

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND AND EASTER ROSS
PLANNING APPLICATIONS COMMITTEE
13 DECEMBER 2011**

Agenda Item	4.7
Report No	PLC/064/11

**11/03694/FUL: THE HIGHLAND COUNCIL
KINLOCHBERVIE ROADS DEPOT**

Report by Area Planning Manager

SUMMARY

Description : Erection of a 15m wind turbine

Recommendation - GRANT

Ward : 01 - North, West And Central Sutherland

Development category : Local

Pre-determination hearing : None

Reason referred to Committee : Council development

1. PROPOSED DEVELOPMENT

- 1.1 This application seeks permission for a single wind turbine at the Council Roads depot at Kinlochbervie. The turbine will be 15m to the hub and will have a rotor diameter of 5.5m, giving an overall height to blade tip of 17.275m.
- 1.2 Some basic visualisations have been submitted in support of the application.

2. SITE DESCRIPTION

- 2.1 The site is the existing Roads depot which is on the road to Oldshoremore to the north of Kinlochbervie. There is a large metal clad building on site and various other structures associated with the depot.

3. PLANNING HISTORY

- 3.1 None

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Neighbour notification and Schedule 3
Representation deadline : 11/11/11
Timeous representations : 3

Late representations : 0

4.2 Material considerations raised are summarised as follows:

- Landscape and visual impact
- Noise
- The inability of the newly elected Community Council to contribute

4.3 All letters of representation can be viewed online 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:** An assessment of the noise data supplied by the applicant indicates the noise level at the nearest noise sensitive location is calculated to be 27.19 dB(A) which is below the screening standard of 40dB(A). This figure is arrived at using the methodology described in the British Wind Energy Association document 'Small Wind Turbine Performance and Safety Standard 29 Feb 2008.

The calculation also uses wind speed data obtained from the Department of Energy & Climate Change national wind speed database. It must be understood that this data is based on a topographical model and the accuracy of such information cannot therefore, be verified without actual wind monitoring data. However, to be of use any on site wind monitoring would require to be undertaken over several months.

Based on the available data, I can advise that I have no adverse comments to make on this application.

5.2 **NATS (En Route) Public Limited Company (NERL):** The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

5.3 **Civil Aviation Authority (CAA):** There is currently a high demand for CAA comment on wind turbine applications which exceeds the capacity of the available resource to respond to requests within the timescales required by Local Planning Authorities. The CAA has no responsibilities for safeguarding sites other than its own property, and a consultation by a Council is taken as a request for clarification of procedural matters. Councils are reminded of their obligations to consult in accordance with ODPM/DfT Circular1/2003 or Scottish Government Circular 2/2003, and in particular to consult with NATS and the Ministry of Defence as well as any aerodromes listed in Annex 3 of the above documents, taking note of appropriate guidance and policy documentation. Should the Council be minded to grant consent to an application despite an objection from one of the bodies listed in the circular, then the requisite notifications should be made. In addition, consultation should be undertaken with any aerodrome particularly if it has lodged an unofficial safeguarding map with the Council, including local emergency service Air Support Units (e.g. Police Helicopter or Air Ambulance).

5.4 **Ministry of Defence (MOD) :** The MOD has no objection to the proposal.

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

6.2 Sutherland Local Plan 2010

Policy 3 Wider Countryside

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Highland Wide Local Development Plan

Policy 68 Renewable Energy Developments

Policy 37 Wider Countryside

7.2 Highland Council Supplementary Planning Policy Guidance

Highland Renewable Energy Strategy (HRES) (adopted May 2006)

Highland Council Draft Supplementary Guidance: Onshore Wind Energy

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 development is considered to be sensitively sited and not significantly detrimental to individual or community amenity in line with Highland Structure Plan Policy G2 and Draft Highland Wide Development Plan Policy 29. It is not considered to have a significantly detrimental effect in terms of visual impact, noise or flight or MOD operations in accordance with Highland Structure Plan policy E2 or Draft Highland Wide Local Development policy 68. The development is judged to be compatible with landscape character and capacity as required by Sutherland Local Plan Policy 3 and Draft Highland Wide Structure Plan policy 37. The proposal is considered to accord with the development plan.

