

FALKIRK COUNCIL

Subject: INSTALLATION OF A SINGLE WIND TURBINE, NEW ACCESS ROAD, HARDSTANDING, SUBSTATION BUILDING, TRANSFORMER HOUSING AND AREA FOR MICROSITING AT LAND TO THE SOUTH OF WESTERGLEN FARM, FALKIRK FOR BESPOKE COMMUNITY DEVELOPMENT COMPANY - P/14/0203/FUL

Meeting: PLANNING COMMITTEE

Date: 29 OCTOBER 2014

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk South

Depute Provost John Patrick
Councillor Colin Chalmers
Councillor Dennis Goldie
Councillor Gerry Goldie

Community Council: Falkirk South

Case Officer: Allan Finlayson (Senior Planning Officer), Ext. 4706

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was originally considered by the Planning Committee on 10 September 2014 (copy of previous report appended), when it was agreed to continue the application for a site visit. The site visit took place on 29 September 2014.
2. At this meeting Members viewed the proposed access at Barleyside and met at the Three Kings Wedding Venue to view the site of the proposed turbine. The position of the proposed turbine had been identified by a tethered balloon.
3. The applicant's representative outlined the background to the proposal including the environmental works that have been and would continue to be undertaken and further developed if planning permission were granted. This included maintenance of path networks to allow better long term planning. He also advised that the height of the proposed turbine had been reduced following community consultation, and that its location had been carefully selected having regard to planning policy.
4. A number of people spoke in support of the proposal. Some were involved with Bespoke Community Development Company and referred to the environmental improvements, economic benefit and training opportunities underway which would be further developed using the income generated if planning permission were to be granted.

5. Objectors to the proposal were also heard. These included the owner of the Three Kings Wedding Venue, his representative and wedding photographer who operates regularly from the venue. The representative questioned the location of the balloon's tether. Reference was made to the visual and noise impacts the turbine would have with a resultant adverse effect on the well established and popular business. A local resident was also heard in relation to his concerns regarding impact on the view from his property and noise nuisance.
6. The secretary of Shieldhill and California Community Council was also heard and he confirmed that the Community Council had been involved in discussions with the applicant and that it had a neutral view in relation to the proposed turbine.
7. In response to a question by Members of the Planning Committee, a representative of the Environmental Protection Unit confirmed that the acoustic report submitted with the application was in line with Government guidance and that, as noise is directional, any noise generated by the turbine would be carried towards Falkirk.
8. Following the site visit the Committee reconvened to consider the planning application. In view of the dubiety regarding the position of the tethered balloon, it was agreed that a further site visit should take place with the position and height of the proposed turbine accurately identified on site.
9. This further visit took place on 9 October when the Planning Committee was not quorate.
10. In response to informal questions from Members the case officer requested that the applicant confirm whether they had contacted the Civil Aviation Authority (CAA) to establish the likely timescales to consider a request to site a balloon at a height of 79m; the availability of contractors able to provide this service; and an indication of any other constraints that may impact on the ability to site a balloon at a height of 79m.
11. In response, the applicant has advised that, they will not be able to provide a tethered balloon for a third time, the reasons being as follows:
 1. Financial - the applicant advises that over £700 has been spent already on 2 occasions to provide a tethered balloon. It is pointed out that they are a voluntary group with limited resources.
 2. Duplication - It is the applicant's view that the request to mark the location of the turbine is not necessary. It is pointed out that the application is accompanied by a series of photo-montages from various viewpoints and also from The Three Kings wedding photography area.
 3. Reasonableness - During the site visit on 29 September 2014 the accuracy of the marker was questioned and resulted in a further visit being arranged for 9 October 2014. In preparation for the visit, it was confirmed that the original location was within a few metres of the correct location. It is therefore the applicant's view that the correct location was used and a request for a further tethered balloon is unreasonable.
 4. Consistency - The applicant submits that deploying a blimp/balloon at turbine tip height is not a normal requirement for a planning application relating to a wind turbine.

12. The applicant also submits that further delay continues to jeopardise the viability of this community led project. The feed-in tariff income has already been reduced by 10%, and if a decision is not reached during October, there is a very real risk that this will result in a further 10% reduction. The applicant requests that the application is put forward for a decision at this meeting of the Planning Committee. However, if a further site meeting were to be called, a representative on behalf of the applicant would attend to answer any questions in relation to the turbine location marked at ground level.
13. The applicant has confirmed the accuracy of the location seen at the first site visit. No matters have been raised that would amend the original recommendation to grant planning permission.

14. RECOMMENDATION

14.1 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.**
- (5) Prior to the initiation of development, the applicant shall confirm the exact colour of turbine colour, hub, blades and all approved infrastructure with the Planning Authority.**
- (6) Prior to the initiation of development, the applicant shall provide a plan detailing any landscape features that require to be removed and reinstatement details and specification.**
- (7) Prior to the initiation of development, a method statement shall be provided, confirming soiling and seeding works to ensure that the access road is reduced in width to 2.5 metres following construction.**

(8) All cable trenching shall follow the route of access.

