

THE HIGHLAND COUNCIL

Agenda Item	4.3
Report No	PLC/017/11

CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS COMMITTEE – 26 April 2011

**10/05138/FUL: Wind Energy (Glenmorrie) Ltd
Land at Mheall Bhenneit, Kildermorie**

Report by Area Planning and Building Standards Manager

SUMMARY

Description : Erection of temporary anemometer mast

Recommendation - GRANT

Ward : 07 – Cromarty Firth

Development category : Local development

Pre-determination hearing : Not required.

Reason referred to Committee : Objection by Ardross Community Council

1. PROPOSED DEVELOPMENT

- 1.1 The application for detailed Planning Permission seeks temporary permission for a period of three years for the erection of an 80m high anemometry mast. The mast proposed is of tubular construction, around 219mm in diameter for the bottom 60m narrowing to around 197mm at the top and will have 5 guy stations, each fitted with four guys, radiating out from the mast and anchored at ground level. The mast will support wind speed equipment.
- 1.2 No pre-application discussion took place.
- 1.3 There are no implications on infrastructure.
- 1.4 No supporting documents have been submitted.
- 1.5 No variations have been made to the application since it was lodged.

2. SITE DESCRIPTION

- 2.1 The site is located on open moorland below the summit of Mheall Bhenneit, approximately 500m north of an existing commercial forestry plantation. It is situated around 5km north-westwards from the end of the public road at Strathrusdale.

3. PLANNING HISTORY

- 3.1 No previous applications on this site.
10/02824/FUL Erection of temporary 60m anemometer mast north of Kildermorie Lodge – Planning Permission granted 21.09.2010 to same applicants.

4. PUBLIC PARTICIPATION

4.1 Advertised : Schedule 3

Representation deadline : 25.03.2011

No third party representations have been received.

5. CONSULTATIONS

5.1 Ardross Community Council: Objects to the application on the following grounds:

- This is the third application for a met mast in a very localised area of Strathrusdale (two already having been approved) and the proliferation of masts is not welcomed. It is noted that other developers of temporary structures such as telecom masts have methods of good practice which encourage strategies to avoid proliferation of such temporary structures. This would be the third mast visible in a narrow field of vision from some properties.
- A met mast placed locally has fallen down recently. More stringent conditions should be imposed to avoid injury or property damage.
- The Community Council, residents and local landowners have always taken the line that they do not want any intervisibility of windfarms or turbines on this ridge where the met mast is proposed, nor do they want any turbines visible down Strathrusdale as this is the last strath in Ardross unaffected by turbines and contains an important tourist route to Croick and Ullapool.
- It was understood from Wind Energy that no turbines were to be placed on this ridge because of visibility from the Dornoch Firth NSA and also MOD objections as this is an area used for pilot training.

5.2 Ardgay Community Council: No objections.

5.3 SNH: No objections.

5.4 MOD: No objections. In the interests of safety, the MOD requests that the mast is fitted with aviation lighting. The mast should be fitted with 25 candela omni directional lighting, or infra-red lighting at the highest practical point.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Structure Plan 2001

G1 Conformity with strategy

G2 Design for sustainability

6.2 Ross & Cromarty East Local Plan

GSP1

BP3 Background Policy – The Council will only approve development if there are no significant adverse effects on heritage, amenity, public health and safety interests.

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Not applicable

7.2 Highland Council Supplementary Planning Policy Guidance

Not applicable

7.3 Scottish Government Planning Policy and Guidance

Scottish Planning Policy

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 to erect a mast for a temporary period to gather wind speed information does not raise any policy issues. Background Policy BP3 allows for such development where there are no significant adverse effects on heritage, amenity, or on public health and safety.

8.4 Servicing

There are no technical objections. The MOD has however asked that the mast is fitted with aviation lighting for safety reasons. This can be covered by condition.

8.5 Representations

No third party representations have been received however an objection has been lodged by Ardross Community Council. Many of the comments of the Community Council relate to a possible future wind farm rather than to the proposed anemometer mast and are therefore not relevant to consideration of this current application.

Concern is however expressed by the Community Council over the proliferation of met masts on the basis that this would be the third mast within a very localised area. In response to this point it is submitted that there are large separation distances between the masts. The other mast location granted to the applicants north of Kildermorie Lodge lies over 4km to the west and the mast granted permission to Rock By Sea lies over 4km to the east. In addition, the slender lightweight structures are temporary only and will therefore have no long term impact on the landscape.

