

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts to be considered by Planning Applications Committee on
9th March 2016

Reference No: 2015/0423/TP

Ward: 6

Applicant:

Green Power Consultants
54 Blossom Street
York
YO24 1AP

Agent:

AAH Planning Consultants Ltd
2 Bar Lane
York
YO1 6JU

Site: Land at Polnoon Farm, Eaglesham, East Renfrewshire, G76 0PE

Description: Erection of 60 metre high (to hub) wind turbine, erection of substation building and formation of access track

Recommendation: Refuse

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REPORT OF HANDLING

Reference: 2015/0423/TP

Date Registered: 8th July 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 6 - Busby, Clarkston and Eaglesham

Co-ordinates: 259067/:651304

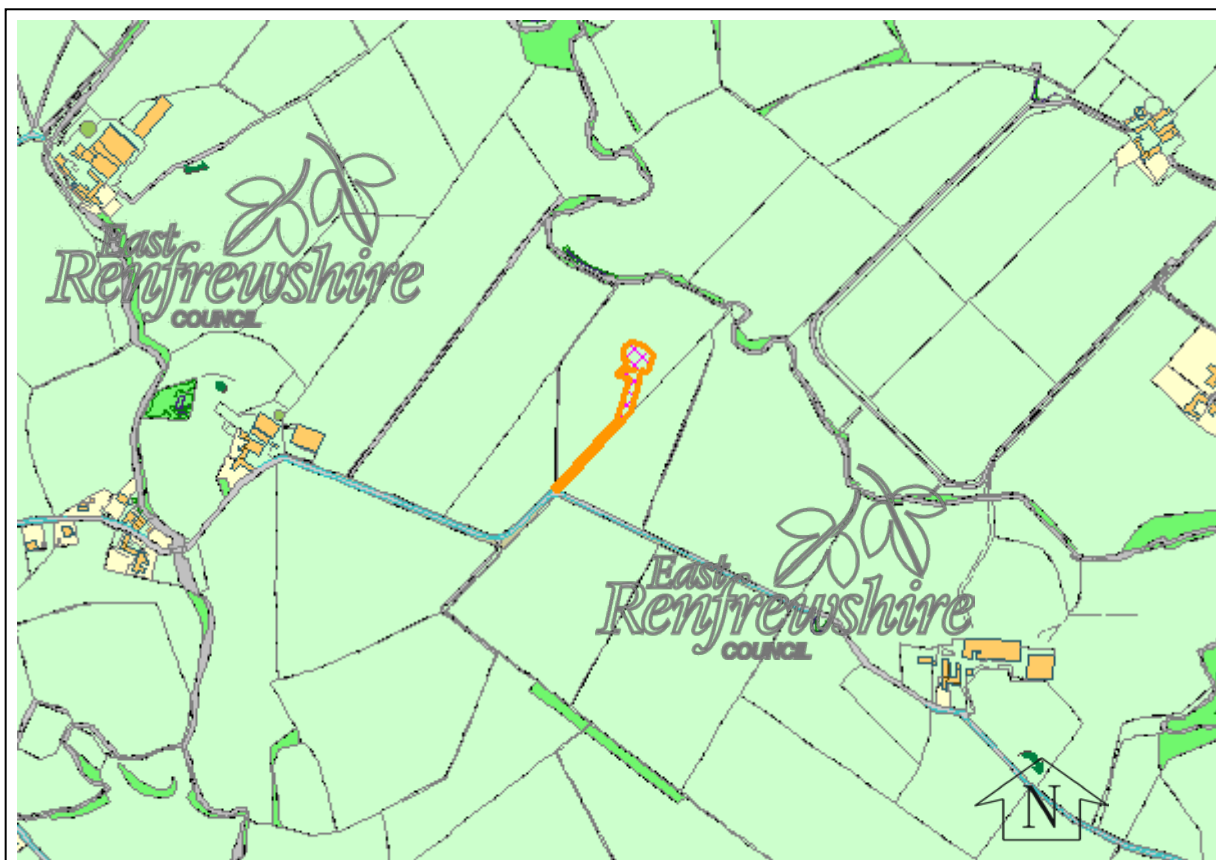
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Proposal: Erection of 60 metre high (to hub) wind turbine; erection of substation building and formation of access track

Location: Land at Polnoon Farm
Eaglesham
East Renfrewshire
G76 0PE



DO NOT SCALE

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CONSULTATIONS/COMMENTS:

