

Report

Report to:	Planning Committee
Date of Meeting:	24 January 2023
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/1264
Planning proposal:	Erection of a 55kW vertical axis wind turbine with a rotor diameter of 14m and maximum tip height of 37m

1 Summary application information

Application type:	Detailed planning application
Applicant:	Access Energy Limited
Location:	Land 250M West of Park Farm Hurlawcrook Road East Kilbride South Lanarkshire G75 0QL

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

(1) Refuse the application for the reasons attached.

2.2 Other actions/notes

(1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ◆ Applicant's Agent: Dan Grierson
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **Adopted South Lanarkshire Local Development Plan 2**
Policy 1 Spatial Strategy
Policy 2 Climate Change
Policy 4 Green Belt and Rural Area
Policy 5 Development Management and Placemaking
Policy 18 Renewable Energy
Policy DM1 New Development Design
Policy RE1 Renewable Energy

**Adopted South Lanarkshire Local Development
Plan 2 – Supporting Planning Guidance
Renewable Energy**

♦ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

BAA Glasgow

National Air Traffic Services Ltd

MoD (Windfarms)

Prestwick Airport - Windfarms and Metmasts

Countryside and Greenspace

Auldhouse and Chapelton Community Council

Environmental Services

Planning Application Report

1 Application Site

- 1.1 The application site is located at Park Farm on Hurlawcrook Road approximately 2 km to the south of East Kilbride. The site is located to the south west of the farm buildings approximately 200m to the west of Hurlawcrook Road and 275m north of Millwell Road. The site is located to the west of the nearest properties, with the closest being Grianag, one of the farm dwellinghouses, approximately 185m to the south east and Leaburn House approximately 190m to the south. The site falls within the Plateau Farmland landscape-type. The site of the proposed turbine is located in an area of livestock pasture on this dairy farm.

2 Proposal(s)

- 2.1 Planning permission is sought for the erection of a 55kW vertical axis wind turbine, with a rotor diameter of 14m and maximum tip height of 37m. The turbine would be fixed via screw pile steel foundations and linked by underground cabling to the farm and the wider grid network. The turbine would have a life of 30 years and the power would be used on site for the farm with any excess exported to the grid. The site will be accessed through the farm buildings on the existing farm access track.

3 Background

3.1 National Policy

- 3.1.1 National Planning Framework 3 (NPF3) June 2014 sets out the long-term vision for the development of Scotland and is the spatial expression of the Scottish Government's Economic Strategy. It has a focus on supporting sustainable economic growth which respects the quality of the environment, place and life in Scotland and the transition to a low carbon economy. The framework sets out strategic outcomes aimed at supporting the vision – a successful, sustainable place, a low carbon place, a natural, resilient place and a connected place. NPF 3 also notes in paragraph 3.8 "We want to meet at least 30% of overall energy demand from renewables by 2020".
- 3.1.2 The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023. The next step is its formal adoption and publication by Scottish Ministers. Due to its advanced stage, the Revised Draft NPF4 is now considered to be a material consideration in the determination of this application. However, there are not considered to be any specific implications in respect of the provisions of the draft framework relating to this application. The Revised Draft National Planning Framework 4 aims to encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation whilst stressing the need to ensure the right development happens in the right place.
- 3.1.3 Scottish Planning Policy (SPP) December 2020 aligns itself with NPF3 and one of its policy principles states that "This SPP introduces a presumption in favour of sustainable development". At paragraph 28, SPP states that "the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost." The SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, and landscape and visual impacts (paragraph 169).

3.2 Development Plan Status

3.2.1 The proposed development requires to be considered against the approved Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP) Onshore Wind Spatial Framework (paragraphs 7.8 and 7.9). The Onshore Wind Spatial Framework is aligned to increasing energy efficiency and reducing carbon emissions. Diagram 6 identifies areas within the city region that are likely to be most appropriate for onshore wind farm development. Policy 10 Onshore Energy requires proposals to accord with local development plans.

3.2.2 The site is identified within the adopted South Lanarkshire Local Development Plan 2 (2021) (SLLDP2) as being located within the Green Belt. The following policies require to be taken into consideration:-

- Policy 1 Spatial Strategy
- Policy 2 Climate Change
- Policy 4 Green Belt and Rural Area
- Policy 5 Development Management and Placemaking
- Policy 18 Renewable Energy
- Policy DM1 New Development Design
- Policy RE1 Renewable Energy

3.2.3 In addition, the Council has prepared Supporting Planning Guidance on Renewable Energy which provides further detailed advice and requirements for renewable energy developments.

