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Our Ref: HWLDP-EX1:15
Your Ref: LDP-270-3
Date: 17 October, 2011

Dear Ms Smith,

**HIGHLAND WIDE LOCAL PLAN - REQUEST FOR FURTHER INFORMATION – ISSUE 69
“COMMUNITY” RENEWABLE ENERGY DEVELOPMENTS**

In reference to the reporters request for further information regarding the above issue the Council offer the following response to each point as raised;

1

The Council's primary intent is that the proposed relaxation in respect of amenity set out in Policy 69 relates to local visual and landscape character amenity, particularly with reference to the distance between the development and residential areas. This is in respect of the impact not only of the generation equipment (e.g. wind turbines) but also of the connection to the grid. Amenity in this sense could include the experience from public access routes, although if the impact on a long distance route used by significant numbers of people from outwith the community was significantly detrimental then that would fall outwith the scope of the relaxation. Part of that assessment of significant detriment would be extent of that impact along the route.

The relaxation would also apply in respect of the impact on amenity of construction traffic (given its temporary nature) and to residential amenity in general terms. However, whilst there could be some scope for mild relaxation in respect of noise, shadow flicker and shadow throw, which may help to accommodate the development, the Council would not wish standards in respect of these matters at residential properties in particular to be lowered to any substantial degree as this would be significantly constraining to the way in which people live and may increase the likelihood of statutory nuisance complaints.

In order to apply the relaxation, a reasonable degree of unanimity of local support for the proposal will be required. Appropriate evidence that all potentially affected persons have been made aware of the potential impacts and of their opportunity to object will be needed.

2

For practical application of the policy the Reporter may find merit in considering “community” as being the relevant community council area. However, it should be noted that in a Highland context, there are 156 community council areas ranging in size from 0.5 sq kms to 964.6 sq kms and in population from 71 to 7,095 (THC estimates). Compared to a community council of large area, in respect of a community council of small area it is less likely that a scheme could be accommodated within its area without impacting significantly on neighbouring communities. In respect of communities of small

population, it may be more likely that such a community would seek to pursue a community scheme as part of a wider community than alone.

Alternatively therefore, for practical application of the policy the definition of "community" may be better dealt with on a case by case basis and might be seen as being the area which will benefit from the particular community venture or from the community share in a larger project. This will therefore require information about the existing or proposed community structure intended to deliver the benefit from the proposed scheme and the area of community to which benefits are to be delivered. The area may well be the area of the community council but could be another area (smaller or larger and/or to different boundaries).

A separate community would therefore be the community of any area outwith that are defined as the host community.

3

The Council understands that the Mountaineering Council of Scotland is referring in its representation to the proposal of the Assynt Foundation outlined as follows.

The Assynt Foundation was established in advance of the community land buy-out of the Glencanisp and Drumrunie Estates, in the parish of Assynt in the North-West Highlands of Scotland. In June 2005, the community of Assynt bought these estates, 44,400 acres, from the Vestey family, under provisions of the 2003 Scottish Land Reform Act. The Foundation's objectives include managing the community land and associated assets for the benefit of the community and the public in general.

The Assynt Foundation submitted to the Council a request on 2 February 2007 for a screening opinion and a scoping opinion in respect of the Glencanisp Community Wind Project. The request identified the development as being to install up to 6 turbines of up to 100m tip height on a site at Glencanisp (near Lochinver). On 27 February 2007 the Council provided its screening opinion that the project would require Environmental Impact Assessment. On 2 April 2007 the Council provided its scoping opinion. The Council's understanding is that there was considerable concern with the scoping stage proposals amongst the local community. The Assynt Foundation in July 2007 announced that the wind turbine proposal had been put on hold whilst all alternatives within the Assynt area are thoroughly investigated, including all appropriate technologies. Such investigations were to involve all interested parties and would seek to create a community owned renewable energy project to provide benefit for the whole community.

The Glencanisp proposal involved multiple turbines, quite substantial in size, located within a National Scenic Area. Whilst formal positions on proposals are not taken at scoping stage, there were certainly some concerns raised by interested parties including statutory consultees about the likely difficulty of accommodating this scale of proposal in this location without having potentially significant adverse impacts on landscape, on the perceptions of and views from the mountains and on perceptions of wildness. This could therefore have the potential to impact significantly not only on local amenity but on wider amenity across a wide area and as experienced by visitors, for which the tourist and recreation industries are important.

The experience of this proposal highlights the need to balance considerations but does not preclude the possibility of accommodating an appropriate community renewable energy development under the terms of Policy 69 within the Assynt area.

4

The policy refers to *significant* impact in this respect. Depending upon the area of the community to which the scheme relates and the location of the proposal relative to other communities, together with other variables, it is quite conceivable that there will be small projects as referred to in Policy 69 in respect of which the community proposing the scheme is the only community significantly impacted

by the proposal. In this respect it should be borne in mind that Policy 68 Renewable Energy Developments covers the whole range of schemes, irrespective of resource type, technology or size.

I trust this response meets the requirement set out in the original request.

Yours sincerely

Brian MacKenzie
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Development Plans Team