

Report

Report to:	Planning Committee
Date of Meeting:	23 February 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/1857
Planning proposal:	Erection of 120 metre wind monitoring mast and associated measuring equipment for a temporary 3 year period

1 Summary application information

Application type:	Detailed planning application
Applicant:	Banks Renewables
Location:	Proposed Meteorological Mast at Scaur Hill Bodinglee Road Wiston Biggar South Lanarkshire

2 Recommendation(s)

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

- (1) Grant detailed planning permission (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: Ellen Morton
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan:**
 - Policy 2 Climate Change
 - Policy 3 Green belt and rural areas
 - Policy 4 Development management and placemaking
 - Policy 15 Natural and historic environment
 - Policy 19 Renewable energy**Supplementary Guidance 3: Development Management, Placemaking and Design**
Policy DM1 – Design

Supplementary Guidance 10: Renewable Energy

Policy RE1 Spatial framework for wind energy

Policy RE2 Renewable energy developments

Proposed SLLDP2:

Policy 2 Climate Change

Policy 4 Green Belt and Rural Area

Policy 5 Development Management and Placemaking

Policy 14 Natural and Historic Environment

Policy 18 Renewable Energy

◆ **Representation(s):**

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

◆ **Consultation(s):**

BAA Aerodrome Safeguarding (Glasgow)

Civil Aviation Authority (CAA)

MoD (Windfarms)

National Air Traffic Services Limited

Countryside and Greenspace

Planning Application Report

1 Application Site

- 1.1 The application site relates to an area of approximately 0.4 hectares of undulating moorland located on the summit of Scaur Hill which lies to the east of the M74, close to its junction with the A70.

2 Proposal(s)

- 2.1 Planning permission is sought for the erection of a 120 metre wind monitoring mast for a temporary period of 3 years. The mast is approximately 6.5cm wide and is of a lattice construction with meteorological equipment located at intervals running up the mast with wind measuring equipment at its tip. The mast would be held in place by guy cables anchored into the ground. Bird flight diverters are proposed at 5 metre spacing intervals on the guy wires. Bird diverters are brightly coloured, round discs that act as deterrents to birds flying close to the cables. LiDAR measuring equipment is also proposed as part of the application and this comprises a self-standing ground unit that utilises a laser light beam to measure the speed of airborne particles and, therefore, wind speed itself. The proposed LiDAR unit does not involve any construction and is simply left in situ. The LiDAR unit is powered by solar panels and is small scale. The temporary protective fencing surrounding the equipment would be the tallest part of the proposals at 2 metres in height.
- 2.2 Due to the temporary nature of the proposals, all equipment can be tracked to site without the need for an access/haul road to be installed. Access to the site is proposed from the B7078 and then over existing an existing access track, where possible, with the remainder of the route being tracked over the flat moorland.
- 2.3 Whilst not part of this planning application, the submission makes reference that the monitoring equipment relates to gathering data for a potential 62 turbine wind farm within the surrounding area. It should be noted that any reference to the wind farm is solely in relation to providing context for the requirement for the proposed monitoring equipment. Any proposed wind farm would be required to form part of a separate, formal application and this current application is, therefore, required to be considered on its own merits and not in relation to any future scheme.

3 Background

3.1 National Policy

- 3.1.1 Scottish Planning Policy (SPP) Principles (page 9) state that there will be “a presumption in favour of development that contributes to sustainable development”. 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).
- 3.1.2 It is considered that, whilst the proposed monitoring mast does not automatically lead to the generation of renewable energy, its intrinsic purpose is to gather data of the wind resource in the area for potential future renewable energy use and it can be considered to fall within the envelope of sustainable development and can, therefore, be considered to accord with the principles of SPP, subject to detailed assessment of the proposals in relation to the Development Plan, as set out in Section 6 below.

3.2 Glasgow and Clyde Valley Strategic Development Plan 2017

- 3.2.1 Policy 10 Onshore Energy of the Glasgow and Clyde Valley Strategic Development Plan 2017 (ClydePlan) requires proposals to accord with local development plans. As the ClydePlan is a strategic document, it is considered that this application is not of a

strategic scale where further assessment is required against this Plan, subject to the detailed assessment of the proposals in relation to the local development plan as set out in Section 6 below.

