

THE HIGHLAND COUNCIL

**NORTH PLANNING APPLICATIONS COMMITTEE –
21 May 2013**

Agenda Item	6.2
Report No	PLN/048/13

**12/03638/FUL : R R Mackay -& Company Limited
Land 550M NW of Tigh na Muir, Dunnet**

Report by Area Planning Manager North

SUMMARY

Description: Erection of 1 no 500kW wind turbine with a height to blade tip of 79.6m, 55m to hub and a rotor diameter of 48m and ancillary works at Land 550M NW of Tigh na Muir, Dunnet.

Recommendation : REFUSE

Ward : 04 Landward Caithness

Development category : Local

Pre-determination Hearing : none

Reason referred to committee ; Local member request

1. PROPOSED DEVELOPMENT

- 1.1 Application is made in detail for the erection of 1 no. turbine with a height to blade tip of 79.6 metres, a height to hub of 55 metres and a rotor diameter of 48 metres. The associated infrastructure includes turbine foundations; crane hardstanding; pole mounted transformer and associated cabling and an upgrading and lengthening of an existing 540 metre access track to site from the edge of the exiting private access area to 'Tigh na Muir'.
- 1.2 A formal Screening Opinion was issued on 08 September 2011, advising that an Environmental Impact Assessment was not required.
- 1.3 It is proposed that the turbine and construction components will utilise the A836 Castletown to John O'Groats public road and the existing farm access.
- 1.4 The applicant has provided a number of supporting documents including a Supporting Statement, Site and Viewpoint Map, Photomontages, an Ornithology Appraisal, Technical Appendix, and Surveys.
- 1.5 **Variations:** Otter Survey Report Received 23 October 2012. Supplementary Otter survey from Agent dated 05 November 2012. Additional Zone of Theoretical Visibility map submitted.

2. SITE DESCRIPTION

- 2.1 The site is located approximately 1.5km from the southwestern extent of Scarfskerry which is the nearest main settlement. The area is predominantly flat and made up of agricultural land sloping down to the south and west. The site lies on agricultural land approximately 540m northwest of Tigh na Muir.

3. PLANNING HISTORY

- 3.1 No immediate planning history. Screening Opinion issued 8.09.2011 advising that an Environmental Impact Assessment was not required.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Schedule 3

Representation deadline : 21/11/2012

Timeous representations : *26 against, 8 in favour*

Late representations : None

- 4.2 Material considerations raised are summarised as follows:

- Height of turbine very visible
- Close proximity to neighbouring properties
- Visual Impact/alien to local environment outweighs any economic gain
- Noise
- Safety Issues
- Cumulative Impact
- Inaccuracies in projected turbine calculations output
- Diversification of farm business; additional income for farm
- Maximises benefits of renewable energy
- Tackles climate change
- Employment generation

5. CONSULTATIONS

- 5.1 **Historic Environment Team** : The application is for a single turbine measuring 79.6m to tip. Our principle concerns centre on the visual impact to cultural heritage assets, specifically Kirk O' Banks chapel (scheduled monument), Castle of Mey (Category A Listed Building and Designed Landscape) and Rattar House (Category B Listed building). We are content that the impact to Rattar House would appear to be broadly acceptable. The visual impact of the proposed development to Castle of Mey does not appear to raise issues of a significance that would warrant objection, and appear to be broadly acceptable in this case.

The environmental report assesses the impact to the chapel site known as Kirk O' Banks as low. Whilst we agree with the assessment that the principle focus of the chapel would likely be seaward, the broad setting of the chapel includes the

expanse of open fields to the south and these make a significant contribution to the monument's sense of place, heritage value and amenity. The chapel currently sits in a gently undulating landscape probably not too dissimilar to that present when the chapel was in use; it is largely unaffected by modern development. The proposed turbine is of a scale not replicated elsewhere in the immediate environment; it has a clear vertical emphasis and is constructed of modern man-made materials which will contrast starkly with the surrounding landscape. The turbine would, therefore, become the focus of this landscape and it would detract from the sense of place and amenity of the Kirk O' Banks chapel. As such we would consider the impact to be *at least* moderate.

HET are of the view that the development, if granted consent, will impact negatively on the amenity of Kirk O' Banks chapel. Whilst we do not feel that this impact – in isolation of other factors – is significant enough to refuse the application, we are strongly of the opinion that the impact to Kirk O' Banks chapel should be given due consideration alongside other landscape and environmental concerns when determining this application.

HET are aware of the condition of the monument as a series of earthworks but we do not believe condition to be a relevant consideration in this case many nationally important archaeological sites, including for example prehistoric settlement and burial remains, survive as low earthworks and it does not follow that because a monument is only visible as earthworks, that it has no appreciable setting. It is worth noting that Historic Scotland, based on responses given for other applications of a similar nature, do not consider the condition of a monument to be a significant consideration when assessing impact.