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.
- (5-8) In the interests of visual amenity.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01-06.
- (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.
- (3) The applicant will be required to negotiate pre and post construction road and bridge surveys with Falkirk Council's Roads Services, Earls Road, Grangemouth and Bridge and Structures Design, Abbotsford House, David's Loan, Falkirk.



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Director of Development Services

Date: 20 October 2014

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan.
2. Falkirk Local Development Plan (Proposed Plan).
3. Letter of Support received from Mrs Helen Dalrymple, 24 Parkview Avenue, Falkirk, FK1 5JX on 30 April 2014.
4. Letter of Objection received from Mr Brian Muldoon, 9 Avondhu Gardens, Grangemouth, FK3 9BW on 27 May 2014.
5. Letter of Support received from Mr Steven Wilson, 1 Fairlie Drive, Camelon, Falkirk, FK1 4NP on 28 May 2014.
6. Letter of Support received from Mr Sam Anderson, 6 Mitchell Place, Lionthorn, Falkirk, FK1 5PJ on 2 June 2014.
7. Letter of Support received from Mr John Leitch, 48 Achray Drive, Falkirk, FK1 5UN on 28 April 2014.
8. Letter of Support received from Mr Alistair Reid, The Glen Farm, Falkirk, FK1 3AA on 19 June 2014.
9. Letter of Support received from Mr David Stephen, 7 Glencairn Street, Falkirk, FK1 4LY on 28 April 2014.
10. Letter of Support received from Mr Norman Litts, 5 Crathes Avenue, Stenhousemuir, FK5 4TL on 29 April 2014.
11. Letter of Support received from Mrs Sheila Hall, Balcastle House, Slamannan, Falkirk, FK1 3BB on 30 April 2014.
12. Letter of Support received from Mr Stuart Hunter, The Croft, Townhead, Auchterarder, PH3 1IG on 26 May 2014.
13. Letter of Objection received from Greg McSorley, 49B Grahams Road, Falkirk, FK1 1LA on 20 May 2014.
14. Letter of Objection received from John Young, 70 Kennedy Way, Airth, Falkirk, FK2 8GG on 20 May 2014.
15. Letter of Objection received from James Cattanach, 60 Alma Street, Falkirk, FK2 7HE on 20 May 2014.
16. Letter of Objection received from David Cattanach, 12 Orchard Street, Falkirk, FK1 1RF on 20 May 2014.
17. Letter of Objection received from Alex Porter, 27 James Street, Laurieston, Falkirk, FK2 9PX on 20 May 2014.
18. Letter of Objection received from Paula Young, 70 Kennedy Way, Airth, Falkirk, FK2 8GG on 20 May 2014.
19. Letter of Objection received from Elizabeth Stannage, 2 Mavisbank Avenue, Shieldhill, Falkirk, FK1 2EW on 20 May 2014.
20. Letter of Objection received from Alexander Fraser, 14 Kennedy Way, Airth, Falkirk, FK2 8GB on 20 May 2014.
21. Letter of Objection received from Catrina Cattanach, 12 Orchard Street, Falkirk, FK1 1RF on 20 May 2014.
22. Letter of Objection received from Rachael Davidson, 22 Bradbury Street, Carron, Falkirk, FK2 8ED on 20 May 2014.
23. Letter of Objection received from Janice Cattanach, 12 Orchard Street, Falkirk, FK1 1RF on 20 May 2014.
24. Letter of Objection received from Mr. Alistair Kerr, Braeriach, 65 Slamannan Road, Falkirk, FK1 5NQ on 20 May 2014.

