

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 11/00653/PP  
**Planning Hierarchy:** Local  
**Applicant:** Mr I MacRae  
**Proposal:** Erection of 20 metre high wind turbine (24.25m to blade tip)  
**Site Address:** Kildavaig Farm, Ardlamont, by Kames

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**DECISION ROUTE**

**(i) Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997**

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**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- Erection of 15kw wind turbine on 20 metre mast.
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**(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission **be refused** for the reason given below.

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**(C) HISTORY:**

Planning permission (ref: 99/01605/DET) for the erection of an agricultural building was granted on 27<sup>th</sup> October 1999.

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**(D) CONSULTATIONS:**

**NATS** (16.5.11): No safeguarding objection.  
**Historic Scotland** (23.5.11) No objection  
**West of Scotland Archaeology Service** (9.6.11) No archaeological issue  
**Environmental Health** (8.6.11): No objection subject to noise condition.

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**(E) PUBLICITY:**

Regulation 20 advert (expired 11 June 2011)

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**(F) REPRESENTATIONS:**

No representations have been received.

## **(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) Environmental Statement: N**
- (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: N**
- (iii) A design or design/access statement: N**
- (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: N**
- (v) Supporting Information**

A document (dated June 2011) has been submitted by VG Energy in support of the application. The findings can be summarised as follows:

- § There are a total of 203 nature conservation sites in the Argyll and Bute Council area-none of which are within 1km of the proposed turbine development. The closest sites are North end of Bute and the Tarbert to Skipness coast both of which are SSSI's (Site of Special Scientific Interest). These sites are 4 and 7km away from the development site respectively and both are separated from the area by a water mass, so they will not be adversely affected.
- § With regards to birds and protected species an initial check of the National Biodiversity network has not highlighted any sites of interest within the development.
- § The closest SSSIs are approximately 7km to 10km away. The North End of Bute, the Tarbert to Skipness Coast and the Central Lochs of Bute are all biological designations. There is a National Nature Reserves (Mealdarroch) and Special Conservation Area (Tarbert Woods) which falls along the Tarbert to Skipness Coast. We do not expect that the proposed turbine at Kildavaig Farm should have any impact upon these.
- § A ZTV has been submitted depicting the possible visual impact of the proposed turbine. The most significant visual impact is expected to be within 5km of the proposed site, resulting in the area of Ardlamont Point being affected most by the turbine. Having said this there are areas of mature trees which will create a reasonable visual shield. The ground upon which the turbines have been located has been selected due to the vegetation and undulating ground levels which will hopefully assist in reducing the visual impact of the development.
- § The turbine is located approximately 250m west of the farm steading. The turbine has been located as close to the farm steading as is possible without risking the turbine being affected by turbulent air which is created by the farm buildings. The turbine is located beyond the existing undergrowth & vegetation to ensure that this does not affect the strength of the wind which typically comes from the South West. The point at which the turbine has been located on is the highest in the farm within 300m of the farm steading. As a result of this we hope to mitigate some of the visual impact by keeping the turbine away from the coast and below the sky line. Within this area it is expected that the drop in height of 10m will reduce the wind speed by 0.7m/s which over the lifetime of the turbine will have a significant effect on the amount of energy produced.
- § The annual output of electricity does not exceed the energy requirements of those premises by more than 25%. At Kildavaig Mr MacRae uses

approximately 14,670 kW per year. The hope is that Mr MacRae can renovate this property and return it to full use and the wind turbine will provide some of the energy requirements for the farm again. Mr. MacRae has identified this project as a diversification opportunity that will provide an income for the farm independent of the fluctuations in farm prices, and significantly reduce its carbon footprint. It is intended that this income stream will be used to secure the continued employment of local farm workers, while also providing funds for the upkeep of the farm property.

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**(H) PLANNING OBLIGATIONS**

**(i) Is a Section 75 agreement required: N**

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**(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: N**

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**(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

**(i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

Argyll & Bute Structure Plan (2002)

STRAT DC 5 – ‘*Development in Sensitive Countryside*’

STRAT RE 1 – ‘*Wind Farm/Wind Farm Turbine Development*’

Argyll & Bute Local Plan (2009)

LP ENV 1 – ‘*Development Impact on the General Environment*’

LP ENV 10 – ‘*Development Impact on Areas of Panoramic Quality*’

LP ENV 19 – ‘*Development Setting, Layout & Design*’

LP BAD 1 – ‘*Bad Neighbour Development*’

LP REN 1 – ‘*Wind Farms and Wind Turbines*’

**(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

Landscape Assessment for Argyll and the Firth of Clyde (1996)

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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: N**

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**(L) Has the application been the subject of statutory pre-application consultation (PAC): N**

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**(M) Has a sustainability check list been submitted: N**

**(N) Does the Council have an interest in the site: N**

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**(O) Requirement for a hearing (PAN41 or other): N**

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**(P) Assessment and summary of determining issues and material considerations**

This application is for the erection of one 15kw triple bladed wind turbine with a 4.25 metre rotor radius located on top of a 20 metre high mast constructed from galvanised steel with a grey colour. The rotor blades are to be made from reinforced plastic, coloured black or white.

The site for the turbine is located near the top of rising ground within a field approximately 250 metres to the west of Kildavaig Farm on the Ardlamont peninsula south of Kames. In the Argyll and Bute Local Plan (August 2009), the land surrounding the farm is predominantly Rural Opportunity Area (ROA) but the wind turbine is located beyond the boundary of this ROA within Sensitive Countryside.

