

THE HIGHLAND COUNCIL

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

Agenda Item	4.5
Report No	PLC/009/11

**10/04840/FUL : The Highland Council
Crossroads Primary School, Dunnet**

Report by Area Planning and Building Standards Manager

SUMMARY

Description: Installation of 5Kw wind turbine, Crossroads Primary School, Dunnet

Recommendation: GRANT

Ward: Ward 4 – Landward Caithness

Development category: Local Development

Pre-determination hearing: N/A

Reason referred to Committee: Application submitted by the Council

1. PROPOSAL

- 1.1 Erection of a 5Kw wind turbine, measuring 10.4 metres to the centre point of the hub. The turbine has a rotor diameter of 5.5 metres and consists of a dark grey turbine head with matching dark grey composite blades supported on a galvanised steel tower which is a tilt up/down type with hinge at base plate.

2. SITE DESCRIPTION

- 2.1 Remote sited rural Primary School located on unclassified road between Ham and the coastal A836 road east of Dunnet village. Proposed location of wind turbine adjacent to north-east boundary of school grounds on grassed area. Location places turbine at furthest practicable distance from school building within school grounds.

3. PLANNING HISTORY

- 3.1 Crossroads Primary School: 06/00003/FULCA Erection of timber framed cedar wood clad building. Conditional Permission granted 01.02.2006.

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Neighbour Notification
Representation deadline: 13 Jan 2011
Timeous representations: None
Late representations: None

5. CONSULTATIONS

- 5.1 **Scottish Natural Heritage:** No objections.
The wind turbine is unlikely to raise natural heritage issues of national interest. General advice provided in relation to the siting of the turbines in respect of bats and birds. These points are relayed in the form of informatives.
- 5.2 **TECS – Environmental Health:** No objections subject to an appropriate noise condition being imposed.

6. POLICY

The proposed development is considered to be a potential, albeit minor, departure from Development Plan policy. This is due to the site being just within an area denoted as being subject to Primary Policy 3, as an area to be safeguarded in terms of scenic views, particularly those from the public roads to open water. The line of demarcation in this instance between the Development Plan policy boundaries is the nearside of the public road immediately adjacent to the site. The proposed wind turbine is situated approximately 40 metres from the public road. The land adjacent to the road is subject to Primary Policy 1 and as such favours development subject to detailed site factors. There are no wider policy implications arising from this proposal. In this instance, it is considered that the intention of the safeguarding is to restrict further new build development rather than ancillary development as is the case here.

7. PLANNING APPRAISAL

- 7.1 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.
- 7.2 This is a straightforward application involving a minor development and is referred to Committee because it is a development in which the Council has an interest and is landowner. The policy implication of the application is deemed to be marginal as the wind turbine is to be situated in a location unlikely to detract from scenic views. No third party comments have been received. There are no technical or consultee objections.
- 7.3 The proposal is therefore recommended for grant of planning permission.

8. CONCLUSION

- 8.1 The proposal complies with Structure Plan policy E2, which states that wind energy developments should be supported provided that impacts are shown not to be significantly detrimental. The proposal also complies with national policy and guidance which encourage Planning Authorities to support the development of a diverse range of renewable energy technologies, including small scale projects. There are not considered to be any significant impacts on the visual qualities of the area or the amenity of the nearby residential areas. Therefore, the recommendation is to grant permission subject to the conditions below.

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

Reason : N/A

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

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice

Reason: *In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.*

2. No development shall start on site until the completed Notice of Initiation of Development (NID) form attached to this planning permission has been submitted to and acknowledged by the Planning Authority.

Reason: *In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.*

3. Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

Reason: *In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.*

4. Noise arising from the wind turbine shall not exceed an LA90, 10min of 35 dB at the nearest neighbouring noise sensitive property. This shall apply at wind speeds not exceeding 10 m/s, as measured at a height of 10m above ground level at the wind turbine. In the event of audible tones being generated by the wind turbine a 5dB(A) penalty for tonal noise shall be added to the measurable noise level. Any measurement and assessment of noise from the wind turbine shall be carried out in accordance with the Assessment and Rating of Noise from Wind Farms (ETSU-R-97) – available from ETSU, Hartwell, Oxfordshire OX11 0R.

In the event of noise levels exceeding the permitted level the turbine shall be shut down and not operated again until mitigation measures to reduce the noise levels to below the permitted level have been submitted by the developer, agreed in writing by the Planning Authority and thereafter implemented by the developer.