8.4 Material Considerations

8.4.1 **Landscape and Visual impact**

Objectors have expressed concerns about the landscape and visual impact of the development and the impact that it might have on tourism in the area. It was also noted that the site is close to a Special Landscape Area but the site is not itself designated.

A basic visual assessment was submitted with the original application and objectors suggested that this was inaccurate and potentially misleading. Further visualisations were subsequently provided. These are of a rudimentary standard but given the scale of the proposed turbine this is considered to be acceptable.

The turbine will sit in an undulating landscape and the prevailing topography will limit the extent to which the turbine is visible. Views from the public road from Oldshoremore to the north will be restricted. The site is visible from the public road when approaching Kinlochbervie from the east. However, the Roads depot is already a dominant feature in the landscape and the turbine will be read in this context. In this setting the turbine is not judged to be incongruous and the landscape is considered to be capable of absorbing the development.

The colour of the turbine is not specified on the drawings. It is recommended that this is agreed by condition to ensure that this element of the proposal is appropriate.

8.4.2 **Noise**

One objector has expressed concern about noise associated with the turbine. Noise has been assessed by Environmental Health using the methodology described set out in the British Wind Energy Association (BWEA) document Small Wind Turbine Performance and Safety Standard 29 Feb 2008. The nearest noise sensitive property is 'Gafiah' which is 480m to the north west of the proposed turbine. The noise level here was measured at 27.19dB (A) which falls below the screening standard of 40 dB (A). Based on this assessment it is considered that noise associated with the development will not have a significantly detrimental impact on neighbours.

8.4.3 **Amenity**

It is not considered likely that there will not be any undue impact on amenity as a result of the development. The turbine is sufficiently separated from neighbouring properties to prevent any undue impact from noise or shadow flicker. It is also considered that the turbine is sited such that there will be no significantly detrimental impact on wider amenity.

8.4.4 **Kinlochbervie Community Council**

Two of the objectors have observed that the newly elected Kinlochbervie Community Council will not have an opportunity to comment on the application. It should be noted that while the Community Council can comment on any application the proposal would not have required a formal consultation to have been undertaken.

- 8.4.5 The CAA, NERL and the MOD were all consulted but none of these bodies object.
- 8.4.6 A condition is recommended that would require a maintenance log to be kept and to be made available for inspection by the Planning Authority.

It is also recommend that any planning permission is granted for a period of 25 years only. A further condition requiring that the turbine be removed and the site reinstated within 6 months of ceasing to be used or becoming inoperable is also recommended. This reflects the fact that turbine has a limited life span and may deteriorate over time.

8.5 **Other Considerations – not material**

None

8.6 **Matters to be secured by Section 75 Agreement**

None

9. **CONCLUSION**

- 9.1 The proposals are considered to accord with the development plan. The development is considered to be acceptable in the context of the existing roads depot and is not considered likely to have a significantly detrimental impact on individual or community amenity. There are no technical objections and no other issues have been raised. It is recommended that Planning Permission be granted subject to the conditions set out below.

10. **RECOMMENDATION**

Action required before decision issued N

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

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 turbines and bases and thereafter reinstated.

Reason : In 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 date of this permission, the developer / owner / operator of the wind turbine shall submit a Decommissioning Plan for the approval in writing of the Planning Authority in consultation with SEPA and SNH, or other successor bodies. The plan shall detail measures in writing and on plan for the decommissioning of the site. The decommissioning of the site shall be undertaken in accordance with the approved plan by the developer / owner / operator. 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.

4. In the event that the wind turbine fails to produce electricity supplied to a local grid for a continuous period of six months not due to it being under repair or replacement, then it shall be deemed to have ceased to be required and, unless otherwise agreed in writing with the Planning Authority, the wind turbine and its ancillary equipment and hardstanding shall be dismantled and removed from the site within the following six months and the ground fully reinstated to the specification and satisfaction of the Planning Authority.