3.3 Planning Background

3.3.1 Prior to the current planning application, two planning applications (EK/15/0233 and EK/17/0031) for the installation of an Anaerobic Digestion Biogas Plant at the farm were withdrawn prior to determination. In August 2015, Planning Consent was granted for the removal of an agricultural occupancy condition attached to the farm cottage, now known as Grianag. Planning Consent (P/21/0015) was also granted in May 2021 for an agricultural dairy building, located to the south of the main farm buildings, to expand the dairy business on the farm.

3.3.2 The applicant did not submit an EIA screening request to the Council prior to submitting the current turbine application.

4 Consultation(s)

4.1 **Roads and Transportation Services (Development Management)** – raised no objections to the proposed development given that the turbine components have been delivered to site and there would be limited construction and maintenance vehicles accessing the site.

Response: Noted.

4.2 **Environmental Services** – raised no objections to the proposal subject to conditions in respect of appropriate noise impact assessment and noise limits in relation to residential dwellings and noise sensitive premises being attached to any consent. The submitted Supporting Statement is not considered sufficient in this respect.

Response: Noted. Should planning permission be approved appropriate conditions relating to noise could be attached to any decision issued.

- 4.3 **National Air Traffic Systems Ltd (NATS)** – object on the grounds of aviation safety in regard the turbine impacting upon the aviation RADAR system at Glasgow, Cumbernauld and en-route Prestwick ATC.
Response: Noted.
- 4.4 **BAA Glasgow** – have examined from an aerodrome safeguarding perspective and the proposal could conflict with safeguarding criteria unless any planning permission granted is subject to conditions in respect of a Radar Mitigation Scheme and ongoing compliance with any agreed Radar Mitigation Scheme. They noted that the applicant may benefit from an approved mitigation technology which is controlled by Scottish Power Renewables (infill radar) which would be subject to legal agreements, specific technical and operational evaluation by Glasgow Airport and commercial agreement with Scottish Power and the applicant.
Response: Noted. The applicant responded stating that the turbine was a low-budget project which would not benefit from any subsidy or feed-in tariff, therefore, the costs of this could render the project unviable. Since that time no confirmation has been provided by the applicant of agreements in respect of a Radar Mitigation Scheme.
- 4.5 **Ministry of Defence (Wind Farms)** – no objections subject to a condition in respect of notification in writing to the MoD at least 14 days prior to commencement of works.
Response: Noted. Should planning permission be approved, appropriate conditions can be attached.
- 4.6 **Countryside and Greenspace** – raised no objections to the proposed development.
Response: Noted.
- 4.7 **Prestwick Airport (Windfarms and Metmasts)** – no response to date.
- 4.8 **Auldhouse and Chapelton Community Council** – no response to date.

5 Representation(s)

- 5.1 Following statutory neighbour notification and advertisement in the local press in respect of non-notification of neighbours and the nature and scale of the development, no letters of representation have been received.

6 Assessment and Conclusions

- 6.1 Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GVCSDP) and the adopted South Lanarkshire Local Development Plan 2 2021 (SLLDP2).
- 6.2 In terms of National Planning Policy and Guidance, National Planning Framework 3 (NPF3) sets out the long term vision for the development of Scotland and is the spatial expression of the Scottish Government's Economic Strategy. It has a focus on supporting sustainable economic growth which respects the quality of the environment, place and life in Scotland and the transition to a low carbon economy. The framework sets out strategic outcomes aimed at supporting the vision – a successful, sustainable place, a low carbon place, a natural, resilient place and a connected place. NPF3 also notes in paragraph 3.8 "We want to meet at least 30% of overall energy demand from renewables by 2020 - this includes generating the equivalent of at least 100% of gross electricity consumption from renewables, with an interim target of 50% by 2015". Scottish Planning Policy (SPP) June 2014 aligns itself with NPF3 and one of its policy principles states that there will be "a presumption in

favour of development that contributes to sustainable development” (page 9). At paragraph 28, SPP states that “the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost”. The SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments, including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, landscape and visual impacts and impacts on aviation (paragraph 169).