Reason: *In the interests of amenity.*

5. Within six months of the turbine ceasing to be used or by virtue of the turbine being inoperable the reinstatement of the site shall be completed to return the site to amenity use. At such time all machinery and infrastructure related to the turbine shall be cleared from site and disposed with in accordance with best waste management practice.

Reason: *To clarify the terms of the permission hereby granted and to allow the Planning Authority to retain effective control over the development.*

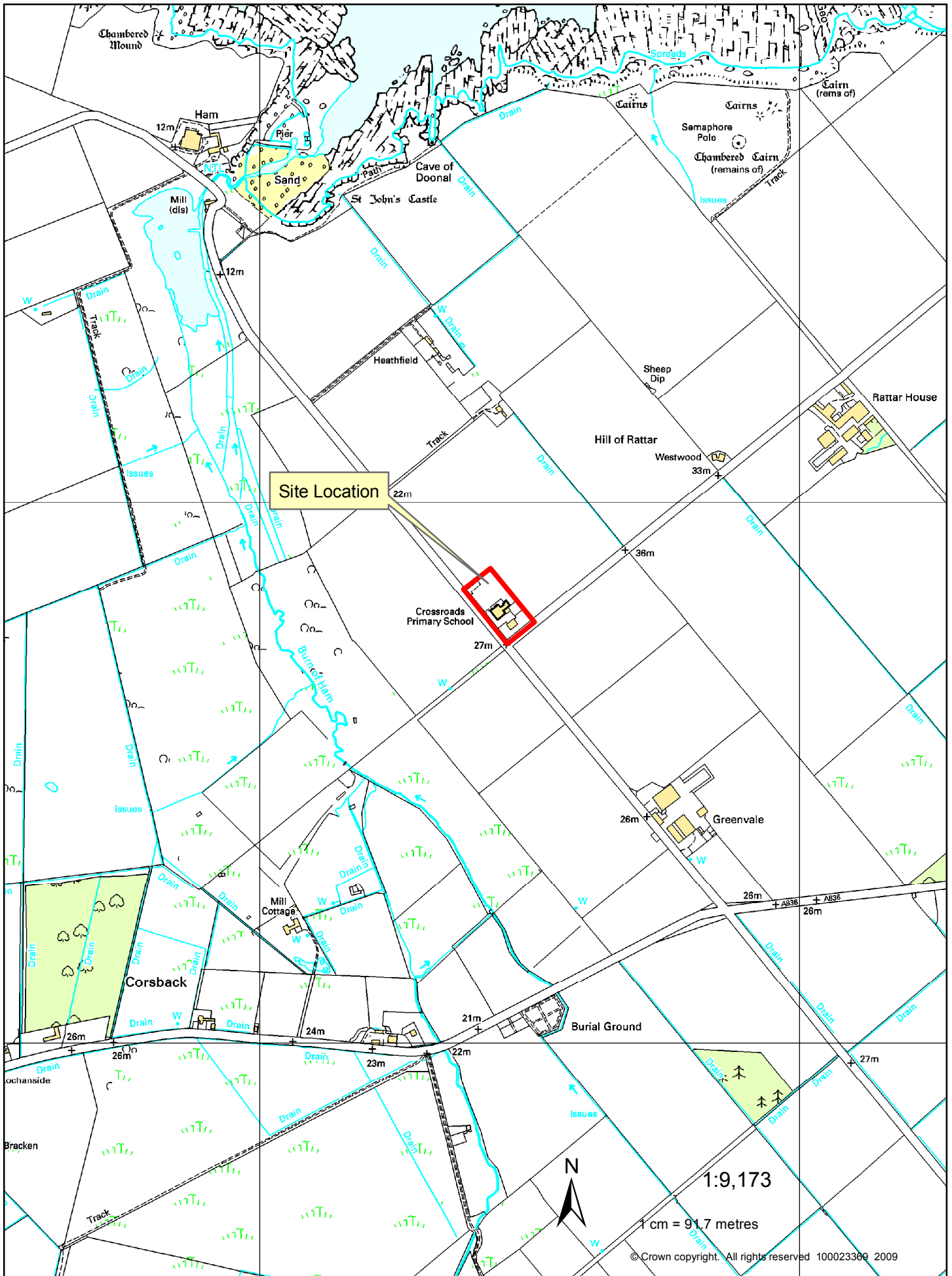
Notes to Applicant

Please note: Your attention is drawn to the conditions attached to this permission. 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 meet these conditions may invalidate your permission or result in formal enforcement action.