25. Letter of Support received from Mr David Robb, 71 Singers Place, Bonnybridge, FK4 1FD on 26 May 2014.
26. Letter of Support received from Mr Robin Stirling, 15 Prospect Street, Camelon, Falkirk, FK1 4BA on 26 May 2014.
27. Letter of Support received from Mr Iain Stassin, 27 Achray Drive, Falkirk, FK1 5UN on 28 April 2014.
28. Letter of Support received from Mr Alex Dalrymple, 3 Carronbank Avenue, Carron, Falkirk, FK2 8TF on 2 May 2014.
29. Letter of Support received from Mr Andy O'Neill, 5 Busby Road, Carmunnock, Glasgow, G76 9BX on 28 May 2014.
30. Letter of Support received from Scottish Waterways Trust, FAO Karen Moore, New Port Downie, Lime Road, Falkirk, FK1 4RS on 22 May 2014.
31. Letter of Support received from Mr Mathew Morley, 15 Macintosh Place, Falkirk, FK1 5UL on 28 April 2014.
32. Letter of Objection received from John & Teresa Bryant, The Dwelling House, Wester Shieldhill, Falkirk, FK1 3AT on 6 May 2014.
33. Letter of Support received from Callendar Estate, FTAO Guy Wedderburn, Callendar Estate Office, Slamannan Road, Falkirk, FK1 5LX on 20 May 2014.
34. Letter of Objection received from Sandemans Solicitors, 34 Union Road, Falkirk, FK1 4PG on 20 May 2014.
35. Letter of Support received from Mr Christopher Marshall, 44 Cultenhove Crescent, Grangemouth, FK3 0DT on 28 May 2014.
36. Letter of Support received from Mrs Hazel Morrison, 16 Glenview Drive, Falkirk, FK1 5JU on 30 April 2014.
37. Letter of Objection received from Mrs Margaret Tulloch, Northmost Cottage, Station Road, Falkirk, FK1 3BQ on 24 April 2014.
38. Letter of Support received from Mr James Blaikie, 51 Glenview Drive, Princes Park, Falkirk, FK1 5JT on 29 April 2014.
39. Letter of Support received from Mr Gregor Scott, 24 Craighorn Drive, Falkirk, FK1 5NS on 23 May 2014.
40. Letter of Support received from Mr Jim Summers, 1 Westerglen Road, Falkirk, FK1 5ND on 23 May 2014.
41. Letter of Support received from Mr David Bennet, 8 Abbots Moss Drive, Falkirk, FK1 5UA on 28 April 2014.
42. Letter of Support received from Mr Ian Feeney, 1 Mitchell Place, Falkirk, FK1 5PJ on 26 May 2014.
43. Letter of Support received from Mr Robert Cruickshank, 26 Tanera Court, Hallglen, Falkirk, FK1 2PQ on 27 May 2014.
44. Letter of Support received from Mr Jack Lapsley, 30 Bonnyside Road, Falkirk, FK4 2AD on 28 May 2014.
45. Letter of Support received from Mr Chris Carswell, 15 Sunnyside Drive, Brightons, Falkirk, FK2 0GG on 26 May 2014.
46. Letter of Support received from Mrs Lyn Bennet, 8 Abbotsmoss Drive, Glenburn Park, Falkirk, FK1 5UA on 29 April 2014.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504706 and ask for Allan Finlayson, Senior Planning Officer.

FALKIRK COUNCIL

Subject: INSTALLATION OF A SINGLE WIND TURBINE, NEW ACCESS ROAD, HARDSTANDING, SUBSTATION BUILDING, TRANSFORMER HOUSING AND AREA FOR MICROSITING AT LAND TO THE SOUTH OF WESTERGLLEN FARM, FALKIRK FOR BESPOKE COMMUNITY DEVELOPMENT COMPANY - P/14/0203/FUL

Meeting: PLANNING COMMITTEE

Date: 10 SEPTEMBER 2014

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk South

Councillor Colin Chalmers
Councillor Dennis Goldie
Councillor Gerry Goldie
Councillor John Patrick

Community Council: Falkirk South

Case Officer: Allan Finlayson (Senior Planning Officer), Ext. 4706

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application seeks planning permission for the erection of a single wind turbine measuring 50 metres to hub and 79 metres to blade tip. The turbine would be located north of Greenrigg Farm, on agricultural land and accessed via an existing farm track off the B803 Falkirk to Slamannan Road.
- 1.2 The applicant is Bespoke Community Development, a charitable organisation established in 2011 with the aim of delivering community environmental developments. In respect of the current proposal, the applicant is working in partnership with Callendar Estates, who own the site. The income derived from the power generation of the proposed wind turbine is proposed to fund ongoing environmental works on Callendar Estate and which include:-
- The general maintenance of the extensive network of paths and cycle trails on Callendar Estate, including the removal of windblown trees, maintenance of culverts and drains and repairs to path surfaces.
 - Environmental improvement, including tree planting and hedge planting at the Greenrigg car park.
 - Enhancements to the grounds of the Forbes' Mausoleum at Callendar Wood, including litter removal and the clearance of scrub and wind damaged trees.

- The ongoing implementation of a management plan for Howierig Moss SSSI as agreed with Scottish Natural Heritage.
- The delivery of work experience and outdoor learning in partnership with Falkirk Council's Community Learning Development Team.
- The delivery of a Rural Skills Training Programme in partnership with Falkirk Council's Employment Training Unit.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application does not fully accord with the provisions of the Development Plan.

3. SITE HISTORY

- 3.1 There are no previous planning applications for the site, however the following wind turbine applications have previously been approved:-
- P/13/0348/FUL - 20 metre high turbine at Greenwells Farm constructed to the east of the current application site.
 - P/12/0516/FUL - 74 metre high turbine at Gardrum Farm approved but not yet constructed, to the south-east of the application site.

4. CONSULTATIONS

- 4.1 The Council's Roads Development Unit has no objections subject to an informative advising that pre and post development road surveys will require to be agreed with that Unit.
- 4.2 Scottish Water has no objections.
- 4.3 The Council's Environmental Protection Unit has confirmed that the proposed turbine meets statutory noise emission guidelines. A planning condition is proposed that provides the opportunity for noise emission monitoring and potential mitigation should a justified noise complaint be received.
- 4.4 Scottish Natural Heritage has no objection but has advised that appropriate assessment is to be undertaken. The applicant has undertaken appropriate assessment and submitted this to Falkirk Council for review. No matters of environmental concern have been identified.
- 4.5 The Ministry of Defence (MOD) Defence Infrastructure Organisation Safeguarding (Wind Energy) has no objections but requests further contact on initiation on development. This can be required by planning condition.
- 4.6 The Civil Aviation Authority (CAA) has no objections.
- 4.7 The Joint Radio Company (JRC) has no objections.