- 6.3 SPP, therefore, promotes renewable energy projects but only ‘the right development in the right place; it is not to allow development at any cost’. As noted above, the planning system should be plan led and this is re-enforced as being part of the Core Values of the Planning Service set out in Paragraph 4. It is, therefore, considered that, whilst the principle of renewable energy is supported at a National Level, it is only supported if the proposals are deemed to be considered ‘the development in the right place’ and that the primary determining criteria for this assessment should be the Development Plan.
- 6.4 The proposed development requires to be considered against the Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP). This strategic plan sets a vision of making the Clydeplan region a resilient, sustainable, compact city region attracting and retaining investment and improving the quality of life for people and reducing inequalities through the creation of a place which maximises its economic, social and environmental assets and fulfils its potential by 2036. The GCVSDP is a strategic document and does not have specific policies relating to this local level of development within land designated as countryside within a Local Development Plan. Therefore, there is no further assessment of the application against the GCVSDP.
- 6.5 In terms of the adopted South Lanarkshire Local Development Plan 2, Policy 1 ‘Spatial Strategy’ of the SLLDP2 states that the Plan will encourage sustainable economic growth and regeneration, protect and enhance the built and natural environment and move towards a low carbon economy and that this will be achieved, inter alia, by supporting ‘development that accords with and supports the policies and proposals in the development plan and supplementary guidance. As the site is located within the Green Belt, the application requires to be assessed under Policy 4 ‘Green Belt and Rural Area’. This states that support will not be given for development proposals within the countryside, unless they relate to uses which must have a countryside location. Policy 4 recognises that there are specific circumstances where proposals may require to be located within the countryside if it can be demonstrated that there is an established need for the proposed development. SLLDP2 Volume 2 Policy GBRA2 Business Proposals within Green Belt and Rural Area lists renewable energy as an appropriate use in the Green Belt subject to it conforming to SLLDP2 Policy 18: Renewable Energy. Further assessment of the proposals against SLLDP2 Policy 18 are considered below but the principle of the renewable energy use within the Green Belt accords with the spatial strategy set out within SLLDP2 Policies 1 and 4 in this instance. Again, the overall acceptability of such a development must, however, also meet other Policy and Development Management criteria and these issues are considered in detail below.
- 6.6 Policy 2 ‘Climate Change’ of the SLLDP2 states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. The proposal is for a renewable energy development and, therefore, intrinsically support minimising the effects of climate change through greener energy

generation. It is, therefore, considered that the principle of the development accords with SLLDP Policy 2 in this instance. Again, the overall acceptability of such a development must, however, also meet other Policy and Development Management criteria and these issues are considered in detail below.

- 6.7 Policy 5 'Development Management and Placemaking' states that development proposals should take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community. This advice is supported through SLLDP2 Volume 2 Policy DM1 New Development Design.
- 6.8 Policy 18: Renewable Energy states applications for renewable energy infrastructure developments will be supported subject to an assessment against the principles set out in SPP, in particular, the considerations set out at paragraph 169 and, additionally, for onshore wind developments of 15 metres or greater in height, in terms of Table 7.2 of SLLDP2. It further states that all renewable energy proposals shall be assessed against the relevant criteria and requirements set out in the Assessment Checklist for Renewable Energy Proposals (hereon referred to as the Checklist) contained within SLLDP2 Volume 2. SLLDP2 Volume 2 Policy RE1 Renewable Energy supports Policy 18 and states that as well as the Checklist, renewable energy proposals should also take into account the considerations, criteria and guidance contained within the Supporting Planning Guidance on Renewable Energy, Landscape Capacity Study for Wind Energy (2019 as amended) and other relevant policies in SLLDP2. Part of the Checklist includes an assessment of the criteria referenced in Policies 5 and DM1 above. The assessment below, therefore, also includes the assessment against the criteria of these policies.
- 6.9 SLLDP2 Table 7.2 sets out the Spatial Framework for Wind Energy and applies to all wind energy developments of 15 metres or greater in height. The spatial framework identifies those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. It sets out three groupings in relation to wind energy development. These are as follows:-
- ◆ Group 1: Areas where wind farms will not be acceptable
 - ◆ Group 2: Areas of significant protection
 - ◆ Group 3: Areas with potential for wind farm development
- 6.10 Group 1 Areas comprise of National Parks and National Scenic Areas (NSA). There are no National Parks or NSA that will be affected by the proposed development and, therefore, the proposal is not located within a group 1 area.
- 6.11 Group 2 Areas of significant protection; SPP and the Spatial Framework for Wind Energy recognise the need for significant protection of particular areas which include:-
- ◆ National and international designations
 - ◆ Other nationally important mapped environmental interests
 - ◆ Community separation for consideration of visual impact
- 6.12 There are no national or international designations or other nationally important mapped environmental interests within the boundary of the site or surrounding land. It is therefore considered that there would be no adverse impacts upon national and international designations, as well as other nationally important mapped environmental interests.