European Protected Species (EPS) – Bats: Your attention is drawn to the fact that it is the developers responsibility to determine whether bats are present and use this area as a commuting / forage route thus ensuring an offence is not committed under Regulation 39 of the Habitats Regulations 1994 (as amended). The onus is on the applicant to satisfy themselves in this respect.

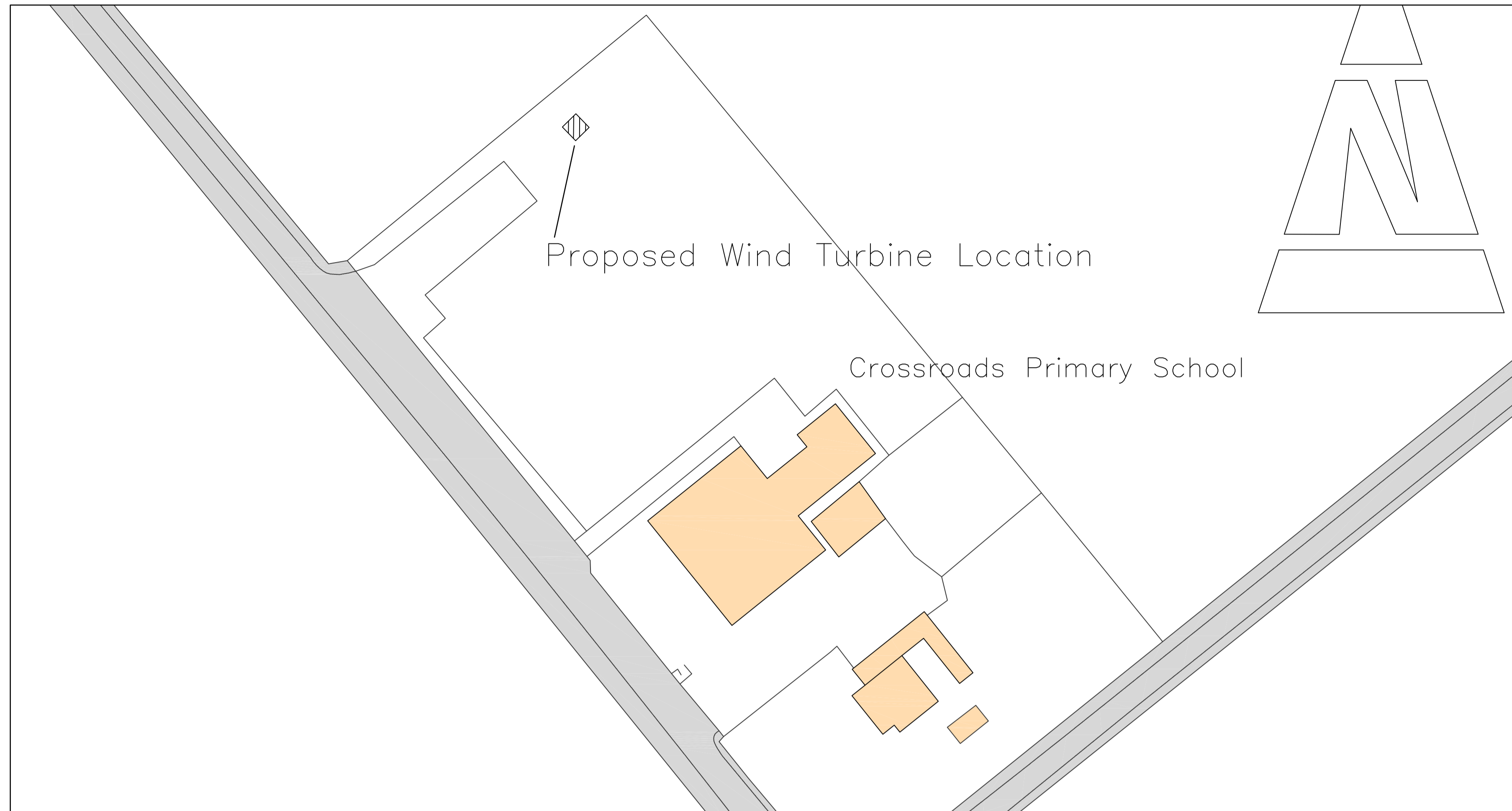
Breeding Birds: Any construction works carried out between the period April to July inclusive should ensure there is no disturbance to nesting birds.

