

	<h1>Report</h1>	<b>Agenda Item</b>  <h1>4</h1>
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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 December 2011</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CL/11/0370
Planning Proposal:	Erection Of Wind Turbine, Associated Equipment, Access Track And Crane Platform (78m In Height To Blade Tip)

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr William Barr
- Location : The Hole Farm  
The Hole of Kilncadzow  
Carluke  
ML8 4QR

## 2 Recommendation(s)

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

- (1) Refuse Detailed Planning Permission (for reasons stated)

### 2.2 Other Actions/Notes

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

## 3 Other Information

- ◆ Applicant's Agent: Arcus Renewable Energy Consulting Ltd
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
  - Policy STRAT4: Accessible Rural Area
  - Policy CRE2: Stimulating the Rural Economy
  - Policy STRAT9: Environmental Mitigation and Enhancement
  - Policy ENV16: Renewable Energy Development
  - Policy ENV38: Renewable Energy Site Assessment
  - Policy ENV4: Protection of Natural and Built Environment
  - Policy ENV21: European Protected Species
  - Policy ENV17: Renewable Energy Community Benefit

- **Supplementary Planning Guidance: Renewable Energy (December 2010)**
- Policy REN4: Single/Small Scale Turbine Developments
- Policy REN6: Assessment Checklist for Renewable Energy Proposals

◆ Representation(s):

- ▶ 21 Objection Letters
- ▶ 0 Support Letter
- ▶ 0 Comments Letter

◆ Consultation(s):

Environmental Services

Ministry of Defence

West of Scotland Archaeology Service

National Air Traffic Services Ltd

Roads and Transportation Services (Clydesdale Area)

BAA Aerodrome Safeguarding

Scottish Natural Heritage

# Planning Application Report

## 1 Application Site

1.1 The application site is located in open countryside between Lanark and Carluke on land associated with the Hole Farm. The village of Kilncadzow is situated approximately 1.4 km to the north-west of the site. The A721 Carluke to Carstairs road sits at a higher level approximately 600 metres to the north and a conifer plantation is located around 400 metres to the west. The Hole Farm and a dwelling known as Cairnview are located less than 500 metres to the north-east. Collielaw Farm and a number of dwellings are located on the road situated to the south. The site falls within the Rolling Farmland landscape-type characterised by undulating, medium scale landforms incised by rivers and streams. The site extends to just over one hectare in size and sits at an elevation of approximately 244 metres above sea level.

## 2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of a 500 kW wind turbine with a maximum ground to tip height of 78 metres. The finish of the proposed turbine would be pale grey. The proposal would also include associated infrastructure in the form of turbine foundations, a crane hardstanding, a transformer and associated cabling. The turbine would be accessed via a new access point off the public road which runs past The Hole Farm. The new track would be approximately 600 metres long, 5 metres wide and would comprise a geotextile base with crushed stone on top. It is anticipated that the construction process would take approximately 3 months.
- 2.2 The electricity produced by the turbine would be sold to the national grid. Based on the applicant's calculations it is anticipated that the development would generate sufficient energy to power 322 homes per annum.
- 2.3 The turbine has been designed to have an operational life of 25 years. At the end of this period the development would either be decommissioned, or an application submitted to extend its life. The decommissioning would involve dismantling and removing the turbine and associated equipment from the site. This would include the removal of the plinth and the top surface of the foundation base. The area would then be reinstated with a final layer of topsoil over the foundation. The access track would either be left for use by the landowner or covered with topsoil.
- 2.4 A supporting statement has been submitted by the applicant which covers such matters as ecology and noise and also includes a swept path analysis of the junction with the A721 and photomontages of the proposed turbines taken from 4 viewpoints.

## 3 Background

### 3.1 Local Plan Status

- 3.1.1 In terms of local plan policy the site is located in the Accessible Rural Area where Policies STRAT4: Accessible Rural Area, CRE2: Stimulating the Rural Economy and STRAT9: Environmental Mitigation and Enhancement apply. Policies ENV4: Protection of Natural and Built Environment and ENV21: European Protected Species also need to be taken into account.
- 3.1.2 Given that the proposal relates to a renewable energy development, Policies ENV16: Renewable Energy Development, ENV38: Renewable Energy Site Assessment and ENV17: Renewable Energy Community Benefit also apply. The renewable energy policy context is further set out in Supplementary Planning Guidance: Renewable

Energy (SPG) which was adopted in December 2010. Within this document Policies REN4: Single/Small Scale Turbine Developments and REN6: Assessment Checklist for Renewable Energy Proposals apply.