- 6.13 The third criteria of the Group 2 Areas of significant protection relates to community separation for consideration of visual impact. This is defined by SPP as an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The communities of East Kilbride and Auldhouse are within 2km of the application site, with the turbine being approximately 1,000m to the Auldhouse settlement boundary and approximately 1,100m to the East Kilbride settlement boundary. The application site, therefore, falls within a Group 2 Area of significant protection. It is noted that being within a Group 2 Area does not automatically preclude wind farm development as the 2km buffer zone around settlements is an indicative area in which potential developers will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. The separation is not a ban on wind energy development in the identified area but does require a full assessment of a wind farms potential impact in relation to the community. This assessment is carried out from paragraph 6.25 onwards.
- 6.14 As noted, in 6.8 above, Policies 18 and RE1 require renewable energy proposals to be assessed against the Checklist and other relevant policies of SLLDP2. These are taken in turn below.
- 6.15 Impact on international and national designations.
National and international designations have been previously assessed at paragraphs 6.11 and 6.12 above and it is considered that there are no adverse effects on national and international designations.
- 6.16 Impact on carbon rich soils, deep peat and priority peatland habitat (CPP).
The application site does not have any of these interests.
- 6.17 Community separation for consideration of visual impact.
This is examined in detail in paragraphs 6.22 to 6.28 below.
- 6.18 Economic benefits.
This includes local and community socio-economic benefits such as employment, associated business and supply chain opportunities. No assessment of the socio-economic impact of the proposed development was submitted as part of the application. It is acknowledged that the erection of the turbine will generate power for the existing dairy operations at the farm and that any excess power generated will be exported to the grid providing additional income for the farm and dairy business. It is considered that there is little weight in any consideration of the development in relation to economic benefits.
- 6.19 Scale of contribution to renewable energy generation targets and effects on greenhouse gas emissions.
It is acknowledged that, as with any renewable energy project, if developed, the proposals would add to renewable energy targets. It is also acknowledged that renewable energy production is only one material consideration with any planning assessment and is balanced against the suitability of any scheme and its location.
- 6.20 Effect on the natural heritage, including birds - Table 7 criteria 7a) South Lanarkshire Local Biodiversity Strategy, Local nature conservation designations, bird sensitivity, protected species and bats.
This criterion, in line with SLLDP2 Volume 2 Policies NHE9 (Protected Species) and NHE20 (Biodiversity), states that development which will have an adverse effect on protected species following the implementation of any mitigation measures will not be permitted unless it can be justified in accordance with the relevant protected species

legislation. A “Baseline Ecological Constraints Report” undertaken by EP Ecology Ltd in January 2021 has been submitted as part of the application. It concludes that badgers may pass through the site and there is high roosting potential for bats within the site which will require further surveys using static detectors in the turbine vicinity to assess numbers of bats flying and characterise the risks. It also provides proposed mitigation measures such as vegetation clearance being carried out with the nesting bird season. It is considered that, given the application site is mainly cultivated land, the conclusion of the Baseline Ecological Constraints Report is accepted and that the proposals would not have a significant, adverse impact upon the natural heritage of the area subject to suitable mitigation measures. Whilst the site is relatively small in wind farm terms there is still adequate land adjacent to the application site to create new habitats to enhance the existing natural environment. It is considered that whilst not referenced within the planning submission, should approval be given, a habitat creation and management plan should be a conditional requirement of the decision to ensure that there is a natural benefit arising from the development.

6.21 Effect on the natural heritage, including birds – Table 7 criteria 7b) Habitat Management Plans (HMP).

As noted above, it is considered appropriate to require the implementation of habitat creation to improve biodiversity within the site if consent is granted.

6.22 Landscape and visual impacts including landscape capacity and cumulative developments

It is considered that landscape designations, character and capacity are key considerations in considering the impact of wind farm and wind turbine proposals. The Council's own landscape technical studies provide a comprehensive baseline for the assessment of wind farm and wind turbine proposals in South Lanarkshire. Firstly, the impact on landscape designation and character, and the capacity of the landscape to accommodate the proposed development is assessed below. Secondly, the visual impact is assessed followed by the impact on visual residential amenity. Visual impact is, therefore, in essence, a development's impact in relation to how it impacts upon receptors. A Landscape and Visual Impact Assessment (LVIA) was submitted as part of the application.

6.23 The application site is located within the Plateau Farmland Landscape Character Type (LCT), Clyde Basin Farmlands, as defined in the South Lanarkshire Landscape Character Assessment 2010 (LCA). South Lanarkshire's Landscape Capacity for Wind Turbines 2016 (Landscape Capacity Study) provides guidance on the individual and cumulative landscape impact of wind farm and wind turbine developments in the Plateau Farmland. The application site is in an area defined as having 'Medium' capacity for turbines with heights between 30m to 50m and where smaller turbines should be consented singly and larger turbines should be carefully reviewed where close to sensitive areas such as settlements. The proposal is for a vertical access turbine with a tip height to 37m within the areas of significant protection, the community separation areas for consideration of visual impact in respect of East Kilbride and Auldhouse.