The statement that the remains are only identifiable to those of a church if they are known to be such is also not considered relevant in this case. It is often the case that the function of archaeological remains is not overtly obvious, on occasion even to those trained in the subject. 'Understanding' is not a significant consideration just because there may be an inherent difficulty by some to understand the remains this does not make the remains, or their setting, any less important.

HET remain of the view that the setting of the chapel is little affected by modern development. The adjacent house and much of Scarfskerry and Rattar date to the formation of the settlements in the early 19th century; they are comprised predominantly of long established rural vernacular croft houses that are not incongruous or out-of-kilter with the surrounding landscape. The buildings, which are historic features (albeit from a later time) in their own right, are low and horizontal and blend in with the surroundings. Where modern housing development is present, it is on the same low and horizontal scale as the traditional buildings and is not overly intrusive. The turbine, however, is clearly a very different prospect, both in terms of scale, verticality, movement and materials. HET do not consider the presence of 19th century dwelling houses associated with a historic crofting township to be comparable, in terms of impact on setting, to that of a modern wind turbine.

To conclude, the view of HET remains as per our comments of 1 November 2012 – HET do not object to the development. However, the impact to the setting of Kirk O'Banks chapel is considered to be at least moderate and this impact should be considered by the Planning Authority alongside other factors when determining the application.

5.2 **Environmental Health:** : No objections subject to noise conditions.

5.3 **Scottish Natural Heritage** : Have no objections to this proposal. There are natural heritage interests of international importance on the Caithness Lochs Special Protection Area (SPA), North Caithness Cliffs SPA and Caithness and Sutherland Peatlands SPA. In Scottish Natural Heritage's (SNH) view, these will not be adversely affected by the proposal.

European designated sites - Caithness Lochs SPA

The proposed turbines lies approximately 1.3km west of the Loch of Mey Site of Special Scientific Interest (SSSI) and 4km north of Loch Heilen SSSI which are the closest components of the Caithness Lochs SPA. This SPA is classified for its wintering populations of Greenland white-fronted geese and whooper swans. SNH consider that this proposal is likely to have a significant effect on two of the qualifying interests of the site (whooper swans and greylag geese). SPAs are strictly protected sites and it is important to note that works taking place outwith the boundaries of the SPA can still have an impact on the integrity of the site. This is especially true for SPAs and turbine developments, where the birds could be at risk of collision while flying between roosting sites and/or feeding areas, or disturbance if the turbine is located in a key feeding area. In SNH's view, this proposal is likely to have a significant effect on all the qualifying interests of this site. As a consequence the Highland Council is required to carry out an **Appropriate Assessment** in view of the site's conservation objectives for its qualifying interests. However, based on the information provided, SNH consider that the proposal will not adversely affect the integrity of the site.

North Caithness Cliffs SPA

This proposal lies approximately 2.3km south east of the North Caithness Cliffs SPA. This site is classified for its internationally important numbers of breeding seabirds and peregrine falcon. In SNH's view, this proposal is likely to have a significant effect on peregrine falcon. As a consequence the Highland Council is required to carry out an **Appropriate Assessment** in view of the site's conservation objectives for its qualifying interests. However, based on the information provided, SNH consider that the proposal will not adversely affect the integrity of the site.

Caithness and Sutherland Peatlands SPA

This proposal lies approximately 7.9km west of Stroupster Peatlands SSSI which is the closest component of this SPA. This site is classified for its breeding populations of upland birds. SNH consider that, this proposal is likely to have a significant effect on golden plover. As a consequence the Highland Council is required to carry out an **Appropriate Assessment** in view of the site's conservation objectives for its qualifying interests. However, based on the information provided, SNH consider that the proposal will not adversely affect the

integrity of the site.

Sites of Special Scientific Interest

This proposal lies approximately 1.3km west of the Loch of Mey SSSI. This site is designated for its nationally important populations of breeding birds, Greenland-white fronted geese and grassland habitat. The grassland habitat will not be affected by this proposal, and the Greenland white-fronted goose feature is covered by SNH's response above.

The breeding bird assemblage includes species of lowland open water and their margins. Most of the waterfowl and passerines will breed and feed within the SSSI. Some of the waders breeding in the SSSI could feed outwith the boundary of the site, and therefore they could be subject to collisions with turbine blades, disturbance and displacement. The vantage point survey recorded the majority of the lapwings outwith the breeding season, and so most of these birds are likely to be migrants and therefore not part of the SSSI breeding bird assemblage. Given the separation distance between the proposal and the SSSI it is unlikely the breeding bird assemblage will be significantly affected.

There are natural heritage interests of national importance on this SSSI, but these will not be affected by this proposal. SNH therefore have no objection.

European Protected Species

Some European Protected Species such as otters and bats may be present on the site. These species are listed on Annex IV of EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the 'Habitats Directive'). This means that Regulations 39 and 40 of the Habitats Regulations (as amended) apply.