### 3.2 **Relevant Government Advice/Policy**

- 3.2.1 National Planning Framework 2 (NPF 2) June 2009 guides Scotland's development to 2030 and sets out strategic development priorities to support the Scottish Government's central purpose – sustainable economic growth. It states that the aim of national planning policy is to develop Scotland's renewable energy potential while safeguarding the environment and communities.
- 3.2.2 Scottish Planning Policy (SPP), published in February 2010 sets out the Scottish Government's policy for Renewable Energy and it set a target of 50% of Scotland's electricity to be generated from renewable sources by 2020. Subsequently this target has been increased to 100% by 2020 by the Scottish Government.
- 3.2.3 The SPP highlights the importance of renewable sources for the regeneration of electricity as being an integral part of the Government's energy policy. It states that planning authorities should support the development of a diverse range of renewable energy technologies and support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. The design and location of any wind farm development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised.
- 3.2.4 PAN 45 Renewable Energy Technologies and Annex 2 Spatial Frameworks and Supplementary Planning Guidance for Wind Farms has been replaced with web based renewables advice which will be regularly updated. The Specific Advice Sheet for Onshore wind turbines was last modified on 25<sup>th</sup> February 2011. It supports the policy in SPP by providing information and best practice on renewable energy developments. It gives advice on areas for planning authorities to focus upon, technical information and typical planning considerations in determining planning applications for onshore wind turbines.

### 3.3 **Planning History**

- 3.3.1 No previous planning applications exist for this site. Prior to submission of the current planning application the applicant sought a screening opinion from this Service which concluded that an Environmental Impact Assessment would not be required.
- 3.3.2 Prior to the submission of the current planning application, two wind turbine proposals were submitted in close proximity to the site. The first one is the proposal at Cartland Muir for the erection of two, 125m high turbines located approximately 1.8 km to the west of the current application site. This application was refused by the Planning Committee on 29 November 2011 (CL/11/0266). The second proposal is located just under a kilometre to the south-east of the application site and is for the erection of a 51 metre high turbine on land at Collielaw Farm. This application has still to be determined (CL/11/0346).

## 4 **Consultation(s)**

- 4.1 **Ministry of Defence** – offer no objections. In the interests of air safety they request that the turbine is fitted with aviation lighting.  
**Response:** Noted. This could be covered by condition if consent is granted.

- 4.2 **National Air Traffic Services Ltd** – advise that the proposed development is likely to impact on their electronic infrastructure but confirm that they have no objection.  
**Response:** Noted.
- 4.3 **BAA Aerodrome Safeguarding** – advise that the proposal has been examined from an aerodrome safeguarding perspective and conflicts with safeguarding criteria. They therefore object as the proposed turbine will have a detrimental effect on Air Traffic Control as a significant number of visible turbines in the area already have planning approval and introduction of a further turbine would create unacceptable clutter on radar screens.  
**Response:** Noted. Air traffic safety is a priority criterion in the local plan policy relating to wind turbine proposals. Unless a solution acceptable to BAA can be found the proposal would contravene local plan policy. The applicant was advised of this objection but they have confirmed that they do not wish to submit any additional information in respect of this matter.
- 4.4 **West of Scotland Archaeology Service** – confirm that the proposal would not raise any substantive archaeology issue therefore they offer no objections.  
**Response:** Noted.
- 4.5 **Roads and Transportation Services (Clydesdale Area)** – offer no objections. They advise that a Section 96 Agreement and dilapidation survey will be required on any proposed haul route on the public road network and that any dilapidation of the road condition as a result of the development would require reinstatement at the developer's expense. They request further information on the proposals for transporting abnormal loads and details of any local road improvements needed to achieve the appropriate corridor for these loads. They advise that a 7.3 metre wide industrial standard access should be constructed and surfaced for the first 15 metres into the site, with appropriate drainage. The existing visibility splays should be maintained and advanced warning signing details on the approaches to the site require to be submitted for approval.  
**Response:** Noted. The applicant was advised of these requirements and the need to submit additional information. The applicant does not wish to submit this information and has asked that the proposal is determined without it. If Committee were minded to grant this application these matters could be covered by conditions and a section 96 legal Agreement.
- 4.6 **Environmental Services** – offer no objections providing conditions are attached to any consent granted controlling the development with respect to noise.  
**Response:** Noted. A relevant condition could be attached to any consent granted.
- 4.7 **Scottish Natural Heritage** – advise that the position of the proposed turbine would lie within 50 metres of a watercourse which may offer potential foraging and commuting habitat for bats. They advise that either the turbine should be relocated to ensure no part of it lies within 50 metres of the watercourse or if this is not possible, a bat activity survey should be carried out before the application is determined. They recommend that the Council considers requesting further information on the potential impacts on birds outside the breeding season. They also note that the level of information provided in terms of landscape and visual impact does not reflect the level recommended in their guidance.  
**Response:** Noted. The applicant was advised of these requirements. The applicant does not wish to submit this information and has asked that the proposal is determined without it.