6.24 The application site is located on a rise in the land where it is open to views from surrounding settlements and roads enhancing its prominence within the landscape. The site has no landscape backdrop which would help minimise the turbine scale within the landscape given that there are very few other vertical structures of this scale in the immediate landscape. However, given the medium scale of the turbine in the landscape, I am satisfied that the proposed turbine would not have a significant, detrimental impact upon the landscape character of this Landscape Character Type.

- 6.25 In terms of Visual Impact, this can be categorised in 2 separate considerations. Firstly, there is the general Visual Impact the proposals may have to receptors throughout the wider area and secondly there is the specific Visual Impact proposals can have on residential amenity. In terms of general Visual Impact, it is considered that the height of the turbine and its location on a rise in the land would result in Visual Impact occurring across a wide area. There are no significant areas of woodland that could provide effective mitigation and wider open views of the site from surrounding settlements and roads with only broken lines of field edge trees providing intermittent screening. The nature of the turbine, being a vertical axis model, is visually bulky with the upper section of the turbine consisting of three vertical blades and supporting structure rather than a monopole bladed turbine. A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the application Supporting Statement. The LVIA included photomontage visualisations from 3 viewpoints, and additional wireline viewpoints submitted at a later stage, together with the Zone of Theoretical Visibility map to 10km show that the turbine would be prominent in views at distances of up to approximately 3.5km including from the settlements of Auldhouse and the southern areas of East Kilbride. The turbine would be highly visible from the closest residential properties including Grianig, Leaburn House, Cleughearn Farm, Allanrowie and Victoria Falls. The turbine would also be highly visible from surrounding roads, and visitor attractions such as Langlands Golf Club and Langlands Moss Nature Reserve. It is considered that the Visual Impact of the proposed turbine is significantly detrimental to the closest residential properties and that the turbine would be prominent in views from the settlements of Auldhouse and the southern areas of East Kilbride, from surrounding roads and Core Paths Network and visitor attractions.
- 6.26 Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.
The impact of the proposed development on communities and individual dwellings requires to be assessed in relation to criteria 10 of the Checklist. Criteria 10 contains 3 considerations which are residential visual amenity, noise and shadow flicker.
- 6.27 As noted above, the application site is considered a Category 2 development as the turbines are within 2km of a settlement/community, in this case within approximately 1,000m of Auldhouse and approximately 1,100m of East Kilbride. Whilst being located within a Category 2 area does not preclude wind farm development, it does require the visual impact of the community to be taken into account and developers required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. It is noted that a Residential Visual Amenity Study (RVAS) has not been carried out as part of the LVIA. The LVIA does, however, demonstrate that significant visual effects are predicted from the turbine at Viewpoints (VP) 1 to 7, where the turbine would be dominant in views from residential properties at Grianig (VP4), Leaburn House, Cleughearn Farm (VP3) and Victoria Falls (VP5) and this would also be the case at Allanrowie on the Cleughearn Road. The turbine is located approximately 1,000m from the Auldhouse settlement boundary and approximately 1,100m from the East Kilbride settlement boundary where the turbine would be prominent in views to the south and east, and particularly visible in views to the east from Auldhouse.
- 6.28 It is considered that the turbine would have a significantly detrimental effect on the residential visual amenity of the closest residential properties of Grianig, Leaburn House, Cleughearn Farm, Allanrowie and Victoria Falls. It is considered that the proposed turbine, therefore, does not constitute appropriate development at this scale and in this location and, therefore, does not also accord with Paragraph 28 of SPP which states that “the planning system should support economically, environmentally

and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.”

