

THE HIGHLAND COUNCIL

CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS COMMITTEE – 13 September 2011

Agenda Item	3.9
Report No	PLC/046/11

**11/02232/FUL: The Highland Council
Hilton of Cadboll Primary School, Hilton of Cadboll, Tain, IV20 1XR**

Report by Area Planning Manager

SUMMARY

Description: Erection of wind turbine

Recommendation: GRANT

Ward: 8 Tain and Easter Ross

Development category: Local

Pre-determination hearing: None

Reason referred to Committee: Council development.

1. PROPOSAL

1.1 This application seeks permission for the installation of a wind turbine. The 5kw wind turbine has a hub height of 10m and a rotor diameter of 5.5m.

2. SITE DESCRIPTION

2.1 The site is to the far north west of the school playing fields. The land rises slightly to the north. The site is to the north west of the school building. The nearest existing house is The Old Schoolhouse which is between the school and the playing fields. Detailed Planning Permission (07/001175/FULRC) has been granted for a house in the garden to the west of the Old Schoolhouse and work appears to be underway on this site.

3. PLANNING HISTORY

3.1 11/1683/FUL - Erection of 10m wind turbine (as amended) – Withdrawn 17 June 2011. This site was some 86m to the east of the current application site and was considered to be too close to the Old Schoolhouse and neighbouring development.

4. PUBLIC PARTICIPATION

4.1 Advertised: Neighbour Notification and Schedule 3

Representation deadline: 15/07/11

Timeous representations: None

Late representations: None

5. CONSULTATIONS

5.1 **Environmental Health:** No objections. On the basis that the existing wall will provide a certain amount of attenuation and that the area affected is not likely to be an external amenity area, even for the permitted residential development, I have no further objection to this application.

Balintore and Hilton Community Council: No response.

6. POLICY

6.1 The proposed development complies with Development Plan policy. There are no policy implications arising from this proposal.

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. There are no policy implications and no third party comments have been received. There are no technical or consultee objections.

7.3 It is therefore recommended that Planning Permission is granted subject to the conditions set out below.

8. CONCLUSION

8.1 The proposal accords with policy and is considered to be an acceptable development in this location.

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. The permission hereby granted shall endure for a period of twenty five years from the date of this consent within which period, unless with the express approval of the Planning Authority, the site shall have been cleared including the removal of the wind turbine and base and thereafter reinstated.

Reason: To order to allow the Planning Authority to retain effective control over this development.

2. The wind turbine shall be maintained in good order over the lifetime of this consent to the satisfaction of the Planning Authority in consultation with the Environmental Health Authority. The operator shall maintain a dated maintenance log which shall clearly specify the date and time of maintenance works, any maintenance works undertaken and comment regarding the condition of the turbine in accordance with the manufacturers operational parameters. This log shall be made available for inspection at the request of the Planning Authority.

Reason: To ensure the turbine operates within set parameters and to safeguard individual and community residential amenity.

3. 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 of 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.

Footnote

Informative note regarding the time 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.

Statutory Requirements: The following are statutory requirements of the Town and Country Planning (Scotland) Act 1997 (as amended). Failure to meet their respective terms represents a breach of planning law and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development (NID) in accordance with Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the Planning Authority prior to work commencing on site. Furthermore, work must not commence until the notice has been acknowledged in writing 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.

2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to the Planning Authority.

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.

Signature: Allan Todd
Designation: pp Area Planning Manager North
Case Officer: Lisa MacKenzie
Background Papers: Highland Structure Plan, Sutherland Local Plan, Draft Highland Wide Development Plan
Relevant Plans: Plan 1 – Location, Site plan and Wind turbine Detail