It is also highlighted by the Community Council that a met mast has fallen over in the area recently and there are concerns over the safety of such structures. This is a health and safety/construction issue rather than a planning matter however the applicants state that they would be happy to put the concern to the mast manufacturers to provide appropriate reassurances prior to construction.

In referring to objections to any future wind farm proposal the Community Council indicated that the area is used for training purposes by the MOD. The MOD has therefore been consulted and its comments are noted at 5.4 and 8.4 above.

8.6 Matters to be secured by Section 75 Agreement

Not applicable

9. CONCLUSION

9.1 The mast will be required for a period of three years to measure wind speed. On the basis of this information the applicants can make an informed decision as to whether to consider the submission of an application for planning permission for a wind farm.

There are no particular issues relating to the proposed temporary structure, with SNH and MOD confirming no objections, subject to condition. Although permission is sought for three years, as was the case with the other mast granted permission to the same applicants (10/02824/FUL) last year, Wind Energy (Glenmorrie) Ltd. have confirmed that they would accept a condition restricting the permission to two years only, subject to an extended period being allowed if all data has not been collected.

The proposal is therefore considered to be acceptable subject to the following conditions.

10. RECOMMENDATION

Action required before decision issued	N
Notification to Scottish Ministers	N
Notification to Historic Scotland	N
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. 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. From the date of acknowledgement, the Site Notice attached to it shall be posted in a publicly accessible part of the site until the development is completed.

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. The mast shall be erected for a maximum period of 2 years from the date that the required Notice of Initiation has been acknowledged by the Planning Authority, within which period, unless with the written approval of the Planning Authority to any extended period necessary to conclude data gathering, the site shall have been cleared including the removal of the anemometry mast and associated meteorological equipment and thereafter reinstated to the satisfaction of the Planning Authority.

Reason: In order to allow the Planning Authority to retain effective control over this development which is temporary by nature.

5. Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

6. Within 14 days of the mast being erected it shall be fitted with aviation lighting in accordance with MOD advice to the satisfaction of the Planning Authority. Such lighting shall be maintained operational for the lifetime of the mast to the satisfaction of the Planning Authority.

Reason: In the interests of air safety.