## 5 Representation(s)

5.1 The application was advertised in accordance with Article 12(5) Development requiring Advertisement due to the Scale or Nature of Operations. Neighbour notification was also undertaken. Following this publicity 21 letters of objection were received, the grounds of which are summarised below:

**(a) The proposal would have a detrimental visual impact on the landscape.**

**Response:** The issue of landscape and visual impact will be considered under the Assessment and Conclusions section of this report.

**(b) The turbine is too high. Why can't the applicant reduce the scale to the more a domestic, smaller turbine(s) similar to other farms in the vicinity?**

**Response:** The applicant was asked to investigate reducing the height of the turbine and to relocate it closer to the farm steading. The applicant's agent subsequently advised that this would not meet the applicant's needs.

**(c) Concerns about the cumulative impact of turbines in the area surrounding the village of Kilncadzow.**

**Response:** The issue of cumulative impact will be considered under the Assessment and Conclusions section of this report.

**(d) Existing wind farms should be extended rather than allowing the development of individual turbines across the Council area.**

**Response:** In some instances this may be acceptable, however national policy on renewable energy supports the development of a range of wind turbine developments as well as other technologies. In line with this policy the Council has adopted Supplementary Planning Guidance (SPG) on renewable energy, the aim of which is to accommodate renewable energy developments where the technology can operate efficiently and environmental and cumulative impacts can be addressed satisfactorily. An assessment of this proposal against the relevant policies contained in the SPG will be undertaken in the Assessment and Conclusions section of this report.

**(e) Concerns about traffic impact on the surrounding roads which are not designed to accommodate heavy lorries. In addition, the proposed turbine would be situated close to the A721 which could cause distraction to drivers.**

**Response:** The Council's Roads and Transportation Services were consulted on the proposal and offer no objections subject to conditions and a legal agreement. They did ask for additional information to be submitted in relation to the transportation of abnormal roads and how this would impact on the road network. The applicant has chosen not to submit this information. The impact on the surrounding roads cannot therefore be fully assessed.

**(f) The proposal will have an adverse impact on wildlife and birds including migrating geese which fly over the area every year and pigeon racing in terms of turbulence and noise.**

**Response:** SNH have advised that given the agricultural nature of the site, impacts on habitats are unlikely to be significant and they are content that the proposed development is unlikely to affect badgers or breeding birds. They do however recommend that an assessment of the likely impact on birds outside of the breeding season should be carried out by the applicant. The applicant has not chosen to submit this information. In terms of bats SNH recommend that the turbine be relocated to accommodate the appropriate separation distance from

the adjacent watercourse, or that a bat activity survey be carried out prior to determination of the application. The applicant has not chosen to relocate the turbine or submit the bat survey. The impact on bats cannot therefore be fully assessed at this time.

**(g) The proposed turbine is located close to tourist routes and would not be advantageous to tourism.**

**Response:** I do not consider that the proposed, single turbine will have an adverse impact on tourism.

**(h) The proposed turbine will create shadow flicker affecting the local residents in Kilncadzow.**

**Response:** The supporting statement submitted by the applicant addresses the impact of shadow flicker in relation to residential properties. The analysis shows that shadow flicker effects are predicted to occur at only one property (Cairnview). The agent advises that this property is financially involved in the development. The Hole Farm, Tinto View and dwellings in Kilncadzow are outwith the 560 metre exclusion zone for shadow flicker effects. The predicted effects on Cairnview are not significant as they are expected to only amount to 11.3 hours per year. If consent were granted a condition could be used to require the shutting down of the turbine when this occurs.

