

**THE HIGHLAND COUNCIL**

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS COMMITTEE – 15 March 2011**

Agenda Item	<b>4.7</b>
Report No	<b>PLC/011/11</b>

**11/00102/FUL : Assynt Crofters Trust Ltd  
Land near Lochend, Stoer**

**Report by Area Planning and Building Standards Manager**

**SUMMARY**

**Description :** Installation of a 6kW Eoltec Scirocco wind turbine

**Recommendation - REFUSE**

**Ward :** 01 - North, West And Central Sutherland

**Development category :** Local Development

**Pre-determination hearing :** None

**Reason referred to Committee :** More than 5 representations as per Scheme of Delegation.

**1. PROPOSED DEVELOPMENT**

- 1.1 The application is made by the Assynt Crofters Trust for a single 6kW Eoltec wind turbine on a 15m mast. The turbine blades (two) have a diameter of 5.6m.  
The site of the proposed turbine is approximately 140m to the south-east of the hall on poor quality peat-covered moorland. The site sits above the hall on a rise in the ground and has an open aspect.  
The site is approximately 120m from the closest point on the public road. The nearest houses are the Albyn Houses at Lochend, around 75m to the south-west.
- 1.2 Pre-application consultations were undertaken with the applicant looking at several potential turbine sites in the Assynt area in November 2010.
- 1.3 No existing infrastructure on the site.
- 1.4 Supporting Statement submitted with the planning application.
- 1.5 No variations have been made to the application since lodging.

## **2. SITE DESCRIPTION**

- 2.1 The site is set to the east of the main single track road at Stoer, to the south-east of the hall and to the north-east of the new Albyn Houses at Lochend. The ground is poor quality grazing with peat and poor vegetation. It is around 210m south of The Smithy House, 140m south-east of The Cottage and approximately 75m north-east of the Albyn houses.

## **3. PLANNING HISTORY**

- 3.1 There is no planning history to the application site itself. However, the following applications are of relevance:
1. 08/00162/FULSU Erection of meeting room and associated parking. Installation of septic tank and mounded soakaway system. Formation of new access onto B869 Stoer/Drumbeg public road (Resubmission) for Assynt Crofters Trust. The site lies to the south of the Village Hall adjacent to the main road and is around 100m WNW of the proposed turbine site.
  2. 09/00475/FULSU Installation of a 6kW Wind Turbine mounted on a 15m column at Stoer Primary School. Granted by the Caithness, Sutherland and Easter Ross Planning Applications Committee on 20 April 2010. The site lies to the west side of the school, within the playground area, and is approximately 570m NW of Stoer Hall and 760m NW of the proposed turbine site.
  3. 10/02404/FUL Installation of 6kW wind turbine on 15m mast with underground cable to Stoer village hall. Granted by the Caithness, Sutherland and Easter Ross Planning Applications Committee on 15 November 2010. This site is located approximately 85m NNE of the current application site and is undeveloped at this time.

## **4. PUBLIC PARTICIPATION**

- 4.1 Advertised : Neighbour notification and Schedule 3  
Representation deadline : 04.02.2011  
Timeous representations : 6  
Late representations : 2, 1 of which is in support
- 4.2 Material considerations raised are summarised as follows:

### Objection:

- Detrimental effect on guest house business
- Visual impressions submitted are misleading and inaccurate
- Two approved turbines (one of these built) not precedent for more
- Waste of public money
- Visual impact

- Noise
- Economic viability
- Too close to recently approved turbine (Stoer Hall - 10/02404/FUL) and houses at Lochend
- Site on bird flightpath
- Less obtrusive alternative sites available in the area
- Cumulative impact of turbines in Stoer area
- Impact on tourism
- Safety

Support:

- Proposal in keeping with the Assynt Crofters Trust's green credentials and the low impact land use it supports.
- Crofting tenants have been consulted on the proposals

4.3 All letters of representation can be viewed online [www.highland.gov.uk](http://www.highland.gov.uk), at the Area Planning Office and for Councillors, will be available for inspection immediately prior to the Committee Meeting.

## 5. CONSULTATIONS

5.1 **Environmental Health** (3 March): The grid reference 204144 929544 would put the turbine site approximately 75m from the boundary of the nearest house to the south-west. According to the noise information provided by the applicant, the predicted noise level would exceed the standard of 35dB(A) at wind speeds up to 10m/s. The minimum separation distance to comply with this standard would be 125m according to this data.