Reason: In the interests of visual amenity and to ensure that redundant equipment is removed from the site.

5. Access to the site by heavy goods vehicles shall be restricted to 0800 to 1800 on Mondays to Fridays and from 0800 to 1300 on Saturdays with no such access on Sundays. Any work on site outwith these times shall only take place with the prior written approval of the Planning Authority.

Reason: In the interests of safeguarding the established amenity of surrounding properties

6. The wind turbine shall be finished in a non-reflective semi-matt white colour, and that colour shall not be altered thereafter unless previously approved in writing by the Planning Authority.

Reason: In the interests of safeguarding the established visual amenity of the area.

7. No symbols, signs, logos or other lettering by way of advertisement shall be displayed on any part of the wind turbine without the prior approval in writing of the Planning Authority.

Reason: In the interests of safeguarding the established visual amenity of the area.

8. All cables between the wind turbine and the point of connection to the Grid, shall be laid underground and the ground thereafter reinstated to the satisfaction of the Planning Authority.

Reason: In the interests of safeguarding the established visual amenity of the area.

9. Within one week from the date of the erection of the turbines, the developer shall provide a 12 figure Ordnance Survey Grid Reference and / or Latitude and Longitude of the turbine for the approval in writing of the Planning Authority.

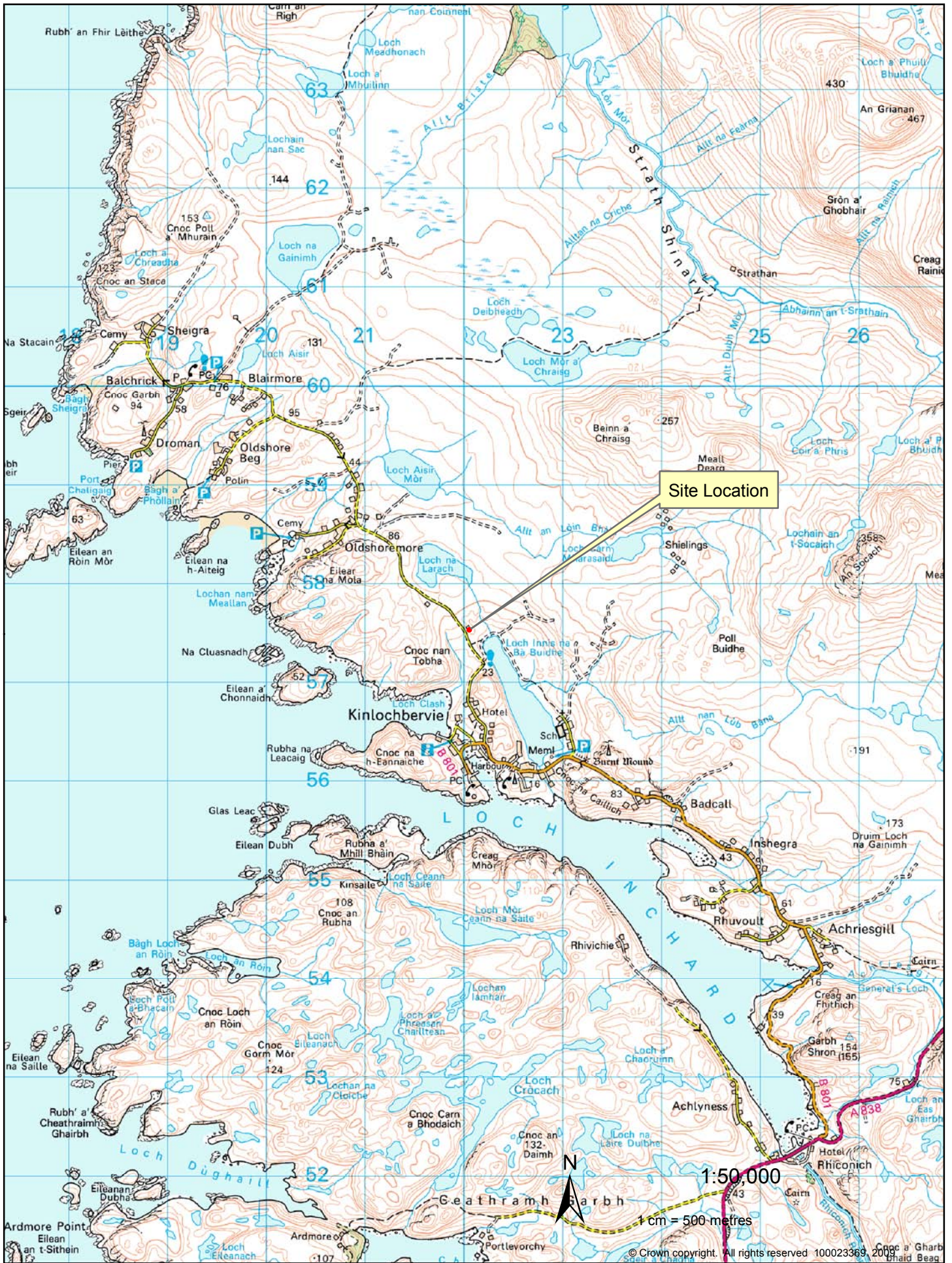
Reason: In the interests of air safety and navigation and for the avoidance of doubt