Otters

A desk-based study and a field survey has been undertaken to investigate the status of otters within the survey area. During this survey otters signs and habitat were found in the wider area. The nearest otter signs were located 650m from the proposed turbine with the nearest suitable habitat a drainage ditch at 200m. It is possible that otters will occasionally pass closer to the turbine. Given the open nature of the area we would recommend that the exclusion zone around the otter holt is increased to 200m. Providing the exclusion area is increased, and the development is carried out in strict accordance with the mitigation measures (page 104 of the environmental report), then a species license is unlikely to be required under protected species legislation. An otter survey has also been carried out for the Habitat Enhancement Plan. No signs of otters were recorded within the proposed fenced area. As such a species license is unlikely to be required under protected species legislation. However we recommend that another otter survey is undertaken prior to the erection of the fence to ensure there are no otters present and that no offence occurs.

Bats

A desk-based study and a field survey to identify suitable bat commuting, foraging and roosting habitat was undertaken within the survey area. While we recognise that there is a risk of direct collisions of bats with turbines as well as barotrauma

and possible changes to bat behaviour, the risk is greatest if a turbine is located within space that bats frequently use. It is likely that there are local populations of bats in the wider area. The field survey identified two locations which may be suitable for roosts and these were both over 400m from the turbine. The turbine is proposed in an open agricultural landscape. This is unlikely to be a good site for bats given the latitude and the habitats in the vicinity. The evidence in Britain is that most bat activity is in close proximity to habitat features, and that bats in mixed farmland preferred to stay close to habitat features when commuting. Habitat features can be woodland, rivers, burns, buildings, hedges and other linear features. Current guidance recommends a minimum stand-off distance of 50m from the nearest blade tip to the nearest feature.

Other protected species

A water vole field study was completed in the survey area. There are historical records of water vole in the Rattar Burn and some signs of water vole were recorded. The signs were in an area of suitable habitat approximately 630m from the turbine site. Given the agricultural nature of the habitats around the turbine, it is unlikely that water vole burrows will be present closer than 200m. Suitable mitigation measures have been suggested in the environmental report and it is important that these are adhered to.

Landscape and Visual Impact Assessment (LVIA)

Given the location of the proposed turbine, SNH consider that it will not result in significant adverse impacts on national landscape interests. SNH therefore do not object to this proposal on landscape grounds. However SNH have provided advice below to assist the planning authority in determining landscape and visual impacts. SNH note that the assessment for Duncansby Head Special Landscape Area (SLA) is limited in terms of consideration of the impacts on the valued landscape characteristics of Dunnet Head SLA.

The development is located within an area identified by the Caithness & Sutherland Landscape Character Assessment (LCA) as Mixed Agriculture & Settlement. The landscape character type (LCT) “broadly comprises a wide open landscape, generally dominated by a horizontal emphasis”. Overall the open landscape means that the turbine will be widely visible. Furthermore, the turbine will become a prominent new feature, due to its relatively large scale, as compared with other elements in the landscape. The LCA states that “the introduction of new elements will tend to confuse the existing complex composition of landscape characteristics; they may also create foci, both individually and as a group, emphasised by the openness of the character type, and particularly visible from the hill tops”.

This principle is particularly pertinent to consideration of the impact on views from Dunnet Head SLA. SNH consider that the LVIA consistently understates the extent to which landscape and visual impacts will be experienced. The assessment of both landscape and visual impacts predict that only ‘low-negligible’ effects will occur beyond a distance greater than 1.5km. Given that the proposal will introduce a large scale focal point into a relatively small scale landscape, which is overwhelmingly open, the assertion of the LVIA that the influence of the proposal will be highly localised is questionable. Furthermore, the presence of two SLAs within the study area raises concerns about the ability of the site to accommodate a

sizable turbine without significant impacts on valued landscape characteristics, particularly given the proximity of Dunnet Head SLA. We note that the LVIA contains an assessment of the impacts on this SLA, however the exploration of potential impacts on the key landscape characteristics and special qualities is not sufficiently detailed. For example, Dunnet Head SLA is noted for its “spectacular panorama both seaward and inland to distant mountain peaks” with “elevated views from the peninsula revealing a pattern of pasture and arable fields to the south; these form a distinctive transition between the exposed headland and the settled agricultural lowlands to the south”. SNH consider that these characteristics are likely to be adversely affected by the proposed development and should have featured in the LVIA.

Duncansby Head SLA is more distant, with this fact being the main criterion for its exclusion from full assessment. The Highland Council have identified that valued landscape characteristics of this SLA include an ‘end of the road experience’ and ‘impressive seaward views (which) extend to Dunnet Head’. SNH consider that the LVIA should have provided an assessment of the predicted effects on the special qualities of the SLA. In the absence of such information it is not possible to form a judgement on the likely impacts of the proposal, experienced from this locally designated landscape.

