

THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE
21 January 2014

13/03966/FUL: P&L Turbines
Land 2500m NW of Balnafoich Bridge, Farr, Inverness

Report by Area Planning Manager - South

Agenda Item	5.7
Report No	PLS/008/14

SUMMARY

Description : Erection of 60m high meteorological monitoring structure for temporary period of 18 months

Recommendation - GRANT

Ward : 13 – Aird and Loch Ness

Development category : Local Development

Pre-determination hearing : n/a

Reason referred to Committee: 5 or more objections from members of the public.

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is for the erection of a temporary Meteorological Monitoring Station (MMS) on the edge of a commercial woodland plantation adjacent to the B861, north of Balnafoich. The structure will consist of a 60m high metal pole (with a diameter of between 20cm and 25cm) which will be anchored to the ground by thin guy wires. It will be in position for a period of 18 months to allow for the recording of weather measurements.
- 1.2 There was no pre-application consultation on the proposal.
- 1.3 The structure will be accessed from the B861, using existing forestry tracks. No new access will be formed and there is no requirement to upgrade any existing tracks. Other than the erection and removal of the structure it is expected that minimal access will be required.

2. SITE DESCRIPTION

- 2.1 The proposed site is within a commercial forestry plantation, straddling mature, close spaced conifers (mainly sitka spruce) and an open area with young broadleaves. The site is adjacent to the B861. The nearest house is approximately 1 kilometre to the south-west, although a further house has recently been granted planning permission on a site around 600m to the south-west (not yet constructed).

3. PLANNING HISTORY

- 3.1 13/02667/SCRE – Land 2500m NW of Balnafoich Bridge, Farr. Screening opinion for a development of up to 2 wind energy turbines with associated infrastructure. EIA not required. (01.08.13)

4. PUBLIC PARTICIPATION

- 4.1 Advertised : n/a

Representation deadline : n/a

Timeous representations : 5 letters from 5 households

Late representations : n/a

- 4.2 Material considerations raised are summarised as follows:

- Impact on visual amenity; visible above the treeline for 50% or more of its height from residential properties and from some sections of the B861.
- Any wind turbines would be even more visible and are likely to have noise implications.
- B861 is narrow with poor visibility in places and is not suitable for heavy construction traffic.
- Prelude for unwanted wind turbines.
- Visual distraction to drivers on the B861.
- Cumulative impact of wind developments on quality of life.
- Impacts of wind energy developments on Strathnairn residents are already significant with up to 20 of the Farr turbines visible to the east, plus a pending application at Kyllachy to the east and construction traffic serving the Dunmaglass wind farm to the south.

- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

- 5.1 **Strathnairn Community Council:** Do not object to this application subject to its removal and reinstatement of land following the 18 month period. State that they will object to any future application for a wind turbine on the site.

- 5.2 **SNH:** Standard response provided stating that SNH do not respond to anemometer consultations.
- 5.3 **MOD:** No safeguarding objections to the application but request that aviation warning lighting is fitted to the top of the structure.
- 5.4 **HIAL:** No objection to the proposal – would not infringe safeguarding surfaces for Inverness Airport.
- 5.5 **Forestry Officer:** Does not object to the proposal subject to a condition ensuring appropriate compensatory planting in accordance with the Scottish Government’s policy on the Control of Woodland Removal.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland-wide Local Development Plan 2012

- 67 Renewable Energy Developments
- 28 Sustainable Design
- 61 Landscape

6.2 Inverness Local Plan (as continued in force)

n/a

6.3 Inner Moray Firth Proposed Local Development Plan 2013

n/a

7. OTHER MATERIAL CONSIDERATIONS

7.2 Highland Council Supplementary Planning Policy Guidance

Small Scale Wind Turbine Proposals Supplementary Guidance

7.3 Scottish Government Planning Policy and Guidance

SPP

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

Impact on Amenity: Policy 28 (Sustainable Design) of the Highland-wide Local Development Plan (HwLDP) aims to ensure that development is sustainable and states that proposals should be assessed on the extent to which they “impact upon individual and community residential amenity” and “demonstrate sensitive siting and high quality design in keeping with local character”.