Due to the proximity of the other turbine site which has consent (10/02404/FUL at Stoer Hall), the accumulative effects of the noise from both turbines must be considered. My understanding is that the separation distance in that case exceeds the minimum of 125m but not by very much. That being the case, it is likely that the combined noise levels from both turbines could exceed the standard of 35dB(A) at the properties to the west and north of the turbine sites at wind speeds up to 10m/s.

It is considered that the proposed wind turbine, could, if approved, result in complaints in terms of noise nuisance, and be detrimental to the more onerous standard of amenity.

5.2 **SNH** : No objection as the impacts will not be to the extent that they would affect the integrity of the Assynt-Coigach National Scenic Area (NSA). Nonetheless we highlight that the proposed wind turbine is likely to have some adverse landscape and visual impacts within the local Stoer area.

The proposed wind turbine will occupy a **prominent position** within the local landscape, set on high ground. Its prominence will be amplified by the rotation of the wind turbine blades, the fact that the blades are proposed to be a different colour to the wind turbine tower, and the protrusion of a yaw from the back of the machine. On account of the separation distance from the Assynt Crofters Trust office, from most viewpoints the rationale for the specific siting of the wind turbine will be unclear (unlike the obvious link between the school and its consented turbine). This effect will be increased where screening by the landform seems to separate the turbine from the office or screens the office altogether.

The proposed wind turbine will have **cumulative effect** with two other wind turbines within the area: the existing school wind turbine and the approved Stoer Hall wind turbine. The proposed wind turbine, due to its close proximity, will appear most closely associated with the Stoer Hall wind turbine. In combination with this, the proposed wind turbine would create a 'twin' focal feature that would appear incongruous within the local area (as represented by visualisations from photopoints 1-4).

Originally SNH advised that the Stoer Hall wind turbine should be three-bladed to match the existing school wind turbine and thus limit cumulative impacts. Unfortunately however, a two-bladed wind turbine received consent. Given that the proposed wind turbine will be much closer to the Stoer Hall wind turbine than the school wind turbine, it is imperative that the proposed wind turbine is of identical design to the Stoer Hall wind turbine, or its incongruity with its neighbour wind turbine will be amplified.

Given the impacts described above, it is judged that the proposed wind turbine will have some significant adverse landscape and visual effects on landscape character and views within the area of the proposed development and that these impacts could have been avoided with the selection of an alternative site. Nevertheless, the consented Stoer Hall wind turbine has already affected the baseline conditions and it is judged that the impacts of the proposed wind turbine in addition to this would not affect the integrity of the Assynt-Coigach NSA.

5.3 **Assynt Community Council** : No comment received.

## 6. **DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### 6.1 **Highland Structure Plan 2001**

G2	Design for sustainability
E2	Wind energy developments
E8	Small community renewable energy projects

## 6.2 **Sutherland Local Plan**

Policy 4.2          Natural, Built and Cultural Heritage

## 7. **OTHER MATERIAL CONSIDERATIONS**

### 7.1 **Draft Development Plan**

#### **Highland Wide Local Development Plan – Proposed Plan (September 2010) – Policies**

58 Natural, Built and Cultural Heritage

68 Renewable Energy Developments

69 “Community” Renewable Energy Developments

### 7.2 **Highland Council Supplementary Planning Policy Guidance**

Highland Renewable Energy Strategy and Planning Guidelines

### 7.3 **Scottish Government Planning Policy and Guidance**

- Scottish Planning Policy
- PAN 45 Annex 1 – Planning for Micro Renewables: Annex to Renewable Energy Technologies

### 7.4 **Other**

The site lies within the Assynt-Coigach National Scenic Area.

## 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**

The proposal is located within an area designated as being of national importance – the Assynt-Coigach National Scenic Area. Therefore, the application has to be assessed against policy 4.2 (Natural, Built and Cultural Heritage) of the Sutherland Local Plan. Policy 4.2 states that “For features of national importance we will allow developments that can be shown not to compromise the amenity and heritage resource”. In addition policy G2 of the Structure Plan requires that proposals demonstrate sensitive siting in keeping with the natural environment and do not have a significantly detrimental effect on scenic and landscape resources within designated areas (such as the NSA).