The agent has advised that the turbine is located as close to the farm steading as possible without risking the turbine being affected by turbulent air which is created by the farm buildings. The agent has also stated that the annual output of electricity does not exceed the energy requirements of Kildavaig Farm by more than 25%. However, given that related information shows an estimated yield of greater than 20,000 kWh per annum (exceeding the current usage of 14,670 kWh by approximately 36%), confirmation was sought from the agent regarding this assertion. The agent confirmed that an existing turbine at nearby Point Farm produced 10163 kWh between 26 October 2010 and 8 February 2011. Although this would have been the windiest time of year, it is therefore likely that the annual yield of the proposed turbine would exceed the Kildavaig Farm's electricity needs by more than 25%. Consequently, the current proposal should be assessed against policy LP REN 1.

LP REN 1 seeks to support turbines in forms, scales and sites where the technology can operate efficiently, where servicing and access implications are acceptable, and where the proposed development will not have an unacceptable adverse impact directly, indirectly or cumulatively on the economic, social or physical aspects of sustainable development. Amongst other things, one issue that should be satisfactorily addressed should be the impact on landscape character, scenic quality and visual and general amenity.

### **Visual Impact**

A useful tool for assessing the visual impact of turbines is to incorporate the information published in the Landscape Assessment for Argyll and the Firth of Clyde (1996), which was undertaken by Environmental Resources Management on behalf of Scottish Natural Heritage.

For the purposes of this document, the application site is located within "*Rocky Mosaic*". This character type usually forms an irregular narrow coastal or loch edge. The rolling landform of the landscape provides strong containment and the presence of small woodlands, fields and settlement reinforces its predominantly small scale. These loch shores and coastal fringes make an important contribution to the wider scenic context, forming an intricately patterned band between the foreground of sea or loch and backed by simple and more expansive upland landscapes.

Whilst there may be some scope for the smaller type of turbine such as the one referred to in this application within the "Rocky Mosaic" character type, it is considered that the proposed turbine would be located in a sky-line location that would not have rising ground as a backdrop. This sky-line appearance would be highly visible from the public road that traverses the Ardlamont peninsula and would also be viewed from the north west part of the Isle of Bute around Kildavannan, Glecknabae and Kilmichael.

On the basis of the foregoing, **it is considered that the proposal would have an adverse impact upon the Area of Panoramic Quality and would be contrary to policies STRAT DC 5, STRAT RE 1, LP ENV 1, LP ENV 10, LP ENV 19 and LP REN 1.**

### **Noise Impact**

Having reviewed the noise measurements provided by the applicant in their acoustic report and using these, the Area Environmental Health Officer has estimated the likely noise levels at the nearest noise sensitive property (Cedar House). From this review, he is of the opinion that such noise levels will be within the limit recommended in the ETSU report of LA90, 10 min of 35 dB(A) and would offer sufficient protection of amenity for the occupier of this property. In such circumstances, it is not considered necessary to conduct a background survey.

If Planning Permission were ultimately to be granted, the Environmental Health Service recommends a suitably-worded condition is attached to protect the amenity of persons living near to the proposed development.

On the basis of the foregoing, **it is considered that the proposal accords with policy LP BAD 1 in that it would not constitute a bad neighbour development were the recommended mitigating condition to be imposed.**

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**(Q) Is the proposal consistent with the Development Plan: N**

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**(R) Reasons why planning permission or a Planning Permission in Principle should be granted**

Not applicable – being recommended for refusal

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**(S) Reasoned justification for a departure to the provisions of the Development Plan**

N/A

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**(T) Need for notification to Scottish Ministers or Historic Scotland: N**

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**Author of Report: Steven Gove**

**Date: 27.03.2012**

**Reviewing Officer: David Eaglesham**

**Date: 28 March 2012**

**Angus Gilmour  
Head of Planning & Regulatory Services**

## REASON FOR REFUSAL RELATIVE TO APPLICATION REF. NO 11/00653/PP

- 1 For the purposes of the document titled '*Landscape Assessment of Argyll and the Firth of Clyde*' (Environmental Resources Management 1996), the application site is located within "*Rocky Mosaic*". This character type usually forms an irregular narrow coastal or loch edge. The rolling landform of the landscape provides strong containment and the presence of small woodlands, fields and settlement reinforces its predominantly small scale. These loch shores and coastal fringes make an important contribution to the wider scenic context, forming an intricately patterned band between the foreground of sea or loch and backed by simple and more expansive upland landscapes.

Whilst there may be some scope for the smaller type of turbine such as the one referred to in this application within the "Rocky Mosaic" character type, it is considered that the proposed turbine would be located in a sky-line location that would not have rising ground as a backdrop. This sky-line appearance would be highly visible from the public road that traverses the Ardlamont peninsula and would also be viewed from the north west part of the Isle of Bute around Kildavannan, Glecknabae and Kilmichael.

On the basis of the foregoing, it is considered that the proposal would have an adverse impact upon the Area of Panoramic Quality and would be contrary to the following policies:

### Argyll & Bute Structure Plan (2002)

STRAT DC 5 – '*Development in Sensitive Countryside*'  
STRAT RE 1 – '*Wind Farm/Wind Farm Turbine Development*'

### Argyll & Bute Local Plan (2009)

LP ENV 1 – '*Development Impact on the General Environment*'  
LP ENV 10 – '*Development Impact on Areas of Panoramic Quality*'  
LP ENV 19 – '*Development Setting, Layout & Design*'  
LP REN 1 – '*Wind Farms and Wind Turbines*'

## APPENDIX TO DECISION REFUSAL NOTICE

Appendix relative to application 11/00653/PP

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**(A)** Submitted Drawings

For the purpose of clarity it is advised that this decision notice relates to the following refused drawings:

Location Plan (Scale 1:5,000); Site Plan (Scale 1:1,000); Elevation Drawing (Scale 1:100)

**(B)** Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.

No