

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE

SECTION 36 CONSULTATION - LAND AT MACRITCH HILL GLEN ISLA

GRID REF: 326969 : 760177

REPORT BY HEAD OF PLANNING AND PLACE

Abstract:

This report notifies Members that an application for consent under the Electricity Act 1989 has been made by Eneco Wind UK to construct and operate a total of 18 wind turbines each of up to 125 metres in height to tip on a site to the north and east of Backwater Reservoir, near Kirriemuir. Angus Council is a Statutory Consultee on this matter and a further report will be submitted to a subsequent meeting of Angus Council setting out a formal consultation response to the proposal.

1. RECOMMENDATION

It is recommended that the Development Standards Committee:-

- (i) notes the submission to the Scottish Government of an application relating to the proposed Macritch Hill Wind Farm;
- (ii) notes that Angus Council is a Statutory Consultee in the process;
- (iii) notes the timescale for response by Angus Council; and
- (iv) notes that a further report will be submitted to a future meeting of Angus Council and that the report would form the basis of the Council's response to the consultation.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. INTRODUCTION

- 3.1 Angus Council has been consulted by the Scottish Government Energy Consents and Deployment Unit on an application submitted under Section 36 of the Electricity Act 1989 to erect a wind farm with planned output of approximately 59.4 MW on land to the north and east of Backwater Reservoir, near Kirriemuir.
- 3.2 The application will be considered by Scottish Ministers as determining authority as the consideration of applications for generating stations with a capacity of greater than 50MW falls out with the remit of the land use planning system in Scotland. However should Scottish Ministers approve the proposal, it would benefit from deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended).

- 3.3 In this circumstance the Council is a Statutory Consultee in the process. As such should Angus Council object to the proposal, then the Scottish Ministers would be required to hold a Public Local Inquiry before the application could be determined.
- 3.4 As a consultee, Angus Council is required to provide any response on or before 13 May 2015 unless a formal extension of time request has been agreed for any reason.
- 3.5 Due to the nature, scale and location of the proposal, it has been determined that the development is an Environmental Impact Assessment (EIA) development and as such, the proposal is supported by an Environmental Statement (ES) as well as a Non-Technical Summary (NTS) and a Pre-Application Consultation Report (PAC Report). These documents are available to view in the Members Information Hub. The Environmental Statement and other information relating to the proposal are also available to be viewed at:
- http://www.angus.gov.uk/info/20284/development_management/202/major_development_proposals/2
 - Angus Council, Planning Service, County Buildings, Market Street, Forfar, DD8 3LG;
 - Kirriemuir Library, Town Hall, Reform Street, Kirriemuir, DD8 4BS
 - Kirriemuir ACCESS and Community Police Office, 15 Reform Street, Kirriemuir, DD8 4BS
 - Forfar Library, West High Street, Forfar, DD8 1BA
 - Alyth Library, Airlie Street, Alyth, PH11 8AH
 - Blairgowrie Library, 46a Leslie Street, Blairgowrie, PH10 6AW and;
 - The Scottish Government Library, Victoria Quay, Edinburgh, EH6 6QQ
- 3.6 As required by the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000, details of the application have been advertised for two consecutive weeks in appropriate local newspapers, including The Courier on 16 January 2015 and 23 January 2015 and the Forfar Dispatch and the Kirriemuir Herald on 14 January 2015 and 21 January 2015. The application has also been advertised in the Edinburgh Gazette on 16 January 2015 and 23 January 2015 and the Herald Scotland on 16 January 2015. It is indicated that public representation should be submitted to the Energy Consents and Deployment Unit by 20 February 2015.

4 DISCUSSION

- 4.1 The applicant (Eneco Wind UK) is proposing to construct and operate an 18 wind turbine onshore wind energy development on land to the north and east of Backwater Reservoir on land owned by Scottish Water. The site covers an area of approximately 1200 hectares within Scottish Water's Backwater and Lintrathen Estates which cover around 4600 hectares.
- 4.2 The proposal to erect 18 wind turbines on the site would also necessitate the erection of 18 external transformer housings each being 3 metres in height with a footprint of 8 sq m as well as crane pads beside each turbine. An operations and control building with a ridge height of 6 metres and a footprint of 570 sq m would be erected within a substation compound to the south of the site. In addition the development would necessitate the modification of public road junctions, the formation of site tracks, the installation of underground cable trenches and concrete turbine foundations and the formation of temporary construction and storage compounds and borrow pits.
- 4.3 The 18 turbines would be arranged in two specific elongated groups with turbines 1-9 and 17- 18 lying to the immediate east of Backwater Reservoir following the east bank of the reservoir at the southern end of the site. Turbines 10-16 would be located to the north of the reservoir and Milldenwan and Craigwhaut Plantations on a line roughly following the course of Glendamff Burn.
- 4.4 Angus Council has been formally consulted on the application for proposed development as a Statutory Consultee. A further report will be submitted to a subsequent meeting of Angus Council that will allow a response to be provided within required timescales. The report will make recommendations regarding the Council's formal response to the consultation following a technical assessment of the relevant submitted information and any relevant consultation responses.

5. OTHER MATTERS

There are no financial implications arising from the recommendations contained in this report.

There are no human rights or equalities implications arising directly from this report.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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Date: 6 February 2015

Appendix : Site Location and Layout

Appendix 1 : Site Location and Layout