- 4.8 WS Atkins (acting for the UK Water Industry in respect of their telecommunication interests) has no objections.
- 4.9 National Air Traffic Services (NATS En-Route Ltd) had an initial objection but has negotiated technical improvements with the applicant which will lead to the withdrawal of its objection. The applicant has reached agreement with NATS over the implementation of these works.
- 4.10 Ofcom Spectrum Licensing do not object to the application.
- 4.11 Scottish Water has no objections.
- 4.12 Edinburgh Airport has no objections.

5. COMMUNITY COUNCIL

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

6. PUBLIC REPRESENTATION

- 6.1 A total of forty-four representations have been received. Of these, twenty-eight are individual supporting comments. Sixteen objections have been received from four residential properties and the owner, his solicitor and the staff of The Three Kings wedding venue.
- 6.2 Objections have most notably been received from residential properties with a view of the proposed turbine and from The Three Kings. The objections raised relate to:-
- visual impact in respect of views from residential properties and on landscape character;
 - noise pollution;
 - scepticism that generated income will not achieve anticipated environmental improvements;
 - adverse impact on the successful operation of The Three Kings in respect of open views currently exploited for wedding celebrations and photographs; and
 - adverse impact on wildlife.

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 Structure Plan

- 7a.1 The proposed development does not raise any strategic issues and has therefore been assessed against the Falkirk Council Local Plan alone.

Falkirk Council Local Plan

- 7a.2 Policy ST20 - 'Renewable Energy Development' states:

"The Council will support development required for the generation of energy from renewable sources, and the utilisation of renewable energy sources as part of new development, subject to assessment of proposals against other Local Plan policies. Renewable energy development will be viewed as an appropriate use in the countryside where there is an operational requirement for a countryside location."

- 7a.3 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.4 There are no objections raised by consultees in terms of landscape setting or noise nuisance. The proposal was previously the subject of an EIA screening opinion, which resulted in no EIA being required. Assessment of the proposal has demonstrated that it would not have any significant impact on the wider area in respect of visual impact or landscape setting. These considerations are assessed in more detail in paragraphs 7b.10 and 7b.11 in respect of objections received on these matters. No unacceptable impacts would result in relation to ecology, cultural heritage, aviation or telecommunication. Noise or shadow flicker would not result, even in relation to properties in the vicinity of the site. No significant cumulative impacts would occur in respect of previously approved similar developments. The development site does not lie within an Area of Great Landscape Value (AGLV).

- 7a.5 In respect of policies ST20 - 'Renewable Energy Development' and ST21 - 'Wind Energy' of the Development Plan, the Council has developed Supplementary Guidance SG14 "Spatial Framework and Guidance for Wind Energy Developments". The Spatial Framework guides the location of wind energy development within the Falkirk Council area. The Spatial Framework considers a number of criteria, including the ability, or otherwise, of all landscape areas to accommodate wind energy development.
- 7a.6 The application site lies within an area identified as the Castlecary/Shieldhill Plateau Farmland Landscape Character Area (type 3iii). This is an area of low to medium landscape capacity to accommodate wind energy development. The Spatial Framework provides guidance that wind turbines of over 50 metres to blade tip are unlikely to be considered appropriate in the area of the site. A turbine of the height proposed (79 metres to blade tip) is contrary to the Spatial Framework and therefore the extant Development Plan and emerging Proposed Plan.
- 7a.7 However, the supporting information submitted by the applicant demonstrates that the chosen siting location (at a lower level within an undulating landscape) would result in a turbine height that would be approximately equivalent to a lesser turbine height on higher ground. Detailed consideration of the applicant's supporting information is undertaken in section 7b of this report.
- 7a.8 Accordingly, the proposal does not fully accord with the terms of the Development Plan in respect of policy ST21 - 'Wind Energy' in that visual impact would result of a significance greater than considered appropriate in the Council's Supplementary Guidance SG14 "Spatial Framework and Guidance for Wind Energy Developments".

7b Material Considerations

Falkirk Local Development Plan (Proposed Plan)

- 7b.1 Policies of the Falkirk Local Development Plan provide evolved policy guidance over the extant Development Plan in relation to wind energy development. Policies GN02 - 'Landscape' and Policy RW01 - 'Renewable Energy' are relevant.
- 7b.2 Policy GN02 - 'Landscape' states:
- "1. The Council will seek to protect and enhance landscape character and quality throughout the Council area in accordance with Supplementary Guidance SG09 'Landscape Character and Assessment'.*
 - 2. Priority will be given to safeguarding the distinctive landscape quality of the Areas of Great Landscape Character identified on the Proposals Map.*
 - 3. Development proposals which are likely to have a significant landscape impact must be accompanied by a landscape and visual assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit will be achieved."*
- 7b.3 The application for the development is accompanied by a comprehensive landscape and visual assessment study. This has provided confirmation that, whilst some local visual impact on nearby properties would result, the development would not result in any significant visual impact on the quality of the wider landscape area. The proposed development site does not lie within an Area of Great Landscape Value (AGLV).

