

Report

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Report to:	Clydesdale Area Committee
Date of Meeting:	7 October 2008
Report by:	Executive Director (Enterprise Resources)

Application No	CL/08/0259
Planning Proposal:	Erection of 2 No. 24.8m High Wind Turbines and Associated Infrastructure

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Kames
- Location : Kames Golf Club
Eastend
Cleghorn, ML11 8NR

2 Recommendation(s)

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

- (1) Grant Detailed Planning Consent (Subject To Conditions – Based On Conditions Attached)

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: G Taylor Associates
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **Upper Clydesdale Local Plan (Adopted)**
- Policy 72: Rural Area
- Policy 99: Environment
Finalised South Lanarkshire Local Plan – (As Modified)
- Policy STRAT 4: Accessible Rural Area
- Policy ENV15: Renewable Energy Development
- Policy ENV37: Renewable Energy Site Assessment

- ◆ Representation(s):
 - ▶ 10 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters
- ◆ Consultation(s):

Scottish Natural Heritage

BAA Glasgow Airport

National Air Traffic Services Ltd

Ministry of Defence

Environmental Services

West of Scotland Archaeology Service

Planning Application Report

1 Application Site

- 1.1 The site consists of 2 relatively level areas of ground beside the Mouse Water watercourse and is located within the confines of Kames Golf Course, situated in the rural area approximately half a mile to the north of the village of Carstairs. The A721 Carlisle to Peebles road adjoins the site some 90 metres to the north, with gently undulating farmland beyond. The clubhouse and car parking facilities for the golf course are located approximately 100 metres to the east of the site whilst the remainder of the golf course greens and fairways are located to the south and west. The nearest residential properties are located some 240 metres to the south east of the site. The wider surrounding area is typified by a gently undulating landform interspersed with areas of shelterbelt and woodland. A higher area of ground located to the south of the site prevents a direct line of site view from many of the dwellings in Carstairs Village.

2 Proposal(s)

- 2.1 The proposal seeks consent for the erection of two tubular tower twin blade wind turbines with associated equipment on the site, contained within 2 metre high metal mesh fenced compounds of 2.4 by 2.4 metres. The turbines would have an overall height of 24.8 metres when measured to the tip of the blade and comprise of a 18.3 metre high tubular pole with a blade diameter of 6.5 metres. The applicant has submitted a supporting statement stating that the electricity produced from the turbines would serve the clubhouse of the golf course and in time help the company towards achieving a carbon neutral status. Following a recent energy audit the applicant is also considering other means of renewable energy production at the site, including both hydro and solar power.

3 Background

3.1 Relevant Government Advice

- 3.1.1 SPP6: Renewable Energy reaffirms the objective of Scottish Ministers to meet 40% of electricity need through a mixture of renewable sources by 2020. The significant contribution of onshore wind power in meeting this target is expected to continue. Other proven technologies will be encouraged. The planning system has a significant role to play in resolving conflicts so that progress towards the 2020 target continues to be made in a way that affords appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy development. Natural heritage and other constraints should not unreasonably restrict the development of small scale renewable schemes. Planning Authorities should take account of cumulative impact, primarily with regards to larger proposals whilst recognising that smaller schemes could result in adverse cumulative impacts if inappropriately sited. Projects making a small contribution to renewable targets should not be dismissed as of little benefit, as they may have the potential to make a significant contribution cumulatively, although unacceptable impacts should be satisfactorily mitigated.
- 3.1.2 SPP1: The Planning System (2000) encourages sustainable development including encouraging prudent use of natural resources.
- 3.1.3 SPP15: Planning for Rural Development states further diversification of the rural economy should be encouraged and there is enormous scope to exercise initiative and creativity.

3.1.4 NPPG11: Sport, Physical recreation and Open Space (1996) reaffirms the aims of Sustainable Development to maintain for future generations the quality of the countryside as locations for leisure activities which contribute to health, wellbeing and environmental awareness. In effect, development should be managed sustainably to prevent irreversible harm to an important leisure resource.