Policy 67 (Renewable Energy Developments) of the HwLDP states that the Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments.

The proposed structure is 60m high, and is therefore likely to be visible above the canopy of the woodland, and from the public road. However it is a very slender structure consisting of a central pole tethered to the ground by eight 6mm guy wires which are anchored into the ground at various points (38m from the central pole at the widest point). The central pole is very narrow, typically measuring between 20 and 25cm. The insubstantial form of the structure, combined with the temporary nature of the proposal, means that its impact on individual and community amenity will be very limited, and well within acceptable limits.

Unlike wind turbines there are no noise associations with such monitoring masts, however the nearest neighbour is around 1 kilometre from the site, with planning permission granted for a further house around 600m from the site.

8.4 Material Considerations

Forestry: In response to the Council Forestry Officer’s initial consultation response the applicant has confirmed that it is likely that up to 70 trees will need to be removed in order to allow for machine access to erect the mast. Compensatory planting can be undertaken within land under the control of the applicant. This could include a more diverse mix of species which would improve the biodiversity of the woodland. The Forestry Officer has requested a planning condition to secure such compensatory planting.

MOD: MOD have requested that an aviation warning light is attached to the development. This can be addressed through a planning condition.

Natural Heritage: The site is not within or nearby any designated natural heritage sites and SNH have not objected/commented.

Impact on Landscape: The mast will be visible from the public road but will be viewed against the backdrop of mature trees. While it will be taller than the tree canopy the structure is insubstantial in form and its impact on the landscape is not considered to be significant.

Third Party comments: Objection letters were received from 5 different addresses within the wider Farr area. The material considerations raised include:

- impact on visual amenity;
- unsuitability of the B861 for heavy construction traffic; and
- visual distraction to drivers on the B861.

The impact on visual amenity is discussed in section 8.3 of this report. Due to the type of structure and its temporary nature, it is not likely to generate much traffic other than that required during its construction and removal. The site can be accessed using existing forestry tracks and the structure's method of construction and fastening (using guy wires separately anchored into the ground) will not result in excessive ground disturbance. Planning conditions will ensure that the structure is removed and ground reinstated at the end of the 18 month period.

8.5 **Other Considerations – not material**

A number of the objections relate to the assumption that the proposal is a precursor to a future wind turbine/wind farm development. This has raised concerns on visual and amenity grounds (both individually and cumulatively).

It must be stressed that this application is **not** for a wind turbine development and must be considered on its own merits. The granting of consent for a monitoring mast does not in any way imply that a wind turbine/farm development would be acceptable in this location. Any future application for a wind turbine development would be determined on its own merits, following the usual notification, advertisement and consultation procedures.

9. **CONCLUSION**

9.1 This application is for a temporary meteorological monitoring mast. It must be considered solely on its individual merits rather than wider consideration of any developments which may be pursued at a future point in time.

The mast is tall, but very slender and will therefore have very little impact on the surrounding landscape or amenity of nearby residents during the 18 months it will be erected. Planning conditions will ensure that it is removed and the ground reinstated at the end of this period.

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. **RECOMMENDATION**

Action required before decision issued	N
Notification to Scottish Ministers	N
Notification to Historic Scotland	N
Conclusion of Section 75 Agreement	N
Revocation of previous permission	N

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons:

1. Prior to the commencement of erection of the mast a scheme, including a timescale, for compensatory planting, in accordance with Scottish Government's policy on the Control of Woodland Removal, shall be submitted to and agreed in writing by the Planning Authority. The planting shall be carried out thereafter in accordance with the agreed scheme.

Reason : To ensure the replacement of woodland which is to be felled to facilitate development.

2. Prior to becoming operational, the mast shall be fitted with a minimum intensity 25 candela omni-directional flashing red light or equivalent infra red light fitted at the highest practicable point of the structure.

Reason : In the interests of air safety.