Finally, the Zone of Theoretical Visibility (ZTV) maps have been rendered so as to exclude visibility from the sea. Consequently it is difficult to ascertain the likely effect of the proposal on ferry operations from Gills Bay. This could be of relevance to cumulative assessment of the effect of the proposed development on tourist routes, particularly the sequential experience of wind energy development when travelling through the northern extent of mainland Scotland. [It should be noted however that this ZTV was updated in December 2012 which illustrated the impacts from the sea and discounted them as minimal].

On account of the cumulative impacts of the proposed development, it is highlighted that, if this turbine is consented and constructed, it would significantly limit the design and extent of additional wind turbines and windfarms within the area.

No details have been provided on the route of the grid connection at this stage. Should the Highland Council consider that there could be natural heritage interests affected, SNH would be pleased to offer further advice in this respect. If an overhead connection is proposed, the collision risk to geese and swans will require consideration, given the proximity to Caithness Lochs SPA.

5.4 **Highland and Island Airports Limited** : No objections to this development at the given position and height. This development would not infringe the safeguarding surfaces for Wick Airport. However, a condition is required to be attached to any consent requiring a red obstacle light to be fitted at the hub height of the turbine.

5.5 **Ministry of Defence** : No objections to the proposed turbine, however, we would require the turbine to be fitted with aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point. MOD also require to be notified if the planning permission is granted.

5.6 **Civil Aviation Authority** : No objections.

5.7 **RSPB (Non Statutory Consultee)** : Although the scale of this development is small, we have concerns regarding the proximity of the turbine to Loch of Mey, a component part of the Caithness Lochs Special Protection Area (SPA), and the associated loss of foraging opportunity for wintering Greenland white-fronted geese. Whilst we welcome the mitigation to offset the predicted effects on waders contributing to the designated sites, we would wish to see this enhanced to incorporate a goose feeding refuge and explain further, below, the reasoning for this request.

As identified by the Applicant, Loch of Mey is an important roost for wintering Greenland white-fronted geese, an Annex 1 species, whose local population numbers are currently significantly lower than those at the time of citation. We are concerned, that data collected from one winter only will not accurately reflect changes in goose behaviour between years. Greenland white-fronted geese are much more site faithful than the commoner, pink-footed and greylag geese, generally returning to the same core foraging area each year, although they vary their usage of individual fields according to vegetation composition and availability. Although no Greenland white-fronted geese were observed either in the fields or flying through the site, these observations should be compared with the findings of the Greenland white-fronted goose study groups (GWFGSG) Small Sites Report. The GWFGSG recently undertook an analysis of the UK's Greenland white-fronted goose wintering small sites, producing maps of core foraging areas. The maps produced for the Loch of Mey flock show that two of the fields to the north of the proposed turbine have been used historically by the geese. These fields, as indicated in the Environmental Report, fall within a 300m buffer of the turbine.

RSPB therefore recommend that the creation of a refuge area, approximately 28 hectares in size (equivalent to an estimated loss of habitat through displacement within 300m of a turbine), would be advisable in order to assist the long-term viability of this population. The goose refuge area should be managed to provide an optimal goose feeding area (with no shooting or other reasonably preventable disturbance) for the life of the development. This could be stubbles or grass managed for geese and could likely be delivered without affecting the existing farming operation. The goose refuge would need to be located a minimum of 300 metres from the turbine but within, say, 2 kilometres and preferably between the proposed turbine location and the roost, so as to provide a refuge area close to where potential disturbance displacement effects are taking place. Such a measure should be made a condition of any consent and RSPB Scotland would be pleased to provide further advice.

6. DEVELOPMENT PLAN

The following policies are relevant to the assessment of the application

6.1 Highland-Wide Local Development Plan 2012

- Policy 28 Sustainable Design
- Policy 30 Physical Constraints

Policy 57	Natural, Built and Cultural Heritage
Policy 58	Protected Species
Policy 59	Other Important Features
Policy 60	Other important habitats
Policy 61	Landscape
Policy 63	Water Environment
Policy 67	Renewable Energy Developments
Policy 72	Pollution
Policy 77	Public Access

6.2 **Caithness Local Plan (2002) (in so far as it remains in force)**

There are no specific policies relating to renewable energy.

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 **Highland Council Supplementary Planning Policy Guidance**

Although the planning guidance has been superseded, the strategy remains a useful reference point in respect to the Council's aspiration for Highland to make a significant contribution to the Scottish Government's targets. It sets out installed capacity targets for on-shore wind in Highland of 800MW for 2010, 1200MW for 2015, 1400MW for 2020 and 2900MW for 2050.

7.2 **Interim Supplementary Guidance on On-shore Wind Energy**

The guidance assists with identifying areas to be afforded significant protection from development, identify other constraints and policy criteria in order to identify broad areas of search for wind energy developments. It is principally aimed at large scale wind farms which are 20MW in size but also to the scale of turbines. Despite the small output the proposed turbine it is considered to be of a large scale given the 79.6m height of the turbine to blade tip. The turbine lies principally within a Stage 2 'Area of Constraint' by virtue of being within 2km of settlement development areas identified in the Local Plan.