**(i) The photomontages submitted by the applicant do not accurately reflect the view from houses in Kilncadzow.**

**Response:** Agreed. The applicant was asked to undertake additional photomontages. The applicant does not wish to submit this information and has asked that the proposal is determined without it.

**(j) If approved the proposal will set a precedent for other tall, industrial structures in the rural area.**

**Response:** Each planning application is assessed on its own merits against the policies contained in the local plan and, if relevant, the renewable energy SPG. It is not therefore considered that if approved the proposal would set a precedent.

The letters of representation have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

6.1 The application seeks detailed consent for a 78m high turbine at Hole Farm near Kilncadzow. 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 South Lanarkshire Local Plan 2009. The SPG Renewable Energy (December 2010) is also a material consideration. In assessing any application for renewable energy development it is also necessary to evaluate the proposal against the most up to date policies and criteria contained in the relevant Scottish Planning Policies and Specific Advice Sheets. In this regard the assessment of the proposal will be considered under three broad headings; National Planning Policy and Advice, Local Plan Policy and material considerations - SPG Renewable Energy Policy.

6.2 Government guidance on planning matters is found in the Scottish Planning Policy that was published in February 2010. This establishes a target of 50% of Scotland's electricity to be generated from renewable sources by 2020. Subsequently this target has been increased to 100% by 2020 by the Scottish Government.

6.3 The SPP is primarily concerned with larger scale renewable energy projects and wind farms. However, it highlights the importance of renewable sources for the regeneration of electricity as being an integral part of the Government's energy policy. It states that planning authorities should support the development of a diverse range of renewable energy technologies and support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. The design and location of any wind farm development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised. A range of benefits are often voluntarily provided by developers to communities in the vicinity of renewable energy developments. These can include community trust funds. The SPP itself also suggests likely assessment criteria, which include:

- Landscape and visual impact
- Effects in the natural heritage and historic environment
- Contribution of the development to renewable energy generation targets
- Effect on the local and national economy and tourism and recreation interests
- Benefits and disbenefits for communities
- Aviation and telecommunications
- Noise and shadow flicker, and
- Cumulative impact.

6.4 In terms of local plan policy, the application site is located within the Accessible Rural Area where Policy STRAT4 states that the local plan strategy will be to build on the economic potential of the area's high quality natural and built environment and tourism potential and to ensure that these qualities are not eroded. Policy CRE2: Stimulating the Rural Economy provides guidance on a range of uses that the Council would consider appropriate within the countryside subject to other planning considerations such as access, design, amenity and impact on the environment being satisfactorily met. Energy-related developments are listed as an acceptable use in the countryside so long as they meet the criteria in Policy ENV 38: Renewable Energy Site Assessment. Policy STRAT9: Environmental Mitigation and Enhancement requires the environmental impact of developments to be measured and any adverse impacts prevented, reduced or offset. As explained later in this report the proposal would not respect the landscape, countryside amenity or nature conservation interests. It also does not promote environmental enhancement and the impacts could not be mitigated successfully. It is therefore considered that the proposal does not meet the terms of Policies STRAT4, CRE2 or STRAT9.

6.5 Policies ENV4: Protection of the Natural and Built Environment and ENV21: European Protected Species are also relevant. They advise that development which could affect European Protected Species will only be permitted where an assessment of the proposal indicates that it will not adversely affect conservation interest and integrity. The applicant has not demonstrated to the entire satisfaction of the Council that the proposed development would not adversely impact on bats. This is despite being asked to submit additional information or relocate the turbine. In view of this it is considered that the proposal does not comply with these policies.