7b.4 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*
 - Cumulative impacts in relation to the above factors, arising from the combined effect of the proposal with other existing or approved wind energy developments."*

7b.5 Policy RW01 of the Proposed Plan makes specific reference to Falkirk Council's Supplementary Guidance SG14 "Spatial Framework and Guidance for Wind Energy Developments". The guidance expressed in SG14 has previously been assessed in paragraphs 7a.6 - 7a.7 of this report. In summary, the proposed turbine siting has been selected to be on low lying ground within a generally high level area comprising undulating land. Whilst SG14 does not envisage turbines at the height proposed to be acceptable in this landscape area, it is considered that the site selection would result in a lessened visual impact comparable with smaller acceptable turbine heights envisaged in SG14.

7b.6 The proposed development has been demonstrated, through the assessment of EIA screening, Appropriate Assessment and the assessment of supporting information, to have no adverse impact on ecology, green belt objectives, soil, water, historic environment, aviation, telecommunication, communities or result in cumulative impact. The proposed turbine would result in visual impact on a small number of localised properties. This impact has been demonstrated to be on visual impact alone, and not others such as noise or shadow flicker.

Consultation Responses

7b.7 The NATS holding objection has, following some delay, now been resolved in principle subject to further detailed discussion between the applicant and NATS. Further comments from consultees can be satisfactorily addressed by appropriate planning conditions or informatives.

Assessment of Public Representations

7b.8 The proposed turbine will be visible from the southern part of Falkirk, and in particular from the Lionthorn and Glen Village areas. However, the turbine would not be positioned obtrusively and, at a distance of approximately 2 kilometres, would not have a significant visual impact on these settlement areas.

- 7b.9 However, the proposed turbine is located in relatively close proximity to residential properties at Avon Brook Steadings, Greencraig Farmhouse and Wester Shieldhill. In addition, the commercial premises at The Three Kings are located at a distance of approximately 1 kilometre from the site. The potential impact on these properties is of a greater significance.
- 7b.10 Objections from properties in close proximity to the proposed turbine express concerns over impacts of noise, visual and landscape impacts and on existing views. The proposed turbine has demonstrated noise levels in accordance with national guidance. Landscape impacts are considered in detail below in the context of the applicant's supporting information. The proposed turbine would, however, be clearly visible from the affected residential and commercial properties at Wester Shieldhill. Assessment of these objections has considered what type of impacts would result from turbine proximity and visibility.
- 7b.11 The tower of the proposed turbine would be partially screened from affected properties by an existing tree shelter belt. However, the turbine rotor blades would be clearly visible. Although the turbine would be visible from objectors' properties, it is not considered that any further impact on amenity would result from associated impacts such as noise or shadow flicker.
- 7b.12 The Three Kings wedding venue has made the specific objection that views of the proposed turbine would adversely impact on the commercial viability of the premises as a wedding venue. In particular, the views from The Three Kings are claimed to be a particular reason for selecting the venue and exploited for the purposes of wedding photographs. Whilst the objection on these grounds is not a material planning consideration the objections have been considered in relation to the consideration of visual impact.
- 7b.13 Views to the south of the objectors' properties in the Wester Shieldhill area have experienced numerous changes to the landscape over past years. The Westerglen transmitting station masts lie less than 2 kilometres to the west. In addition, high transmission pylons that approach Wester Shieldhill from the west are within approximately 0.5 kilometres from objectors' properties before crossing the B803 between Wester Shieldhill and Shieldhill. A smaller 20 metre turbine has been erected to the east (planning reference P/13/0348/FUL) and a larger 74 metre high turbine has been approved to the south-east of the site, but not yet erected (P/12/9516/FUL).
- 7b.14 In the assessment of objections submitted, it is considered that the surrounding landscape has no statutory designation of landscape value and has demonstrated capacity for wind energy development as identified in the Spatial Framework SG. In respect of these considerations, whilst the grounds of objection are acknowledged, they are not considered to be so significant in themselves to justify the refusal of planning permission.

Supporting Information

- 7b.15 The applicant has submitted a comprehensive Landscape and Visual Assessment incorporating baseline landscape assessment, turbine impact on landscape character, and includes photo-montage assessment from 14 viewpoints. The submitted Assessment concludes that:-
- impact on landscape character would not be significant;
 - existing landscape character is already affected by pylons and masts;

- only a very limited number of dwellings would experience significant visual impact;
- the overall proportion of the south Falkirk area would not be affected significantly;
- cumulative impact is limited; and
- significant effects on residential amenity are unlikely.

