

Agenda Item	5.3
Report No	PLS/29/24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 18 June 2024

Report Title: 24/01049/PAN: Renantis UK Limited
Land 3830M SE Of Achlain Mhor, Glenmoriston

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Millenium East Wind Farm - Erection of 8 wind turbines, with a blade tip height of up to 200m; Battery Energy Storage System (BESS); associated infrastructure and ancillary development, site-specific measures to conserve, restore, and enhance biodiversity

Ward: 12 – Aird and Loch Ness

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 22 April 2024. 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); and,
 - 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arrangements associated with the Covid-19 public health advice and previous modifications to the regulations, are now superseded. The prospective developer has so far held one in-person event held over two nights in two separate venues: the first on 26 March 2024 (14:00– 20:00) at the Caledonian Canal Centre in Fort Augustus, and the second on 27 March 2024 (13:30 – 19:30) at the Glenmoriston Millennium Hall. The first event was advertised in the Inverness Courier (Friday 15 and 22 March 2024), the Lochaber Times (Thursday 14 and 21 March 2024), and the Press and Journal (Thursday 21 March 2024). The second round of public consultation events are arranged for the same venues in Fort Augustus and Invermoriston on Tuesday 10 September 2024 (14:00 – 19:30) and Wednesday 11 September 2024 (16:30 – 19:30).
- 1.5 The Proposal of Application Notice has also been served on the host Fort Augustus and Glenmoriston Community Council, along with the nearby Glengarry Community Council, Loch Duich Community Council, Dornie & District Community Council, Lochalsh Community Council, and Kyle Community Council, as well as local Elected Members, the MSP and the MP.
- 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 an application for the erection and operation of a wind farm comprising of up to eight turbines with a maximum blade tip height of 200m with a battery energy storage system (BESS) and associated infrastructure. Associated infrastructure is likely to include site access and tracks, borrow pits, substation and switchgear compound, and temporary

construction compounds, amongst other elements. To supplement the project and ensure its compliance with NPF4, the applicant advises that the application will include measures to conserve, restore, and enhance biodiversity. The anticipated capacity of the turbines and BESS is over 50MW of electricity (with the BESS considered a generating station in its own right), and will therefore be submitted to the Scottish Ministers under Section 36 of The Electricity Act 1989.

- 2.3 The applicant has sought pre-application advice through the Council's Pre-Application Advice Service for Major Developments in 2023 (ref. 23/05871/PREMAJ), and has received an EIA Scoping Opinion from the Scottish Government's Energy Consents Unit (ECU) to which The Council contributed (THC ref. 24/00359/SCOP).

3.0 SITE DESCRIPTION

- 3.1 The PAN site boundary comprises approximately 442 ha of rough agricultural grazing, some commercial forestry, and upper moorland, and is mainly within an area of Rugged Massif - Inverness Landscape Character Type (LCT 220) whilst the lower parts of the site are within an area of Wooded Glen – Inverness Landscape Character Type (LCT 226) as mapped by NatureScot. The site occupies elevated ground and is accessed from the south side of the A887 at the existing Millennium Wind Farm site entrance and through undifferentiated fields and commercial forestry. The nearest settlements are Dalchreichart less than 2 km north of the site boundary, Fort Augustus (approximately 5 km east of the boundary), Aberchalder (approximately 5 km southeast of the boundary), and Invergarry (5.6 km south of the boundary). There are several other isolated and small clusters of properties on the A887, A82, and A87 roads that encircles the Meall Dubhe and Burach Massifs, while Invermoriston is a further 11.2 km to the northeast.
- 3.2 The PAN boundary overlaps the existing Millennium Wind Farm, which comprises 26 turbines of tip height 115 metres and are located west of the proposal turbines, while further west again are the Beinneun and Beinneun Extension turbines (134 and 136 metres ground to tip respectively). The approved Bunloinn Wind Farm (10 x 230 metres ground to tip turbines) is located further west still across Loch Loyne, and the 14 turbines of Tomchrasky Wind Farm (185 metres ground to tip), which the Council recently Raised no Objection to, are proposed to the northwest across Glenmoriston.
- 3.3 Approximately two-thirds of the site is located within areas of deep peat and Class 1 Priority Peatland Habitat. There are no natural heritage designations on the wind farm site although it is within the catchment of the nearby River Moriston Special Area of Conservation (SAC), protected for its salmon and freshwater pearl mussel and which runs to the site's north very close to the access junction. Similarly, the site is within connectivity distance to the West Inverness-shire Lochs Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI), comprising Lochs Cluanie, Loyne, and Garry to the west and southwest of the site and 4.7 km from the site's boundary at the nearest point. The SPA is protected for breeding common scoter and black-throated divers. There are also sections of Ancient Woodland nearby but outside of the redline boundary.

3.4 The are no national or local landscape designations within the application site boundary however the following national and local designations are within 40km:

National Designations:

- Glen Affric National Scenic Area (NSA) lies approximately 9 km to the northwest of the site.
- Kintail NSA is approximately 22km to the west.
- Knoydart NSA is approximately 23 km west.
- Ben Nevis and Glen Coe NSA 27 km south.

