

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: 11/01915/PP

Planning Hierarchy: Local Development

Applicant: Gallanach Green Generation Ltd

Proposal: Construction of 1 No. 750kw wind turbine (77 metres to blade tip), crane hardstanding, control building, temporary construction compound and formation of vehicular access

Site Address: Gallanach, Isle of Coll

SUPPLEMENTARY REPORT NO. 2

(A) Background

Since the public release of the Report of Handling on 09/08/12 and Supplementary Report No. 1 the Planning Service has received correspondence from third parties which requires to be addressed. These are detailed below with a response to each point. None of the submitted correspondence is from new parties and each has submitted representation previously.

Telephone Conversation

Mr Andrew Milton, Hill Cottage, Isle of Coll, PA78 6TB (telephone conversation 09/10/12)

- Mr Milton wished to clarify his position to the application. Although he originally objected to the application by signing the petition he wishes to ensure he is considered neutral for the purposes of this assessment. After the submission of the petition Mr Milton submitted his own representation withdrawing his objection. The Planning Service erroneously included Mr Milton on the list of supporters in the Report of Handling. The Planning Service has apologised to Mr Milton for this, and re-assured him that his neutral position will be clarified.

Additional Submitted Correspondence:

Mr Tony Oliver, Druim Dearg, Isle of Coll, PA78 6TE (additional comments) (08/10/12, 09/10/12, 12/10/12)

- Mr Oliver queries the landscape character assessment in terms of referencing SNH's Argyll and Firth of Clyde Landscape Character Assessment and the council's Wind Energy Capacity Study (WECS). He considers that as neither of these documents considers there to be Coastal Parallel Ridges on Coll then the planning assessment is not accurate. He also queries the comparisons between Jura, Islay and Coll in terms of landscape character assessment.

Comment: Both the SNH study and the WECS are strategic documents providing an overview of landscape character. Page 8 section 1.14 of the WECS titled 'How to use this study' confirms this and as with all strategic documents, there requires to be an element of site specific assessment to inform any planning assessment. In this instance the site is considered by the SNH study to be in landscape character type 'Marginal Farmland Mosaic' but a local assessment by professional officers considers the site also contains elements similar to those found in Coastal Parallel Ridges as per the Report of Handling (section G of appendix A). The WECS does not cover Coll in any detail and therefore a local based assessment is the most appropriate method of assessing the impact on landscape character. This is further confirmed in SNH's letter dated 20/01/12. It should also be noted that those landscape character types found on Islay and Jura are indeed found on Coll and advice received from SNH (dated 06/12/11) clearly advises the Planning Authority to evaluate guidance for those landscape character types when assessing the Coll turbine. For the avoidance of doubt the Report of Handling does not re-categorise the site, as suggested by Mr Oliver, but highlights similarities between the landscape at the site and that found in Coastal Parallel Ridges.

- Mr Oliver queries the comment in the Report of Handling that areas of transition of landscape character types are less sensitive to change.

Comment: This correlates with guidance throughout the WECS, which clearly advises on the assessment of landscape impacts.

- Mr Oliver raises the issue of safety as per his previous representation. He draws comparisons to a case dealt with by West Northamptonshire Development Corporation and this application both submitted by Atmos Consulting. He queries why if West Northamptonshire Development Corporation raised concerns with the safety aspect of a turbine development then why are Argyll and Bute Council not doing the same?

Comment: The application has been assessed for safety insofar as Planning Advice Note 45 (as superseded by Specific Advice Sheet – Onshore wind turbines) requires. It has been assessed for, ice throw, electro-magnetic interference to communications systems, noise and shadow flicker as per section E of appendix A of the Report of Handling. The application has also been assessed by the council's Public Protection Unit who raised no objection. With regard to lightning strikes the PAN acknowledges that wind turbines are designed to filter lightning strikes part the sensitive parts in the nacelle and into the earth. The PAN also states that "companies supplying products and services to the wind energy industry operate to a series of international, European and British Standards" with regard to safety. Safety is regulated under separate legislation and as such, need not be evaluated by the Planning Authority in the sense that Mr Oliver implies is necessary.