- 8.4 In my assessment, the proposed wind turbine will have, when examined on a cumulative basis with the already approved Stoer Hall wind turbine, a significantly detrimental impact on the scenic and landscape character of the area. It does not therefore accord with policies G2 or 4.2 of the Development Plan.
- 8.5 In addition, the proposal does not accord with Structure Plan policy E2 (Wind energy developments) as the impacts are considered to be “significantly detrimental”, particularly in respect of the scenic and landscape character of the area when considered on a cumulative basis.
- 8.6 Furthermore, the proposal does not accord with policy 58 of the Highland Wide Local Development Plan – Proposed Plan (September 2010), as it would have an unacceptable impact on the amenity and heritage resource of the area.
- 8.7 Also, the proposal does not accord with policy 68 of the Highland Wide Local Development Plan – Proposed Plan (September 2010), as it would have a significantly detrimental impact on the amenity and scenic resource of the area due to the cumulative effect when considered with the already approved Stoer Hall wind turbine.
- 8.8 The proposal does comply, however, with the principle of Structure Plan policy E8 (Small community renewable energy projects) wherein the Council views small-scale community projects as particularly appropriate for the Highland area, especially for remoter settlements in the west and north.

8.9 **Material Considerations**

The proposal is for a two-bladed 6kW turbine mounted on a 15m column with 5.6m diameter rotor blades. The column is finished in galvanised steel. It matches the turbine previously approved for Stoer Hall but would be located closer to the houses at Lochend than the Stoer Hall turbine.

- 8.10 The turbine will occupy a prominent position within the immediate local landscape, set on higher ground. On account of the separation distance from the hall and neighbouring housing, it is considered that the turbine will appear to be set on its own and isolated, unrelated to any other building, or vertical man-made feature in the local landscape. Accordingly, it is considered that the proposed turbine will have a significantly detrimental impact on the amenity and scenic resource of the area. It would therefore be incongruous in the local landscape as a result, unlike the approved Stoer Hall turbine which has a closer spatial association and functional relationship to the Hall.

- 8.11 The developer has submitted a supporting statement with the application. This highlights:

- The site was shortlisted along with an area close to the Highland Light & Power Ltd hydro scheme at Loch Poll, and the deer larder at Culkein, Drumbeg.
- Contribution to reduction in CO<sup>2</sup>
- Energy capture

- Income generation for Assynt Crofters Trust
- Relationship to the approved office and information centre

In addition, in an email of 2 March, the developer noted the following:

1. The position of the turbine is clearly marked on the application map. It is intended that the turbine is located within the red marked area.
2. The photomontage is meant as a representation only. It is difficult to accurately place the turbine(s) on the photomontage.
3. Wind turbines are best situated where the wind is strongest. This means that often they are located on a skyline. In the area concerned there are several man made objects on the surrounding skyline including electricity and telegraph poles, a communication tower and several houses including the new build just south of Clashnessie Bay which dominates the skyline from Clashnessie Bay area.
4. The Eoltec Scirocco 6kW turbine has no known safety issues. It has been successfully installed in areas more windy than the Trust's proposed location at Stoer.
5. The noise figures for the turbine were submitted with the planning application. However subsequent to that Environmental Health at Highland Council have looked further into this concern. If the turbine is installed they will test according to their standard testing regulations and if the turbine proves to fail these tests then it will be shut down. The suppliers assure me that this is unlikely as the turbine has successfully passed such tests in other areas. The Assynt Crofters' Trust are building a new office/information block at Stoer adjacent to the Stoer Hall. This new venture is being built and supported as environmentally as possible and part of that remit is to reduce greenhouse gases as much as possible and one method of doing this is to generate electricity through a wind generator to complement the already existing Hydro Scheme which has proved to be very successful.