Local Designations:

- Loch Ness and Duntelchaig Special Landscape Areas (SLAs) is approximately 5 km east of the site;
- Loch Lochy and Loch Oich SLA is 5 km southeast of the site;
- Moidart, Morar and Glen Shiel SLA is 6.8 km to the west;
- Strathconon, Monar and Mullardoch SLA is 15 km to the north.

WLA 24 – Central Highlands Wild Land Area is between 4 km from the site, WLA 19 - Braeroy - Genshirra - Creag Meagaidh is 8 km southeast, and WLA 18 - Kinlochhourn - Knoydart - Morar is 15.7 from the site.

3.5 There are non-protected heritage features recorded within the site with two historic assets being potentially located close to development so there is potential for further archaeological remains. There are several Scheduled Monuments and listed buildings within 10km of the site including Fort Augustus-Bernera military road, 1890m W of Ceannacroc Lodge (SM11484) and Dundreggan Farm, motte 35m SW of (SM11875), and the Category A Listed Torgyle Bridge over the River Moriston.

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
- 6 - Forestry, Woodland and Trees
- 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)**

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 53 - Minerals
- 54 - Mineral Wastes
- 55 - Peat and Soils
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 62 - Geodiversity
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments
- 72 - Pollution
- 77 - Public Access

4.3 **Inner Moray Firth Local Development Plan (2015) (IMFLDP), and West Highland and Islands Local Development Plan (2019) (WestPlan)**

The site is mainly within the IMFLDP however the south-western part is within the WestPlan area, however it is not covered by any specific development allocation or safeguarding notation within either adopted Area LDP.

4.4 **Inner Moray Firth Local Development Plan - Proposed Plan (2022)**

The Inner Moray Firth Local Development Plan Proposed Plan 2 is due for adoption soon and contains a number of general policies which are applicable including Policy 2 - Nature Protection, Preservation and Enhancement.

4.5 **Highland Council Supplementary Guidance**

- Onshore Wind Energy (Nov 2016) & associated Appendix
- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (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)
- Sustainable Design Guide (Jan 2013)
- 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.

Signature: David Mudie

Designation: Area Planning Manager – South

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

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

I have read and understood the privacy notice.

Contact Details

Applicant	Gabriel English Renantis UK Limited	Agent	Spyros Angeli RSK Environment
Address	Third Floor, 10 Lower Grosvenor Place, London, SW1W 0EN	Address	65 Sussex Street, Glasgow, G41 1DX
Phone	+44 (0)20 3929 3653	Phone	+44 (0)7786 473397
Email	gabriel.english@renantis.com	Email	sangeli@rsk.co.uk

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 is located west of Fort Augustus. A site location plan is provided in **Appendix 1**.

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.

The Proposed Development will comprise up to eight wind turbines, with a blade tip height of up to 200m, Battery Energy Storage System (BESS) technology, associated infrastructure and ancillary development. The Proposed Development will also introduce appropriate, site-specific measures to conserve, restore, and enhance biodiversity, in accordance with national and local guidance.

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**

Fort Augustus & Glenmoriston
Community Council
Glengarry Community Council
Loch Duich Community Council
Dornie & District Community Council
Lochalsh Community Council
Kyle Community Council

Wednesday 13th March 2024

Date notified of the first round of public exhibitions:
Tuesday 12th March 2024

Date Notice Served

Councillor Chris Ballance
Councillor Emma Knox
Councillor David Fraser
Councillor Helen Crawford
Councillor Andrew Baldrey
Councillor Liz Sagers
Councillor John Grafton
Councillor Chris Birt
Councillor Liz Kraft
Councillor Biz Campbell

Wednesday 13th March 2024

Date notified of first round of public exhibitions:
Tuesday 12th March 2024

Councillor Patrick Logue	
Members of Scottish Parliament and Members of Parliament	Date Notice Served
Kate Forbes MSP Ian Blackford MP	Wednesday 13 th March 2024 Date notified of first round of public exhibitions: Tuesday 12 th March 2024
Names / details of other parties	Date Notice Served
Fort Augustus & Glenmoriston Community Company Glengarry Trust Glen Glen Energy Co-operative	Wednesday 13 th March 2024 Date notified of first round of public exhibitions: Tuesday 12 th March 2024

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
Fort Augustus Public Exhibition	Caledonian Canal Centre, Canal Side, Fort Augustus, PH32 4AU	Tuesday 26 th March 2024 14:00 – 20:00 hours
Invermoriston Public Exhibition	Glenmoriston Millennium Hall, Invermoriston, IV63 7YA	Wednesday 27 th March 2024 13.30 – 19.30 hours
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
Fort Augustus	TBC	TBC
Invermoriston	TBC	TBC

Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Dates
	Inverness Courier	Friday 15 th March Friday 22 nd March
	Lochaber Times	Thursday 14 th March Thursday 21 st March
	The Press & Journal	Thursday 21 st March
Details of any other consultation methods (date, time and with whom)		
<p>Before the first round of public exhibitions in March, information postcards were delivered to all addresses within a 10 km radius to inform the local community about the proposed development and the dates of the public exhibitions.</p>		

Signed	Spyridonas (Spyros) Angeli	Date	13/03/2024
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