7.2 **Scottish Government Planning Policy and Guidance**

SPP — Scottish Planning Policy

PAN 45 — Renewable Energy Technologies

PAN 56 — Planning and Noise

PAN 58 — Environmental Impact Assessment

PAN 60 — Planning for Natural Heritage

8. **PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 **Development Plan Policy Assessment**

Scottish Government policy is favorable towards renewable energy schemes. The National Planning Policy Framework (NPF2) and Scottish Planning Policy provide the planning policy context and support the commitment to achieving 50% renewable output in Scotland by 2010. The Government has changed this target to 100% of Scotland's gross annual electricity consumption by 2020.

It is recognized that increasing energy production through renewable means and the need to protect and enhance Scotland's natural and historic environment must be regarded as compatible goals. The planning system has a significant role in securing appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy.

In terms of consented development, the Council is on track to exceeding its 2015 installed capacity target of 1200MW. While this does not prevent developments being submitted it does place the Council in a position where it has greater opportunity to accept only the most appropriate developments located in the most appropriate areas. The developer needs to demonstrate that the proposal would not have a significantly detrimental effect on the amenity of neighboring properties or on the community as a whole.

The supporting Environmental Report and assessments contained therein have in some areas failed to address or properly test the development against the Development Plan. There remains uncertainty about some of the potential effects and, therefore some doubt as to the rigor that has been applied. Some aspects are however more clear and are considered sufficient to determine the application.

The elements of the proposed development that do not accord with Development Plan Policy are set out in the Material Considerations Section 8.4 of this report below.

8.4 **Material Considerations**

Trunk Road and Bus Operation Directorate (TROBD) in response to the EIA Screening stated that the development was likely to cause minimal environmental impact on the trunk road network and had no negative comments to make.

Subject to conditions, it is not considered that access and accessibility would be an issue for this proposal. However it is noted that minimal information has been provided on how the turbine will be transported to the site. The traffic management details do not cover in sufficient detail the full impact of the development on the surrounding infrastructure. It is unclear if public roads would be temporarily closed or how much disruption or required mitigation there would be. The agent has indicated in their supporting statement that the turbine components will be constructed over an anticipated period of approximately 4 months. No details of the crane have been provided or what this will entail on site. Additional construction traffic will be required to transport:

- 1,328m² of imported stone for the hard standing and crane pads
- 1.35km of cabling is required (1 load would be required / 7 x 500 drums)

- 180 tonnes of sand (9 loads would be required)
- 185m² of concrete (31 loads)
- 600 tonnes of surplus material would need to be removed off site. (30 loads would be required)
- Delivery of formwork and reinforcing steel (3 loads)
- The turbine would require 7 deliveries (7 loads)

1 delivery is equal to 1 load; total number of trips required including concrete deliveries is anticipated to be 201 (201 loads).

These details would need to be provided and secured by condition if this development was approved.

Construction Impacts and Control

The Agent's supporting statement indicates that the total area of hardstanding including the turbine base will be approximately 2,319 m² (55m by 42m). This area will be filled with layers of crushed stone or recycled aggregate. It is not considered that there would be any significant issues arising from the construction of the turbine. Although survey work has been undertaken and submitted with the application in relation to the impact of the development on the habitat, protected species and other species, no mitigation measures have been provided in the supporting statement to indicate how the development would be mitigated to third parties or protected species. It is noted that the developer has considered a phased construction time for the turbine. It is also noted that the developer has considered decommissioning in the support statement. This envisages that the turbine would be decommissioned after 25 years, the operational life of the machine. If consent was to be granted this would be limited to a maximum period of 25 years and subject to maintenance conditions.

Noise and Shadow Flicker

The nearest houses are approximately 600m to the southeast of the proposed development. No background noise survey has been undertaken at any of these noise sensitive premises. Environmental Health have raised no concerns in regards to noise.

Objectors have expressed concern that the turbine would create shadow flicker to their properties. From the information provided in support of the application it is clear that there is no shadow flicker beyond 10 rotor diameters (480m) of the proposed turbine. Environmental Health have not objected subject to conditions being placed on the development to address noise and shadow flicker.

Natural Heritage

Scottish Natural Heritage have raised concerns regarding the impact of the development on Special Protection Area (SPA), North Caithness Cliffs (SPA), Caithness Peatlands, European Protected Species, Landscape and Visual Impact Assessment and Cumulative Impact Assessment. This resulted in the developer undertaking further survey analysis. SNH have raised concerns in relation to the findings in some areas including the Landscape and Visual Impact Assessment and Viewpoints selected by the developer. As SNH are the Council's advisors in such matters, it is considered that the applicant has satisfactorily addressed this aspect of the proposals. Effects or impacts on other species and habitat could be

mitigated by condition.