3.1.5 Planning Advice Note 45: Renewable Energy Technologies (Revised 2002) recognises the Government's aim to stimulate further the development of the UK renewable energy industry. It recognises the requirement for wind turbines to be located in areas of relatively smooth and rounded topography to maximize the potential wind resource. Public concern over the visual impacts is a recurring theme however experience suggests that these concerns generally diminish once the turbines have been installed. Given the Scottish Ministers commitment to addressing the important issue of climate change and the contribution expected from renewable energy developments, particularly wind farms, it is important for society at large to accept them as a feature of many areas of Scotland for the foreseeable future. In particular changes in landscapes not protected by any form of designation may be considered acceptable.

3.2 **Local Plan Status**

3.2.1 The adopted Upper Clydesdale Local Plan identifies the site as being within the rural area, subject to Policy 72. This policy states that the Council's aims for the rural area are to restrict isolated development in the countryside and to protect and enhance the quality of the landscape and other material resources of the countryside. Policy 99 – Environment also applies, stating that the Council shall seek to prevent or minimise damage to the environment and to conserve and enhance the environment of the local plan area. There are no specific policies relating to renewable energy development in the local plan.

3.2.2 The Finalised South Lanarkshire Local Plan (As Modified) is a material consideration. The site is identified as being within the area defined as the Accessible Rural Area. Policy STRAT4 states that within this area the strategy will be to build on the economic potential of its high quality environment and ensure these qualities are not eroded. In terms of renewable energy development, Policy ENV15 states that all applications for development not covered by Policy ENV14 (i.e. large scale windfarm developments) will be supported provided they comply with Policy ENV37. This policy sets out criteria which proposals will be assessed against, including visual and landscape impact.

3.3 **Planning History**

3.3.1 None Relevant.

4 **Consultation(s)**

4.1 **Environmental and Strategic Services** – no objections, subject to the requirement for the applicant to submit a noise report considering the potential for the proposal to cause noise nuisance.

Response: Noted, relevant conditions may be attached to any consent committee is minded to grant.

- 4.2 **West of Scotland Archaeology Service** – have no objections to the proposal and state that no substantive archaeological issue is raised.
Response: Noted.
- 4.3 **Defence Estates** – have confirmed that they have no objections to the proposal.
Response: Noted.
- 4.4 **BAA** – have no objections and state that the proposal does not conflict with aerodrome safeguarding criteria.
Response: Noted.
- 4.5 **NATS (NERL)** – also advise that the proposal does not conflict with safeguarding criteria.
Response: Noted.
- 4.6 **Scottish Natural Heritage** – state that the site is located within the rolling farmland landscape character type in the Glasgow and Clyde Valley Landscape Assessment. In addition the site is in an area considered to have the greatest capacity for wind turbine developments. They also state that although the proposal does not require a formal EIA the council should seek some level of assessment of the potential natural heritage impacts.
Response: Noted and agreed. The applicant's agent has been requested to submit additional sections and level plans for the site to indicate the relationship the proposed turbines will have with both the surrounding landform, public viewpoints and the nearest residential properties. A photomontage of the proposed turbines has also been prepared.

5 Representation(s)

- 5.1 The application has been advertised as an Article 12(5) Development requiring Advertisement due to the Scale or Nature of Operations (as turbines exceed 20 m in height), and as a Development Potentially Contrary to the Development Plan. Following this advertisement and statutory neighbour notification ten letters of representation have been received. The contents are summarised below.
- (a) **The proposals are contrary to the development plan.**
Response: Disagree. No clarification is provided as to why the objector considers the proposals are contrary to the development plan. Notwithstanding this I consider the proposals cannot be considered to be contrary to the 1996 adopted Upper Clydesdale Local Plan as there are no specific policies in this document in regard to renewable energy development. There are a number of policies in respect of the Council seeking to prevent or minimise damage to the environment and to conserve and enhance the environment, however I consider the scale, design and siting of the turbines proposed is such that there will be minimal visual impact on the natural environment. In terms of renewable energy development the policies in the replacement development plan, the finalised South Lanarkshire Local Plan (as modified) states that all applications for renewable development not covered by Policy ENV14 (i.e. large scale windfarm developments) will be supported provided they comply with Policy ENV37. This policy sets out criteria which proposals will be assessed against, including visual and landscape impact. A detailed assessment has concluded that this proposal accords with the criteria of Policy ENV 37.

