

T: [REDACTED]  
E: [REDACTED]

[REDACTED]  
Orkney Islands Council  
[REDACTED]

Your ref: 20/313/TPPMAJ  
Our ref: CIN-ORK-002  
16 October 2020

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
APPLICATION FOR PLANNING PERMISSION TO ERECT 6 WIND TURBINES  
(MAXIMUM HEIGHT 149.9 METRES, MAXIMUM WIND FARM CAPACITY 50MW), ERECT  
A METEOROLOGICAL MAST (MAXIMUM HEIGHT 90 METRES), AND A SUBSTATION,  
CONSTRUCT ACCESS TRACKS, A WATER CROSSING AND UNDERGROUND  
CABLING, CREATE A BORROW PIT, AND ASSOCIATED INFRASTRUCTURE AT  
LYNESS (LAND NEAR), HOY, ORKNEY**

Scottish Ministers have decided to require the planning application noted above to be referred to them for determination in terms of Section 46 of the Town and Country Planning (Scotland) Act 1997. Accordingly a Direction to that effect is enclosed at Annex A.

This Direction is given in view of the proposal raising matters which are of national importance in the context of expectations set out in National Planning Framework 3 for the Pentland Firth and Orkney Waters area and the need for an enhanced high voltage energy transmission network, and to avoid any conflict of interest that could have arisen in the event that Orkney Islands Council determined this planning application.

Regulation 35 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 requires the planning authority to serve notice on the applicant for planning permission of the terms of the Direction, of the reasons for issuing it, that the application has been referred to Scottish Ministers and that the decision of Ministers will be final. In connection with the service of notice, your attention is drawn to section 271 of the 1997 Act. I should be glad if your Council would serve the required notice and let me have a copy.

The application will be forwarded to the Planning and Environmental Appeals Division (DPEA), for an examination by a reporter in terms of the Town and Country Planning

(Appeals) (Scotland) Regulations 2013. I would therefore be grateful if you would prepare all the application documentation and send it electronically to [dpea@gov.scot](mailto:dpea@gov.scot). DPEA will then make arrangements for processing the case. Thereafter, the appointed reporter will submit a report, with recommendations, to Scottish Ministers for their consideration and determination.

Any queries relating to the future handling of the case should be directed to DPEA.

Yours sincerely

[Redacted signature]

## Annex A

### **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 THE TOWN AND COUNTRY (REFERENCE OF APPLICATION) (ORKNEY ISLANDS COUNCIL) (APPLICATION FOR PLANNING PERMISSION TO ERECT 6 WIND TURBINES (MAXIMUM HEIGHT 149.9 METRES, MAXIMUM WIND FARM CAPACITY 50MW), ERECT A METEOROLOGICAL MAST (MAXIMUM HEIGHT 90 METRES), AND A SUBSTATION, CONSTRUCT ACCESS TRACKS, A WATER CROSSING AND UNDERGROUND CABLING, CREATE A BORROW PIT, AND ASSOCIATED INFRASTRUCTURE AT LYNESS (LAND NEAR), HOY, ORKNEY) DIRECTION 2020**

The Scottish Ministers, in exercise of the powers conferred on them by Section 46 of the Town and Country Planning (Scotland) Act 1997, and of all other powers enabling them in that behalf, hereby direct that Orkney Islands Council refer to them for determination the application for full planning permission under the Town and Country Planning (Scotland) Act 1997 received by them from ITP Energised, on behalf of Orkney Islands Council, to erect 6 wind turbines (Maximum height 149.9 metres, maximum wind farm capacity 50MW), erect a meteorological mast (maximum height 90 metres), and a substation, construct access tracks, a water crossing and underground cabling, create a borrow pit and associated infrastructure at Lyness (Land Near), Hoy, Orkney.

This Direction is given in view of the proposal raising matters which are of national importance in the context of expectations set out in National Planning Framework 3 for the Pentland Firth and Orkney Waters area and the need for an enhanced high voltage energy transmission network, and to avoid any conflict of interest that could have arisen in the event that Orkney Islands Council determined this planning application.

This Direction may be cited as the Town and Country Planning (Reference of Application) (Orkney Islands Council) (Planning permission to erect 6 wind turbines (Maximum height 149.9 metres, maximum wind farm capacity 50MW), erect a meteorological mast (maximum height 90 metres), and a substation, construct access tracks, a water crossing and underground cabling, create a borrow pit and associated infrastructure at Lyness (Land Near), Hoy, Orkney) Direction 2020.

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Assistant Planning Decisions Manager

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