3.3 Local Development Plan Status

3.3.1 The application site is on land identified as rural within the South Lanarkshire Local Development Plan (SLLDP) 2015 and contains the following policies against which the proposal should be assessed:-

- ◆ Policy 2: Climate change
- ◆ Policy 3: Green belt and rural areas
- ◆ Policy 4: Development management and placemaking
- ◆ Policy 15: Natural and historic environment
- ◆ Policy 19: Renewable energy

3.3.2 The following approved Supplementary Guidance documents support the policies in the SLLDP and also require assessment:-

- ◆ Supplementary Guidance 3: Development Management, Placemaking and Design
- ◆ Supplementary Guidance 10: Renewable Energy

3.3.3 On 17 August 2020, the Directorate for Planning and Environmental Appeals issued its report of the Examination of the proposed South Lanarkshire Local Development Plan 2 (SLLDP2) in which a number of modifications to the Plan were recommended. At the Planning Committee on 1 December 2020, members agreed to the approval of all of the modifications; the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers.

3.3.4 For the purposes of determining planning applications the Council will, therefore, assess these against the policies contained within the adopted South Lanarkshire Local Development Plan (SLLDP) and those within the proposed SLLDP2. As the SLLDP2 is now approved for adoption, when considering planning applications, greater weight should be given to the policies and guidance contained in this Plan. If the relevant proposed SLLDP2 policy differs materially from those in the adopted SLLDP, this will be discussed within the assessment section of this report.

3.4 Planning Background

3.4.1 There is no previous planning application history on this site.

3.4.2 On 21 January 2021, the Council received a scoping opinion consultation request from the Scottish Government, Energy Consents Unit (SLC Ref: P/21/0108). A scoping opinion request is a technical exercise required to be carried out to allow relevant consultees to comment on the proposed scope of a future Environmental Impact Assessment Report. This scoping opinion relates to the proposed 62 turbine wind farm as referenced in 2.3 above. Again, it should be noted that a scoping opinion is not a formal application for a wind farm and is separate from the assessment of this current application.

4 Consultation(s)

4.1 **National Air Traffic Services Limited (NATS)** – have assessed the proposals from a technical safeguarding aspect in relation to en-route air traffic and they do not conflict with their safeguarding criteria.

Response: Noted.

- 4.2 **Ministry of Defence (MOD Wind Farms)** – have no objections to the proposals subject to a condition requiring aviation warning lighting and that the applicant must notify the MOD of the precise location of the development, the date of construction starting and finishing and the maximum height of construction equipment and of the tallest structure installed.

Response: Noted, appropriate conditions shall be imposed on any permission granted.

- 4.3 **BAA Aerodrome Safeguarding (Glasgow)** – have assessed the proposals from an aerodrome safeguarding perspective and it does not conflict with their safeguarding criteria and, therefore, they have no objections to the proposals. Note that this response is solely in relation to the current proposals and does not relate to the acceptability of a wind farm in this area.

Response: Noted, and as previously referenced, this application is for a monitoring mast only and does not involve any form of assessment or opinion on a potential wind farm in the area.

- 4.4 The following consultees had no comments to make on the application:-

- ◆ Civil Aviation Authority (CAA)
- ◆ Countryside and Greenspace

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press for non-notification of neighbours and, due to its height, a schedule 3 development.

- 5.2 Following this publicity, 9 letters of objection have been received with the following concerns:-

- a) **The application site is in a location that has a low capacity for wind farms within the South Lanarkshire Capacity Study for Wind Energy.**

Response: As noted in 2.3, this application solely relates to the erection of a 120 metre monitoring mast which is intended to provide data to inform the future submission of a planning application for a wind farm. Granting planning permission for the monitoring mast does not set any precedent or make any opinion in relation to future turbines in the area.

- b) **The application site is part of a turbine free corridor that extends from the M74 to the Pentland Hills. SPP and Nature Scot (formerly SNH) state that these types of wind turbine free areas should be maintained. A wind farm would have an unacceptable visual impact on the landscape, including Tinto Hill.**

Response: As previously noted, this application relates solely to the erection of a monitoring mast and is required to be assessed on its own merits. There is no policy within SPP that prohibits the erection of met masts within this area. Any future wind farm application would be required to be fully assessed against national and local planning policy and in consultation with Nature Scot.

- c) **The area is unsuited for a large wind farm and, therefore, there is no need for the monitoring mast.**

Response: The application seeks consent for a monitoring mast and, therefore, is required to be assessed on its own merits and not in relation to the suitability of any potential wind farm on the site which requires a different assessment in terms of landscape capacity and other material considerations.

d) Impact on birds and wildlife.