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| Glasgow Airport | No objection subject to conditions. |
| Ministry Of Defence | No objection. |
| East Renfrewshire Council Roads and Transportation Service | No objection subject to conditions. |
| National Air Traffic Service | A technological impact is anticipated, however this is deemed to be acceptable. |
| Glasgow Prestwick Airport | No objection. |
| East Renfrewshire Council Environmental Health Service | No objections subject to conditions. |
| South Lanarkshire Council | No objection, however, consideration should be given to the visual impact of the proposal from the nearby town of East Kilbride. |

PUBLICITY:

24.07.2015 Glasgow and Southside Extra Expiry date 07.08.2015

SITE NOTICES: None.

SITE HISTORY: None relevant.

REPRESENTATIONS:

A total of eighteen letters of representation have been received. The grounds of objection can be summarised as follows:

Site lies within the greenbelt
 Visual impact
 Impact on character and amenity of the rural area
 Noise impact
 Proximity to residential properties and impact on residential amenity
 Shadow flicker
 Impact on birds, including migrating geese
 Roads are unsuitable for construction and maintenance traffic and resultant public road safety concerns
 Area prone to flooding
 Health impact
 Turbine will spook horses
 Impact on listed buildings and on the Eaglesham Conservation Area
 Impact on Millhall Conservation Area
 Negligible impact on power generation
 Set a precedent for further similar applications
 Reduction on property values
 Why is a company from York promoting this application?

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Design and Access Statement: The Statement indicates that this 500kW turbine will produce sufficient power to supply 459 households annually, displacing 987 tonnes of carbon dioxide from the atmosphere annually. The single turbine is proposed to limit visual impact and its positioning in the lower part of the field is also proposed to limit impact. The Statement also outlines the policy position, references the landscape character and makes an assessment of the visual impact of the proposed turbine and its impact on adjacent properties. It also makes reference to shadow flicker, noise, electromagnetic interference, power lines, airports and flight paths, ecological issues, heritage issues, archaeological issues, loss of agricultural land, health and safety, equestrian activities and flood risk. The Statement concludes that the proposal meets the policy requirements of the Local Development Plan and each of the issues highlighted in the report do not preclude the approval of the application.

Ecology Report: Details the predicted impact on a number of species. It states that numerous records of red bats were located, although none within 50 metres of the proposed turbine location. One tree with bat roost potential was located adjacent to the proposed access road. No other records of European Protected Species were located. The report concludes that if the tree with potential for bat roosts is proposed to be felled, further surveys will be undertaken.

Heritage Statement: Concludes that the turbine will have no direct impact on any heritage asset. In terms of impact on the setting of any asset, the statement concludes that this would be less than substantial.

Visual Impact Assessment: The Statement describes the visual impact of the proposal on the immediate and wider area and provides an analysis of the cumulative impact of the proposal and other nearby commercial schemes. It also discusses possible mitigation measures. The Statement concludes that the proposal would not have any direct impact on the landscape character of the area.

Noise Assessment: Concludes that no noise sensitive properties would experience noise levels greater than 35dB and that, as such, the development would operate within current good practice guidelines.

Traffic Management Plan: Describes how the turbine can be safely delivered to the site without detriment to public road safety.

ASSESSMENT:

This is a Local Development under the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009 because the generating capacity of the turbine does not exceed 20 megawatts. However the application requires to be submitted to the Planning Committee for determination as more than 10 objections have been received.

The application site is land at Polnoon Farm, in the greenbelt to the south east of Eaglesham. The site lies approximately 500 metres east of the steading at Polnoon Farm. The wider area is relatively flat agricultural land forming part of the White Cart river basin. Much of the land in the vicinity of the site is pasture. The land rises and becomes more undulating to the south west and to the north east. Wind turbines at Ardoch and Over Enoch lie to the south west on the higher ground and beyond that lies the Whitelee Wind Farm on the high moorland to the south. The White Cart Water lies approximately 40 metres to the north of the site and at this location it forms the administrative boundary between East Renfrewshire Council and South Lanarkshire Council. To the north and east of the boundary lies a further area of farmland on the north bank of the river and the town of East Kilbride lies beyond.