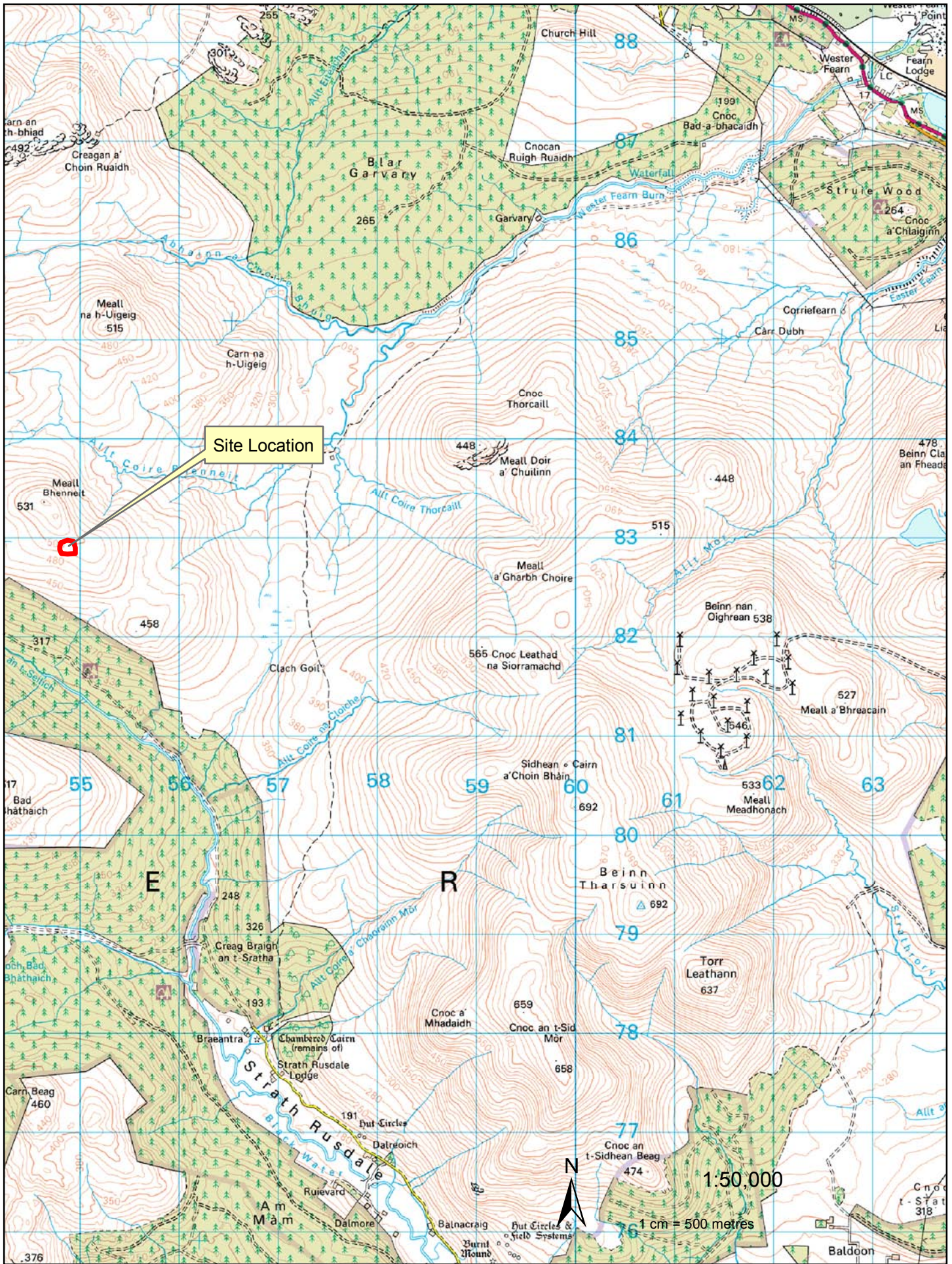
FOOTNOTE TO APPLICANT

Conditions: 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.

MOD Advice: Please note condition 6 above in relation to the lighting required for air safety. Please note also that the MOD has confirmed that it may have concerns over any proposed future windfarm for the area. To confirm the suitability of a windfarm with respect to MOD operational interests please complete the standard windfarm proforma which can be found on the Renewable-UK website (www.renewable-uk.com).

Once completed please forward it to Defence Estates via email to DEOpsNorth-LMSWind@de.mod.uk. Any enquiries please telephone 0121 311 2025.

Signature: Allan J Todd
Designation: Area Planning & Building Standards Manager
Caithness, Sutherland and Easter Ross
Author: Dorothy Stott
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan
Plan 2 – Layout Plan
Plan 3 – Elevations