Signature: Allan J Todd
Designation: Area Planning & Building Standards Manager
Caithness, Sutherland and Easter Ross
Case Officer: David Barclay
Background Papers: Highland Structure Plan, Caithness Local Plan
Relevant Plans: Plan 1 – 000001 Location/site plan
Plan 2 – 10038/60/E02 General/Block/Elevations

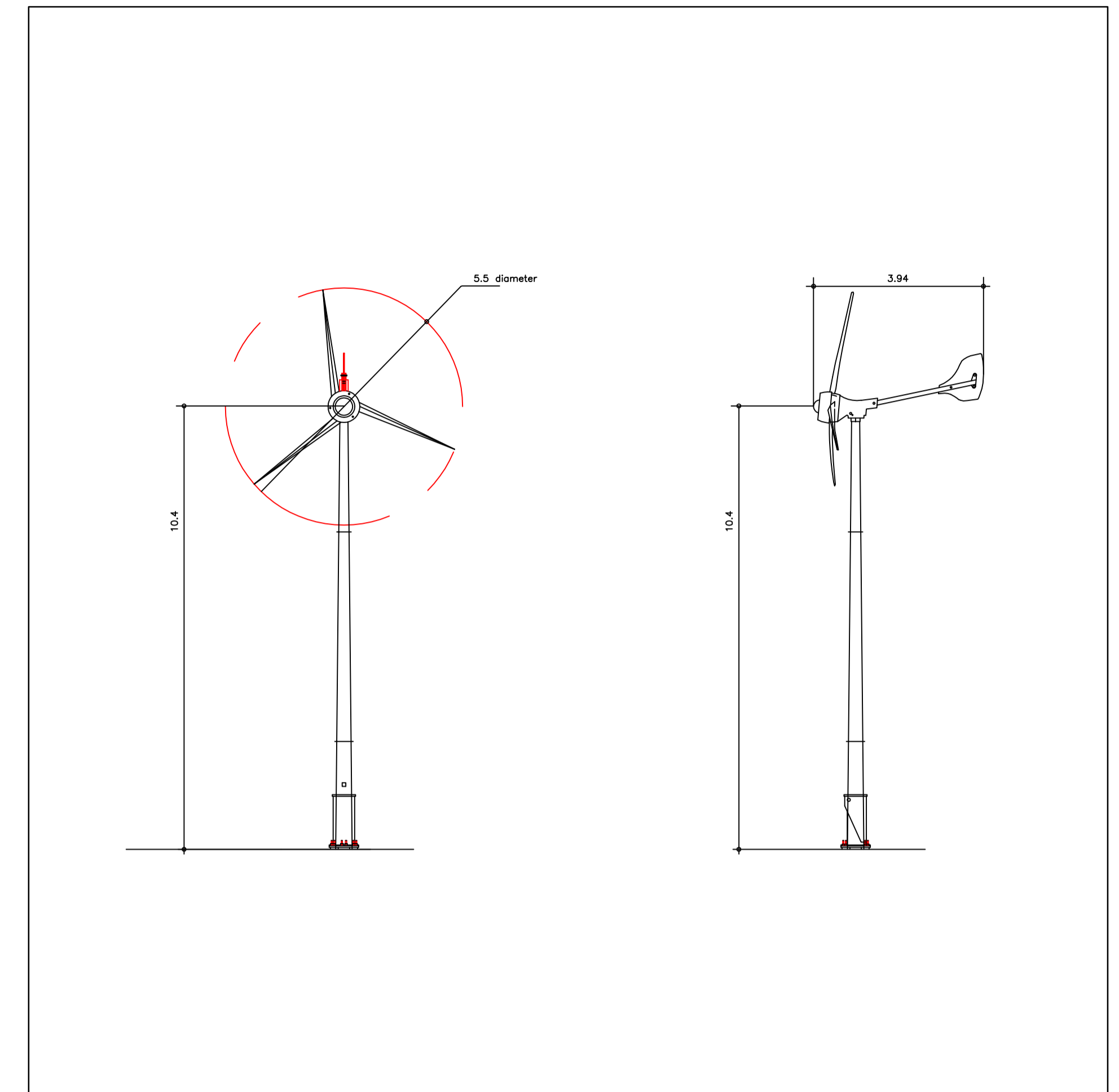


10/04840/FUL
 Erection of 5Kw wind turbine on a 10m column at
 Crossroads Primary School, Dunnet, Thurso KW14 8XP