6.6 Turning to the specific renewable energy policies in the local plan, two are relevant. Policy ENV16: Renewable Energy Development states that the wider application of medium and smaller scale renewable technologies will generally be supported by the Council provided that they meet the relevant criteria in Policy ENV38. The criteria within Policy ENV38: Renewable Energy Site Assessment covers a number of issues such as impact on landscape character, the cumulative impact of windfarm



developments on the landscape, impact on local nature conservation sites, impact on ecological and ornithological interests, impact on residents, impact on views from tourist routes, radar and air safety issues and access for construction traffic. These criteria are also contained in the SPG, each one of which will be listed and assessed in detail below. Notwithstanding this, the proposal has been carefully assessed against each of the criteria listed under Policy ENV38 and it is considered that the proposal does not comply with this policy and subsequently does not comply with Policy ENV16. The landscape and visual impacts of the proposed development are unacceptable, the proposal would have an adverse impact on radar performance and the applicant has not demonstrated to the entire satisfaction of the Council that the proposed development would not adversely impact on bats.

6.7 Policy ENV 17: Renewable Energy Community Benefit Policy encourages developers of renewable energy facilities in South Lanarkshire to contribute to the Renewable Energy Fund. The developer has agreed to enter into a suitable community benefit package, and should planning consent be granted a legal agreement would be required to secure this and would be concluded prior to the issue of planning consent.

6.8 In terms of other material considerations the proposal requires to be assessed against South Lanarkshire Local Plan SPG Renewable Energy (December 2010). Policy REN 4 states applications for single wind turbine developments will only be acceptable if they accord with guidance in table 6.1 and that they meet the relevant criteria in Policy REN 6 - Assessment Checklist for Renewable Energy. This requires all proposals for wind farms and other renewable energy development to be assessed against the relevant criteria set out in Table 8.1 of the document. The criteria are considered in turn:

- **Impact on international and national natural heritage designations**  
The application site is not located within any sites with international or national designations. Additional information in relation to protected species (bats) is necessary however the applicant has chosen not to submit this and has asked that the application be determined without it.
- **Impact on Southern Uplands Foothills and Pentland Hills Area of Significant Protection**  
The application site is not located within these areas.
- **Impact on the Green Belt**  
The application site is not located within the Green Belt.
- **Impact on Landscape Character**  
The South Lanarkshire Landscape Character Assessment 2010 identifies the site as the Rolling Farmlands landscape type. It describes the landscape as having a distinctive, undulating and rolling landform. It recommends that tall structures such as wind turbines should be generally discouraged in this area unless there is a degree of backclothing and where unacceptable cumulative impacts will not result. The small to medium scale of the landscape and the number of domestic scale references such as houses and small roads means that large scale wind turbines such as that proposed are likely to be in contrast with this landscape type and would dominate the surroundings.

The SPG has assessed each of the landscape character types in relation to its sensitivity to change and capacity for development and provides guidance on the scale and type of wind farm, if any that may be appropriate. It states

that Rolling Farmland has a low landscape capacity to absorb wind turbines although small scale (1-5) turbine developments may be accommodated in selected locations away from settlements or other sensitive locations.

It is considered that the proposal does not comply with this criterion as the landscape and visual impacts are unacceptable. The pocket of land which stretches south-eastwards from Kilncadzow towards Fullwood Road and between the A721 and the railwayline to the south is open and basin-like with views of Tinto Hill in the distance. The proposed turbine would be located in a prominent position within this open area and the scale of the proposal is such that it would be visually intrusive and dominate the landscape to a significant and adverse effect.

- **Impact on Special Landscape Areas**

The application site is not located within a Special Landscape Area. However the turbine would affect the setting of the Middle Clyde Valley Special Landscape Area due to its prominence from a number of viewpoints.

- **Assess the effects of the development on areas where cumulative impact limits further development**

The proposed development does not fall within an area defined in the SPG as an area where cumulative impact limits further development.

- **Cumulative Impacts**

The applicant has not submitted enough information to fully assess the cumulative impacts of the turbine in relation to surrounding proposals. The proposal for two turbines at Cartland Muir has since been refused, however the cumulative impact of this proposal in relation to the proposal at Collielaw Farm has not been addressed. It is therefore not possible to determine whether the cumulative impact of the proposals at The Hole Farm and Collielaw would be likely to have a detrimental impact on the amenity of the area.

- **The contents of the LVIA to be submitted with the application**

This criteria states that for wind turbine developments of less than 4 turbines, the Council will require developers to follow SNH guidance which sets out appropriate levels of landscape and visual impact appraisal. The level of information provided does not reflect SNH's guidance. No explicit consideration is given to the impacts of the proposed development on the Middle Clyde Valley Special Landscape Area which lies to the north of the site and the assessment of cumulative impacts does not consider the proposals at Cartland Muir or Collielaw Farm.