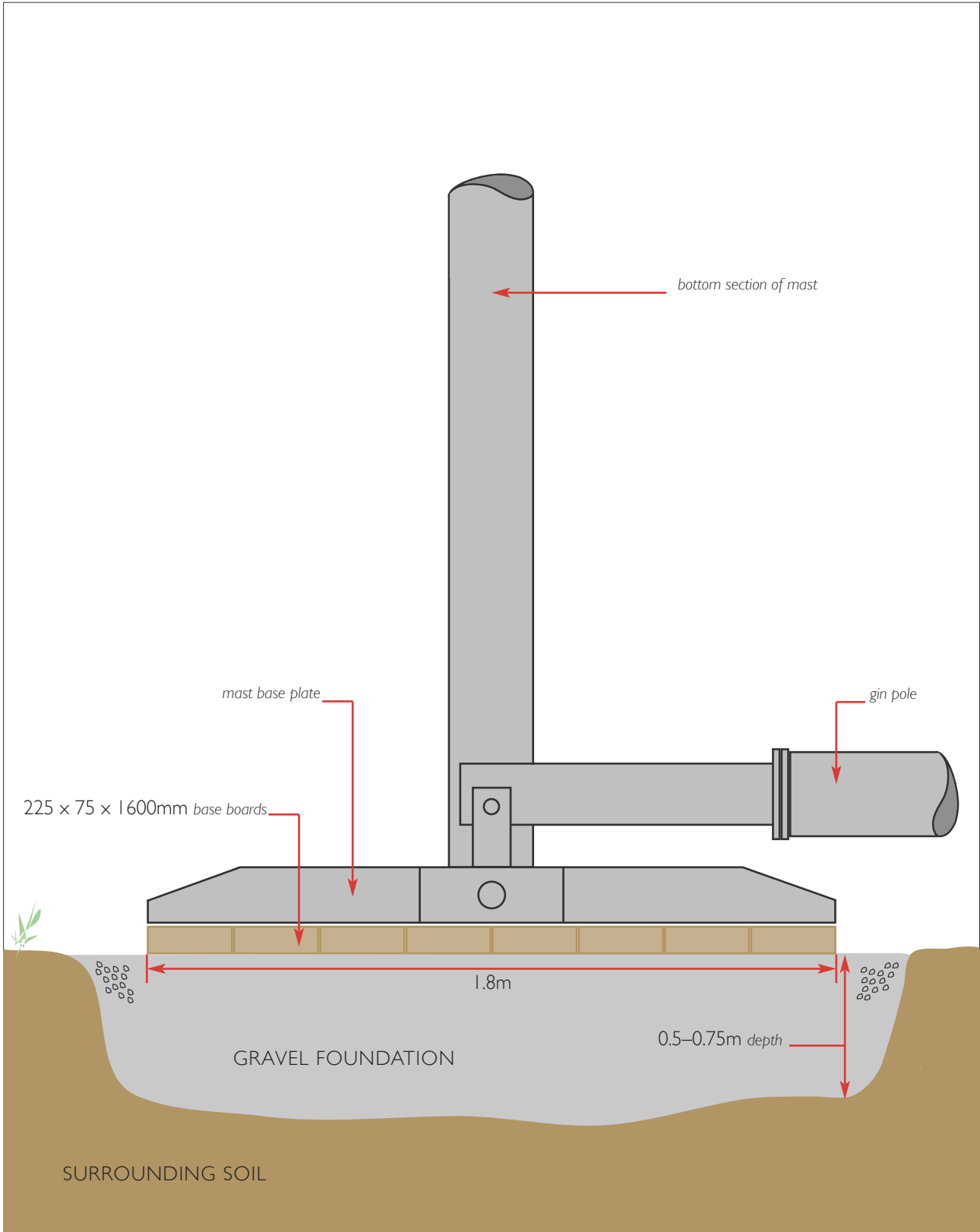


10/05138/FUL
 Erection of temporary met mast at Land 3280m SE of Lochan A Chairn
 Mheall Bhenneit, Strath Rusedale, Alness

Wind Energy (Glenmorie) Ltd
 per Jones Lang LaSalle
 7 Exchange Crescent
 Conference Square
 Edinburgh

CHILLWIND