- (b) **The visual appearance of the turbines will be an eyesore, having an adverse impact on the natural environment.**

Response: This concern is noted, however expressed opinions on the visual impact of wind turbines vary and are largely down to the subjective views of the respective individual. Everyone is entitled to make representations and voice their concerns over the potential intrusion of wind turbines whether this relates to impacts upon views or other matters. Any representation received should be carefully considered. It is recognised that the general populace have become used to the presence of the turbines at the nearby Blacklaw windfarm, where the expected adverse reactions have not transpired although it is accepted that some will always have a deep antipathy and will never be reconciled to the visual impact of wind turbines. In this respect I note that the principle windows of the residential properties closest to the proposed turbines do not face towards the actual site. I also note that these properties are located some 240 metres distant from the site, with the intervening land form rising, minimising any direct visual impact. In terms of visual impact from other public viewpoints I consider the overall height of the turbines, taken together with the simple design and the siting chosen, set below the road level of the A721 and the nearest dwellings, will assist with visual integration of the scheme and lessen any potential adverse impact on the surrounding natural environment.

- (c) **There will be an adverse impact on residential amenity by virtue of noise pollution.**

Response: Disagree. I am satisfied that there is sufficient distance from the turbines to the nearest dwellings to ensure that noise is not an issue. Notwithstanding this The Council's Environmental Services recommend that, if granted, conditions are attached to any approval that will govern noise levels from the site. If approved the conditions will be enforced and if infringement takes place it is possible the operator will be asked to turn the turbines off.

- (d) **The proposals will spoil the current view afforded to the objector.**

Response: This is not a material planning consideration.

- (e) **The proposals will affect the aesthetic look and feel of the existing golf course.**

Response: Whilst I concur that the addition of two wind turbines will alter the look and character of the existing golf course I do not consider this to constitute grounds for refusal of the current application. Golf courses themselves are man made premises that alter the original landscape character of the locations they are sited in. I consider this site has the potential to accommodate the two turbines proposed in a manner that does not conflict with its principal use as a rural leisure activity.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for consent for the erection of two twin blade wind turbines with associated equipment on the site. The principal determining issues in assessing the acceptability of this proposal relates to conformity with development plan policy, and impact on the residential and visual amenity of the surrounding area.

- 6.2 In terms of adopted local plan policy, the turbines are located within the area covered by the Upper Clydesdale Local Plan. The essence of the overarching policy strategy of the Upper Clydesdale Local Plan is to balance the need for development essential for the well being of the people against the need to conserve those elements which are unique or which contribute to the character of the area from adverse or irreversible change. There are no specific policies relating to windfarm proposals in the plan. Policy 72 – Rural Area states that the Council’s aims for the rural area are to restrict isolated development in the countryside and to protect and enhance the quality of the landscape and other material resources of the countryside. Policy 99 seeks to prevent or minimise damage to the environment and conserve or enhance the environment. The overall height of the wind turbines proposed is 24.8 metres, with both turbines set at a lower ground base level than both the nearest public road and the nearest residential properties. I am satisfied that these turbines are of a scale and design that will have no adverse impact and that the overall environmental quality of the area will not be compromised.
- 6.3 The finalised South Lanarkshire Local Plan (as modified) identifies the site as lying within the Accessible Rural Area, subject to Policy STRAT 4. This states that the local plan strategy seeks to ensure the natural environment, including its landscape character, is not eroded. Guidance on assessing proposals for renewable energy proposals is set out in policies ENV15 and ENV37.
- 6.4 The Council supports the development of renewable energy as an alternative to more polluting methods of power generation. However, this must be balanced against the impact that any such development can have on the environment and communities. This aim is reiterated in Policies ENV 15 and ENV 37 of the finalised South Lanarkshire Local Plan (as modified). These policies favour development only where specific criteria can be met. It must be demonstrated by the applicant that the proposal can take place without unacceptable significant detrimental effects on landscape character or have a significant adverse visual impact. In this case the applicant has submitted a photomontage of the site including the position of the proposed turbines. Following a detailed assessment it is considered that the turbines are of a suitable scale and design, sited in an appropriate position that meet the criteria of the above policies where wind turbines in the rural area would be acceptable, and as such are considered an appropriate form of development for this site.
- 6.5 Policy ENV 37 requires the siting and external appearance of the apparatus to be designed to minimise the impact of such apparatus on amenity, while taking account of operational efficiency. In this case, the applicant has stated that the location of the turbines in close proximity to the clubhouse is necessary so that energy savings for the golf course clubhouse are achieved, as part of a wider project to achieve a carbon neutral position for the company. I am satisfied that an acceptable balance has been made in this instance, taking account of the likely visual impact of the proposals and the requirement to site the turbines close to the point of use for the electricity generated. Policy ENV 37 also requires the impact of the proposals on radar performance and other air safety considerations to be satisfactorily addressed and demonstrated to the satisfaction of the relevant technical authorities. I am satisfied that the application in this regard has met these requirements and consequently the proposals accord with Policy 37 of the finalised South Lanarkshire Local Plan (as modified).
- 6.6 In view of all of the above I am satisfied that the visual amenity of the surrounding rural area and the residential amenity of the nearest residential properties will not be adversely affected by approval of the two turbines, and that the scale and design