- 7b.16 In the assessment of the submitted supporting information it is considered that the Zone of Theoretical Visibility (ZTV) of the turbine extends beyond 10-12 kilometres from the turbine site. Within 10 kilometres, the turbine or some upper parts of it are theoretically visible from areas to the north, including the southern edge of Falkirk, Hallglen and Glen Village (all at approximately 2.5 kilometres distance) and more distantly from the north side of Falkirk and Grangemouth (at 4-10 kilometres), from Larbert (at 6 kilometres) and from parts of Bonnybridge and Denny (at 7-9 kilometres). Eastwards, theoretical visibility would extend to Shieldhill (at 2.5 kilometres distance) and parts of Polmont (at 6-7 kilometres). Southwards, theoretical visibility is more sporadic over the countryside within 10 kilometres, with parts of Slamannan (at 4 kilometres distance) also receiving views. Westwards, theoretical visibility within 10 kilometres is also sporadic over the countryside with no visibility from settlements. In practice, actual visibility within 10 kilometres of the turbine would be limited by woodland/tree cover, buildings and minor topographical changes and would be less than the theoretical visibility shown on the submitted plans. Nevertheless, in all directions there would be a number of outlying rural dwellings, farms and dwellings on the edges of villages that would receive close, unrestricted and direct views of the turbine from the B803 (Falkirk to Slamannan Road), from the B8028 (Falkirk to California Road), from minor roads and from Rights of Way/Core Paths in the area.
- 7b.17 It is accepted that the overall impact on the landscape would be low and not significant. However, the assessment recognises that within the Castlecary/Shieldhill Plateau Farmland Landscape Character Area there are localised moderate to moderate/major landscape effects. This latter landscape character area (containing the site of the proposal) covers the rural land sloping down northwards from the plateau to the settlements in the Bonny Water/River Carron river valleys. A very large proportion of this Landscape Character falls within the ZTV area and even taking into account woodland cover, it is likely that actual visibility of the turbine would still remain. Any very tall structures (e.g. wind turbines) would be visually prominent from the river valleys and settlements on lower ground to the north. The Castlecary/Shieldhill area is therefore very sensitive to wind energy development involving the taller turbine types due to the impact on the areas to the north.
- 7b.18 The proposed turbine (at 79 metres to tip) falls within a Landscape Character Area where turbines of over 50 metres are generally assessed as not being acceptable. However, the careful siting of the proposal means that the landscape, visual and cumulative effects have been significantly reduced for a turbine to the height proposed. Nevertheless, there are still areas where significant localised visual and cumulative issues would be experienced due to turbine height.

7c Conclusion

- 7c.1 In conclusion, it is considered that the proposed turbine does not fully accord with the terms of the Development Plan in respect of policy ST21 - 'Wind Energy' of the Development Plan and policy RW01 - 'Renewable Energy' of the Proposed Plan.
- 7c.2 The proposed turbine does not comply fully, in visual impact terms, with the Council's Supplementary Guidance SG14 "Spatial Framework and Guidance for Wind Energy Developments". However, assessment of material considerations has determined that the selected site of the turbine is in an acceptable location that visual impact would be lessened as a result of location on lower ground with higher land forms adjacent in a generally high area. Whilst a small number of residential properties at Wester Shieldhill and the Three Kings wedding venue would be directly affected by proximity views, no significant amenity impact on these properties would result to justify refusal of this proposal. In the wider area of the site, it is considered that no significant visual or amenity impact would result.

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.
 - (5) Prior to the initiation of development, the applicant shall confirm the exact colour of turbine colour, hub, blades and all approved infrastructure with the Planning Authority.

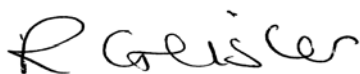
- (6) Prior to the initiation of development, the applicant shall provide a plan detailing any landscape features that require to be removed and reinstatement details and specification.
- (7) Prior to the initiation of development, a method statement shall be provided, confirming soiling and seeding works to ensure that the access road is reduced in width to 2.5 metres following construction.
- (8) All cable trenching shall follow the route of access.

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.
- (5-8) In the interests of visual amenity.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01-06.
- (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.
- (3) The applicant will be required to negotiate pre and post construction road and bridge surveys with Falkirk Council's Roads Services, Earls Road, Grangemouth and Bridge and Structures Design, Abbotsford House, David's Loan, Falkirk.