Built and Cultural Heritage

The Historic Environment Team are the Council's advisors with regards the impact of the development on archaeological heritage. The Historic Environment Team has indicated that there are no specific cultural heritage issues with this application.

Visual and Landscape Impacts

The Landscape Character of the Supporting Statement sets out the rationale behind the developers 10km assessment of Zone of Theoretical Visibility (ZTV).

Although there are some areas of the Supporting Statement that indicate that a turbine would be suitable at this location, the visual impact and the impact that the development has on the wider area are the main reasons why this development is not considered acceptable. The turbine lies within a Stage 2 'Area of Constraint' as identified in Onshore Wind Energy Supplementary Guidance by virtue of being within 2km of settlement development areas identified in the Local Plan.

There are two specific areas of concern in relation to local visual impact and cumulative visual impact. Although the site is loosely surrounded by forestry land to the north and north west, the area is predominantly flat and made up of very gently undulating lowland; the proposed turbine would sit very uncomfortably in this flat landscape. There is no topographical feature such as a hill or raised landscape to assist to soften or properly screen the turbine and as such the visual impact is exacerbated in the local landscape.

The proposed site is unacceptable as it cannot easily be screened; a tall moving structure cannot be accommodated in the area without having an adverse visual impact to its detriment by virtue of its scale, protrusion and height.

The proposal is considered to have a significantly detrimental effect on the visual amenity of this part of Caithness. The development would be visually prominent, indeed dominant in some views to the west.

The second concern relates to its cumulative Visual Impact. Such a development would introduce a visual link between larger windfarms, in an area where such development is presently locally absent. This is the last most northerly part of the coastline that has not been subject to wind farm developments. This development would act as a 'stepping stone' visually linking this type of development across an area currently devoid of windfarms, thus cumulatively extending by a significant degree the perceived dominance of this type of development across the entire area of Caithness. The Highland Council takes its advice from SNH in respect of cumulative impact and agrees with the advice given that this development would result in significant adverse landscape and visual impacts.

On account of the cumulative impacts of the proposed development, it is highlighted that, if this turbine is consented and constructed, both the Planning Authority and SNH consider that it would significantly limit the design and extent of additional wind turbines and windfarms within the area.

Visual dominance will be most significant for the settlements of Scarfiskerry, Barrock, Dunnet and Brough. The visual dominance on residential and community amenity is likely to be significant and detrimental. It is noted that the impact would also be much wider because the visual coastal dominance of the area as a

landscape landmark. The visual impact of this proposal cannot be fully ascertained as the information provided does not take into consideration the impact of the proposed development towards the sea.

In light of the foregoing it is concluded that the proposed turbine would have an overbearing visual impact and appear incongruous in the landscape at a local level resulting in the loss of any visual respite and an overwhelming cumulative impact.

Impacts on the Local Economy

Third parties are divided on the impact of the development. Some of the letters of support have noted that the turbine will help diversify the business development of the farm, help local businesses in the area, will benefit the wider community in the longer term and will be in a designated preferred area for development. The turbine may help reduce the community's dependency on fossil fuels and help during peak periods of demand conceivably assisting the local economy. However, this site is not a designated area for development; rather it is a Stage 2 "Area of Constraint".

There is potential for such development to have a negative impact on the economy. The Caithness economy is fragile and tourism plays an important role. There is a wider concern that there is potential for this development, in combination with others, to reduce the attractiveness of Dunnet, Dunnet Head, Scarfiskerry and Caithness as a whole for tourism. The Castle of Mey is a tourist destination with visitors coming from Scrabster harbour. These visitors would have to pass in close proximity to the turbine and there is significant potential that the development would have a detrimental impact on the area.

Although much weight is given to increased renewable energy targets, a balanced view needs to be taken to avoid the effects in significant detrimental harm to the environment and community. In this case the benefits of the scheme are not seen to outweigh the cost to the environment, individuals or the community.

8.5 Other Considerations – not material

It is not considered that there would be any significant issues arising from the construction of the turbine. Although survey work has been undertaken and submitted with the application in relation to the impact of the development on the habitat, protected species and other species, no mitigation measures have been provided in the supporting statement to indicate how the development would be mitigated to third parties or protected species. It is noted that the developer has considered a phased construction time for the turbine.

Concern has been raised from previous correspondence with the Planning Authority in 2007 by objector and signatories. It is considered that this is not a material planning consideration in the determination of this application as this application can only be assessed on the information provided with this application. This application has been considered on its planning merits and is considered to be unacceptable.

8.6 Matters to be secured by Section 75 Agreement

Not applicable

9. CONCLUSION

- 9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

It is recommended that permission be refused.