- Mr Oliver makes comment in relation to Supplementary Report No 1 (SR1) and the response to his late objection. He objects to comments in SR1 which indicate it is acceptable to ruin local beaches. He also claims that Killunuaig Church is unheard of by most visitors. Mr Oliver asserts that there is no evidence to suggest that tourism will not be affected whilst asserting that various tourism bodies have published papers arguing that tourists stay away from areas with turbines. He has also queried the reference to 'built facilities' in SR1.

Comment: The Planning Authority has never indicated nor accepted that existing beaches can be ruined. He clearly feels strongly about the proposal and is arguing his case as forcefully as possible. The church referred to is a common stopping place, where there is a car park and path network to beaches north of the site. It is appropriate that it be

included in the planning assessment. Local Plan policy LP REN 1 requires the Planning Authority to consider tourist facilities, attraction or routes where concerns of tourism impacts are raised by wind turbine applications. This includes an assessment of built facilities, as well as attractions and routes. As stated in the Report of Handling there remains no substantive evidence to suggest that a single wind turbine in the position proposed will adversely affect tourism on the island (section F).

- Mr Oliver's email dated 12/10/12 contained an attachment disagreeing with the Report of Handling and SR1's assessment of the visual impacts of the proposed turbine. He disagrees with a number of points including visual impact from the road travelling from Arinagour and those travelling east and west.

Comment: It is acknowledged that Mr Oliver disagrees with the landscape and visual assessment contained within the Report of Handling and SR 1 prepared by the Planning Service, but his comments do not alter the assessment or recommendation. The impacts will be fully assessed by the Committee before determining the planning application and will undoubtedly feature in much of the debate on the application at the Hearing.

- Mr Oliver raises the issue of lighting in his most recent representation. Stating that prevailing winds are southerly so the turbines will be face-on when travelling from the south. He concludes that this will make the turbine even more visible to those travelling from Arinagour.

Comment: When travelling from Arinagour you are travelling north-west and the prevailing wind is south-westerly. The turbine blades will therefore be typically side on to the road from Arinagour rather than face-on. Additionally, it should be noted that the turbine will be finished in a non-reflective matt grey. Nevertheless, wind turbines are designed to rotate to face the wind and their appearance becomes more or less vivid depending on front and background lighting. As such, visual impact is variable depending on weather conditions.

Mr Colin Scott, Skerray, Isle of Coll (on behalf of Protecting Coll Group) (05/10/12, 12/10/12, 15/10/12)

- Mr Scott queries why the referenced applicant in the Report of Handling and Supplementary Report No 1 are different.

Comment: This is a typing error. There has been no change in applicant. Mr Neil Smith is a director of Gallanach Green Generation Ltd and was incorrectly stated as applicant in Supplementary Report No 1. The Planning Service apologises for any confusion this may have caused.

- Mr Scott has queried whether two of the supporters actually exist.

Comment: The Planning Service must acknowledge and assess all written submissions received.

- Mr Scott has submitted an updated petition signed by 79 residents and 16 non-resident householders, giving a total of 95 signatures. The petition is to remain open up to the date of the Hearing.

Comment: The Planning Service acknowledges the updated petition received.

(B) RECOMMENDATION:

It is recommended that, **subject to the prior conclusion of a Section 75 Agreement**, the application is granted for the reasons detailed in the report of handling and also subject to the conditions recommended below.

Author of Report: David Love

Date: 15/10/12

Reviewing Officer: Stephen Fair

SF

Date: 16/10/12

**Angus Gilmour
Head of Planning**

CONDITIONS AND REASONS RELATIVE TO APPLICATION 11/01915/PP

1. If, by reason of any circumstances not foreseen by the applicant or operator, the wind turbine, fails to produce electricity supply to a local grid for a continuous period of 12 months then it will be deemed to have ceased to be required and, unless otherwise agreed in writing with the Planning Authority, the wind turbine and its ancillary equipment shall be dismantled and removed from the site and the area of the site impacted by development shall be restored in accordance with the agreed scheme of restoration as per the supporting Environmental Statement, all to the satisfaction of the Planning Authority.