8.12 Members will note that **representations on the application are both for and against the proposal**. In response to these:

- Visual impact – It is considered that there will be local landscape and visual impacts on both the landscape character of the area and views within the vicinity. These will be cumulative due to the approved Stoer Hall turbine. I would advise Members that a single turbine in this location serving both Stoer Hall and the Assynt Crofters Trust would be a better visual and landscape option, rather than two separate and unrelated turbines. Sharing of a single turbine is technically possible. There may be the potential for a slightly larger shared turbine, rather than sharing the existing approved turbine.
- Noise impact – Environmental Health have assessed the noise data from the proposed turbine and have examined the potential cumulative impact along with the turbine at the school and the Stoer Hall site. Members should note that it is considered that the proposed wind turbine, could, if approved, result in complaints in terms of noise nuisance and be detrimental to the more onerous standard of amenity.
- Set a precedent for more wind turbines – Members will note that each application is assessed on its individual merits and that approval for any

individual application does not set a precedent for approval of a similar proposal in the future.

- Visual impressions submitted are misleading and inaccurate – Members should be aware that whilst the developer has submitted a sheet of visualisations, no landscape and visual assessment has been produced. The quality of the visualisations does not comply with the SNH good practice guidance on visual representation of windfarms and specifically, these are not sufficiently wide in field of view or produced to a defined viewing distance to enable precise scale calculation.
- Site on bird flightpath – SNH have not objected to the proposal in relation to impact on birds.
- Safety – The developer and any contractors must meet the legal requirements of the relevant Health and Safety legislation.
- Impact on tourism – I do not consider that the development would have a significant impact on tourism.

#### 8.13 **Other Considerations – not material**

- Waste of public money
- Less obtrusive alternative sites available in the area
- Detrimental effect on guest house business
- Economic viability
- Impact on tourism

#### 8.14 **Matters to be secured by Section 75 Agreement**

None

### 9. **CONCLUSION**

9.1 Development plan policy provides general support for wind energy developments provided that impacts, including visual and noise, are not significantly detrimental.

9.2 The proposal is not considered to accord with Development Plan policies as set out at section 8 above in this part of the Assynt-Coigach National Scenic Area. In particular, it would have a significantly detrimental visual impact on the landscape and scenic resource of the area, particularly when a cumulative assessment of the local setting at Stoer and the already erected turbine at the school and approved turbine at Stoer Hall are considered.

9.3 It is considered that a single turbine in this location (currently the approved Stoer Hall turbine) is visually acceptable. A slightly larger output turbine serving the aspirations of both the Hall and the Crofters Trust may provide a compromise



solution allowing both to benefit from wind energy without significantly impacting on the visual and scenic resource of the National Scenic Area. However, this would be for assessment in a further application.

- 9.4 The noise impact of the proposal is also considered to be both individually and cumulatively significantly detrimental and therefore does not accord with policy E2.
- 9.5 Accordingly, I would advise Members that the current application does not accord with policies G2, E2 or 4.2 of the development plan and refusal is recommended.

## 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 **Refused** for the following reasons:

1. The proposed wind turbine will have, when examined on a cumulative basis with the already approved Stoer Hall wind turbine, a significantly detrimental impact on the scenic and landscape character of the area. It does not therefore accord with Highland Structure Plan policy G2 Design for Sustainability or policy 4.2 Natural, Built and Cultural Heritage of the Sutherland Local Plan; or policies 58 and 68 of the Highland Wide Local Development Plan – Proposed Plan (September 2010).
2. The proposal does not accord with Highland Structure Plan policy E2 Wind energy developments as the impacts are considered to be significantly detrimental, particularly in respect of the scenic and landscape character of the area and noise impact on nearby houses when considered on a cumulative basis.
3. Approval of the development would set an undesirable precedent making it difficult to refuse applications of a similar nature in the future.

