

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

Reference No: 14/00863/PP

Planning Hierarchy: Local Development

Applicant: Scottish Water

Proposal: Erection of 3 x 5kw wind turbines (15m hub height, 17.7m blade tip)

Site Address: Water Treatment Works, Tarbert Road, Campbeltown

DECISION ROUTE

(i) Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of 3 x 5kw wind turbines (15m hub height, 17.7m blade tip)

(ii) Other specified operations

- Laying of cabling
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(B) RECOMMENDATION:

It is recommended that the application is refused for the reasons appended below.

(C) HISTORY:

12/02135/PP – Erection of three wind turbines – Withdrawn

13/01873/PP – Erection of three wind turbines (21.5m to blade tip) – refused December 2013

(D) CONSULTATIONS:

Area Roads Manager Report dated 25/04/2014

No objections as the size of the components are small.

Highland and Islands Airports Limited Email dated 22/04/2014

HIAL has confirmed that the proposal would infringe on the safeguarding surfaces for Campbeltown airport. An omni-directional steady red aviation warning lights should be fitted at the hub height of turbines T2 and T3.

Public Protection Unit Memo dated 24/04/2014

No objection subject to a planning condition covering noise.

National Air Traffic Services Limited Email dated 22/04/2014

NATS has confirmed that they have no safeguarding objection.

West of Scotland Archaeology Service (WoSAS) Letter 30/4/14

The proposal raises no substantive issues.

Ministry of Defence Letter dated 02/05/2014

No objection.

(E) PUBLICITY:

The proposal has been advertised in terms of regulation 20, closing date 16/05/2014.

(F) REPRESENTATIONS:

There have been 8 representations submitted against this application each raising objections.

Ms Christine Alexander, Dassia Low, Machrihanish, PA28 6PZ (02/05/2014)

Ms Lesley Cowan, Oatfield House, Campbeltown, PA28 6PH (14/05/2014)

Mr Alex Forshaw, 53 Smith Drive, Campbeltown, PA28 6LA (14/05/2014)

Mr John Cowan, Oatfield House, Campbeltown, PA28 6PH (14/05/2014)

Ms Emma Rawson, Belhaven Hill School, Dunbar, East Lothian, EH42 1NN (16/05/2014)

Mrs Sophia Blair, Eriskay Southend PA28 6RF (18/05/2014)

Mr David Blair, Eriskay Southend PA28 6RF (18/05/2014)

Mr John Seddon, Kilmaluag Cottage Glenbarr PA29 6UZ (17/05/2014)

(i) Summary of issues raised

- Adverse visual impact on the countryside.

Comment: Issues of landscape and visual impact are assessed in full in appendix A of this report.

- No requirement for turbines in this location.

Comment: Scottish Water, as with all public bodies, is required by Scottish Government to maximise their assets and reduce their electricity consumption. This application forms part of Scottish Waters' approach to reduce their energy use. The requirement of the turbines or otherwise is not a material planning consideration.

- Adverse impact on tourism

Comment: There is no conclusive evidence to suggest that wind turbines have a significant adverse in tourism. It is highly unlikely that this development would have any form of impact on tourism in the area given they are associated with the existing water treatment works site.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

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| (i) Environmental Statement: | No |
| (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: | No |
| (iii) A design or design/access statement: | No |
| (iv) A report on the impact of the proposed development e.g. retail impact, transport impact, noise impact, flood risk, drainage impact etc: | Yes |

Landscape and Visual Impact Assessment

- This document provides a general overview to the proposal and a ZTV and photomontages.

Decommissioning and Restoration Plan

- This document confirms that the turbines will be removed from the site and that inspections will take place every 2 years for on-going maintenance.

Traffic and Transport Management Plan

- This document confirms that all parts, plant and machinery will be transported to the site via the A83 trunk road and that vehicles will be 'everyday type' insofar that no abnormal loads are expected.

Environmental Noise Assessment

- This document provides a general noise assessment on third party sensitive receptors. The nearest third party property is 150m to the south. The document confirms that the ETSU standard of 35dB at the nearest third party property will be achieved.

Design Statement

- This document provides a general background to the application and a summary of the proposals and discussions to date with the planning department.