Reason: In accordance with the Council's policy to ensure that full and satisfactory restoration of the wind turbine site takes place should it fall into disuse.

2. No development shall commence or is hereby authorised until details of the colour finish to be applied to the turbine, rotors and mast have been submitted to and approved in writing by the Planning Authority. The development shall be implemented using the approved colour scheme and shall be maintained as such thereafter for the duration of the installation.

Reason: In the interests of visual amenity.

3. This planning permission shall be for a limited period, expiring 25 years from the commencement of the commercial operation of the development, the date of which shall first be notified in writing to the Planning Authority. Within 12 months of the end of that period, unless a further planning application is submitted and approved, the turbine and associated development shall be dismantled and removed from the site and the land reinstated in accordance with the applicant's statement of intentions as per the supporting Environmental Statement and conditions listed below, to the satisfaction of the Planning Authority.

Reason: In order that the Planning Authority has the opportunity to review the circumstances pertaining to the consent, which is of a temporary nature and in the interests of the visual amenity of the area.

4. The control building shall be faced in natural stone/smooth cement or wet dash render painted a dark grey colour (or other natural/recessive finish as agreed in writing by the Planning Authority) with the roof finished in natural slate or a good quality slate substitute, samples or full details of which shall be submitted for the prior written approval of the Planning Authority prior to building works commencing.

Reason: In order to secure an appropriate appearance in the interests of amenity and to help assimilate the building into its landscape setting.

5. Prior to the turbine becoming operational an ornithological monitoring programme should be developed and submitted for the approval of the Planning Authority in consultation with SNH and RSPB. This monitoring programme should provide an annual survey for collision-induced mortality. The survey should focus upon passage and wintering periods monitoring Greenland white-fronted goose. If monitoring indicates that collision mortality has been significant, as advised by SNH and RSPB, then appropriate mitigation measures should be implemented

including the potential for a shutting down of the wind turbine over peak periods as informed by the survey work.

Reason: In the interests of ecology and ensuring the protection of a European Protected Species (Greenland white fronted geese).

6. At all times during the lifespan of the installation, the wind turbine approved shall be fitted with a 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms at the highest practicable point.

Reason: In the interests of aviation safety.

7. No development shall commence or is hereby authorised until the proposed access is formed in accordance with the Council's Standard Roads Drawing SD 08/004a; including visibility splays of 42 metres by 2.4 metres from the centre line of the proposed access with the bellmouth area surfaced in dense bitumen macadam for a distance of 5 metres back from the existing carriageway edge. Prior to work starting on site the bellmouth shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions over 1.0 metre in height above the level of the adjoining carriageway. The final wearing surface on the bellmouth shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions over 1.0 metre in height thereafter in perpetuity.

Reason: In the interests of road safety.

8. Prior to development commencing a method statement for an archaeological watching brief shall be submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service. The method statement shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site. Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

Reason: In order to protect archaeological resources.

9. The development shall be implemented in accordance with the details specified on the application form dated 27/09/11 and the approved drawing reference numbers:

Plan 1 of 5 (Location Plan at scale of 1:5000)

Plan 2 of 5 (Block Plan at scale of 1:1250)

Plan 3 of 5 (Road Junction Plan at scale of 1:1250)

Plan 4 of 5 (Wind Turbine Elevations at scale of 1:250)

Plan 5 of 5 (Kiosk, GRP and Crane Hardstanding at scale of 1:440, 1:100)

Supplementary Transportation Information submitted by letter dated 25th January 2012

All mitigation measures recommended in the submitted Environmental Statement in the interests of nature conservation, including those at table 6.7

unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

NOTE TO APPLICANT

- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended) it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
- The Area Roads Manager has advised that a Roads Opening Permit (S56) is required for the proposed development, please contact him direct on 01631 569160 to discuss the matter further.
- **The length of the permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]