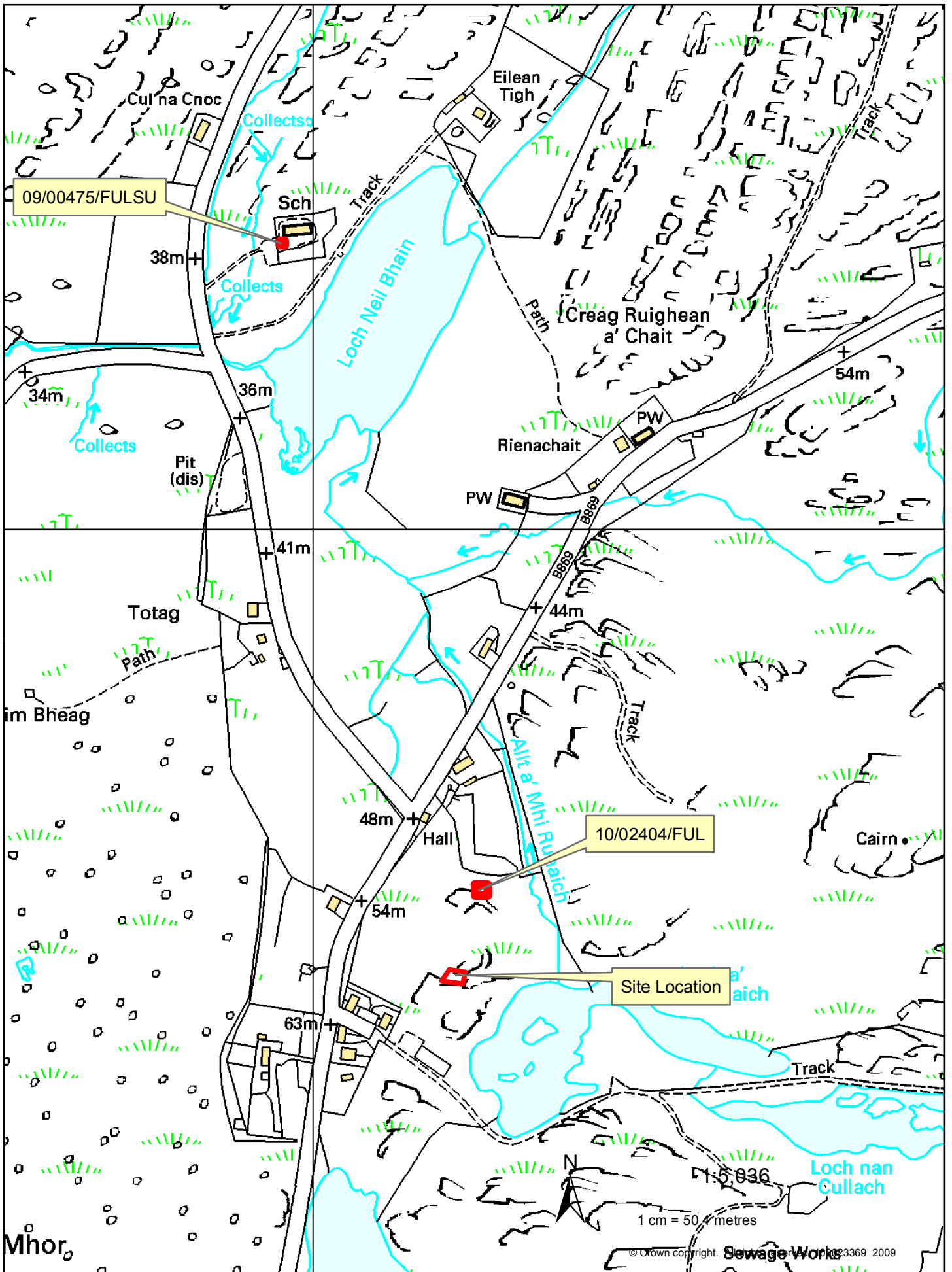
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager  
Caithness, Sutherland and Easter Ross