80m MAST BASE SCHEMATIC



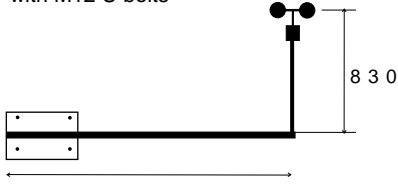
Chillwind 80m mast

Specification

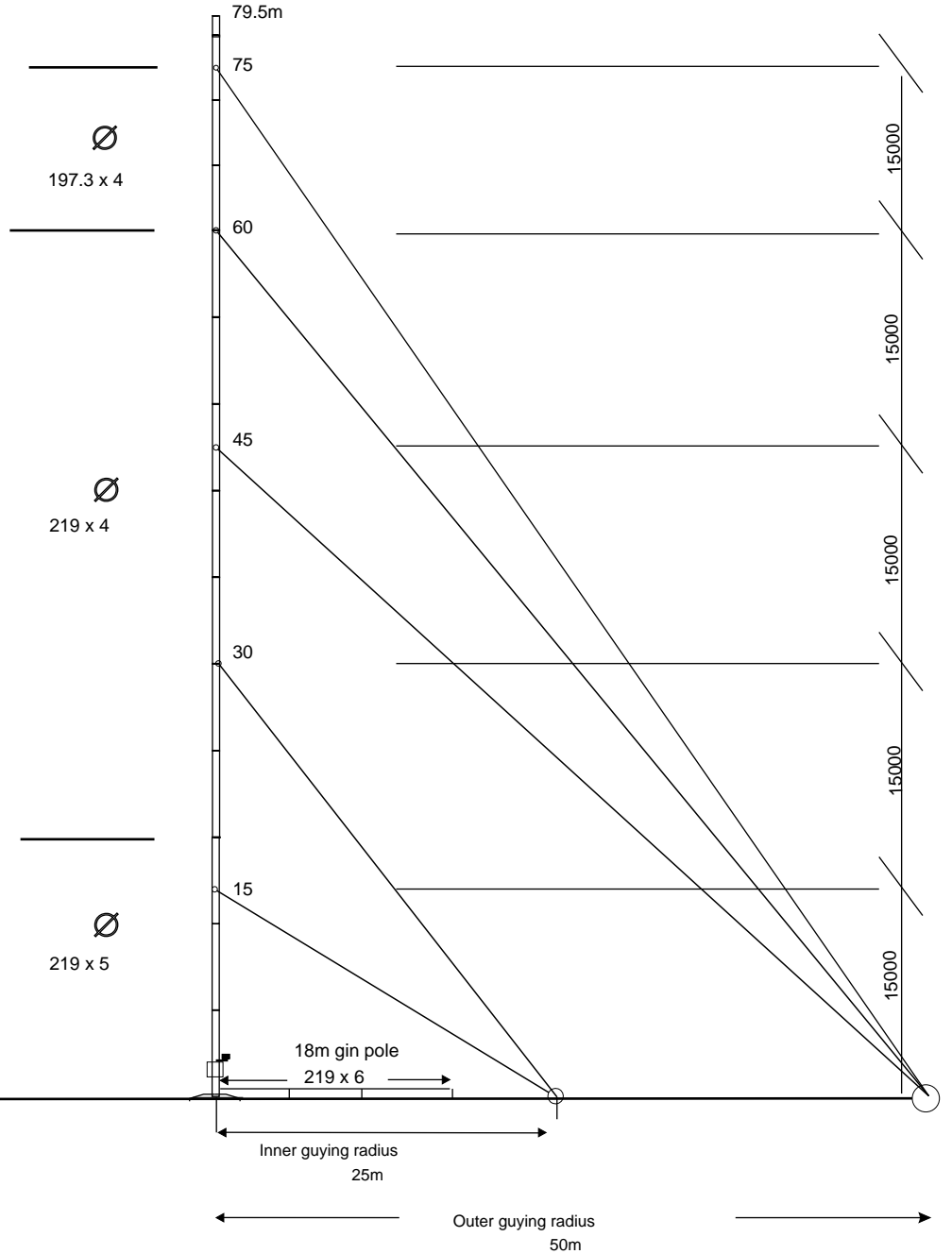
- Mast diameter: 219.1/197.3mm
- Section Length: 6m
- Wall thickness: 4/5mm
- Guying interval: 15m
- Material: CHS steel grade S355J2H