(H) PLANNING OBLIGATIONS

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| (i) Is a Section 75 agreement required: | No |
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- (I) **Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
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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 and Bute Structure Plan 2002

STRAT DC 4 – Development in Rural Opportunity Areas
STRAT DC 8 – Landscape and Development Control
STRAT RE 1 – Wind Farm/Wind Turbine Development
STRAT SI 1 – Sustainable Development
STRAT RE 1 – Wind Farm/Wind Turbine Development

Argyll and Bute Local Plan 2009

LP ENV 1 – Impact on the General Environment
LP ENV 2 – Impact on Biodiversity
LP ENV 6 – Impact on Habitats and Species
LP ENV 10 – Development Impact on Areas of Panoramic Quality
LP BAD 1 – Bad Neighbour Development
LP TRAN 4 – New and Existing Public Roads and Private Access Regimes
LP REN 2 – On Site Commercial and Domestic Wind Turbines

Note: The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk

'Argyll & Bute Proposed Local Development Plan' (2013)

LDP 6 Supporting the Sustainable Growth of Renewables
SG LDP REN 2 Wind Turbine Development up to 50 m high
Wind Farm Policy Map

The consultation on the Proposed Local Development Plan ran from 4th February until 29th April 2013. The responses to this consultation have been reported to Council and all unresolved objections have been submitted to the Scottish Government who is to appoint Reporter(s) and hold an Examination of these issues. The Renewable Energy Policies are the subject of representations on these matters, including SNH, the RSPB, various renewable energy companies and individuals. Given the fact that the relevant policy in the emergent LDP has been contested, it ought not to be accorded material weight in the determination of the application at this point in the plan-making process, given that there is no certainty that it will remain unaltered following Examination and Adoption of the plan.

(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.

- Scottish Planning Policy (2009)
- Scottish Government Advice Note on Onshore Turbines (2012)
- 'Argyll and Bute Landscape Wind Energy Capacity Study' (2012)
- 'Guidance on Siting and Designing Wind Farms in the Landscape' SNH (2009)

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

A negative screening opinion has been issued previously for an application of 3 taller turbines confirming that an EIA is not required for this proposal. It is considered reasonable that this screening opinion is applicable to this proposal which only differs through shorter turbine masts.

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing: No

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

The proposal is for the erection of 3 x 5kw turbines measuring 17.5m to blade tip and 15m to hub. The site is the waste water treatment works located just outside of Campbeltown to the north-west.

The proposal is intended to offset the electricity usage of the water treatment works and is part of Scottish Water's overall strategy to reduce their electricity use. The site sits on a hill overlooking the town with rising land to the north east. Agricultural fields surround the site on all sides. The A83 is to the south. The nearest third party property is some 150m away at Braeside Farm to the south. The site falls within the 'Sensitive Countryside' development control zone in the Argyll and Bute Local Plan 2009.

A similar proposal for taller turbines was previously refused by the PPSL committee. This application seeks to address the previous reasons for refusal with turbines that are mated on masts which are 3.8m shorter. The previous reasons for refusal included the adverse scale of the turbines in relation to the water treatment works, the skylining experienced from some key viewpoints and the how the turbines would highlight the water treatment works location to passers-by. This application seeks to address those concerns previously raised regarding the visual impact of the development. This proposal, although an improvement over the previous application, does not address all

the reasons for refusal stated last time around. There remains a concern over skylining of the turbines and their effect of drawing more attention to the treatment works site. The marginal reduction in tower height is not sufficient to overcome the shortcomings of the previous application insofar as the turbine rotors would still skyline in views which were assessed as being unacceptable in the case of the original proposal.

There have been no objections from consultees that could not otherwise be controlled by planning conditions. There have been 8 objections from members of the public including one councillor.

It is recommended that the application is refused for the reason appended below.

(Q)	Is the proposal consistent with the Development Plan:	No
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(R)	Reasons why planning permission or a Planning Permission in Principle should be refused
	<p>The turbines blade to tower ratio means the blades will spin very fast drawing the eye of passersby and those residents in direct view. The turbines will in themselves be prominent and will also serve to draw attention to the existing elevated situation of the water treatment works.</p> <p>The turbines are situated above the sky line at the edge of the ridge especially when viewing the turbines from the public road on the approach to Campbeltown along the A83. This sky lining location will result in the turbines being visible across long distances as demonstrated by the applicants' Zone of Theoretical Visibility.</p> <p>The council's Landscape Wind Energy Capacity Study aims to avoid significant sky lining locations of turbines. In this instance the adverse visual effects of the skyline location will be exacerbated by the small diameter rotors which will spin very fast drawing the eye.</p> <p>Therefore, the proposal is not consistent with the provisions of the Council's LWECS nor with policies LP ENV 1 and LP REN 1 by virtue of unacceptable of adverse impact on visual amenity and the setting of nearby settlements.</p>

(S)	Reasoned justification for a departure to the provisions of the Development Plan
	N/A

(T)	Need for notification to Scottish Ministers or Historic Scotland:	No
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Author of Report: David Love **Date:** 03/06/2014