Author: Bob Robertson

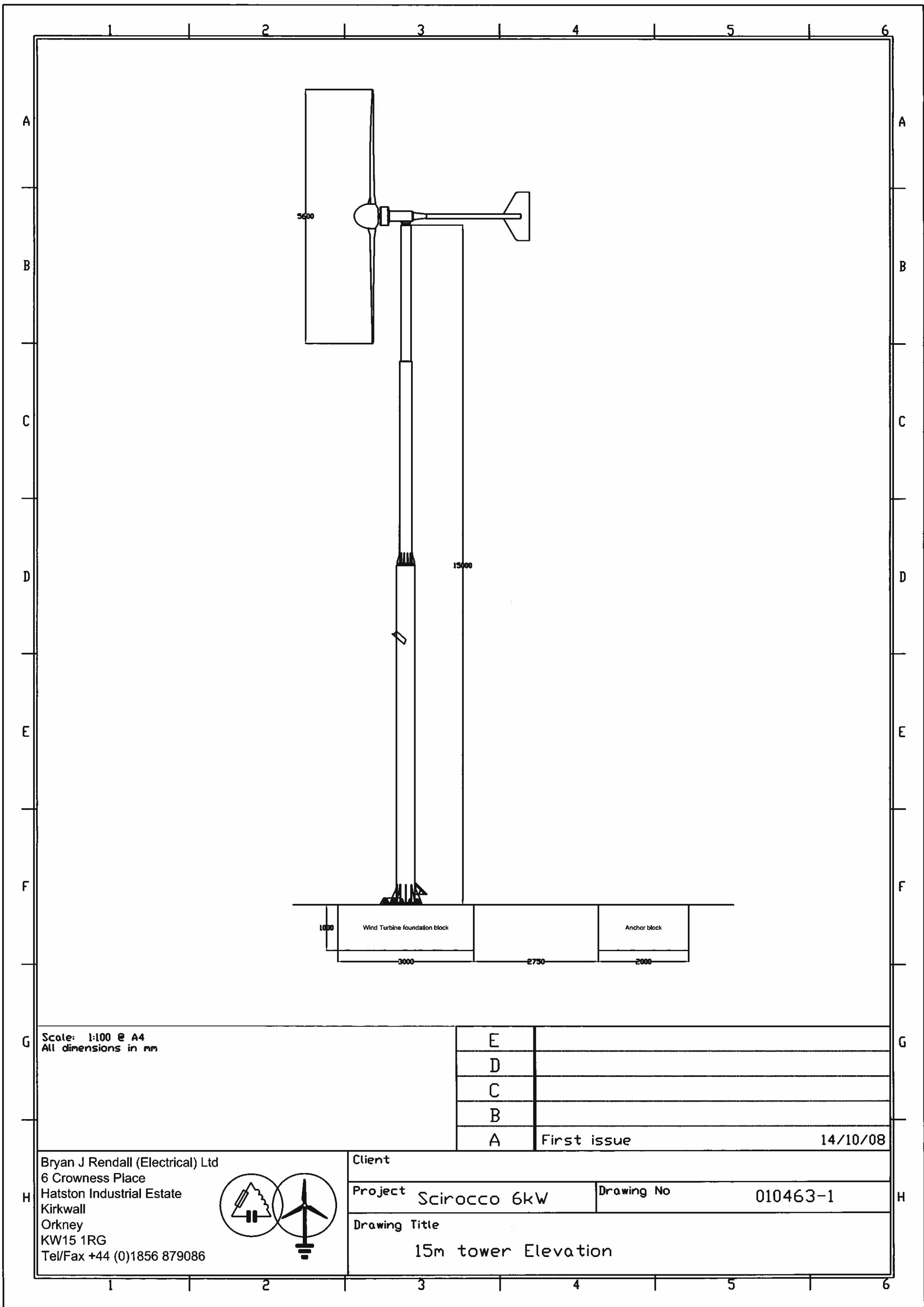
Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan - Elevations 010463-1 A  
Plan – Location / Site Plan000001  
Plan – 10060/60/E001 Visual Information  
Supporting Statement



11/00102/FUL  
 Installation of a 6kW Eoltec Scirocco wind turbine at  
 Land near Lochend, Stoer, Lochinver.

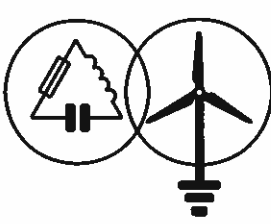
Assynt Crofters Trust Ltd  
 North Assynt Estate  
 Stoer  
 Lochinver  
 IV27 4JG



Scale: 1:100 @ A4  
All dimensions in mm

E		
D		
C		
B		
A	First issue	14/10/08

Bryan J Rendall (Electrical) Ltd  
6 Crowness Place  
Hatston Industrial Estate  
Kirkwall  
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KW15 1RG  
Tel/Fax +44 (0)1856 879086



Client	
Project Scirocco 6kW	Drawing No 010463-1
Drawing Title 15m tower Elevation	