Signature: Dafydd Jones

Designation: Area Planning Manager North
Author: Lisa MacKenzie
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan
Plan 2 – Turbine details

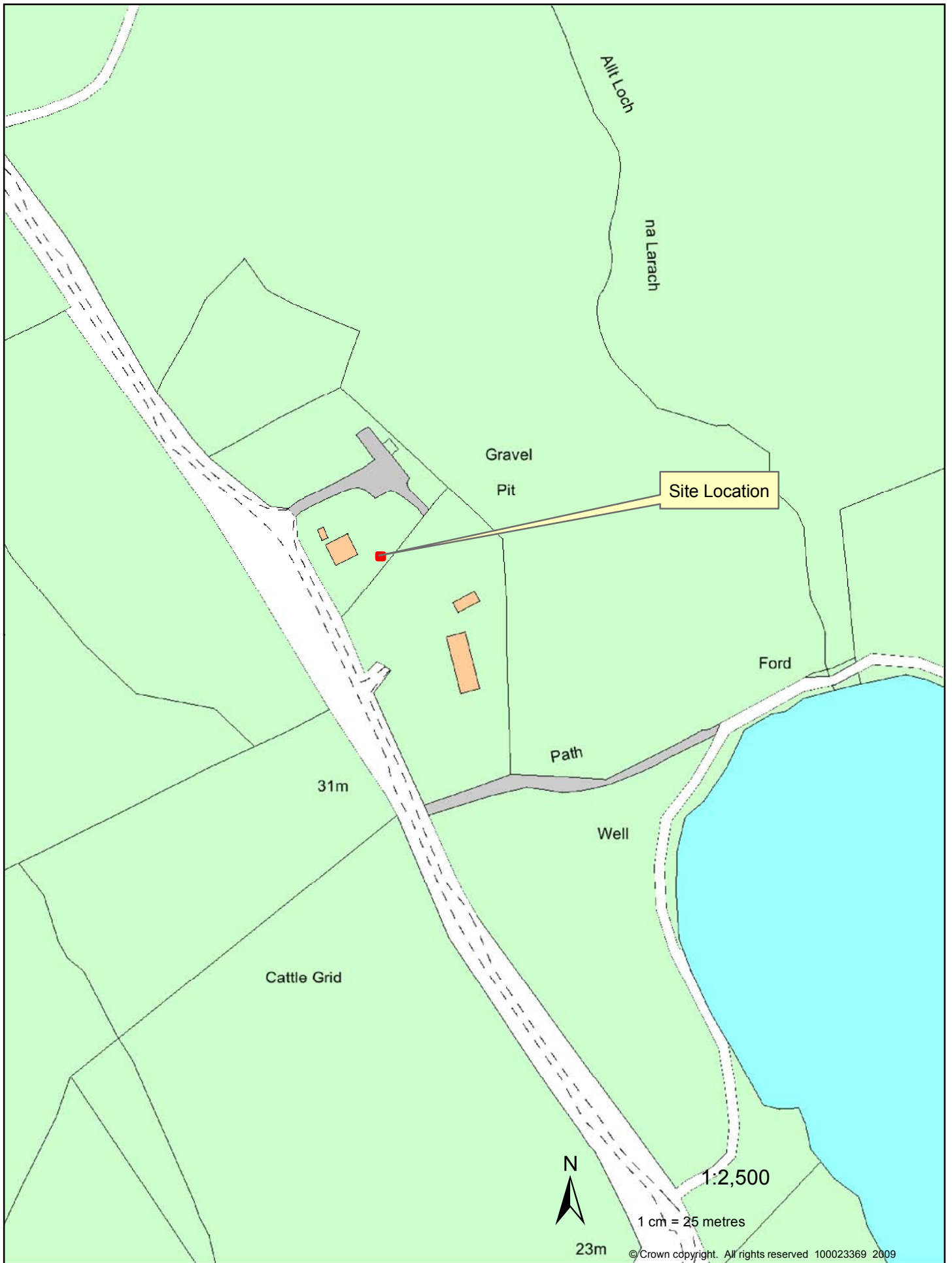
Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Gary Sutherland	Harbour Cottage, Kinlochbervie	24/10/11 26/10/11 18/11/11	Against
John Mann	C Of S Manse, Manse Road, Kinlochbervie	10/11/11	Against
David Woodroffe	Gafiah, Oldshoremore	10/11/11	Against