proposed for the site is of an acceptable standard. I therefore recommend that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposal is considered acceptable as it complies with the local plan policies Policy 72 and 99 of the Upper Clydesdale Local Plan (adopted), and policies STRAT 4, ENV15 and ENV 37 of the finalised South Lanarkshire Local Plan (as modified).

Iain Urquhart
Executive Director (Enterprise Resources)

30 September 2008

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Scottish Natural Heritage 30/05/2008
 - Ministry of Defence 28/05/2008
 - Ministry of Defence 27/05/2008
 - Environmental Services 09/06/2008
 - West of Scotland Archaeology Service 09/06/2008
 - BAA Glasgow Airport 16/07/2008
 - National Air Traffic Services Ltd 02/07/2008
- ▶ Representations
 - Representation from : Mr Douglas Taylor, 5 Range View, Lanark, ML11 8TF, DATED 11/06/2008
 - Representation from : Mr Anthony Webb, 7 Range View, Kames Park, Cleghorn, Lanark, ML11 8TF, DATED 11/06/2008
 - Representation from : Mr Douglas Taylor, 5 Range View, Eastend, Cleghorn, ML11 8TF, DATED 11/06/2008

Representation from : Glen Grant, 6 Golf Court, Cleghorn, ML11 8TE, DATED 11/06/2008

Representation from : I McMillan, 6 Golf Court, Cleghorn, ML11 8TE, DATED 11/06/2008

Representation from : Dr and Mrs C A MacCall, 1 Golf Court, Kames Park, Cleghorn, ML11 8TE, DATED 11/06/2008

Representation from : I E Crawford, 6 Manse View, Cleghorn, ML11 8TF, DATED 11/06/2008

Representation from : Dr Jessica Douglas, 1 Range View, Cleghorn, , DATED 12/06/2008

Representation from : J Hinge, 3 Range View, Cleghorn, ML11 8TF, DATED 11/06/2008

Representation from : Mr & Mrs M Henderson, 4 Golf Court, Kames Park, Cleghorn, ML11 8TE, DATED 11/06/2008

Contact for Further Information

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

Stuart Ramsay, Planning Officer, South Vennel, Lanark ML11 7JT
Ext 3187 (Tel :01555 673187)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the turbines hereby permitted shall be removed and the land restored to its former condition within one month, at the expiry of twenty years from the date of this permission, to the satisfaction of the Council as Planning Authority.
- 3 If, before the expiry of the twenty years referred to in condition 2 above, the turbines become redundant or obsolete and are disused for a period of six months, within one month thereafter they shall be removed and their positions shall be reinstated to their former condition, all to the satisfaction of the Council as Planning Authority.
- 4 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 5 The external colours of the hubs and blades of the wind turbines hereby approved shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.
- 6 Development shall not commence until an assessment of the potential for the proposed use to cause noise nuisance has been submitted to the Council as Planning Authority. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of the visual amenity of the area.
- 3 In the interests of the visual amenity of the area.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 To minimise noise disturbance to adjacent occupants.

INFORMATIVES

- 1 None of the above conditions will preclude formal action being taken by the Executive Director of Community Resources against the author of any nuisance, which may arise due to the operation of the proposed development.

For information only

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