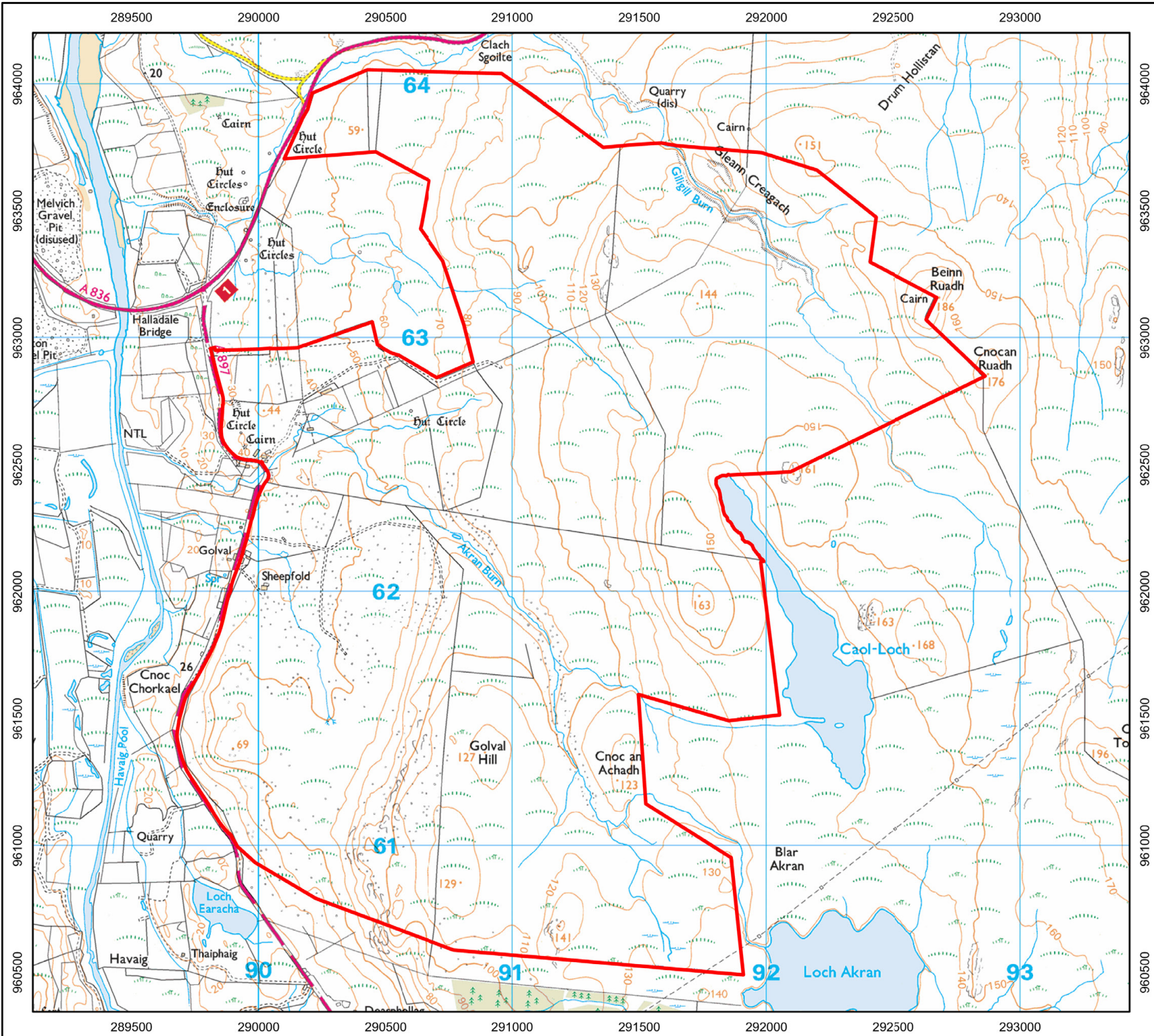
Community groups have been sent a copy of the public consultation event advert and asked to post it on social media pages and notice boards.

All residential and business properties in a 2.5km + boundary of the Proposed Development have received a letter which introduces the project and invites them to the upcoming public consultation events.

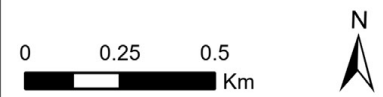
A project webpage has been set up which provides details of the proposed development and contact details of the Project Team.

Signed		Date	<b>15.12.2023</b>
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**Legend**  
 Site Boundary



Scale at A4: 1:20,000	Ref: 1
Produced By: MP Checked By: SS	Date: 29/11/2023

**Location Plan**  
Figure 1

**Ackron Wind Farm**  
Proposal of Application  
Notice