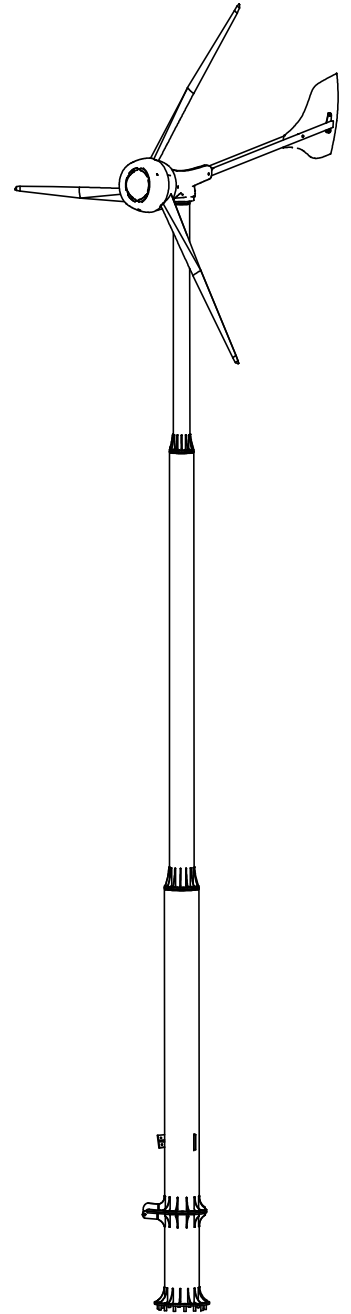
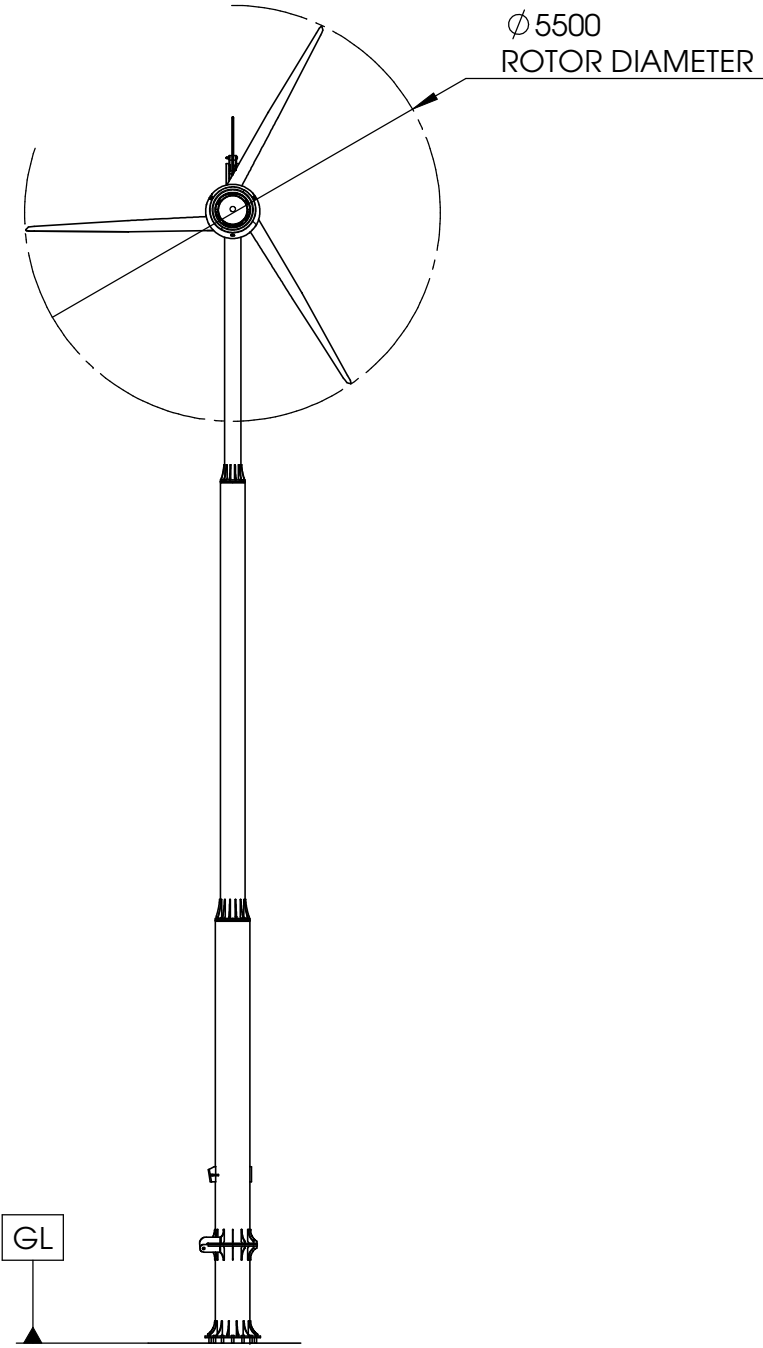
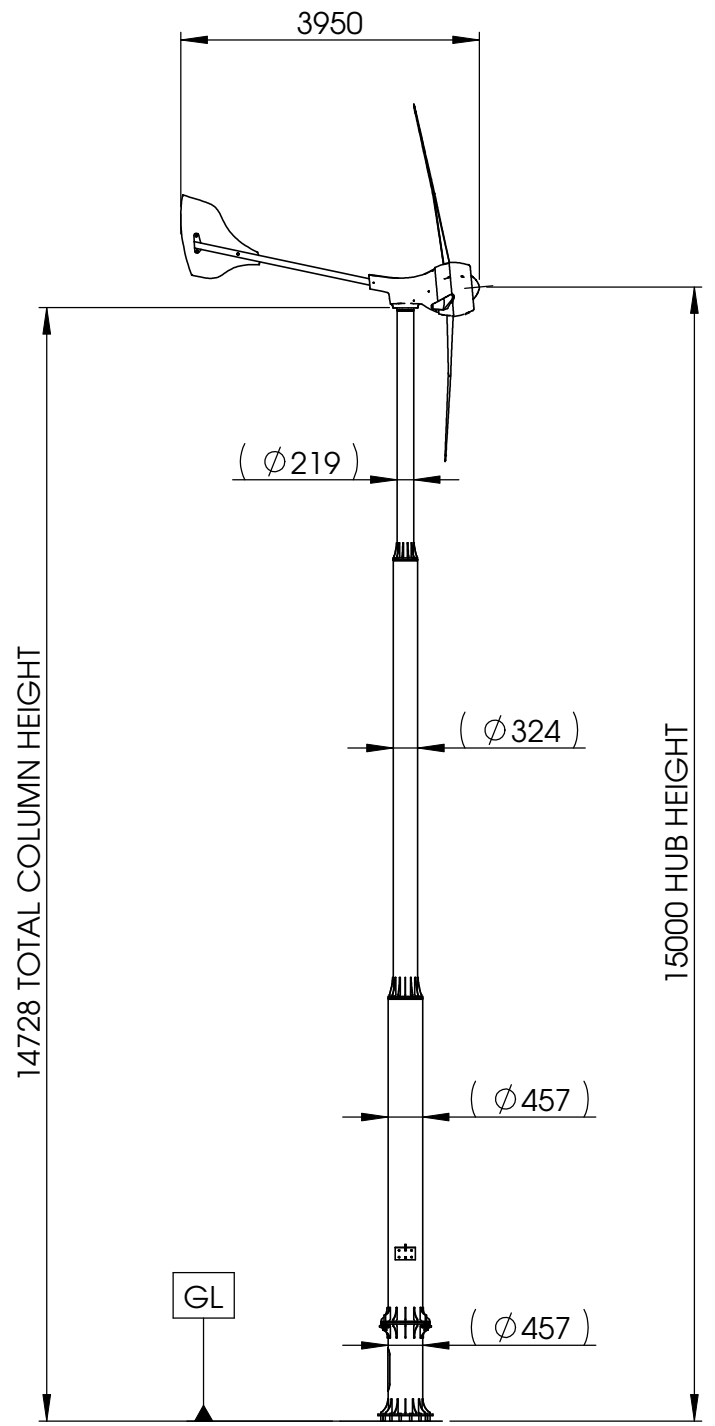
11/03694/FUL
 Erection of a 15m wind turbine at
 Kinlochbervie Roads Depot, Oldshoremore, Rhiconich.