Response: Aviation deflectors are proposed as part of the application and it is considered that these are a proven and effective way to protect birds from the guy cables. The footprint of the monitoring mast is of a relative small scale and, therefore, does not result in the detrimental removal of any habitat within a large, moorland area.

e) A wind farm would have a detrimental impact upon leisure and tourism in the area.

Response: The current application does not propose any wind farm development and is for a monitoring mast only.

5.3 These letters are available for inspection on the planning portal.

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 (GCVSDP), the adopted South Lanarkshire Local Development Plan 2015 (SLLDP) and associated Supplementary Guidance.

6.2 As noted in 3.3 above, on 17 August 2020 the Directorate for Planning and Environmental Appeals issued its report of the Examination of the proposed South Lanarkshire Local Development Plan 2 (LDP2). A number of amendments to policy have been recommended. At the Planning Committee on 1 December 2020, members agreed to the approval of all of these modifications; the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers. For the purposes of determining planning applications the Council will, therefore, assess these against the policies contained within the adopted South Lanarkshire Local Plan and those within the proposed South Lanarkshire Local Development Plan. For the purposes of this report, SLLDP2 Policies are only referenced where they differ from the aims of SLLDP.

6.3 Policy 2: Climate change, seeks to minimise and mitigate against the effects of climate change by a number of criteria. The criteria relevant to this proposal are (iii) utilising renewable energy sources, (vii) having no significant adverse impacts on the water and soils environment, air quality, biodiversity (including Natura 2000 sites and protected species) and green networks. The proposals are to monitor the wind resource in the area to determine if it is suitable for wind farm development. In addition, the equipment would utilise solar energy and not require any generators or other non-renewable energy sources. The proposals do not involve any large scale or permanent construction and, therefore, would not have a detrimental impact upon the water and soils environment nor biodiversity and air quality. It is, therefore, considered that the proposals accord with the relevant policy criteria in this instance.

6.4 The application site is located on land designated as Rural within the SLLDP. SLLDP Policy 3 'Green Belt and Rural Area' states that support will not be given for development proposals within the Green Belt, unless they relate to uses which must have a countryside location. In this instance, the proposals are to monitor the wind resource at this location and, therefore, it is considered that this specific, rural location can be justified subject to further assessment against development management criteria as below.

- 6.5 Policy 4 '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 within Development Management, Placemaking and Design Supplementary Guidance under Policy DM1 – Design. The application site is located within a remote, rural location on the summit of Scaur Hill, one of the higher points of the surrounding moorland. The proposed mast is 120 metres in height and so would have a visual impact on the landscape. It is considered, however, that its lattice construction would reduce its visibility within the landscape. The lattice would visually soften the mast as it would not be a solid object on the landscape. It is also noted that the proposals would only be for a temporary 3 year period which would ensure that there is not permanent impact upon the landscape. The bird deflectors proposed on the guy cables would also introduce some visual distraction into the landscape but these deflectors would be small scale and, due to the remote location of the site, not be visible over the wider landscape which would minimise their impact. It is also considered that their function in protecting birds outweighs any minimal visual impact they may have on the surrounding landscape. The proposals do not require any intrusive infrastructure such as an access road and can be tracked to site. It is, therefore, considered that the proposals are in line with the criteria of this Policy.
- 6.6 Policy 15: Natural and Historic Environment provides the context for assessing all development proposals in terms of their effect on the character and amenity of the natural and built environment. In this instance, the proposals do not involve the loss of any habitat and propose mitigation (the bird deflectors) to ensure there is no detrimental impact upon flying birds. The site is not located in proximity to any listed building, Conservation area or other historical asset that would be impacted upon by the proposals. It is, therefore, considered that the proposals accord with the relevant criteria of this policy.
- 6.7 Policy 19: Renewable Energy and the associated Supplementary Guidance (SG) requires renewable energy projects to comply with the Spatial Framework set out in SG Policy RE1 and the relevant development management criteria set out in SG Policy REF2. In terms of the Spatial Framework, this relates to wind turbines and, therefore, does not relate to a monitoring mast. In terms of the development management criteria set out in REF2, the majority of this relates again to wind turbines and it is considered that the relevant, remaining development management criteria has already been assessed in this section of this report. It is, therefore, considered that the monitoring mast accords with the relevant policy criteria in this instance. It is noted, however, that this relates solely to the merits of the current application and does not set out any policy position in relation to any future renewable energy development on this site.
- 6.8 In conclusion, the proposals are considered to accord with planning policy in the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance and the proposed South Lanarkshire Local Development Plan 2 (2020). It is, therefore, recommended that planning permission be granted for a temporary period of 3 years.

