

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
SERVICE DIRECTOR REGULATORY SERVICES**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/00179/FUL

APPLICANT : Mr Alex Wilson

AGENT : VG Energy

DEVELOPMENT : Erection of wind turbine 34.4m high to tip and associated infrastructure

LOCATION: Land South West Of Clackmae Farmhouse
Earlston
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY: No Reason

DRAWING NUMBERS:

| Plan Ref | Plan Type | Plan Status |
|-----------------|------------------|--------------------|
| 06450/024/B | Location Plan | Refused |
| 06450/015/B | Location Plan | Refused |
| 06450/016/B | Site Plan | Refused |
| 06450/017/A | Elevations | Refused |
| 06450/018/A | General | Refused |

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

Consultations

Joint Radio Company: Cleared with respect to radio infrastructure operated by Scottish Power and Scotia Gas Networks

NERL: Does not conflict with safeguarding criteria

Transport Scotland: Recommend conditions on route, signing and advisory notes

Roads Planning Service: Limited size of the turbine will not create abnormal loads or significant traffic generation. Confirm the existing junction onto the minor road is suitable and the unmade track is of adequate construction. No objections

Community Council: No reply

Environmental Health Service: Initially sought further information. Following receipt, have now confirmed that the proposal meets ETSU simplified noise criterion. Recommend conditions

Access Officer: No known routes directly affected. There are paths that may be indirectly affected from a visual perspective and should be accounted for in any decision

Ministry of Defence: No objections. Require safety lighting and notification

Archaeology Officer: No implications

Landscape: Initially raised a concern regarding the skyline effect of the development as illustrated in viewpoint 2 (incorrectly noted as viewpoint 1) and probable skylining from other areas of Earlston. Queried if the applicant could consider an alternative location that would not be quite so prominent and elevated. This matter was raised with the applicants and, in response to their reply to this concern, the landscape architect advises the following: The turbine would be outwith environmental designations.

Guidance suggests a turbine of this typology in a small-medium scale landscape would normally be acceptable, and it is not out of scale with the landscape when seen from either Black Hill or the SUW. There will be increased sequential cumulative effects as a turbine here will increase the area of the Leader Valley from which a turbine can be seen. It will extend sequential effects on the A68. However, this is not deemed to be significant as the turbine will only be potentially visible for relatively short sections of the road.

Viewpoint 2 clearly indicates that the turbine when viewed from here and perhaps other locations on the western edge of the village appears as a relatively prominent skyline feature, despite the relatively busy foreground captured in the photomontage. At just over 1.7km from a sizeable settlement, the turbine may be perceived as relatively prominent by receptors that are resident in the area, which is a serious concern. Having considered the further correspondence from the agent, advises that concerns remain about the skylining effect when seen from Earlston and, for that reason, does not support the proposal in the current form.

PLANNING CONSIDERATIONS AND POLICIES:

Consolidated Local Plan 2011

G1, BE1, BE2, BE3, BE4, NE1, NE4, EP1, EP2, H2, INF2, INF4, IN F6, D4

SPG Wind Energy 2011

Recommendation by - Carlos Clarke (Principal Planning Officer) on 23rd April 2015

Proposal and site description

This application seeks consent for a single turbine on agricultural land, associated with an existing farm complex (Clackmae), and designed to support its energy needs. The site is located approximately 1.3km to the north-west of Earlston. The proposal is for a 34.4m high turbine (to blade tip), with 2.5m high meter house and associated hard standings. It would be accessed from an existing track that leads from a minor public road to the east.

The application is supported by an Environmental Report and supporting visual presentations including photomontages and ZTVs.

Principle

The proposal principally requires assessment against Policy D4 which generally supports small scale turbine development subject to environmental implications being acceptable. Related policies in the Local Plan that are relevant are also noted above. Assessment is also guided by our SPG on Wind Energy. The issues relevant to these policies are considered in this assessment under each heading.

Landscape and visual effects (including on cultural heritage designations)

The turbine would be below the skyline viewed from the National Scenic Area, with no significant visibility from Special Landscape Areas. The nearest Scheduled Monument is 3.5km distant. There would be theoretical visibility over the Carolside GDL which is 0.5km to the east, however, when accounting for screening effects of woodland, the application report predicts there to be no visibility, including to Listed Buildings within the GDL. That being the case, there would appear to be no likely adverse impact. Given the size of the turbine, and its offset position away from the designation, beyond intervening farm sheds and stabling, I would accept this conclusion. There would be no adverse impacts on other Listed Buildings or on any Conservation Area.

The site is on a gently sloping hill, with limited physical works. The application includes a freestanding meter house which the applicant's agent has since agreed can be relocated closer to the farm stabling, rather than contributing to the visual impact of this proposal. If consent were granted for the turbine, it is recommended it excludes the meter house in the current location.