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



11/03694/FUL
 Erection of a 15m wind turbine at
 Kinlochbervie Roads Depot, Oldshoremore, Rhiconich.

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



ISOMETRIC VIEW

NOTE. TOWER FINISH - GALVANISED STEEL

ISS.	AMENDMENTS	DATE	DRN
2	OVERALL TURBINE LENGTH ADDED	23/04/2010	GT
1	INITIAL RELEASE FOR PLANNING SUBMISSION	02/03/2010	GT
REVISIONS			

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF ISKRA WIND TURBINES LTD. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF ISKRA WIND TURBINES LTD IS PROHIBITED.	
MATERIAL SPEC	FINISH SPEC

NOM' SIZE	TOLERANCE WHERE NO LIMIT SPECIFIED						
	OVER INCL'	0	6	30	200	400	1000
MACHINED	±0.2	±0.2	±0.5	±0.8	±1.0	±1.5	
FABRICATED	±1.0	±1.0	±1.5	±1.5	±2.0	±2.0	

DO NOT SCALE. IF IN DOUBT ASK

ALL DIMENSIONS ARE IN mm UOS

3RD ANGLE PROJECTION

PROJECT			
MASS	- kg		
SCALE	1:100	SHT SIZE	A3
TITLE			
15M HUTCHINSON RAM TOWER OUTLINE			
DWG. NO.	0140-AD-00281		DESIGNATION
			DEV 02
			SHEET
			1 / 1