10. RECOMMENDATION

Action required before decision issued N

Subject to the above, it is recommended the application be **REFUSED** for the following reasons:

1. The proposal is contrary to Policy 67 – Renewable Energy Developments of the Highland Wide Local Development Plan as it would result in a single, tall and isolated moving structure that will have a significant and unacceptable visual impact to the detriment of individual and community amenity. The site lies within an area that is predominantly flat and as such the proposed turbine site will in this instance be totally alien and out of character with it.
2. The proposal is contrary to Policy 28 – Sustainable Design, Policy 57 Natural, Built and Cultural Heritage, Policy 67 – Renewable Energy Developments of the Highland Wide Local Development Plan as it would result in the siting of a single, tall and isolated structure that would in this instance be totally out of scale and character with the surrounding landscape.
3. The proposal is contrary to Policy 61 – Landscape of the Highland Wide Local Development Plan as it would result in unacceptable visual impact as it would result in the siting of a single, tall and isolated structure to the detriment of individual and community amenity; both on its own and in combination with adjacent existing proposed developments.

Signature: Dafydd Jones

Designation: Area Planning Manager North

Author: Andrew Parker

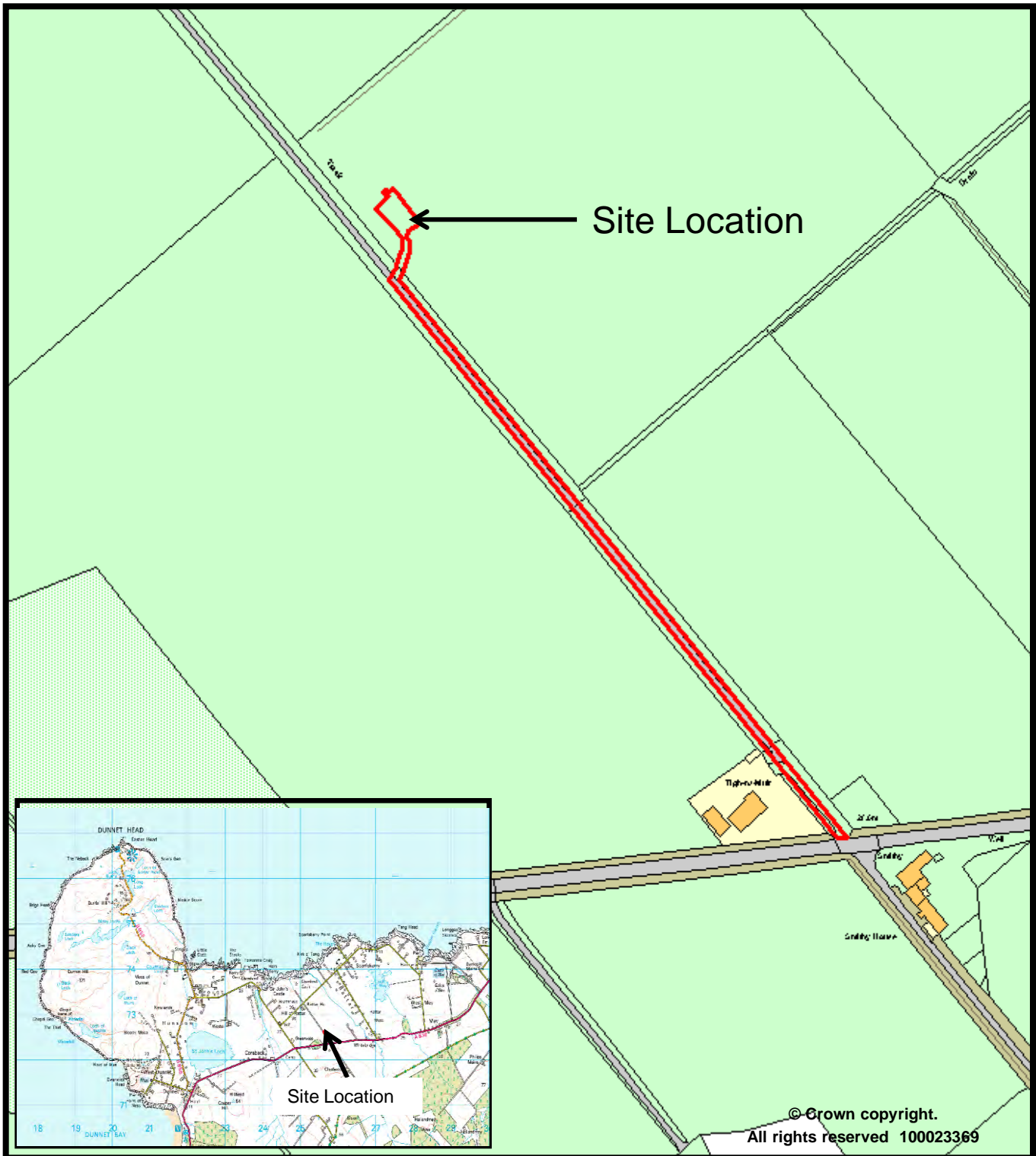
Background Papers: Documents referred to in report and in case file.