3. No development shall commence until notification has been made to UK DVOF & Powerlines at the Defence Geographic Centre with the following information:

- Precise location of development
- Date of commencement of construction
- Date of completion of construction
- The height above ground level of the tallest structure
- The maximum extension height of any construction equipment
- Details of aviation warning lights fitted to the structure

This information can be sent by email to icgdgc-aero@mod.uk or posted to D-UKDVOF & Powerlines, Air Information Centre, DGIA, Elmwood Avenue, Feltham, Middlesex, TW13 7AH

Reason : In the interests of air safety.

4. Planning permission is hereby granted for a temporary period only and shall cease to have effect 18 months from the date that the erection of the mast is completed, such date to be notified in writing to the Planning Authority within one week of completion. Within one month of the end of this 18 month period, the application site shall be cleared of all development approved under the terms of this permission (including any subsequent ancillary works, infrastructure and fixtures) and the ground reinstated to a condition comparable with that of the adjoining land, to the satisfaction of the Planning Authority.

Reason : In order to ensure that the equipment is removed and ground reinstated in a timely manner.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:
<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:
<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

Mud & Debris on Road

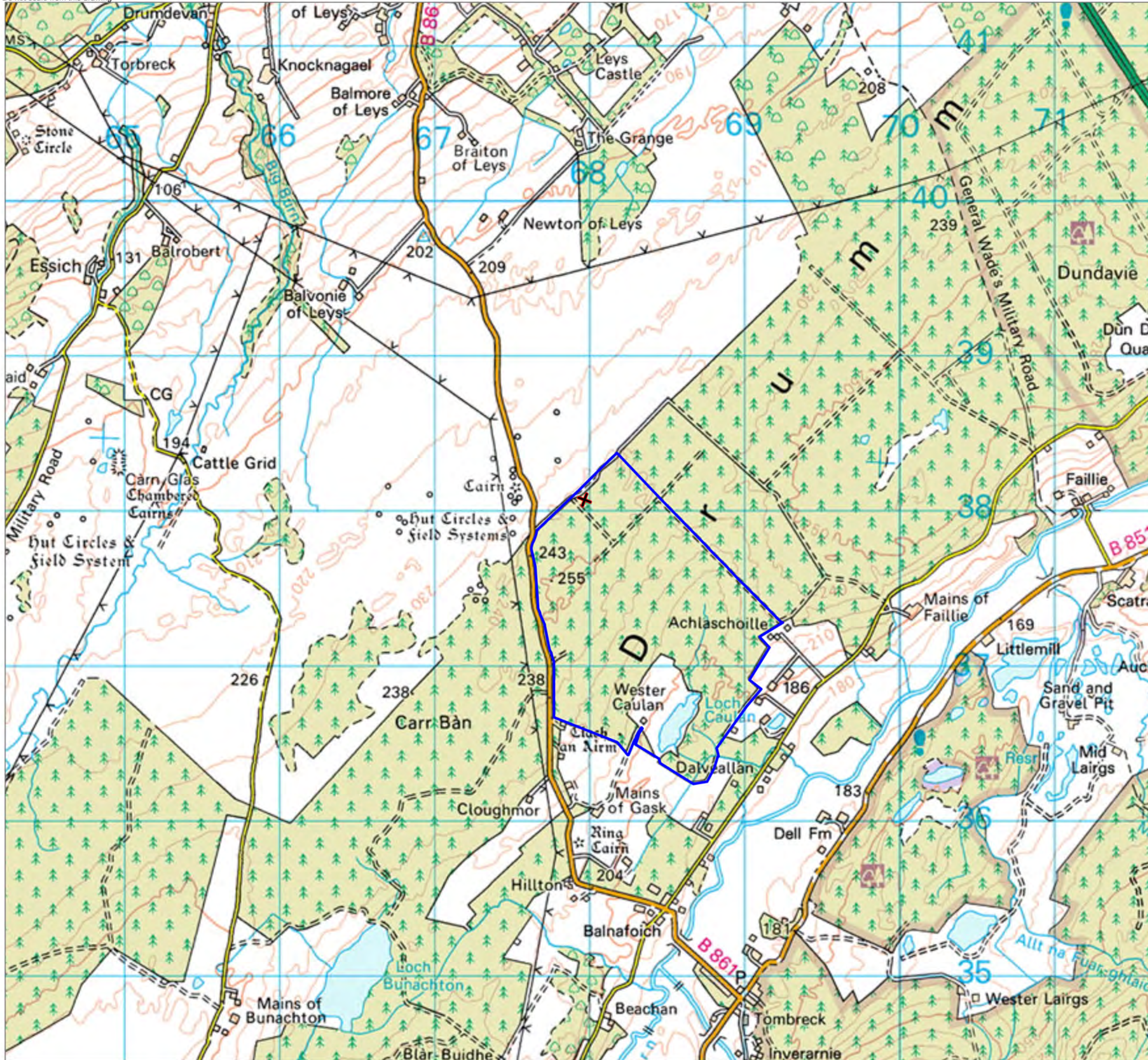
Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Signature: Allan J Todd
Designation: Area Planning Manager - South
Author: Christine Macleod
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Site Layout (12024-MMS-P001)
Plan 2 – Location Plan (12024-MMS-P003)
Plan 3 – Block Plan (12024-MMS-P004)
Plan 4 – Elevation Plan (12024-MMS-P005)
Plan 5 – Tree Planting (12024-MMS-P006)

Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Mr W Campbell	Tombreck House, Inverarnie, Inverness	29.10.13	Against
Mr R Croson	Glen Nairn Lodge, Flichity, Inverness	04.11.13	Against
Ms I Bennet	Knocknacroishag, Farr, Inverness	04.11.13	Against
Mr D Read	Beachan, Farr, Inverness	05.11.13	Against
Mrs M Evans	Fionchra, Farr, Inverness	07.11.13	Against

Do not scale from this drawing



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Tomfat Meteorological Monitoring Structure

P & L Turbines

Drawing No. 12024-MMS-P003
Location Plan (1:25,000)

- Ownership Boundary (207.21 ha)
- Site Boundary (0.081 ha)
- 60m Meteorological Monitoring Structure Development Area (0.081 ha)

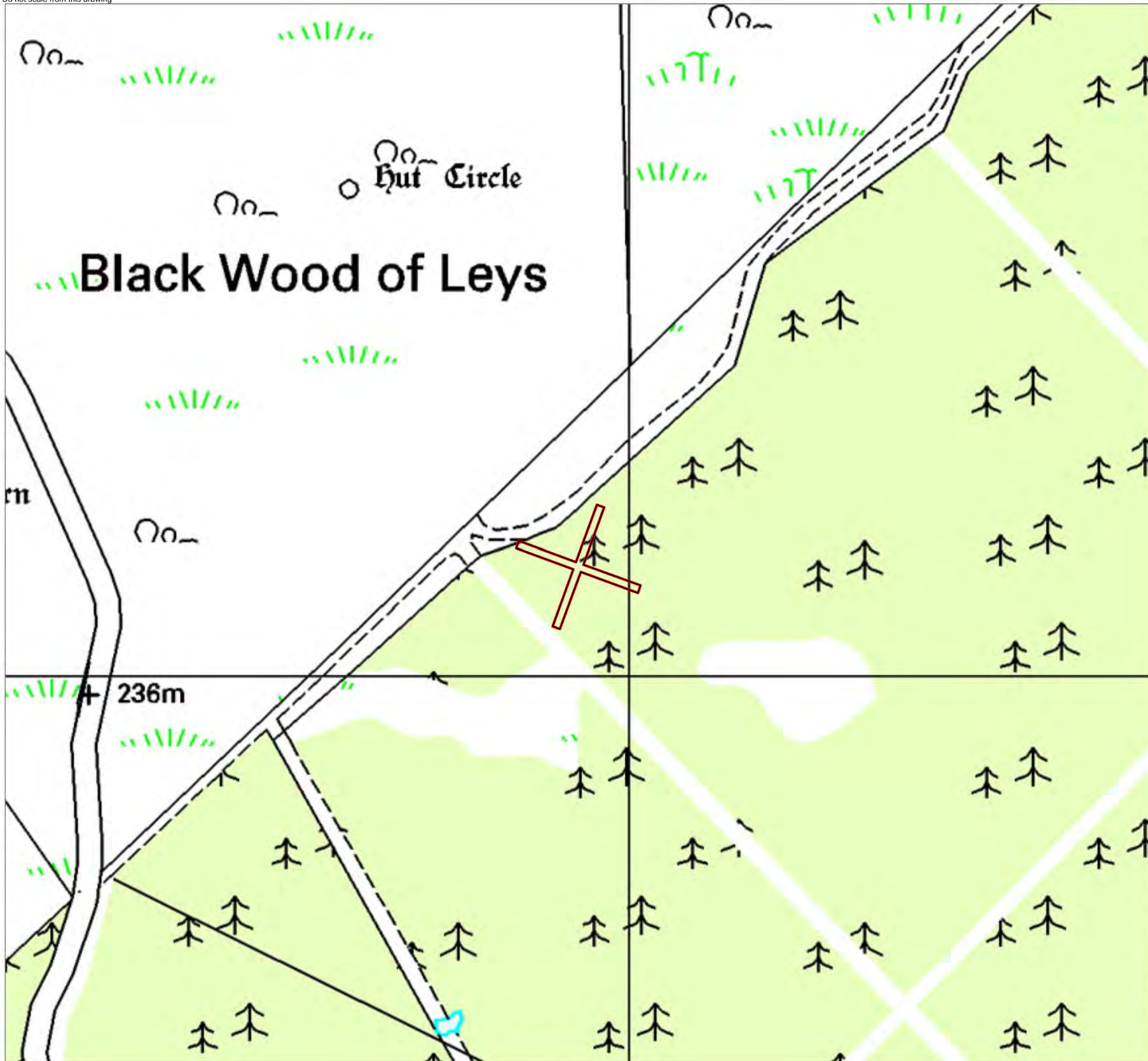
MMS centre coordinates
Easting: 267966
Northing: 838070

