

FALKIRK COUNCIL

Subject: **ERECTION OF WIND TURBINE, CONSTRUCTION OF SUB-STATION BUILDING AND CRANE PAD AND UPGRADING OF ACCESS TRACK AT GARDRUM FARM, FALKIRK FK1 2DQ FOR WIND HARVEST - P/12/0516/FUL**

Meeting: **PLANNING COMMITTEE**

Date: **18 September 2013**

Author: **DIRECTOR OF DEVELOPMENT SERVICES**

Local Members: **Ward - Upper Braes**

Councillor Gordon Hughes
Councillor John McLuckie
Councillor Rosie Murray

Community Council: **Shieldhill and California**

Case Officer: John Milne, (Senior Planning Officer), Ext. 4815

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application seeks the erection of a single wind turbine measuring 49m to hub and 74m to blade tip. The turbine will be located on agricultural land and accessed via an existing farm track off Gardrum Farm.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called to Planning Committee at the request of Councillor McLuckie.

3. SITE HISTORY

- 3.1 The application site benefits from a previous planning permission for an anemometer mast, which is currently erected on site.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has no objections or requested any planning conditions.
- 4.2 Scottish Water has no objections.

- 4.3 The Environmental Protection Unit has requested planning conditions regarding noise and the potential to encounter contaminated land on the site.
- 4.4 Scottish Natural Heritage has no objection but advise appropriate assessment to be undertaken.
- 4.5 Defence Infrastructure Organisation-Safeguarding-Wind Development has no objections but request further contact on initiation on development.
- 4.6 Air Ambulance has not responded.
- 4.7 The BAA Safeguarding Team has no objections.
- 4.8 The Civil Aviation Authority has given a standard response advising that relevant air interests should be considered through consultation.
- 4.9 The Police have no comments.
- 4.10 NATS En-Route Ltd had an initial objection but this has been removed through agreement with the applicant.
- 4.11 Ofcom Spectrum Licensing's do not object to the application.
- 4.12 The Safeguarding Officer - Edinburgh Airport has no objection.

5. COMMUNITY COUNCIL

- 5.1 Shieldhill and California Community Council did not make any representations.

6. PUBLIC REPRESENTATION

- 6.1 3 letters of objection have been submitted by 1 objector, concerned about the potential visual impact of the turbine, noise pollution and health issues. The letter states that the turbine should be located in the highlands where no one lives.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

Falkirk Council Local Plan

7a.1 Policy ST21 'Wind Energy' states:

Wind energy developments will be assessed in relation to the following factors:

- (1) The visual impact of the development, having regard to the scale and number of turbines, existing landscape character, and views from settlements, main transport corridors and other key vantage points. Development will not necessarily be excluded from Green Belts or Areas of Great Landscape Value, but must demonstrate particular sensitivity in terms of scale and design where these designated areas are affected;*
- (2) The ecological impact of the development, having regard to Policies EQ24 and EQ25, including impacts on both designated sites and protected species. In particular, developers will be required to demonstrate that there will be no adverse impact on migratory birds;*
- (3) The impact on the cultural heritage and the landscape setting of cultural features, having regard to Policies EQ12, EQ14, EQ16, EQ17 and EQ 18;*
- (4) The impact on aviation and telecommunications, with particular regard to the safeguarding zones and operational needs associated with Edinburgh, Glasgow and Cumbernauld airports;*
- (5) The impact on settlements and residential properties by virtue of noise and 'shadow flicker'; and*
- (6) Cumulative impacts in relation to the above factors, where there are existing developments in the area, or the development is one of a number of proposals for an area.*

7a.2 There are no objections raised by consultees in terms of landscape setting or noise nuisance and, as such, there are considered to be no matters which offend Development Plan policy. The proposal was previously the subject of an EIA screening opinion, which resulted in no EIA being required.

Falkirk Local Development Plan (Proposed Plan)

7a.3 Policy RW01 – 'Renewable Energy' states:

- "1. Renewable energy developments will be supported subject to satisfactory assessment of their impacts on the environment and communities.*
- 2. Wind energy developments will be assessed in relation to the following factors, and the associated detailed guidance contained in Supplementary Guidance SG14 'Spatial Framework and Guidance for Wind Energy Developments':*
 - Landscape and visual impacts;*
 - Ecological impacts;*
 - Impact on green belt objectives;*
 - Impact on carbon rich and rare soils;*
 - Impact on the water environment;*
 - Impacts on the historic environment;*
 - Impacts on aviation and telecommunications interests;*
 - Impacts on communities, whether settlements or individual residential properties, including issues of noise, shadow flicker and air quality; and*
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- *Cumulative impacts in relation to the above factors, arising from the combined effect of the proposal with other existing or approved wind energy developments.”*

7a.4 This policy reflects the existing Local Plan Policy ST21 – ‘Wind Energy’ and there are no matters arising which could be considered to offend this policy. The applicant has submitted an environmental appraisal document and supporting information relating to the application proposal.

7a.5 Accordingly, the proposal is considered to accord with the Development Plan.

7b Material Considerations

Consultation Responses

7b.1 Extensive delay has been incurred through a NATS holding objection, which has now been removed. Comments regarding appropriate planning conditions have also been raised through consultation.

Assessment of Public Representations

7b.2 The turbine is in an isolated location and its visual impact will be diminished over the distances involved from the nearest properties. No issues of noise are envisaged, but a precautionary suspensive planning condition (condition no. 4) is recommended.

7b.3 Supplementary Planning Guidance on Windfarm development was published by Falkirk Council in May 2013. The proposal is not considered to contradict this guidance.