7 Reasons for Decision

- 7.1 The proposal is considered to be acceptable and would not be detrimental to the environment subject to the attached conditions. It complies with Policies 2, 3, 4, 15 and 19 of the adopted South Lanarkshire Local Development Plan 2015 and associated Supplementary Guidance and Policies 2, 4, 5, 14, 18, DM1 and RE1 of the Proposed South Lanarkshire Local Development Plan 2 (2020).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

3 February 2021

Previous References

- ◆ None

List of Background Papers

- ▶ Application form
 - ▶ Application plans
 - ▶ Supporting Statement
 - ▶ South Lanarkshire Local Development Plan 2015 (adopted)
 - ▶ Proposed South Lanarkshire Development Plan 2
 - ▶ Lanark Gazette advert dated 13th January 2021
-
- ▶ Consultations
 - BAA Glasgow 22.01.2021
 - MoD (Windfarms) 13.01.2021
 - National Air Traffic Services Limited 05.01.2021
 - ▶ Representations Dated:
 - Mr Andrew Watt, Woodside, Howgate Road, Roberton, ML12 6RS 02.01.2021
 - Mrs Angela Watt, Woodside,, Roberton, Biggar, ML12 6RS 02.01.2021
 - Mr Stewart Kennedy, Braemoor, Howgate Road, Roberton, Biggar, ML12 6RS 14.01.2021
 - Mrs Lynn Morley, Longwood, Howgate Road, Roberton, ML12 6RS 19.01.2021
 - Mrs Anne Shearer, Braehead, Roberton, Biggar, ML12 6RS 15.01.2021
 - Mr Mike Morley, Longwood, Howgate Road, Roberton, ML12 6RS 19.01.2021
 - Mrs Jane Morrison-Ross, Ryefield House, Howgate Road, Roberton, Biggar, ML12 6RS 02.01.2021
 - Mrs Virginia Bennett, Kilnpotlees, Roberton, Biggar, ML12 6RT 03.01.2021
 - Mrs Kay Booton, Sabhal Mor, Roberton Biggar ML12 6RS 01.02.2021

Contact for further information

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

James Wright, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455903

Email: james.wright@southlanarkshire.gov.uk

Conditions and reasons

01. That the anemometer mast hereby permitted shall be removed, the uses discontinued and the land restored to its former condition to the satisfaction of the Council as Planning Authority, on or before 3 years from the date of this consent.

Reason: In order to ensure the satisfactory reinstatement of the land and in the interests of visual amenity.

02. That the bird deflectors attached to the guy wires of the mast hereby approved shall be maintained and replaced where necessary for the lifetime of the development, hereby approved.

Reason: To reduce the risk of bird strikes.

03. That before any work starts on site, details of all construction methods and a programme of works shall be submitted for the written approval of the Council, as Planning Authority. Once approved the fencing shall be installed and maintained as such for the lifetime of the development, hereby approved.

Reason: In the interests of visual amenity.

04. That before any work starts on site, details of any proposed fencing shall be submitted for the written approval of the Council, as Planning Authority. Once approved the fencing shall be installed and maintained as such for the lifetime of the development, hereby approved.

Reason: In the interests of visual amenity.

05. That upon completion of the mast structure an omni-directional red light shall be installed on the top and shall have a setting of 25 candela omni-directional red lighting or infrared lighting, all to the satisfaction of the Council in consultation with the Ministry of Defence.

Reason: To ensure the mast is visible to aircraft at night.