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Director of Development Services

Date: 29 August 2014

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan.
2. Falkirk Local Development Plan (Proposed Plan).
3. Letter of Support received from Mrs Helen Dalrymple, 24 Parkview Avenue, Falkirk, FK1 5JX on 30 April 2014.
4. Letter of Objection received from Mr Brian Muldoon, 9 Avondhu Gardens, Grangemouth, FK3 9BW on 27 May 2014.
5. Letter of Support received from Mr Steven Wilson, 1 Fairlie Drive, Camelon, Falkirk, FK1 4NP on 28 May 2014.
6. Letter of Support received from Mr Sam Anderson, 6 Mitchell Place, Lionthorn, Falkirk, FK1 5PJ on 2 June 2014.
7. Letter of Support received from Mr John Leitch, 48 Achray Drive, Falkirk, FK1 5UN on 28 April 2014.
8. Letter of Support received from Mr Alistair Reid, The Glen Farm, Falkirk, FK1 3AA on 19 June 2014.
9. Letter of Support received from Mr David Stephen, 7 Glencairn Street, Falkirk, FK1 4LY on 28 April 2014.
10. Letter of Support received from Mr Norman Litts, 5 Crathes Avenue, Stenhousemuir, FK5 4TL on 29 April 2014.
11. Letter of Support received from Mrs Sheila Hall, Balcastle House, Slamannan, Falkirk, FK1 3BB on 30 April 2014.
12. Letter of Support received from Mr Stuart Hunter, The Croft, Townhead, Auchterarder, PH3 1IG on 26 May 2014.
13. Letter of Objection received from Greg McSorley, 49B Grahams Road, Falkirk, FK1 1LA on 20 May 2014.
14. Letter of Objection received from John Young, 70 Kennedy Way, Airth, Falkirk, FK2 8GG on 20 May 2014.
15. Letter of Objection received from James Cattanach, 60 Alma Street, Falkirk, FK2 7HE on 20 May 2014.
16. Letter of Objection received from David Cattanach, 12 Orchard Street, Falkirk, FK1 1RF on 20 May 2014.
17. Letter of Objection received from Alex Porter, 27 James Street, Laurieston, Falkirk, FK2 9PX on 20 May 2014.
18. Letter of Objection received from Paula Young, 70 Kennedy Way, Airth, Falkirk, FK2 8GG on 20 May 2014.
19. Letter of Objection received from Elizabeth Stannage, 2 Mavisbank Avenue, Shieldhill, Falkirk, FK1 2EW on 20 May 2014.
20. Letter of Objection received from Alexander Fraser, 14 Kennedy Way, Airth, Falkirk, FK2 8GB on 20 May 2014.
21. Letter of Objection received from Catrina Cattanach, 12 Orchard Street, Falkirk, FK1 1RF on 20 May 2014.
22. Letter of Objection received from Rachael Davidson, 22 Bradbury Street, Carron, Falkirk, FK2 8ED on 20 May 2014.
23. Letter of Objection received from Janice Cattanach, 12 Orchard Street, Falkirk, FK1 1RF on 20 May 2014.
24. Letter of Objection received from Mr. Alistair Kerr, Braeriach, 65 Slamannan Road, Falkirk, FK1 5NQ on 20 May 2014.

25. Letter of Support received from Mr David Robb, 71 Singers Place, Bonnybridge, FK4 1FD on 26 May 2014.
26. Letter of Support received from Mr Robin Stirling, 15 Prospect Street, Camelon, Falkirk, FK1 4BA on 26 May 2014.
27. Letter of Support received from Mr Iain Stassin, 27 Achray Drive, Falkirk, FK1 5UN on 28 April 2014.
28. Letter of Support received from Mr Alex Dalrymple, 3 Carronbank Avenue, Carron, Falkirk, FK2 8TF on 2 May 2014.
29. Letter of Support received from Mr Andy O'Neill, 5 Busby Road, Carmunnock, Glasgow, G76 9BX on 28 May 2014.
30. Letter of Support received from Scottish Waterways Trust, FAO Karen Moore, New Port Downie, Lime Road, Falkirk, FK1 4RS on 22 May 2014.
31. Letter of Support received from Mr Mathew Morley, 15 Macintosh Place, Falkirk, FK1 5UL on 28 April 2014.
32. Letter of Objection received from John & Teresa Bryant, The Dwelling House, Wester Shieldhill, Falkirk, FK1 3AT on 6 May 2014.
33. Letter of Support received from Callendar Estate, FTAO Guy Wedderburn, Callendar Estate Office, Slamannan Road, Falkirk, FK1 5LX on 20 May 2014.
34. Letter of Objection received from Sandemans Solicitors, 34 Union Road, Falkirk, FK1 4PG on 20 May 2014.
35. Letter of Support received from Mr Christopher Marshall, 44 Cultenhove Crescent, Grangemouth, FK3 0DT on 28 May 2014.
36. Letter of Support received from Mrs Hazel Morrison, 16 Glenview Drive, Falkirk, FK1 5JU on 30 April 2014.
37. Letter of Objection received from Mrs Margaret Tulloch, Northmost Cottage, Station Road, Falkirk, FK1 3BQ on 24 April 2014.
38. Letter of Support received from Mr James Blaikie, 51 Glenview Drive, Princes Park, Falkirk, FK1 5JT on 29 April 2014.
39. Letter of Support received from Mr Gregor Scott, 24 Craighorn Drive, Falkirk, FK1 5NS on 23 May 2014.
40. Letter of Support received from Mr Jim Summers, 1 Westerglen Road, Falkirk, FK1 5ND on 23 May 2014.
41. Letter of Support received from Mr David Bennet, 8 Abbots Moss Drive, Falkirk, FK1 5UA on 28 April 2014.
42. Letter of Support received from Mr Ian Feeney, 1 Mitchell Place, Falkirk, FK1 5PJ on 26 May 2014.
43. Letter of Support received from Mr Robert Cruickshank, 26 Tanera Court, Hallglen, Falkirk, FK1 2PQ on 27 May 2014.
44. Letter of Support received from Mr Jack Lapsley, 30 Bonnyside Road, Falkirk, FK4 2AD on 28 May 2014.
45. Letter of Support received from Mr Chris Carswell, 15 Sunnyside Drive, Brightons, Falkirk, FK2 0GG on 26 May 2014.
46. Letter of Support received from Mrs Lyn Bennet, 8 Abbotsmoss Drive, Glenburn Park, Falkirk, FK1 5UA on 29 April 2014.