Relevant Plans: **Plan 11-002-RMM-1002 – Location Plan**
Plan 11-002-RMM-2002- Site Plan
Plan 11-002-RMM-TE-1 – Section/Elevation Plan

Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Dr Ben MacGregor	Curlew Cottage Hilliclay Mains Weydale Thurso KW14 8YN	11.10.2012	Against
Mr James Macmillan	East Durran Castletown - Durran Mains Road	13.10.2012	Against
Mr Neil Money	Heathfield House Dunnet Thurso	14.10.2012	Against
Mrs Angela Lewis	Mill Cottage Corsback Dunnet KW14 8XQ	16.10.2012, 25.10.12 & 06.11.2012	Against
Deborah and Norman and Lara-Jane Wilson	Breck Cottage Dunnet Caithness KW14 8XQ	16.10.2012	Against
Mr Charlie Fowler	Hillcrest Weydale Thurso KW14 8YN	16.10.2012	Against
Mr Philip Colville	Persie East Mey Thurso KW14 8XL	16.10.2012	Against
Mr William Brown	Dunvegan Achscrabster Achscrabster Road Thurso	16.10.2012	Against
Hilda Morrison	Brier Cottage, Scarfskerry, KW14 8XN	16.10.2012	Support
Mr & Mrs Brothwell	Horseshoe Cottage, Scarfskerry, KW14 8XW	16.10.2012	Support
Mr Frank Bojda	Puffin Cottage, Scarfskerry, KW14 8XW	16.10.2012	Support
Mr Peter Body	Braemara, Scarfskerry, Thurso, KW14 8XW	16.10.2012	Support
R & M Sharp	Curlews, Barn Road, Scarfskerry, KW14 8XT	16.10.2012	Support
Mr Steven Hilton	Wellback Farm Burn Road Scarfskerry KW14 8XT	16.10.2012	Support
Miss Alexandra Brown	Bellendaine Barrock Thurso KW14 8SY	16.10.2012	Against
Mr Graham Elliot	9 Mill Way Brora KW9 6AD	17.10.2012	Against
Mr William Brown	Dunvegan Achscrabster Achscrabster Road Thurso	17.10.2012	Against
Mr & Mrs Archibald	Ceomara Barrock Caithness KW14 8SY	18.10.2012	Against
Mr & Mrs C Helliwell	Hillside House Barrock Thurso KW14 8SY	18.10.2012	Against

Mr Andrew Webster	The Manse Barrock Thurso KW148SY	18.10.2012	Against
Mr William Mackay	Eastside Farm Dunnet Thurso KW148XQ	18.10.2012	Against
Mrs Anne Henstringe	The Manse, Barrock	18.10.2012	Against
Mrs Denise Brown	Upper Larel Farm, Halkirk KW12 6UZ	18.10.2012	Against
Petition	Various addresses	18.10.2012	Against
R Winkle	Willow Wynd, Burn Road, Scarfskerry, KW14 8XT	18.10.2012	Against
Miss Joyce Wilson	Beachwood House, West Dunnet Road Dunnet	19.10.2012	Against
Mrs Brenda Herrick	Sandmill Harbour Road, Castletown Thurso KW14 8TG	19.10.2012	Against
Mrs Joanne Young	Dunmore Westside Dunnet KW14 8YD	19.10.2012	Against
Mrs Rachel McIntyre	The Breck Dunnet Caithness KW14 8XQ	19.10.2012	Against
The R Hon Lord Maclennan of Roggart	Ham Farm Dunnet Thurso KW14 8XP	19.10.2012	Against
Mr Colin Gilmour	Shenaval Altass Lairg IV27 4EU	21.10.2012	Against
Mrs Elizabeth Brown	Bellendaine Barrock Thurso KW14 8SY	22.10.2012	Against
Mr Graham Mackenzie	Eilean Donan, East Mey, Thurso KW14 8XL	25.10.2012	Support
Mr Michael J Barclay	1 Greenvale Cottage, Dunnet, Thurso, KW14 8XQ	12.11.2012	Support



The Highland Council
Comhairle na Gàidhealtachd

Planning & Development Service

12/03638/FUL

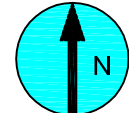
Erection of 1 no 500kW wind turbine with a height to blade tip of 79.6m, 55m to hub and a rotor diameter of 48m and ancillary works at Land 550m NW of Tigh Na Muir, Dunnet.

Date: 09 May 2013





- Extents of land ownership
- Turbine location
- Extents of planning application



Turbine grid reference:
ND 25460 , 72820

Planning area = 0.40Ha
(3,920m²)

AMENDMENTS

Rev.	Date	Detail
002	05/09/12	title boundary & planning area
001	31/08/12	title boundary & access road

The Greenspan Agency

Project
Rattar Mains
Renewables Project

Drawing
Location Plan

Scale	Drawn By	Checked
1:10,000@A3	JM	EC
Date	Drawing No	
Aug '12	11-002-RMM-1	