- 6.29 The impact on communities and individual dwellings in respect to shadow flicker and noise requires to be assessed. A noise assessment has been submitted as part of the Supporting Statement, however, this assessment is not considered sufficient as it is not turbine specific and requires to be carried out using the principles set out in the document “The Assessment and rating of Noise from Wind Farms (ETSU-R-97)” and other recognised guidance. Environmental Services raise no objections to the proposed turbine subject to conditions in respect of appropriate noise impact assessment and noise limits in relation to residential dwellings and noise sensitive premises being attached to any consent. A Shadow Flicker assessment has been included in the Supporting Statement which refers to the rotor diameter of the turbine being 14m, therefore, the potential shadow flicker area being 140m. There are no properties within 140m of the turbine therefore the assessment concludes that there are not predicted to be any shadow flicker impacts. Shadow flicker assessment for this type of vertical axis turbine differ in that the blades are not rotating in the same way as standard turbine blades as they are fixed in a vertical position with the hub rotating rather than blades sweeping.
- 6.30 Impacts on carbon rich soils and peat, using the carbon calculator.
The application submission did not include a carbon calculation in relation to the development but, as noted in 6.16, the proposals do not involve the loss of peat or carbon rich soils.
- 6.31 Impact on Public Access.
This consideration set out at criteria 12 of the Checklist aligns with SLLDP2 Policies 14 (Natural and Historic Environment) and NHE 18 (Walking, Cycling and Riding Routes) which contain guidance on core paths and rights of way. Although being visible from the Core Path Network, the proposal would not restrict access to and use of any core paths or right of ways during construction or operation. It is, therefore, considered that the proposal is acceptable in relation to public access.
- 6.32 Impacts on the historic environment.
This consideration set out at criteria 13 of Table 7 of the Supporting Planning Guidance on Renewable Energy 2021, in line with the criterion of SLLDP2 Policy 14, has previously been assessed under National Designations at paragraph 6.15 with the exception of impact upon C Listed Buildings. With regard to C Listed Buildings, the closest is The Auldhouse Arms in Auldhouse approximately 1km to the west of the site. It is considered that this distance is sufficient to minimise any impact upon the C Listed Building. On the basis of the above assessment, it is considered that the proposed development accords with the consideration set out at criteria 13 of the Checklist.
- 6.33 Impacts on tourism and recreation.
As noted in 6.18 above, no assessment of the socio-economic impact of the proposed development was submitted as part of the application. It is considered, however, that the proposed turbine would be unlikely to have any direct impact on any tourism and recreational interests within the area given it does not impact upon any core walking route. The visual impact could be considered to have a detrimental impact upon the aesthetic of the area which could be considered to detract from the potential attractiveness of the area to visit but not in any significant quantifiable means.

6.34 Impacts on aviation and defence and transmitting or receiving systems.

As noted earlier there is an objection from National Air Traffic Systems Limited (NATS) in relation to the proposals having a detrimental impact upon their RADAR systems and, therefore, aviation safety. In addition, Glasgow Airport have examined from an aerodrome safeguarding perspective and the proposal could conflict with safeguarding criteria unless any planning permission granted is subject to conditions in respect of Radar Mitigation Scheme and ongoing compliance with any agreed Radar Mitigation Scheme. They noted that the applicant may benefit from an approved mitigation technology which is controlled by Scottish Power Renewables (infill radar) which would be subject to legal agreements, specific technical and operational evaluation by Glasgow Airport and commercial agreement with Scottish Power and the applicant. The applicant responded stating that the turbine was a low-budget project which would not benefit from any subsidy or feed-in tariff, therefore, the costs of this could render the project unviable. Since that time no confirmation has been provided by the applicant of agreements in respect of a Radar Mitigation Scheme. Given the outstanding objection from NATs and the hesitancy of the applicant to enter into agreements in respect of a Radar Mitigation Scheme, the proposal is considered to have unresolved air safety impacts.

6.35 Impact on road traffic and on trunk roads.

The criterion of this section of the checklist mirrors SLLDP2 Policy 15 (Travel and Transport) which requires all new development to conform to South Lanarkshire Council's Road Development Guidelines. In this instance, Roads and Transportation Services raised no objections to the proposed development given that the turbine components have been delivered to site and there would be limited construction and maintenance vehicles accessing the site.

6.36 Impacts on hydrology, water environment and flood risk.

This consideration mirrors SLLDP2 Policy 16: Water Environment and Flooding which states that any development proposal which will have a significant adverse impact on the water environment will not be permitted. The water environment is made up of groundwater, surface water and watercourses. SLLDP2 Volume 2 Policies SDCC2 (Flood Risk) and SDCC3 (Sustainable Drainage Systems) contain further, specific guidance on the water environment. The application site is not identified as being at risk of flooding and it is considered that the proposals would not have an additional impact upon the water environment.

6.37 Decommissioning and restoration.

This consideration requires a plan for decommissioning and restoration of the proposed development to be robust. It is noted that the planning submission states that decommissioning would consist of the removal of the turbine components and screw pile foundations. It is considered that a single turbine on existing agricultural land is of a scale and nature whereby the Planning Authority could impose a suitable condition ensuring an acceptable decommissioning and restoration scheme would be secured.

6.38 Opportunities for energy storage.

The turbine will generate power for the existing dairy operations at the farm and that any excess power generated will be exported to the grid providing additional income for the farm and dairy business. No energy storage is proposed as part of the application.

