

UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING DECISIONS

A) INTRODUCTION

This report advises of a recent appeal decision by the Scottish Government Directorate for Planning and Environmental Appeals relative to the case set out below.

B) RECOMMENDATION

Members are asked to note the contents of the report.

C) DETAILS OF APPEAL DECISION

**PLANNING APPEAL DECISION PPA-130-2026
Erection of 3 No. 15kw Wind Turbines (15.4 metres high to hub height)
Land Southwest of Leob Cottage, Pennyghael, Isle of Mull**

Planning permission 11/01586/PP was refused at PPSL Committee on 22 February 2012 on the following grounds.

1. The erection of three 15.4m high (to hub) wind turbines, by virtue of their verticality, motion, number, height, and siting will introduce a series of incongruous features into the Ross of Mull Area of Panoramic Quality, which is an area identified as being worthy of special protection in view of its recognised landscape and scenic qualities. The area is characterised by a flat, open, wild and rugged landscape, which is vulnerable to change as a consequence of the introduction of inappropriate forms of development. This sensitive landscape does not lend itself to a multiple turbine installation, nor such an elevated site, where visual impacts extend across a wide expanse of surrounding countryside. The turbines proposed which would impose significant change upon its immediate surroundings and would impact adversely upon the wider landscape, including the route to the historic island of Iona, by introducing a further focal point, of a type that is alien to the existing environment.

The proposal is contrary to Policies STRAT DC 5, STRAT DC 6, STRAT DC 8 and STRAT RE 1 of the approved Argyll and Bute Structure Plan and Policies LP ENV 1, LP ENV 10, and LP REN 1 of the adopted Argyll and Bute Local Plan, and there are no other material considerations of sufficient weight, including the contribution which the development could make to renewable energy generation and to addressing the consequences of climate change, which would warrant anything other than the application being determined in accordance with the provisions of the development plan.

2. Insufficient information has been submitted that accurately depicts the visual impacts of the proposed development upon the surrounding landscape, the scenic qualities of the area, and the historic environment. In the absence of such detailed information

underpinned by a reliable landscape methodology, it has not been demonstrated that the proposal will be capable of being successfully absorbed into the landscape without giving rise to adverse effects. In the absence of an reliable evidence to the contrary, it is considered that the proposal would be unsustainable and would likely be detrimental on a landscape afforded special protection in view of its recognised scenic qualities, could adversely impact on tourism being sited within clear sight of the main tourist route to Iona, and could adversely impact on surrounding sites of historic significance.

The proposal is therefore contrary to Policies STRAT DC 5, STRAT DC6, STRAT DC 8, STRAT DC 9 and STRAT RE 1 of the approved Argyll and Bute Structure Plan and Policies LP ENV 1, LP ENV 10, LP ENV 16, LP ENV 17 and LP REN 1 of the adopted Argyll and Bute Local Plan, and there are no other material considerations of sufficient weight, including the contribution which the development could make to renewable energy generation, which would warrant anything other than the application being determined in accordance with the provisions of the development plan.

An appeal against the refusal was subsequently submitted to Scottish Ministers on 27 April 2012 and dealt with by written submissions and a site visit.

In his response, the reporter stated that the determining issues were:

- § The effect on the landscape; and
- § The implications for tourism

The Reporter considered all relevant matters and concluded that the three turbines would have a seriously damaging effect on the landscape. This would be against the interests of the general public and of the Scottish tourist industry on account of the turbines being prominent when seen from the A849 tourist route to Iona. He concluded that the proposal was therefore contrary to the provisions of the Development Plan and to Scottish Planning Policy. He took account of the contribution the development would make to renewable energy generation but considered that any benefits arising from the development would be outbalanced by the disadvantages.

He therefore dismissed the appeal against the refusal of planning permission.

D) IMPLICATIONS

Policy: None.
Financial: None.
Personnel: None.
Equal Opportunities: None

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23 August 2012