Reviewing Officer: Richard Kerr **Date:** 04/06/2014

Angus Gilmour
Head of Planning and Regulatory Services

GROUNDINGS OF REFUSAL RELATIVE TO APPLICATION REFERENCE 14/00863/PP

The proposed development, by virtue of its design and location, will appear as a prominent and incongruous element on the skyline from within a significant portion of the settlement of Campbeltown, its immediate surrounds and from the approach to the town by road and by sea. In addition to being a prominent addition to the local skyline, the height and fast rotor rotation of the proposed wind turbines would also serve to draw attention to the presence of the existing water treatment works buildings, which have been purposely designed, sited and finished with the intent of minimising their visual impact upon their surroundings, given their operational requirement for an elevated location. Accordingly, the proposal is considered to result in a significant adverse harm to the setting of the settlement in view of its locally adverse consequences for visual amenity, as appreciated from the lower lying areas of the settlement of Campbeltown within proximity of the development, and from the approaches to the town via the A83 and via Campbeltown Loch. Having regard to the above, the proposal is considered to be contrary to the provisions of policy STRAT RE 1 of the 'Argyll and Bute Structure Plan' 2002, policy LP REN 2 of the 'Argyll and Bute Local Plan' 2009, and the guidance for the siting of small scale wind turbines as set out in Chapter 7 of the Council's 'Landscape Wind Energy Capacity Study'.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 14/00863/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The proposal is for the erection of 3 x 5kw turbines measuring 17.5m to blade tip and 15m to hub. The site is the waste water treatment works located just outside of Campbeltown to the north-west.

The site sits on a hill overlooking the town with rising land to the north east. Agricultural fields surround the site on all sides. The A83 is to the south. The nearest third party property is some 150m away at Braeside Farm to the south. The site falls within the Sensitive Countryside development control zone in the Argyll and Bute Local Plan 2009. The proposal aims to offset Scottish Water's electricity usage and part of an overall scheme to reduce the public body's use of electricity. The site is not designated for landscape, or nature conservation purposes.

The main policy consideration is LP REN 2 given that the proposal consists of 3 wind turbines and is, technically, a wind farm. With this in mind the impact needs to be assessed against specific criteria:

- Areas and interests of nature conservation significance including local biodiversity, ecology and the water environment
- Highly valued landscapes including Gardens and Designed Landscapes
- Sites of historic or archaeological interest and their settings
- Settlement character including conservation areas
- Visual, residential and general amenity
- Telecommunications, transmitting and receiving systems

B. Natural Environment

The site lies between fields which are included in the Kintyre Goose Management Scheme and the Black Loch which forms part of the Kintyre Goose Roosts SPA. The nearest feeding field lies within 1.8km of the proposal site to the south west and the Black Loch lies approximately 3km to the north east. However, SNH has not objected given the heights involved and that the risk of collision is likely to be very low.

There are no known significant peat deposits in the site given that it is within the grounds of the water treatment works.

C. Visual Amenity and Setting of the Settlement

The proposal is situated at the entrance to Campbeltown in a gateway location. The small rotor size of the proposals means the blades will spin very fast drawing the eye of passers-by and residents to the moving objects. There will be a lasting impression of poorly positioned wind turbines skylining on the setting of the settlement.

The existing water treatment works buildings and other structures are relatively low lying and recessive in their appearance from public locations, having been finished in a green colouring to help assimilate them in their landscape setting. Out of operational necessity

the existing water treatment works has been located in an elevated position but has been sited, designed and finished with the intent of, in so far as is possible within operational constraints, minimising the impact of the appearance of the buildings from the A83 and other surrounding roads, and from within Campbeltown and its immediate surrounds. Whilst these existing buildings are visible on the skyline from many locations in and around Campbeltown, they do not in general have an imposing presence or leave a lasting conscious impression of a significant development.

The applicants' ZTV demonstrates that the turbines will be visible from most of the Campbeltown settlement area, and across the wider area including Stewarton to the south. ZTVs do not represent real life scenarios given that they are terrain based and do not have regard to intervening buildings and vegetation. Visibility from within Campbeltown will depend on having line of sight unimpeded by buildings so will vary considerably dependent upon the location of the receptor. However given the flat nature of the Laggan, the ZTV is a reasonably accurate depiction of how visible the turbines will be to the west and over Campbeltown Loch.

The applicant has sought to contend in their submissions that the proposed turbines are in keeping with the scale of the existing water treatment works buildings and will be viewed against a backdrop of rising land. This may well be true in the more distant views which would be afforded of site where the development would be back-dropped by Beinn Ghuilean (when viewed from elevated areas to the north), Ballywilline Hill (when viewed from elevated areas to the south) or Balegreggan Hill/Knockscalbert (when viewed from Stewarton and B843 Machrihanish Road to the southwest and west). However at such distances, the small scale nature of the turbines would render them relatively insignificant items within a panoramic landscape setting.