- **Impact on Nature Conservation Interests**

Paragraph 4.7 of the report highlights the additional information which the applicant would have to submit. The applicant has chosen not to submit the information.

- **Impact on Trees and Woodland**

The proposal will not have an impact on trees or a woodland area.

- **Impact on Historic Environment**

The proposal would not have a direct impact or an adverse impact on the setting or character of any historic heritage designations.

- **Impact on Peat and Soils**  
The site does not affect an identified peatland and the impact upon soils would not be significant.
- **Impact on Prime Agricultural Land**  
The application site does not sit on Prime Agricultural Land.
- **Impact on Water**  
The application would be unlikely to have an unacceptable adverse impact on the water environment. If the Council were minded to approve the application this matter could be covered by condition.
- **Impact on Residential Amenity**  
The impact on residential amenity in terms of visual dominance would be significant for residents in Kilncadzow and other properties in the area. There would be no adverse effect on the amenity of residents as a result of odour, reflected light or other emissions. Only one dwellinghouse (Cairnveiw) would be affected by shadow flicker, however this property is financially involved with the application and the impact would be unlikely to be significant. In terms of noise, the applicant advises in the supporting statement that based on noise emission data for the proposed turbine it has been calculated that the turbine must be situated more than 420 metres from a property. The proposed turbine would be located approximately 460 metres from the nearest residential property. Therefore there would be no adverse impacts on residential amenity from noise. Environmental Services have advised that conditions should be used to ensure that noise levels meet the required limits.
- **Impact on Tourism**  
This criterion requires that views from key tourist routes and visitor attractions must not be adversely affected to an unacceptable degree. The turbines would not be prominent from the Clyde Valley tourist route while no visitor attractions would be adversely affected.
- **Transport Impacts**  
The applicant has not submitted sufficient information to fully assess the transport impacts of this development.
- **Impact on Transmitting or Receiving Systems**  
The supporting statement submitted by the applicant lists the telecommunication companies which were consulted prior to the submission of the application. No objections were received. Consultation was also undertaken by the applicant with the BBC via the online assessment tool. This identified that from the proposed turbine location it is considered that 673 homes for whom there is no alternative off-air service would be affected. It is anticipated that the proposal would affect up to 1237 homes for whom there may be an alternative off-air service. This area has since switched to digital and the applicant states that digital television signal is not scattered in the same way as an analogue signal, it would be unlikely that there would be any adverse affect. If the Council were minded to approve the application a condition could be employed to monitor and address interference with television reception.
- **Impact on Radar and Defence**  
NATS and the MOD have no objections, however BAA have objected on grounds that the proposal would have a detrimental effect on Air Traffic

Control as a significant number of visible turbines in the area already have planning approval and introduction of a further turbine would create unacceptable clutter on the radar screens. This matter has not been satisfactorily addressed by the applicant as he has advised that he will not be submitting any additional information in respect of this.

- 6.9 To conclude, the proposed development has been assessed against the local plan and the SPG. Further information was requested from the applicant however this has not been provided. It has been concluded that the proposal does not comply with Policies STRAT4, CRE2, ENV16, ENV38, ENV4 or ENV21 of the local plan or with Policies REN4 and REN6 of the SPG. This is because the proposal would have an adverse impact on air safety, it would have an adverse impact on landscape character and the applicant has failed to demonstrate that the proposal will not have an adverse impact on European Protected Species. In view of this it is recommended the application is refused planning permission.

## **7 Reasons for Decision**

The proposal cannot be assessed favourably against the provisions of the Scottish Planning Policy and in particular in relation to the section on renewable energy developments. The proposal is also contrary to Policies STRAT4, CRE2, ENV16, ENV38, ENV4 or ENV21 of the local plan. In addition, the proposal cannot be assessed favourably against Policies REN4 and REN6 of the approved Supplementary Planning Guidance on Renewable Energy (December 2010).