06. Following agreement of the construction programme specified in condition 3 but prior to any work starting on site, the MOD shall be notified of the following:-

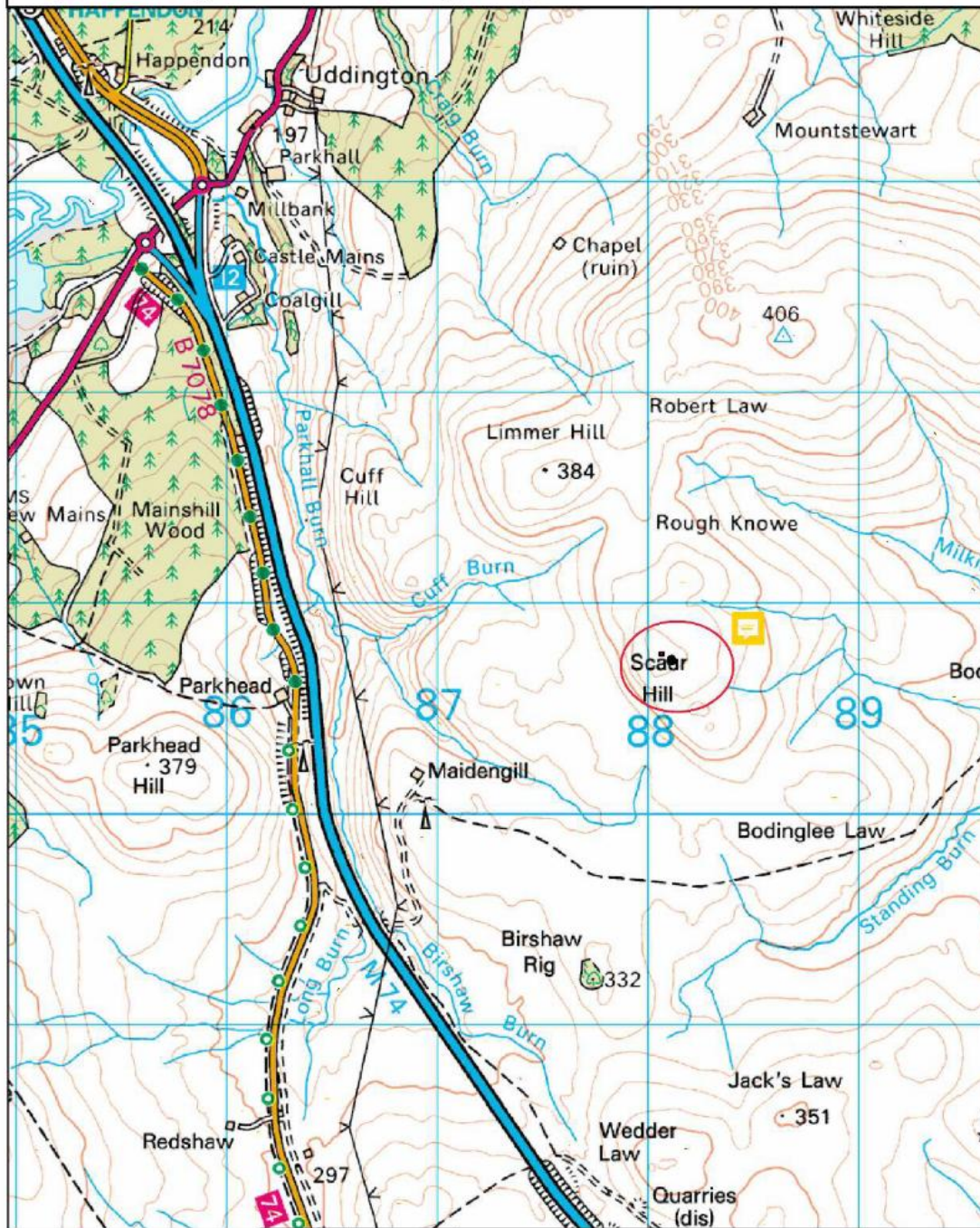
- ◆ Precise location of development
- ◆ Date of commencement of construction
- ◆ The maximum extension height of any construction equipment
- ◆ Details of aviation warning lighting to be fitted to the structure(s)

Following the submission of evidence to the Council of this notification, work can commence on site. No later than 1 week following completion of construction, the applicant shall notify the MOD of the date of completion of construction and the height above ground level of the tallest structure. Evidence will be provided no later than 2 weeks from the completion of construction, demonstrating that the MOD have been notified of these post construction details.

Reason: In the interests of aviation safety

P/20/1857

Proposed Meteorological Mast at Scaur Hill, Bodinglee Road, Wiston



© Crown copyright and database rights 2019 OS
100020730. You are permitted to use this data solely
to enable you to respond to, or interact with, the
organisation that provided you with the data. You are
not permitted to copy, sub-licence, distribute or sell
any of this data to third parties in any form.



Scale:
1:25,000
Date:
25/01/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development