7c Conclusion

7c.1 It is considered that the siting of the turbine is in an acceptable location in terms of visual impact and, through its isolated position, is unlikely to have detrimental visual or amenity impact on the nearest residential occupants.

8. RECOMMENDATION

8.1 It is therefore recommended that the Committee grant planning permission subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
- (2) Prior to operation, the proposed turbine shall be fitted with infrared aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

- (3) Prior to initiation of development, the applicant shall inform, in writing, the Ministry of Defence of:
- the date construction will start and end,
 - the maximum height of construction equipment, and
 - the latitude and longitude of the turbine.
- (4) Should complaints of noise be received as a result of the operation of the wind turbine, the operator shall, at its expense, employ an independent consultant (not financially involved) approved by the Planning Authority to assess the level of noise emissions from the wind turbine in relation to that specified in the original application (35dB(A)) at the nearest noise sensitive receptor. . The report shall be submitted to the Planning Authority for perusal with a view to prevent noise disturbance.

Reason(s):

- (1) As these drawings and details constitute the approved development.
- (2) The development would not be acceptable without these additional works.
- (3) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (4) To ensure that the occupants of the property are safeguarded against excessive noise intrusion.

Informative(s):

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 1-35.
- (2) Falkirk Council have determined the application on the basis of available information relating to ground contamination/landfill gas. The responsibility for the safe development and secure occupancy of the site remains with the applicant/developer.

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Director of Development Services

Date: 6 September 2013

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan.
2. Falkirk Local Development Plan (Proposed Plan).
3. Three letters of objection received from Ms Janie Macleod, 31 Main Street, Sheildhill, Falkirk, FK1 2DZ on 13 May 2013.

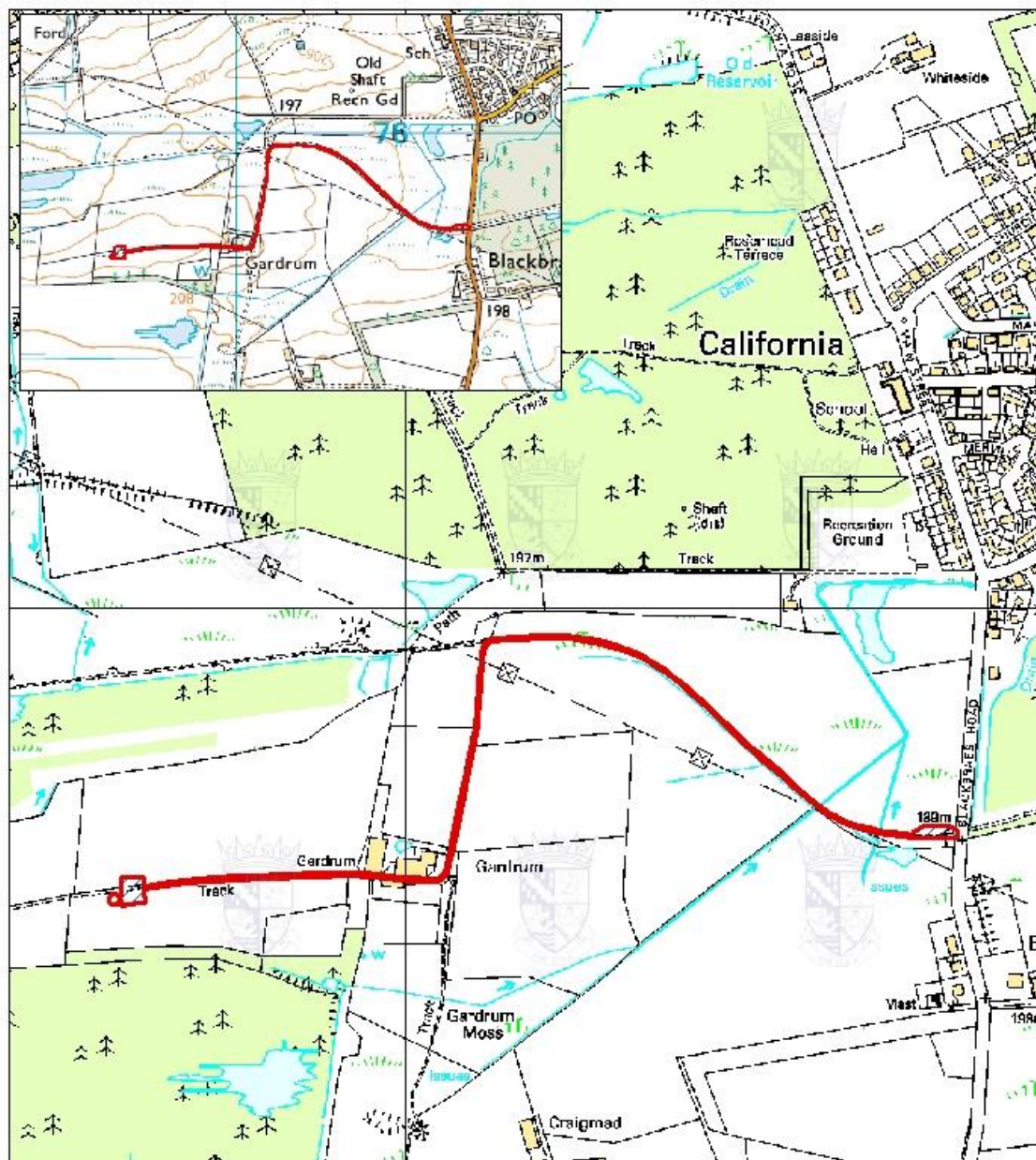
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504815 and ask for John Milne, Senior Planning Officer.

Planning Committee

Planning Application Location Plan

P/12/0516/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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