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**28 November 2011**

### **Previous References**

- ◆ CL/11/0266
- ◆ CL/11/0346

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - National Air Traffic Services Ltd 23/08/2011
  - BAA Aerodrome Safeguarding 23/11/2011
  - Scottish Natural Heritage 12/10/2011
  - National Air Traffic Services Ltd 16/09/2011
  - West of Scotland Archaeology Service 08/09/2011
  - Ministry of Defence 22/09/2011
  - Roads and Transportation Services (Clydesdale Area) 23/09/2011

## ► Representations

- Representation from : D Robertson, 34 Craighill Road, Kilncadzow, DATED 07/09/2011
- Representation from : Eleanor Mclean, Cameronia Cottage, Cleghorn Road, Lanark, ML11 7RL, DATED 29/08/2011
- Representation from : Robert McLean, Cameronia Cottage, Cleghorn Road, Lanark, ML11 7RL, DATED 29/08/2011
- Representation from : Mrs Carol Lovell, 36 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 02/09/2011
- Representation from : Lawrence Lovell, 36 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 06/09/2011
- Representation from : April Rose MacDonald, 7 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 08/09/2011
- Representation from : Sarah MacDonald, 7 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 08/09/2011
- Representation from : Ross Turner, 4 Westcroft Road, Sedgley, Dudley, DY3 3QT, DATED 08/09/2011
- Representation from : Richard Turner, 7 Westcroft Road, Sedgley, Dudley, DY3 3QT, DATED 08/09/2011
- Representation from : Iain M MacDonald, 7 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 08/09/2011
- Representation from : Mrs Jean Beveridge, Forge Cottage, Craighill Road, Kilncadzow, CARLUKE, ML8 4QS, DATED 07/09/2011
- Representation from : Mr Sandy Beveridge, Smiddy Cottage, Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 07/09/2011
- Representation from : Mrs Maryjane Beveridge, Smiddy Cottage, Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 07/09/2011
- Representation from : Niall Robertson, 23 Greentowers Road, Cartland, Lanark , ML11 7RD, DATED 23/09/2011
- Representation from : Mrs Karen Blair, Westtown, 30 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 13/09/2011
- Representation from : Mr Andrew Blair, Westtown, 30 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 13/09/2011
- Representation from : Claire Macdonald, 7 Craighill Road, Kilncadzow, Carluke, ML8 4QT, DATED 07/09/2011

Representation from : Hannah Macdonald, 7 Craigenhill Road, Kilincadzow, Carluke, ML8 4QT, DATED 07/09/2011

Representation from : Calum Macdonald, 7 Craigenhill Road, Kilincadzow, Carluke, ML8 4QT, DATED 07/09/2011

Representation from : Susan Onions, 9 Craigenhill Road, Kilincadzow, Carluke, ML8 4QT, DATED 07/09/2011

Representation from : David Onions, 9 Craigenhill Road, Kilincadzow, Carluke, ML8 4QT, DATED 07/09/2011