Planning permission is sought for the erection of a wind turbine 60 metres to hub height (86.4 metres to blade tip) with the erection of a substation building and for the formation of an access track to allow

access to the site from Millhall Road and an area of hardstanding. The substation building measures 6.85 metres by 3.36 metres by 2.8 metres high. The access road is proposed to be 185 metres long. The hardstanding measures 30 metres by 20 metres to the south of the turbine. A smaller access pad at the turbine base and a temporary turning area at the end of the access road adjacent to the access pad are also proposed.

It should be noted that a screening opinion was adopted in respect of the proposals under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. The adopted opinion concludes that an Environmental Impact Assessment was not required because the development would not result in significant environmental effects and is not in an environmentally sensitive location.

The application requires to be assessed with regard to Scottish Planning Policy on Renewable Energy (SPP), the Glasgow and the Clyde Valley Strategic Development Plan (SDP) and the Adopted East Renfrewshire Local Development Plan.

The Scottish Government Policy on Renewable Energy is contained in Scottish Planning Policy (SPP) and the current target is for 30% of Scotland's overall energy demand to be generated from renewable sources by 2020 with the equivalent of 100% of electricity demand from renewable sources by 2020. The SPP sets out guidance for the consideration of applications for a range of renewable energy proposals, including wind farms, and encourages the use of the development plans to support and encourage renewable technologies in appropriate locations. The SPP sets out guidance for the consideration of applications for a range of renewable energy proposals, including wind farms, and encourages the use of the development plans to support and encourage renewable technologies in appropriate locations. Further advice has been issued by the Scottish Government on the range of matters to be considered in determining applications for energy infrastructure developments. These matters include net economic impact; contribution to renewable energy generation targets; effect on greenhouse gas emissions; cumulative impacts; impacts on communities and individual dwellings; landscape and visual impacts; impacts on natural heritage; impacts on carbon rich soil; public access; impact on historic environment; impacts on tourism and recreation; impacts on aviation; road traffic impacts; impacts on telecommunications; effects on hydrology, the water environment and flood risk; the need for decommissioning conditions and site restoration; opportunities for energy storage; and the need for a planning obligation relating to site restoration.

The SDP has identified potential areas of search for major wind farms (i.e. those with a generating capacity of 20MW and above). The application site is outwith the potential search area and as the proposal relates to a single turbine only it is not considered significant at the strategic level.

In terms of the adopted East Renfrewshire Local Development Plan, the site is located within the greenbelt. Policy D1 requires that all development should not result in a significant loss of character to the area and that development should be of a size and scale that is in keeping with the buildings in the locality. Policy D3 of the adopted Local Development Plan states that development within the greenbelt will be strictly controlled to that which is required, should be appropriate to the rural area and should respect the character of the area. Policy E1 supports renewable energy proposals in appropriate locations and which adheres to the principles set out in SPP and the SDP.

The main issues are considered to be whether the site is an appropriate location for this type of development and if there would be an adverse impact on the rural location and landscape.

The application site lies within a pastoral landscape and is located in a Plateau Farmlands Landscape Character Type (LCT). The key characteristics, features and qualities of this LCT are considered to be extensive, gently undulating landform; dominance of pastoral farming; limited and declining tree cover; and visually prominent settlements. It should be noted that there are no operational turbines in this LCT within East Renfrewshire, though there are operational turbines to the south within the Plateau Moorland LCT. It is considered that this LCT has high-medium sensitivity for a turbine of this height and

the residual capacity is considered to be lower for all turbine scales, except for small or small-medium turbines.

The landscape in the vicinity of the proposed turbine means that there will be some topographical screening from certain locations/viewpoints whereas from other locations the proposed turbine will be readily visible. This is not unusual because the appearance of any turbine will depend on the position of the viewer and its impact/appearance will change from sequential viewpoints (i.e. when travelling along roads/routes) and the intervening topography.

There are no tall structures within the area and the river valley within which the site is located is characterised by open fields, grouped farm buildings and scattered cottages. Buildings are generally limited to single and two and a half storeys in height. Tree belts and planted field boundaries are also present. The proposed development will introduce a tall vertical man-made structure into the landscape and it is considered that the 60 metres high (to hub height) wind turbine with its moving blades up to 86.4 metres in height represents a vertical structure of a large scale that would be out of keeping with the rural character of the area. The rotation of the rotor blades would also draw attention to the turbine increasing its impact over a wider area. Its visual impact is considered to be significant particularly when viewed from Millhall Road and from the adjacent residential properties. There will also be some cumulative effects with turbines to the south. It is considered the proposed turbine will be visible to a number of visual receptors and this will result in it being both visually prominent and dominant. In addition there are no mitigation measures possible to lessen its visual impact. Whereas the ancillary development of the sub-station building and the access track will have a limited visual impact the overall proposal is therefore considered to be contrary to Policies D1, E1 and D3 of the adopted Local Development Plan.