- 6.39 Site decommissioning and restoration bond.
Should planning permission be granted, a condition requiring a bond or other financial mechanism would be required to ensure delivery of any restoration scheme. The bond or guarantee will have to satisfy the Council's criteria.
- 6.40 Forestry and woodland removal.
Criteria 22 of the Checklist requires the effect proposals may have on forestry and woodland to be fully assessed. The turbine site is agricultural land adjacent to the existing farm building complex and there are no trees or woodland affected by the proposals.
- 6.41 Impact on Prime Agricultural Land.
There is no Prime Agricultural Land within the application site.
- 6.42 Borrow pits.
There are no borrow pits proposed as part of the application.
- 6.43 Environmental Protection.
Criteria 25 of the Checklist requires that all appropriate authorisations or licenses under current environmental protection regimes must be obtained. Developers are required to ensure there is no impact on waste water and/or water assets which are above and/or underground in the area that may be affected by the proposed development. If approval were to be granted, a Construction Environmental Management Plan should form part of any permission to ensure all construction is carried out in line with all required environmental authorisations and licenses.
- 6.44 Notifiable installations and exclusion zones.
There are none within proximity to the application site.
- 6.45 Mitigation.
Criteria 27 of the Checklist requires the developer to demonstrate that appropriate mitigation measures will be applied. As noted in 6.20 above, mitigation in relation to ecology is proposed. It is considered that whilst the mitigation does not add benefit in ecological terms it does minimise the proposal's impact on the natural environment.
- 6.46 Legal agreement.
Criteria 28 of the Checklist requires, where appropriate for the Council to enter into a legal agreement to address matters that cannot be controlled by planning condition. Whilst not a planning consideration, applicants may enter into a legal agreement to provide community benefits to the South Lanarkshire Renewable Energy Fund to offset some of the impacts caused by wind farm development. The applicant has not confirmed that they would be willing to provide a community contribution.
- 6.47 In conclusion, SPP clearly sets out that whilst the principle of sustainable development should be supported, it should only be in relation to the right development in the right place. SPP then reinforces the provisions of the Town and Country Planning Act by supporting a plan led system whereby the Development Plan is the primary consideration for assessing development. A full assessment of the proposals against the development plan has been carried out above. It is considered that the provision of renewable energy alone is not a material consideration in its own right and that renewable energy projects must be considered to meet development plan criteria to be supported. South Lanarkshire Council continues to support meeting renewable energy targets and has a suite of development plan and strategic documents to ensure the Council area continues to promote suitable renewable development. In this instance, following the above assessment, it is considered that, due to the outstanding

objection from NATs and the hesitancy of the applicant to enter into agreements in respect of a Radar Mitigation Scheme, the proposal is considered to have unresolved air safety impacts as well as the proposed turbine having an unacceptable visual impact, therefore, on balance, the proposals do not comply with policy. The detrimental impact of the proposal outweighs the renewable energy gain and, therefore, the proposals cannot be supported at this scale and at this location as they do not accord with policy in the adopted SLLDP2 and supporting planning guidance on renewable energy. It is, therefore, recommended that planning permission be refused.

7 Reasons for Decision

- 7.1 The proposed turbine would have an adverse impact on aviation safety where appropriate mitigation has not been proposed to address this matter and the turbine would also result in an unacceptable impact on the landscape and visual amenity of the area. The proposal would, therefore, be contrary to SPP (2020), Policy 10 Glasgow and Clyde Valley Strategic Development Plan (2017), Policies 5, 18, DM1 and RE1 of the adopted South Lanarkshire Local Development Plan 2 (2021).

David Booth

Executive Director (Community and Enterprise Resources)

Date: 13 January 2023

Previous references

- ◆ None

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 24 March 2021

- ▶ Consultations
 - Roads Development Management Team 05.05.2021
 - BAA Glasgow 19.04.2021
 - National Air Traffic Services Ltd 07.05.2021
 - MoD (Windfarms) 09.04.2021
 - Countryside and Greenspace 26.03.2021
 - Environmental Services 13.12.2022

Contact for further information

If you would like to inspect the background papers or want further information, please contact:-

Morag Neill, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA
Phone: 07551 842 294
Email: morag.neill@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/20/1264