Boom detail

- All components aluminium
- Boom locates onto mast with M12 U bolts



- Horizontal arm 1750 x 48 O/D Al CHS
- Vertical upstand 720 x 25.4 CS Al bar



Not to scale

CHILLWIND

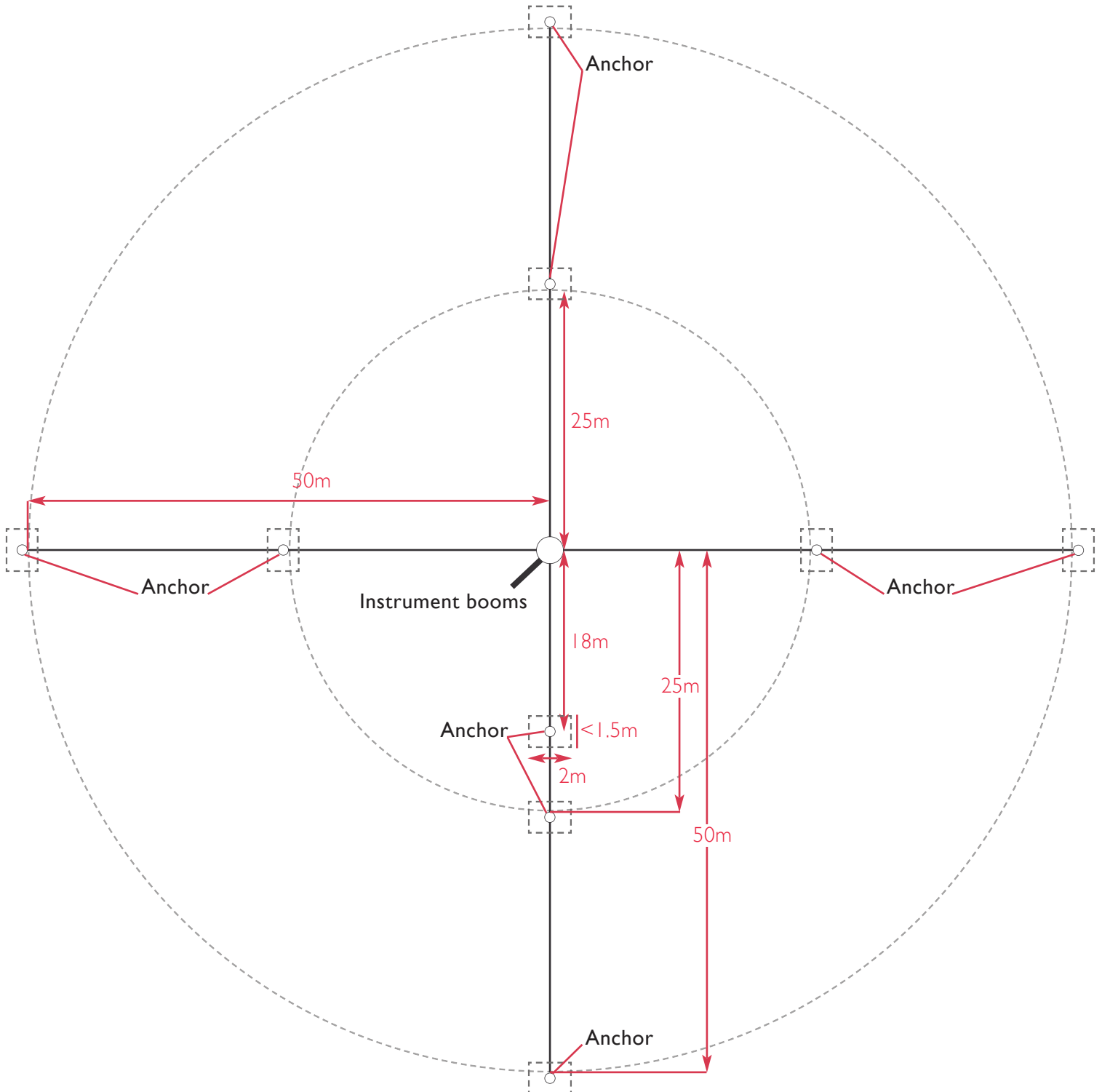
80m MAST

PLAN VIEW

Mast diameter : 219/197mm

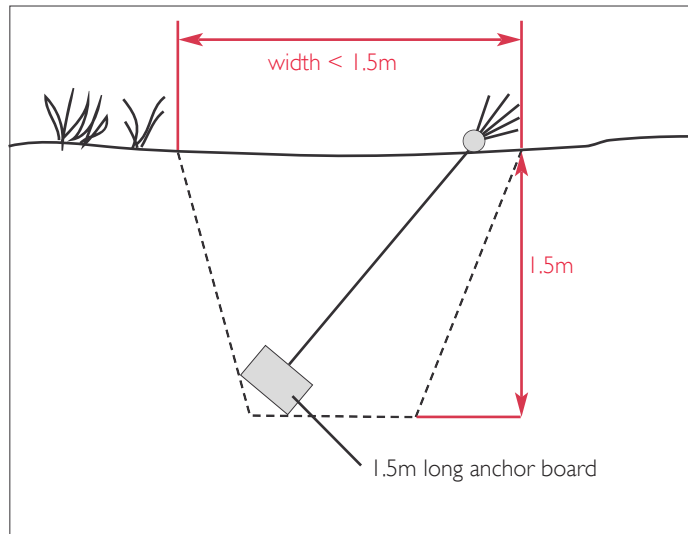
Guying radius : 50/25m

Area enclosed by mast : 2827m²

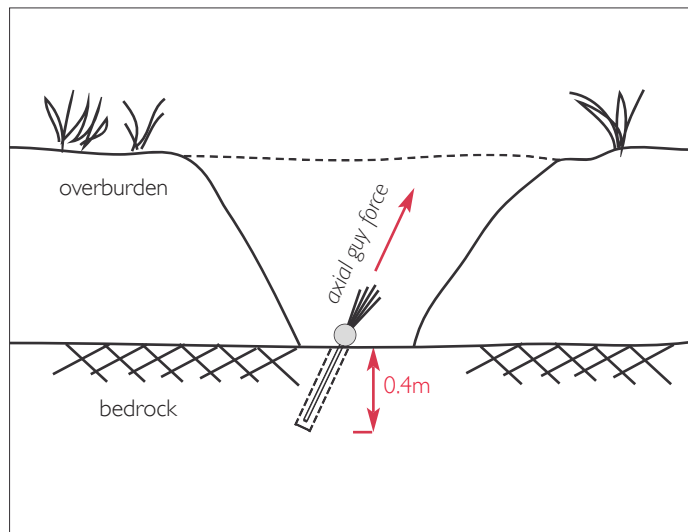


ANCHOR OPTIONS

- A** Sufficient overburden ($>1.5\text{m}$) for dig-in anchor (excavation approx 2m long)



- B** Insufficient overburden for dig-in anchor – ground excavated to expose rock



- C** Outcropping rock