The consultation responses are noted and should the application be otherwise acceptable, the conditions recommended by the consultees can be included on any planning permission.

In terms of the points of objection not specifically addressed above the following comments are made. The Council's Roads Service has not objected to the proposal and has suggested conditions should the application be approved. It is not considered that the proposal would have a significant impact on residential amenity in terms of noise as it is located approximately 500 metres from the nearest residential property, which is the applicant's dwelling. The Council's Environmental Health Service has not objected to the application in terms of noise generation.

In terms of shadow flicker, the applicant's dwelling lies within the area that could be affected under certain conditions. However, it is considered that this would be for limited duration and can be controlled by conditions should planning permission be granted.

In terms of equestrianism it is considered that the distance from the proposed turbine to the objector's premises at North Allerton Steading of 700 metres is sufficiently far to lessen any impact on the equestrian activities carried out there. The proposal would not be considered to have an impact on the Eaglesham Conservation Area as it is sufficiently far enough away from the village, nor would it have an impact on the listed building at Millhall.

The site is located at the edge of an area identified by SEPA at potential risk from flooding from the White Cart Water. SEPA has issued standing advice in terms of wind turbines which indicates that due to their small footprint, these types of development do not usually create or increase flooding to nearby receptors in their local vicinity. The proposed turbine and ancillary development have limited footprints in the context of the functional floodplain and any potential flood risk is not considered to be significant in this instance.

There are no natural heritage designations that affect the site and it is not considered that the proposed development has a significant impact on habitats or species.

The other grounds of objection are not material planning considerations.

Overall conclusion

Although the proposed development may contribute to Scottish Government targets, albeit to a limited extent, it is not considered that this overrides the negative aspects of the development.

It is considered that the proposed turbine is visually prominent and visually dominant at this location and there are no measures possible to mitigate/lessen this impact.

It is therefore recommended that the application be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASON FOR REFUSAL:

1. The proposal is contrary to Policies D1, E1 and D3 of the adopted East Renfrewshire Local Development Plan as it will have an adverse visual impact on the site and surrounding area. The turbine will be visually dominant and visually prominent because of its location and there are no mitigation measures possible to lessen this impact.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Any background papers referred to in this report can be viewed at www.ercplanning.eastrenfrewshire.gov.uk/eplanning, where you can enter the Reference Number listed below. Any further information can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2015/0423/TP
(DESC)

DATE: 2nd March 2016

DIRECTOR OF ENVIRONMENT

2015/0423/TP - APPENDIX 1

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;

14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D3

Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Further detailed information and guidance is provided in the Rural Development Guidance Supplementary Planning Guidance.

Policy D18

Airport Safeguarding

The Council supports the requirement to protect safeguarded areas for Glasgow and Prestwick Airports and will consult BAA or NATS as appropriate on proposals in line with Circular 2/2003 to ensure that development proposals do not adversely impact on the safe and efficient operation of the airports. Proposals which interfere with visual and electronic navigational aids of airports and/or increase bird hazard risk will be resisted unless accompanied by agreed mitigation measures, including a hazard management plan.

Policy E1

Renewable Energy

The council will support renewable energy infrastructure developments, including micro-renewable energy technologies on individual properties, wind turbine developments, hydro electric, biomass and energy from waste technologies in appropriate locations. The assessment of applications for such developments will be based on the principles set out in Scottish Planning Policy (2014), in particular, the considerations set out at paragraph 169 and additionally, for onshore wind developments, the terms of Table 1: Spatial Frameworks. Where appropriate, the applicant will be required to submit satisfactory mitigation measures to alleviate any adverse environmental impacts.

The council will prepare statutory supplementary guidance which accords with the Scottish Planning Policy (2014), and which contains the full spatial framework for onshore wind energy, sets policy considerations against which all proposals for renewable energy infrastructure developments will be assessed, and provides further detailed information and guidance on renewable energy technologies

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Onshore Wind indicates that planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales, including extensions and re-powering. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative impacts. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.