Extent of guys: 39m

Rev - (08.10.13) Drawn: GL - Checked: AS Approved: SS

Status: **Planning**

scale 1:25,000 @ A3



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Tomfat Meteorological Monitoring Structure

P & L Turbines

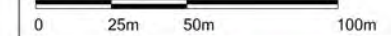
Drawing No. 12024-MMS-P001
Site Plan (1:2,500)

- Site Boundary (0.081 ha)
 - 60m Meteorological Monitoring Structure Development Area (0.081 ha)
- MMS centre coordinates
Easting: 267966
Northing: 838070
- Extent of guys: 39m

Rev - (08.10.13) Drawn: GL - Checked: AS Approved: SS

Status: **Planning**



scale 1:2,500 @ A3



Tomfat Meteorological Monitoring Structure

P & L Turbines

Drawing No. 12024-MMS-P004
Meteorological Monitoring Structure Plan
(1:500)

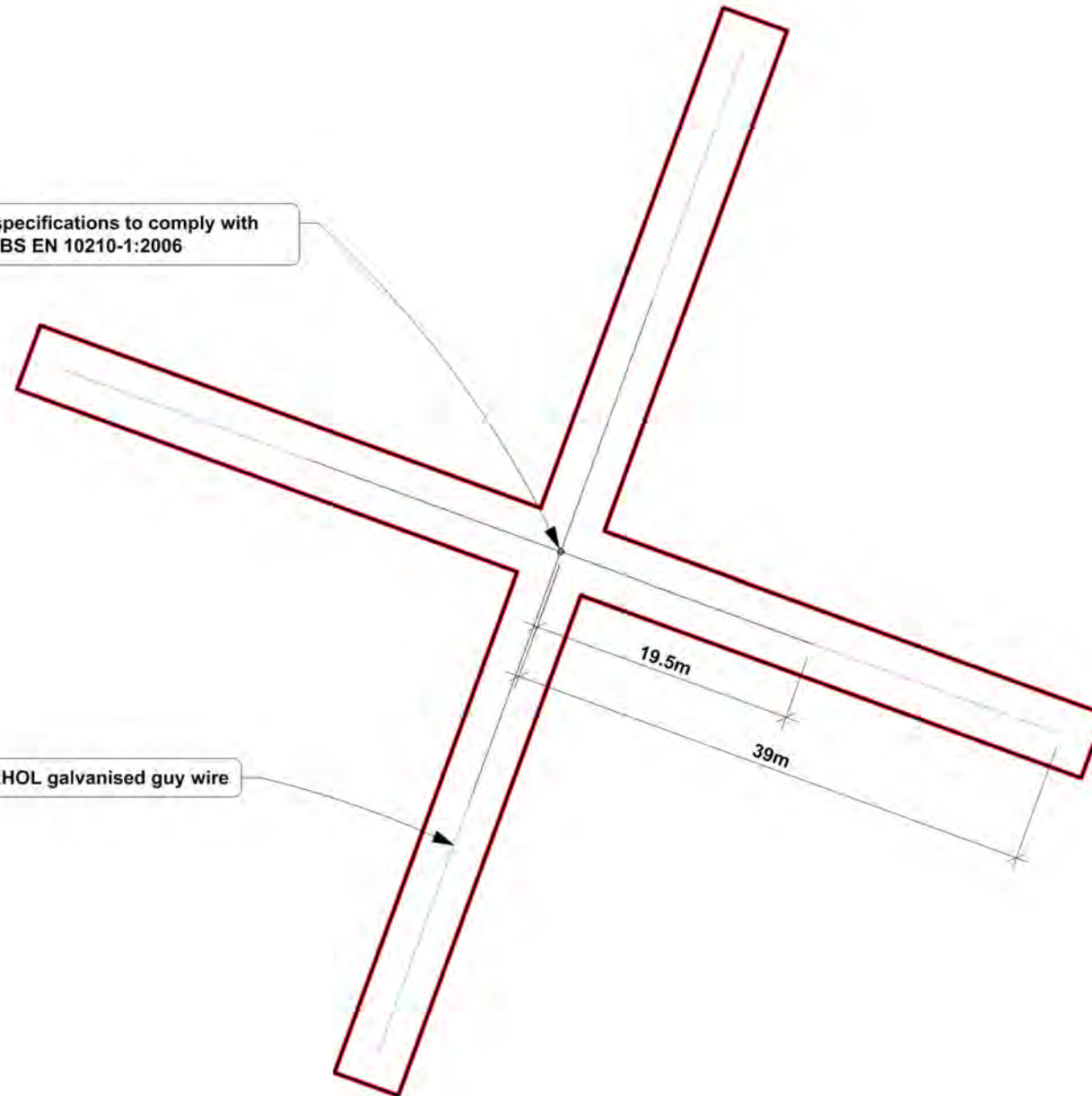
-  Site Boundary (0.081 ha)
-  60m Meteorological Monitoring Structure Development Area (0.081 ha)