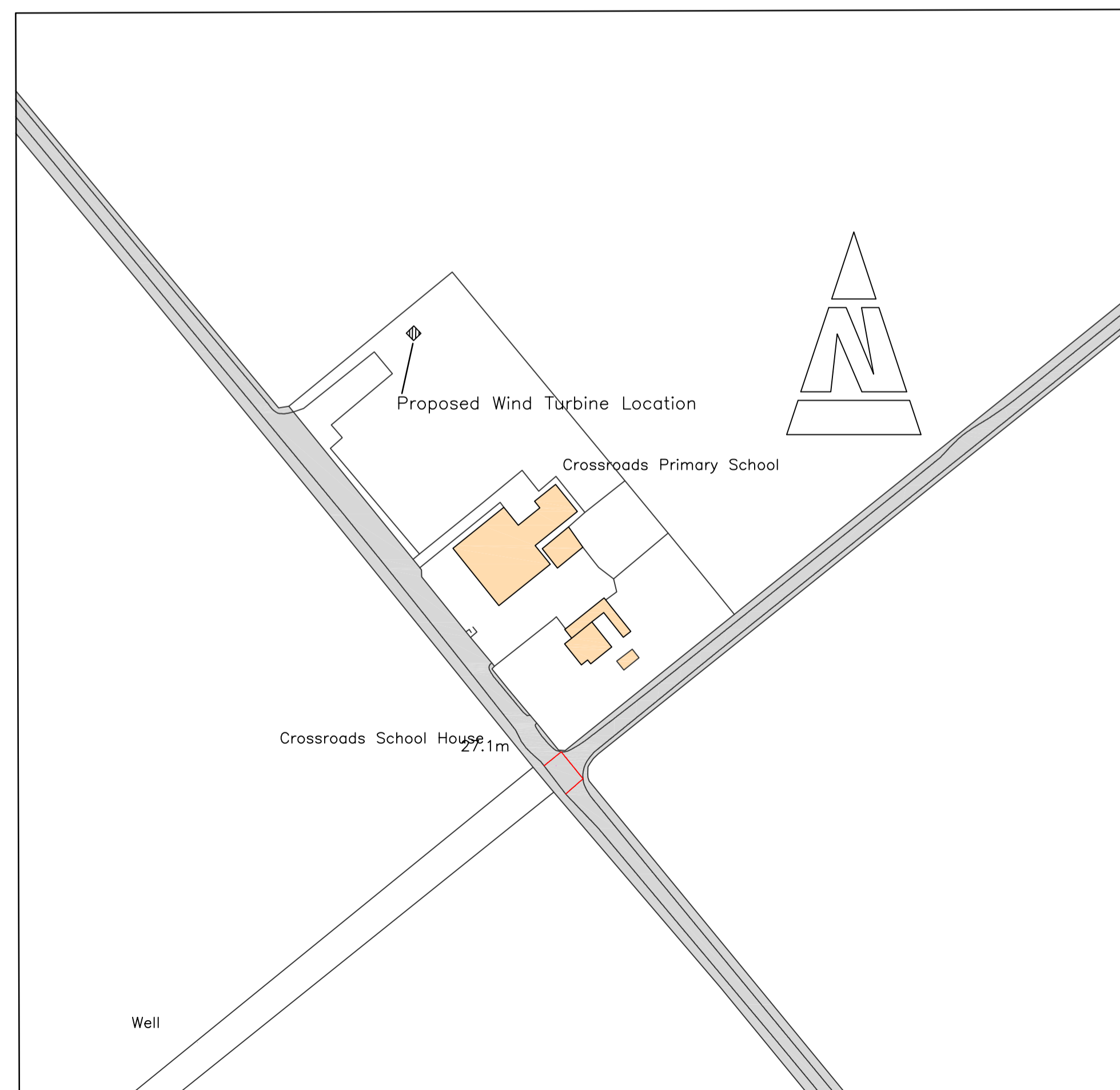
The Highland Council
 per Cdmm UK Ltd
 36 Longman Drive
 Inverness
 IV1 1SU



SITE PLAN (1:500)



ELEVATIONS OF PROPOSED TURBINE
AND COLUMN (1:100)



LOCATION PLAN (1:1250)

Specs/Colours


Blades: Dark Squirrel Grey RAL No. 7000

Turbine Head: Dark Squirrel Grey RAL No. 7000

Tower: Galvanised to BSEN1461

Tower is a tilt up/down type with hinge at base plate

Note: Drawing should be read in conjunction with the supporting information document.

Rev.	Description	Date	By	Chkd.
Project Title:				
Wind Generation Installations 10/11				
Client:				
Highland Council				
				
Drawing Title:				
Crossroads Primary School Wind Turbine Installation				
Issue:				
PLANNING SUBMISSION				
Drawing No.	Scale	Drawn	Date	Revision
10038/60/E02	Various	AH	Nov 2010	-

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