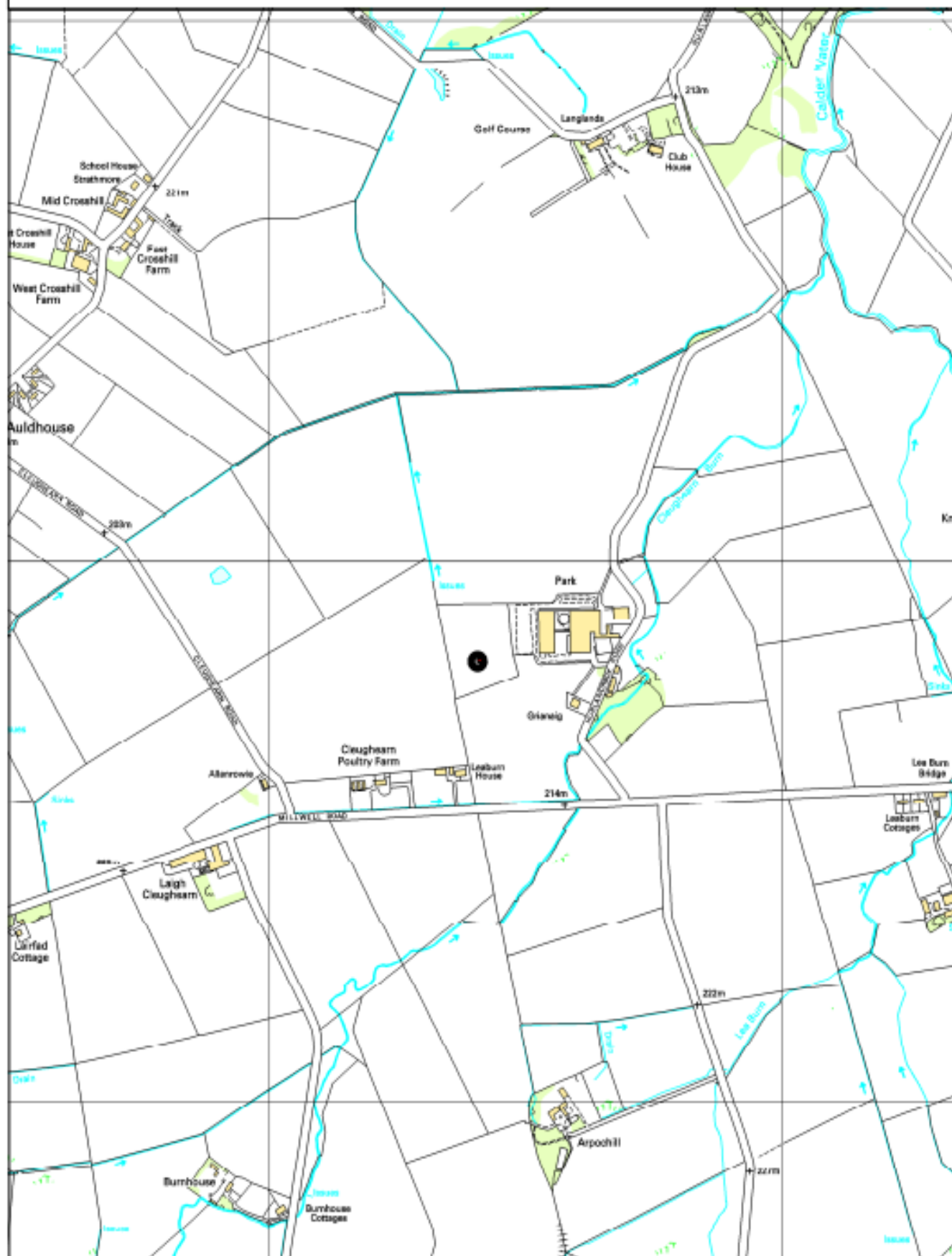
Reasons for refusal

01. The proposals would have an adverse impact on aviation safety and appropriate mitigation has not been proposed to address this matter. As a result the proposals are contrary to Scottish Planning Policy (2014), Policy 10 of the Glasgow and Clyde Valley Strategic Development Plan (2017), Policy 18, Policy RE1 and Criteria 15 of the Assessment Checklist for Renewable Energy of the adopted South Lanarkshire Local Development Plan 2 (2021) and South Lanarkshire Local Development Plan 2 Supporting Planning Guidance Renewable Energy 2021.

02. The application site is located within East Kilbride and Auldhouse Community Separation Areas which would result in an unacceptable impact on the landscape and visual amenity of the area. As such the proposals are contrary to Scottish Planning Policy (2014), Policy 10 of the Glasgow and Clyde Valley Strategic Development Plan (2017), Policy 18, Policy RE1 and Criteria 3 of the Assessment Checklist for Renewable Energy of the adopted South Lanarkshire Local Development Plan 2 (2021) and South Lanarkshire Local Development Plan 2 Supporting Planning Guidance Renewable Energy 2021.

P/20/1264

Land 250M West of Park Farm, Hurlawcrook Road, East Kilbride



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Scale:
1:10,000
Date:
21/12/2022



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development