MMS centre coordinates
Easting: 267966
Northing: 838070

Extent of guys: 39m

Hollow section specifications to comply with S275 or S355 to BS EN 10210-1:2006

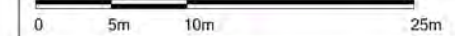
6mm RHOL galvanised guy wire



Rev - (08.10.13) Drawn: GL - Checked: AS Approved: SS

Status: Planning

scale 1:500 @ A3



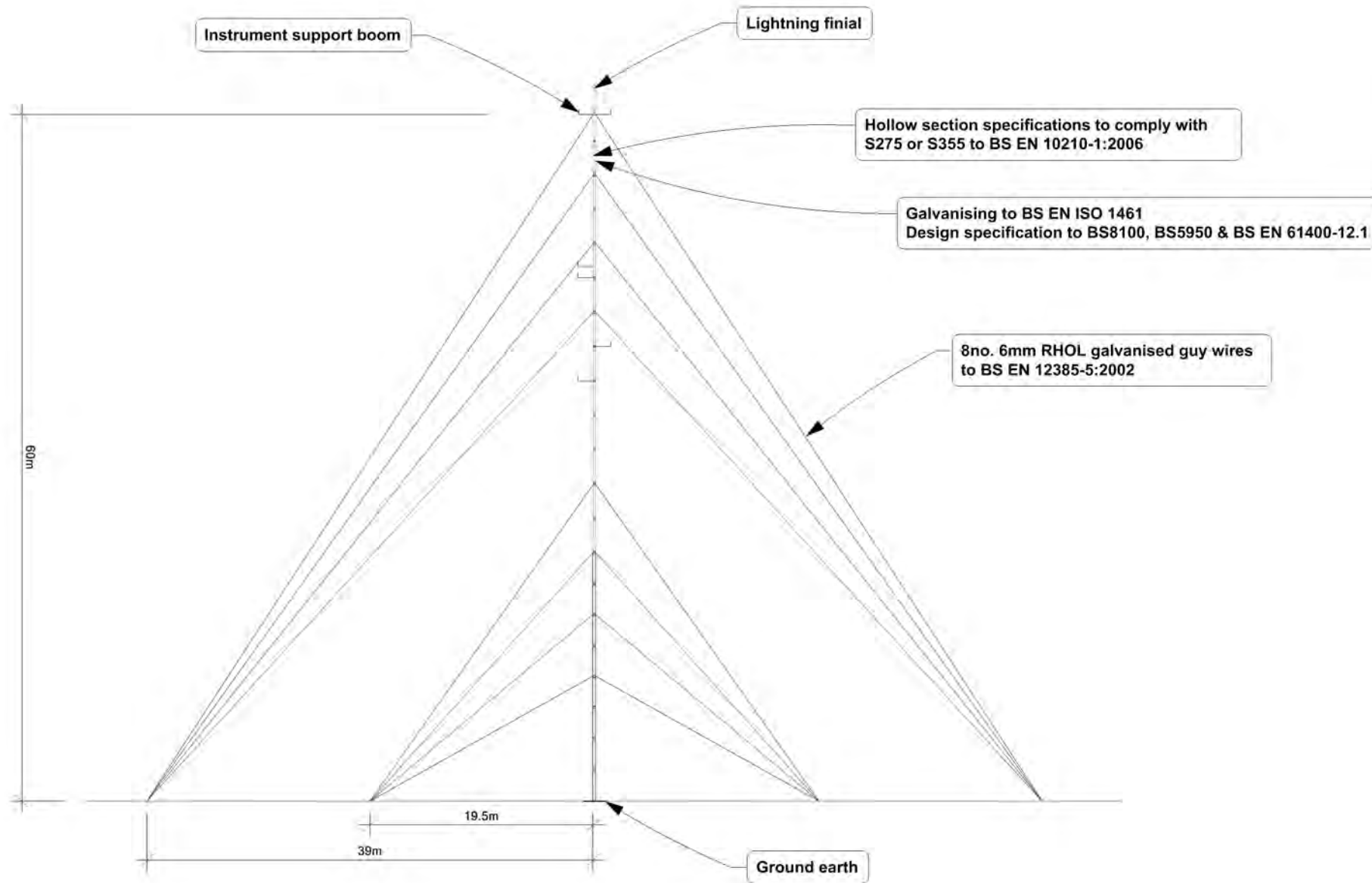
Tomfat Meteorological Monitoring Structure

P & L Turbines

Drawing No. 12024-MMS-P005
Meteorological Monitoring Structure Plan
(1:500)

MMS centre coordinates
Easting: 267966
Northing: 838070

Extent of guys: 39m



Rev - (08.10.13) Drawn: GL - Checked: AS Approved: SS

Status: Planning

scale 1:500 @ A3

0 5m 10m 25m



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Tomfat Meteorological Monitoring Structure

P & L Turbines

Drawing No. 12024-MMS-P006
Existing Tree Planting on Site

-  Site Boundary (0.081 ha)
-  60m Meteorological Monitoring Structure Development Area (0.081 ha)

MMS centre coordinates
Easting: 267966
Northing: 838070

Extent of guys: 39m

 Viewpoint 1 Location

Rev - (11.10.13) Drawn: GL - Checked: AS Approved: SS

Status: Planning

scale 1:2,000 @ A3