Photo Point 1(203876,930291)  
Proposed Turbine View



Photo Point 1(203876,930291)  
School Turbine View



Photo Point 4(204209,929890)  
Proposed Turbine View



Photo Point 2(203974,929876)  
Proposed Turbine View

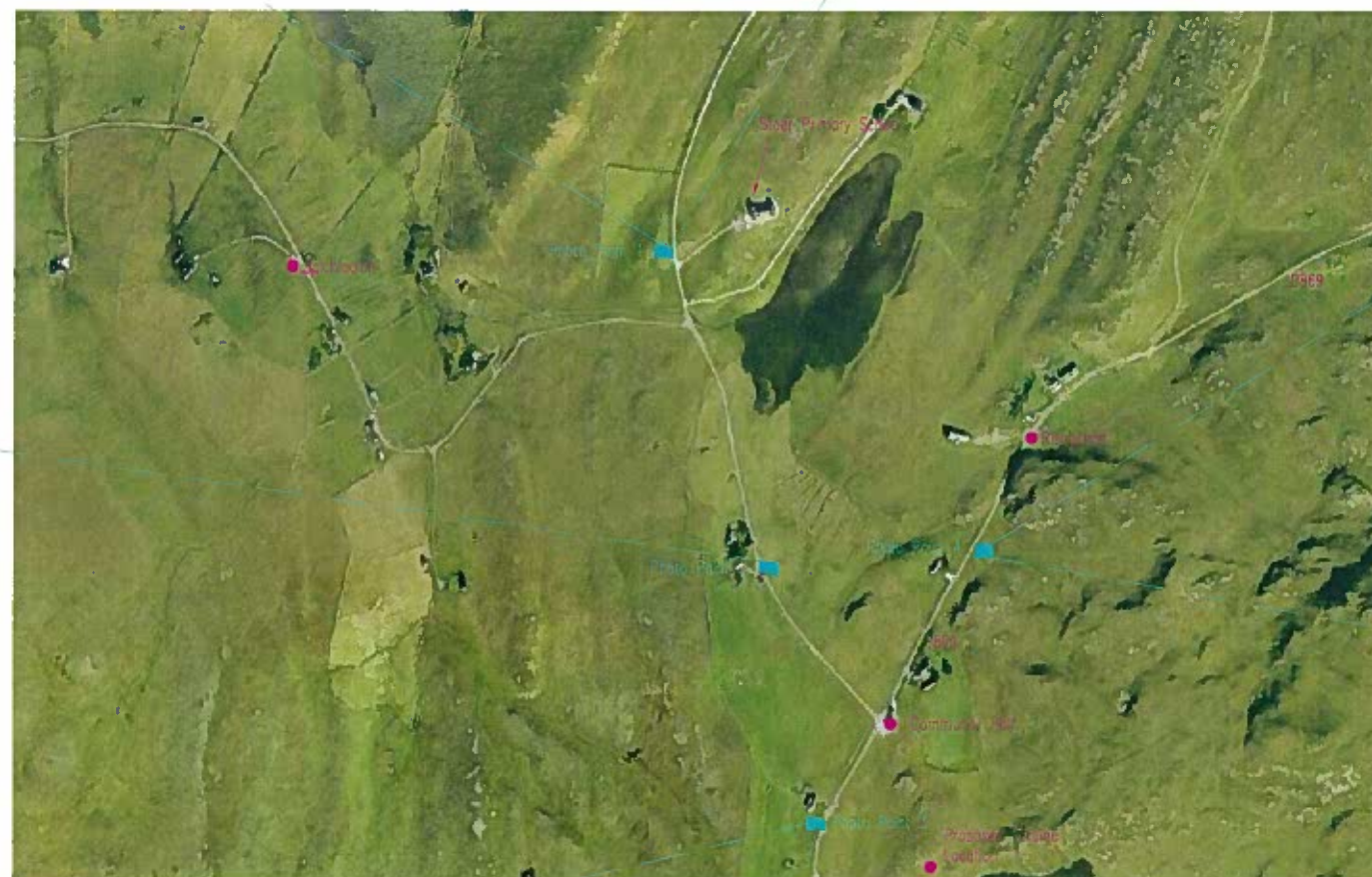


Photo Point 4(204209,929890)  
School Turbine View




Photo Point 3(204050,929620)  
Proposed Turbine View



Photo Point 3(204050,929620)  
School Turbine View



No.	Description	Date	By	Check
Project Title: Proposed Wind Turbine				
Client: Assynt Crofters Trust				
				
Drawing Title: Photo Montage for Planning				
Drawing No: 10060/80/ED01				
Scale: N.T.S.	Drawn: M.J.M.	Date: Dec 2010	Revision: -	