It is however the consideration of Officers that the applicant's landscape and visual impact assessment fails to satisfactorily acknowledge the significant visual impact which would arise within the more immediate proximity of the proposed development, where the development is largely open to public view from lower lying areas – this generally being within a 250 degree arc of some 6-700m in radius from the application site running clockwise from the High Street/Kinloch Park in the south east through to Ballywilline Farm to the north west.

For the avoidance of doubt the area described includes Kinloch Park/the western end of Campbeltown Loch, Millknowe, Hillside Road, Calton Hill, Snipefield, the A83, Ballywilline and the unclassified Gobagrennon Road. Within this area, the existing water treatment works buildings can be seen on the skyline from public locations and private residences sitting at approximately 80m AOD at the eastern edge of a ridge of Balegreggan Hill. However, despite their elevated location, the existing water treatment works buildings with their recessive green finish, and low rise appearance from these localities do not draw attention and to some extent appear as an unobtrusive extension of the undulating ridge above the settlement area of Campbeltown.

The proposed wind turbines with an intended hub height of 15m will appear from many of these locations to be taller than the existing water treatment works buildings. Whilst, it should be noted that this has been somewhat addressed by the applicants latest submission which reduces tower height, the fast rotation of the small rotors will exacerbate the prominence of their location against the skyline within the surrounding area, render them as incongruous and eye catching elements within the immediate setting of the settlement in their own right, and will also draw attention to the existing water treatment works buildings. It is considered that the proposed development fails to

satisfactorily respect the setting of Campbeltown and would result in significant adverse harm to both the scenic quality and visual amenity of the locale.

D. Landscape Character

The site is located within the Bay Farmland landscape character type (LCT 14). As per the LWECS the turbines are classed as 'small' in typology whilst the sensitivity to the landscape is medium-low and visual classification of medium. The appropriate section of the LWECS to assess the application against is chapter 7. This chapter recommends that turbines are situated close to the buildings they are intended to serve to reduce the overall visual impact. In this instance however the turbines are sky-lined above the ridge height of the structures to which they relate, and it is appropriate to try and avoid this scenario, as per the advice given in the WECS.

The ZTV indicates that the development would not only cast an influence over part of the settlement of Campbeltown but this would extend over the Laggan and out into Campbeltown Loch. However, due to the scale of the development this influence is mainly limited to part of the adjoining settlement and its immediate setting, rather than the wider landscape, and accordingly notwithstanding its localised visual impacts, the development does not prejudice landscape character.

E. Historic Environment

There are no nearby historic designations that the turbine would adversely affect. The site is not within an archaeological trigger zone therefore there will be no adverse impact on the historic environment.

F. Telecommunications

There have been no objections from NATS, NERL or Glasgow Prestwick Airport. NATS has requested a planning condition for a steady red aviation light to be fixed to the top of both turbines T2 and T3 as labelled on the submitted plans.

G. Road Network, Parking and Associated Transport Matters

The applicant intends to deliver the turbine parts, plant and machinery to the site via the A83 trunk road using standard size vehicles. The council's Area Roads Department has not objected or raised concerns regarding this element of the proposal.

H. History

Given that a very similar application has previously been refused by Members at Committee it is appropriate to address the previous reason for refusal. To this end there was a single reason attached to application 13/01873/PP for refusal. This is reproduced below for ease of reference:

"The proposed development, by virtue of its design and location, will appear as a prominent and incongruous element on the skyline from within a significant portion of the settlement of Campbeltown, its immediate surrounds and from the approach to the town by road and by sea. In addition to being a prominent addition to the local skyline the height and fast rotor rotation of the proposed wind turbines would also serve to draw attention to the presence of the existing water treatment works buildings which have been purposely designed, sited and finished with the intent of minimising their visual impact

upon their surroundings, given their operational requirement for an elevated location. Accordingly, the proposal is considered to result in a significant adverse harm to the setting of the settlement in view of its locally adverse consequences for visual amenity, as appreciated from the lower lying areas of the settlement of Campbeltown within proximity of the development, and from the approaches to the town via the A83 and via Campbeltown Loch. Having regard to the above, the proposal is considered to be contrary to the provisions of policy STRAT RE 1 of the 'Argyll and Bute Structure Plan' 2002, policy LP REN 2 of the 'Argyll and Bute Local Plan' 2009, and the guidance for the siting of small scale wind turbines as set out in Chapter 7 of the Council's 'Landscape Wind Energy Capacity Study'."

It should be acknowledged that this proposal must be regarded as an improvement over the previous application and does to some extent address the concern over scale. However, concerns remain over the fast rotor speed and how this will draw attention to the location of the water treatment works which have been carefully positioned and finished recessively in an effort to minimise the visual impact of their necessarily elevated location. Additionally, the skylining from the A83 when heading into Campbeltown from the north, still raises particular concern given the site lies in a 'gateway' location on the approach to the town.