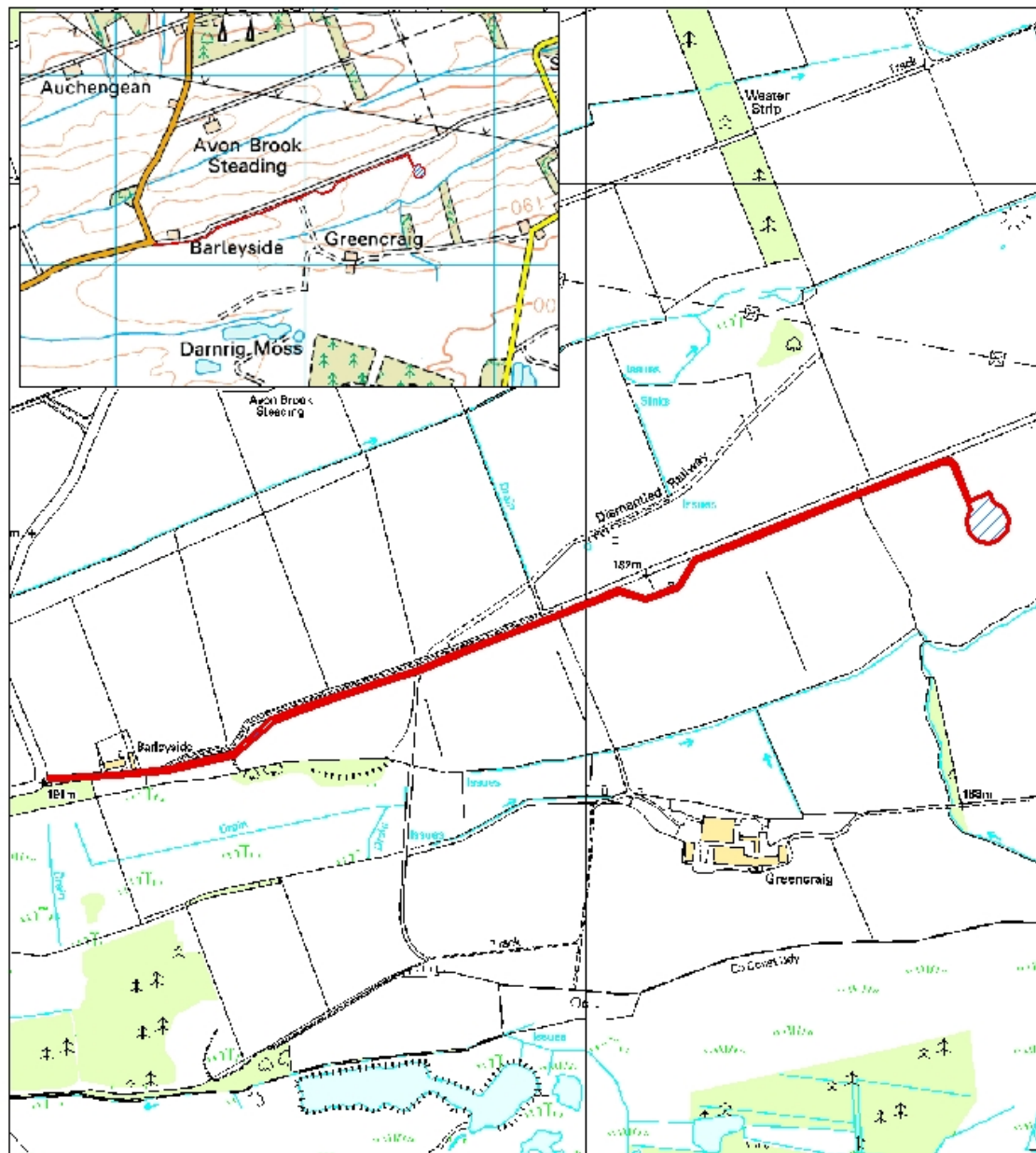
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504706 and ask for Allan Finlayson, Senior Planning Officer.

Planning Committee

Planning Application Location Plan

P/14/0203/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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