The site is in a transitional landscape between upland fringe and valley. The scale of the turbine is reasonably (though not completely) comfortable in this landscape setting generally, and its visual implications on routes and properties would not, on the whole, be significantly negative. The nearest neighbouring properties would not be significantly affected as a result of intervening distance, orientation, topography and tree screening. Views from the Southern Upland Way are sufficiently screened and the turbine would be set down below the skyline from that direction in any case. The proposal would add to the scattering of single turbines in the general area, but would not do so to any adverse degree given the distances and intervening screening/landscape changes between it and the nearest turbines.

However, of significant concern is the skylining effect of the turbine from the east. This is illustrated in the photomontage from Viewpoint 2, which is taken from Mill Road. As our landscape architect notes, this image forms part of a broader, busier skyline than is represented in the photomontage but the turbine clearly stands proud of the hillside and tree coverage when viewed from this position. The applicant's agents have acknowledged that the turbine will be visible from residential properties, but contend that the turbine will not overwhelm the skyline, and will simply add another feature to the view. To some extent, their conclusion is fair. However, I would not, ultimately share the view that the resulting landscape effect is acceptable in terms of the relationship between the turbine and its landscape context. The visibility of the turbine would affect a range of residential receptors and road users travelling through and into/out of Earlston. The turbine would amount to a moving feature on the skyline, at a distance where our landscape architect describes it as being relatively prominent. The resulting effect is one which is difficult to endorse in this case. The resulting landscape and visual impacts are considered contrary to Policies G1 and D4 as these require that developments relate comfortably to their landscape setting.

The ZTV information supporting the application also suggest visibility further into Earlston and beyond. There is a risk that this skyline effect would be experienced from elsewhere within and to the east of the village, in addition to the area that would share a similar experience to that illustrated in Viewpoint 2. The applicant's agents advise, however, that it has not been possible to identify an area where visibility is actually possible, due to localised screening. They advise that the 'majority' of Earlston would be unaffected. This is inconclusive and does not provide significant comfort that this breach of the skyline will not be apparent from other areas within and approaching the village. Nonetheless, putting this aside, the potential for a breach of the skyline like that illustrated in Viewpoint 2 is sufficient in itself to conclude that the scale of this turbine, in this particular location, would lead to adverse landscape and visual impacts as noted above.

The applicants have advised that reducing the turbine size may be possible, but not believed to be necessary. The applicants do not appear to be amenable to relocation below the skyline because of other evident constraints.

Ecology

The site does not directly affect any ecological designation and the development would affect no trees or hedges. Its positioning complies with guidance (TIN051) with respect to proximity to features potentially supporting bat habitat

Archaeology

No implications are anticipated

Traffic

The development will use an existing track, with a short spur into a field. Transport Scotland note a number of requirements with respect to the route for the delivery of the turbine. It is understood that no abnormal loads are required so the conditions recommended by TS are arguably not required. An informative note can cover their advisory notes and liaison directly with them/their operating company. Our Roads Planning Service are content with the site access and track.

Communications

Adverse effects on domestic radio and television are unlikely, particularly given current digital coverage. No radio interference is anticipated by the JRC.

Aviation

No consultees have raised objections. MOD requirements for safety lighting and notification can be covered by conditions

Access routes

No public routes would be directly affected. Visual implications are considered elsewhere in this report

Noise

No properties would experience noise impacts above the simplified criterion of 35dba applied by ETSU according to the applicant's submission. Our EHS did ask for further information to support the conclusions of their assessment and have since received the necessary confirmation. No background studies are required in this case, and conditions can be applied to enforce noise limits as per ETSU.

Shadow Flicker

Applying current guidance (where flicker is most likely for narrow openings within 130 degrees due north of the turbine and within a 10xblade diameter distance), this proposal will not lead to any impacts, according to the submitted report.

Drainage

There is very little hardstanding involved in this development, and treatment of run-off should not be a difficulty in this open farmland.

Decommissioning

If consented, a time-limited consent should be applied by condition

Conclusion

It is accepted that the turbine is required to support the energy needs of the farm, and this is a beneficial impact that is a legitimate material consideration. It is also accepted that most policy requirements are satisfied. However, the breach of the skyline as viewed from the east and illustrated at Viewpoint 2 would amount to an adverse landscape impact that would be visually unsympathetic, and would be viewed by a relatively high number of receptors. Having balanced these considerations, this impact is considered of overriding concern.

REASON FOR DECISION :

The development would fail to comply with Policies G1 and D4 of the Consolidated Local Plan 2011 as a result of its adverse landscape and visual effects, most specifically on the setting of Earlston and receptors within the village, due to its prominent positioning above the skyline when viewed from the east of the application site

Recommendation: Refused

- 1 The development would fail to comply with Policies G1 and D4 of the Consolidated Local Plan 2011 as a result of its adverse landscape and visual effects, most specifically on the setting of Earlston and receptors within the village, due to its prominent positioning above the skyline when viewed from the east of the application site

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.