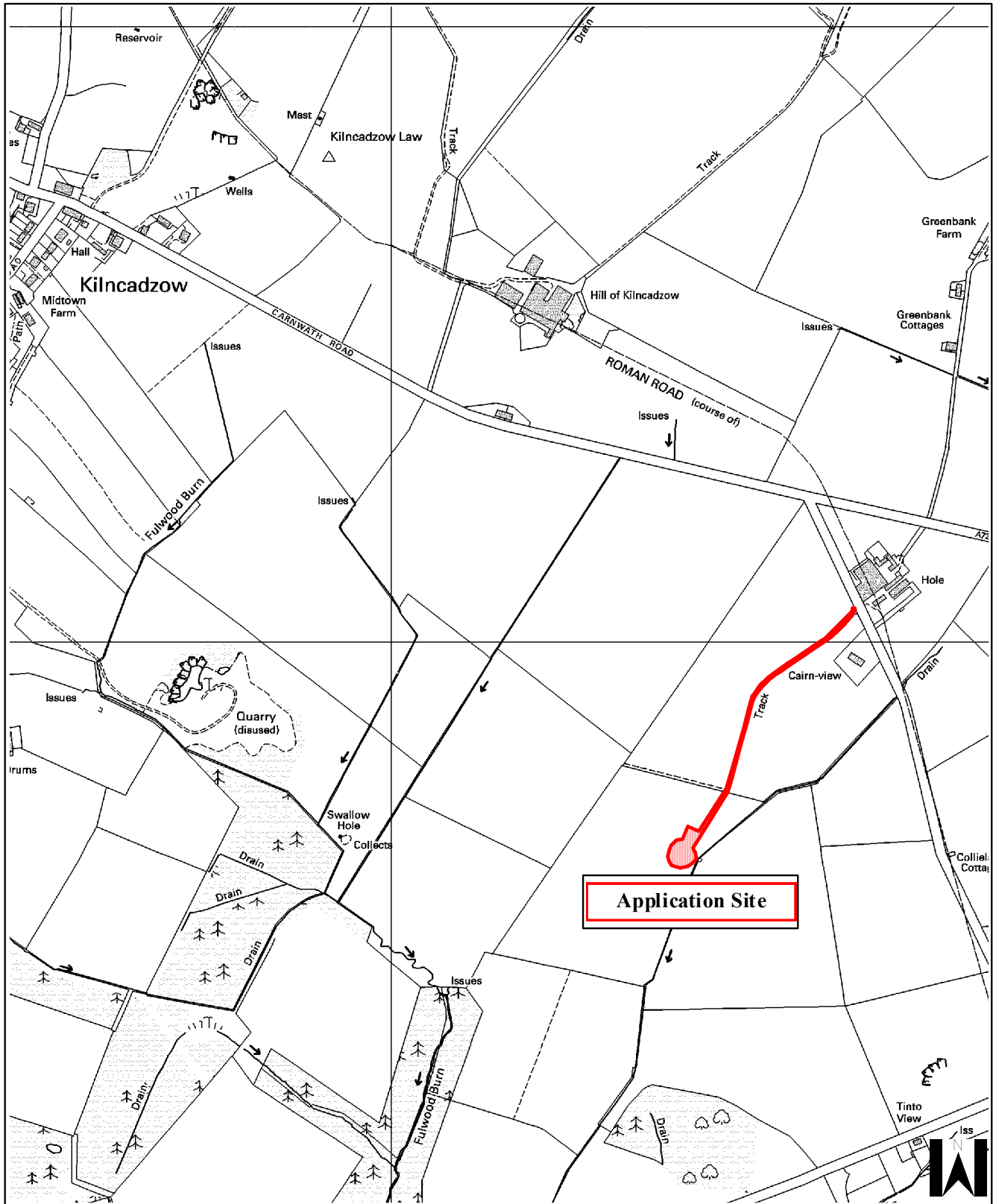
**Contact for Further Information**

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

Gail Rae, Planning Officer, Council Offices, South Vennel, Lanark, ML11 7JT  
Ext 3205 (Tel :01555 673205 )  
E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

**REASONS FOR REFUSAL**

- 1 This decision relates to: Drgs 001, 002, 003, 004.
- 2 The proposal is contrary to Policies ENV38: Renewable Energy Site Assessment and ENV16: Renewable Energy Development of the adopted South Lanarkshire Local Plan (2009) as the proposal would have an adverse impact upon air traffic safety, would have an adverse impact upon landscape and visual amenity to an unacceptable level and the applicant has failed to demonstrate to the entire satisfaction of the Council that the proposed development would not adversely impact on protected species.
- 3 The proposal is contrary to Policy STRAT4: Accessible Rural Area of the South Lanarkshire Local Plan (2009) as it would have an adverse impact on the high quality natural environment and would not enhance the environmental quality of the area.
- 4 The proposal is contrary to Policy CRE2: Stimulating the Rural Economy of the South Lanarkshire Local Plan (2009) as it does not respect the landscape, countryside amenity and nature conservation interests and does not promote environmental enhancement.
- 5 The proposal is contrary to Policies ENV4: Protection of the Natural and Built Environment and ENV21: European Protected Species of the South Lanarkshire Local Plan (2009) as the applicant has failed to demonstrate to the entire satisfaction of the Council that the proposed development would not adversely impact on protected species.
- 6 The proposal is contrary to the terms of Policies REN6: Assessment Checklist for Renewable Energy and REN2: Constraints of the Renewable Energy Supplementary Planning Guidance as the proposal would have an adverse impact upon air traffic safety, would have an adverse impact upon landscape and visual amenity to an unacceptable level and the applicant has failed to demonstrate to the entire satisfaction of the Council that the proposed development would not adversely impact on protected species.



For information only

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