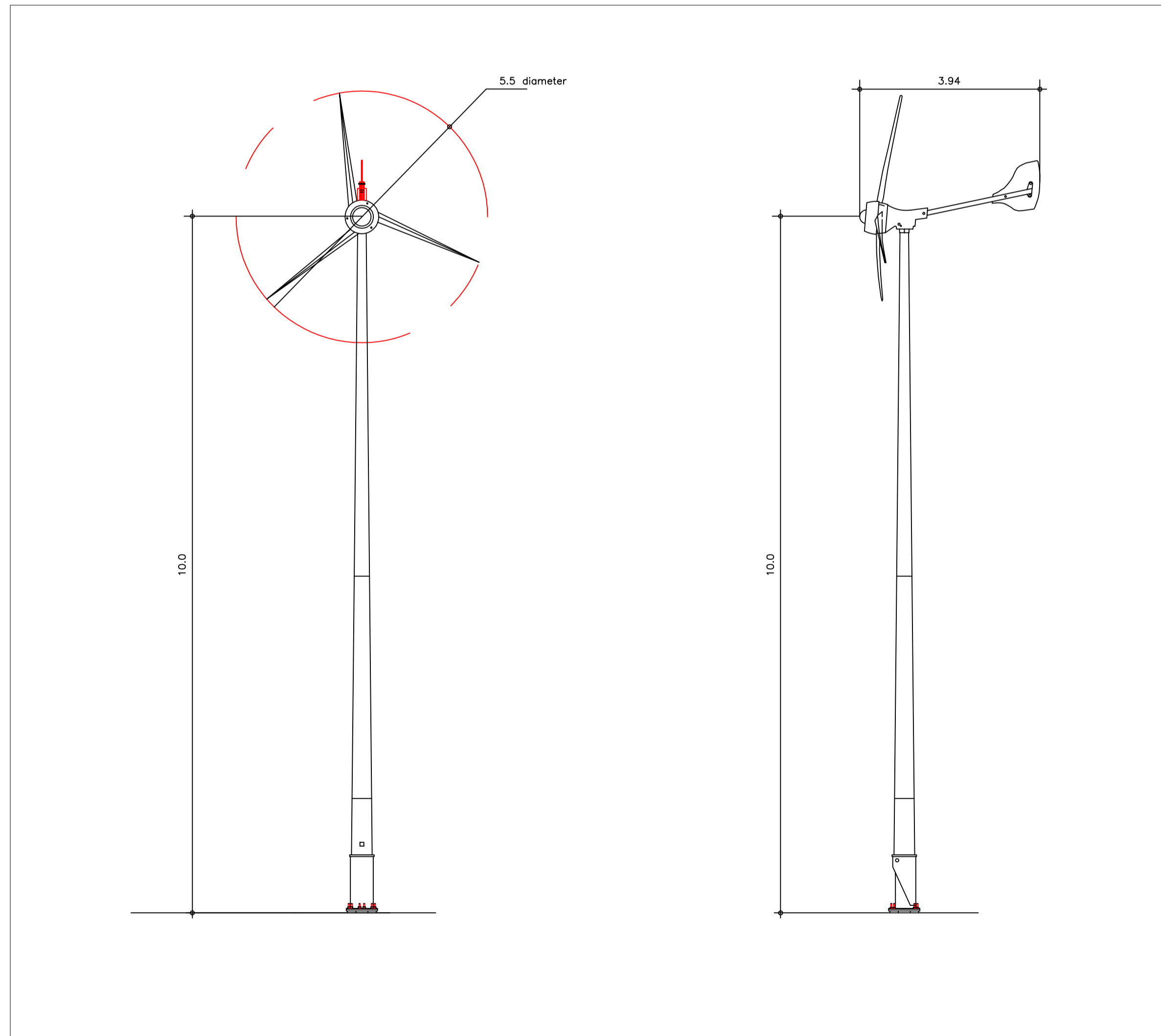
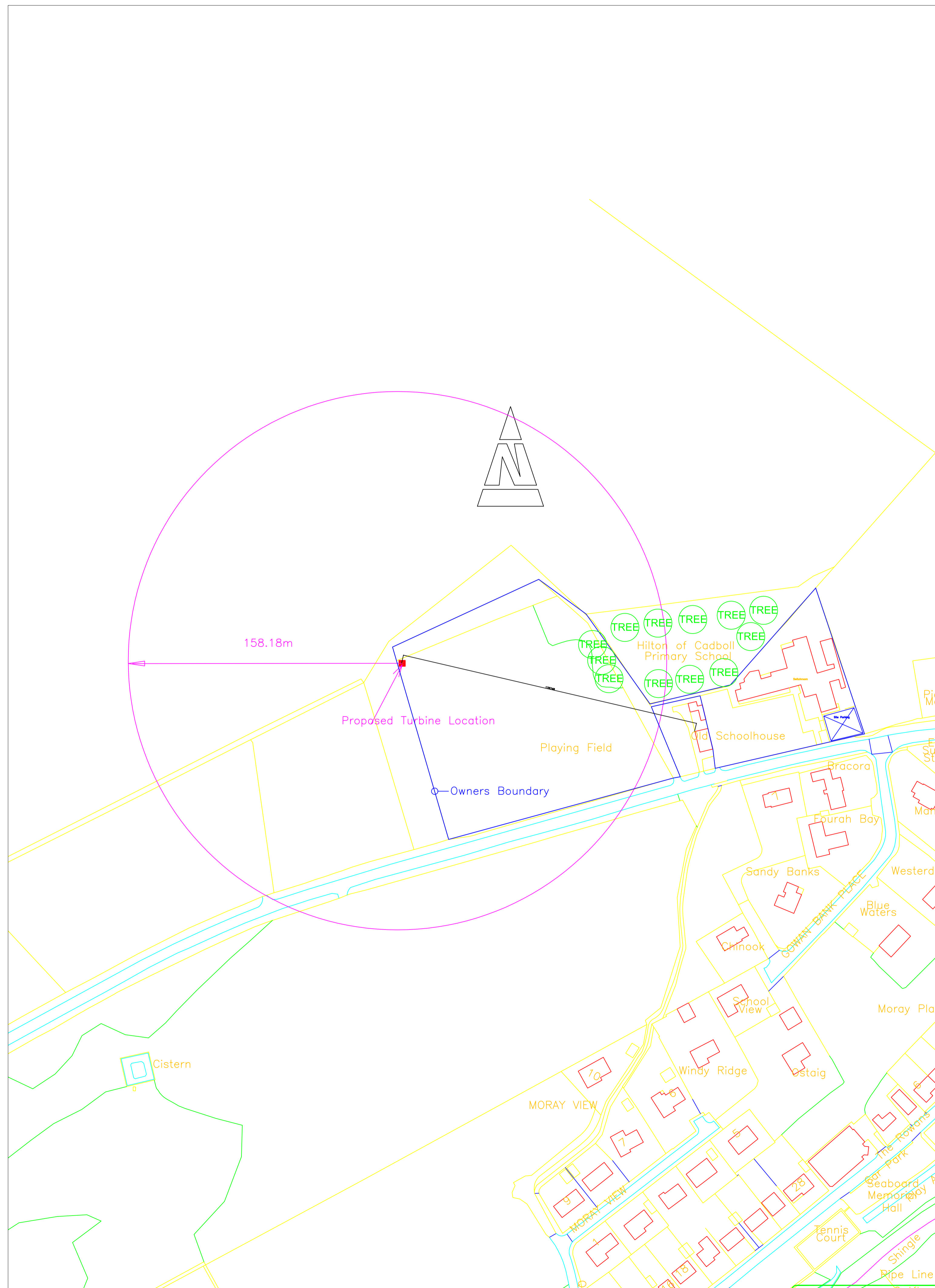
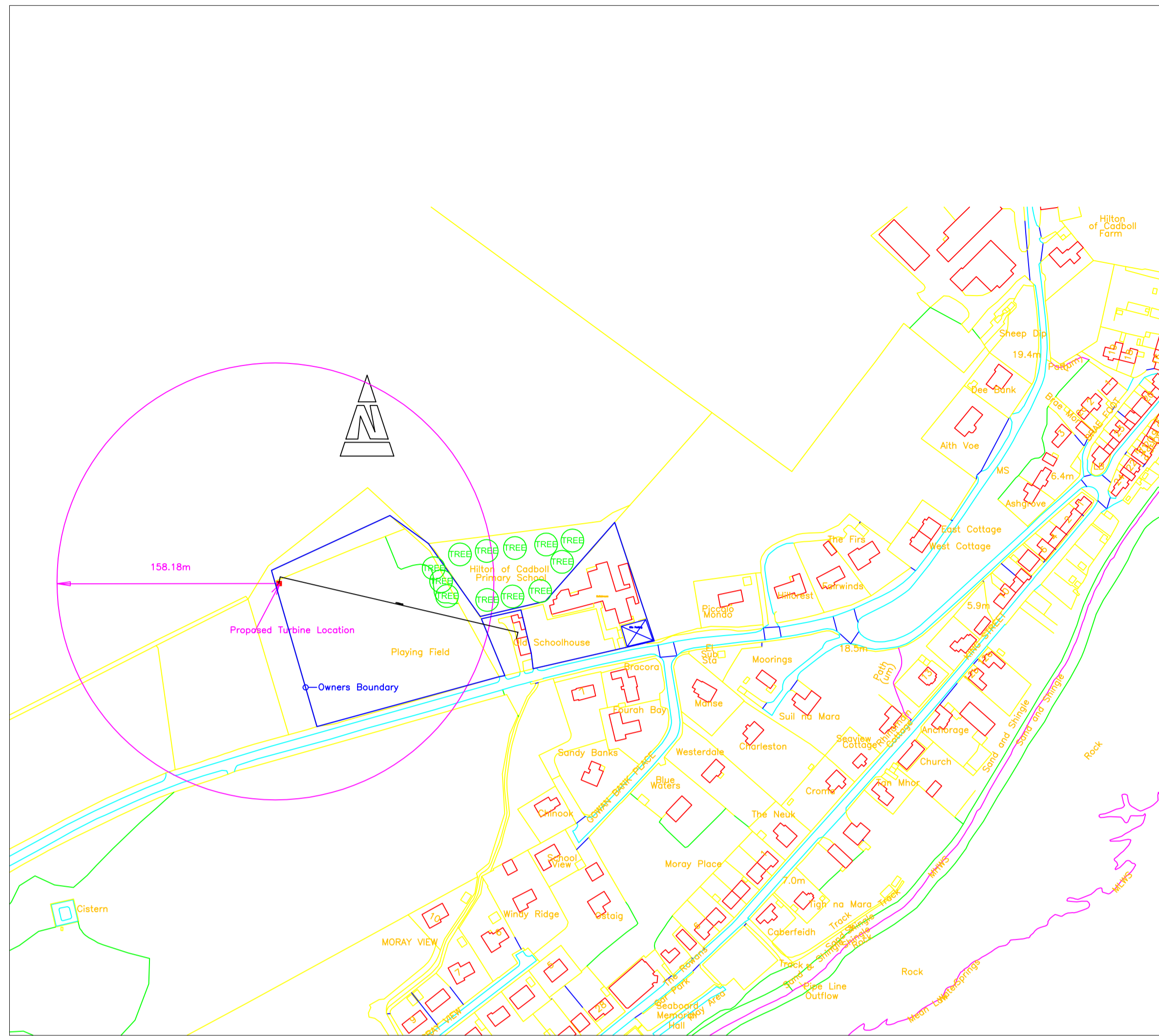


11/02232/FUL
 Erection of wind turbine at
 Hilton of Cadboll Primary School, Hilton of Cadboll, Tain IV20 1XR

The Highland Council
 per Mr D Paterson
 Sangster Electrical Ltd
 Airfield House
 Fearn Aerodrome
 Tain
 IV20 1XH

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Post Code : IV20 1XR
 Grid Ref : NH8676
 Ave W/S : 6.2m/s
 Lwd,8m/s : 89.0
 Noise Slope : 2.095
 Min Distance to NSP : 158.18m
 Dist to NSP : 176.74m



REV	DESCRIPTION	CHK	DATE

Project:
**Wind Turbine Installation
 Hilton Primary School**

Services:
**Turbine Location
 Layout**

Originator : JPS
 Checked :
 Scale : Various
 Date : Jan '11

Sangster
 ELECTRICAL CONTRACTORS

Sangster Electrical Limited
 Airfield House, Fife, Tam, W20 12H
 Telephone 01842 832683, Fax 01842 832725
 e-mail: info@sangsterelectrical.co.uk

The Highland Council
 Comhairle na Gàidhealtachd

Working in partnership with the community

**HOUSING AND PROPERTY
 SERVICE**
 Steve Barron
 Director of Housing and Property

PLANNING