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LOCAL REVIEW STATEMENT

**Backies Farm, Deskford, Buckie,
Moray, AB56 5UR**

ON BEHALF OF: Fine Energy

**PREPARED BY: Houghton
Planning**

DATE: 26th April 2013

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CONTENTS

Page No.

1.0	INTRODUCTION	2
	Background	
	Proposed Development	
	Consultations	
2.0	THE APPLICATION SITE	3
3.0	PLANNING POLICY AND GUIDANCE	5
4.0	PLANNING ISSUES	7
5.0	CONCLUSION	9

1.0 INTRODUCTION

Background

- 1.1 This local review statement relates to a planning application (ref:13/00058/APP) for two Endurance E-3120 wind turbines at Backies Farm, Deskford, that has not been determined by the Council within the statutory two month period. The planning application was registered on 14th January 2013 and the two month statutory determination period lapsed on 14th March 2013.
- 1.2 The applicant is Fine Energy, although the farmer, Mr Tom Brown, who owns Backies Farm will benefit from the electricity that will be provided by the turbines as well as financially. Combined these will aid the continuing viability and financial security of the overall farming operation.
- 1.3 The planning application was accompanied by a suite of supporting documents, including a Planning Supporting Statement, Cumulative Landscape and Visual Impact Assessment, and the local review body is particularly requested to read these two documents in full in coming to a decision.
- 1.4 A ZTV and various visualisations have also been produced and the local review body is requested to have these available at its hoped for site visit.
- 1.5 An EIA screening opinion for the turbines was submitted on 26th November 2012 and a written response stating that EIA was not required was received on 17th December 2012.

Proposed Development

- 1.6 The wind turbines will have a hub height of 25m and a rotor diameter of 19.2m. Blade tip height, when the rotor blades are in a vertical position, will be 35m above finished ground level.
- 1.7 The turbines are classed as small/medium (35m-50m) in line with the Moray Onshore Wind Energy SPG (MOWE) (March 2013).
- 1.8 Associated works include concrete foundations for the turbines, a small control cabinet and the creation of a new temporary farm track to allow the turbines to be erected. New cables will be laid underground between the turbines and the proposed connection to the national grid network.

Consultations

- 1.9 NATs, MOD, Moray Council Contaminated Land, Moray Council Transportation and the various ofcoms consultees have not objected.

- 1.10 The Regional Archaeologist has not objected, but has asked for a watching brief condition.
- 1.11 Moray Council Environmental Health has not objected, but requested standard conditions including those relating to noise.

2.0 THE APPLICATION SITE

- 2.1 The application site lies immediately south of Backies Farm with the classified B9018 to the west. The larger settlements of Cullen and Keith are approximately 8.5 km north and 10.3 km south west respectively.
- 2.2 The application site is 0.091 ha in size and is situated within an overall farm that extends to 121.65 hectares.
- 2.3 The turbines will be located in a field currently given over to rough grazing.
- 2.4 The southern boundary of the application site is defined by the access road that leads to Backies Farm, with the immediate southern field boundary delineated by post and wire fencing. The other site boundaries are defined by hedgerows and post and wire fencing.
- 2.5 Circa 5 km from the application site, but within the wider ZTV, is the Bin of Cullen, which has been designated a Site of Interest to Natural Science (SINS) and Scottish Wildlife Trust (SWT) Wildlife Site. There is a further small SINS less than 500 metres and immediately to the north west of the proposed turbines.
- 2.6 Cultural heritage features within 5 km include the 'A' listed building Old Church of St. John and burial ground and a number of 'B' listed buildings, as well as scheduled ancient monuments. Berryhillock settlement, approximately 2.3 km to the north east, is a conservation area
- 2.7 The landscape character type for the application site is '8 Upland Farmland' as defined in the Moray Wind Energy Landscape Capacity Study (May 2012) and as shown on Map 10 in the MOWE. The application site falls within a defined 'Areas of Search Small/Medium' as defined in the SPG.
- 2.8 There are no Core Paths within the area identified in the ZTV.
- 2.9 The area immediately surrounding the turbines is rural with a low population and few visitors.
- 2.10 The nearest noise-sensitive dwelling is Backies Farm 259.1m north, but which is owned by Mr Brown. The next nearest is Upper Skeith 482.6m north east. Other dwellings close-by are: Clochmacreigh 577.3m south west, Langlanburn 611.1m south west, Mid Skeith 814.8m north east, Lower Craibstone Cottage 712.5m north, Craibstone Cottages (nearest) 651.4m north west and Craibstone Farm 774.4m north west.

2.11 The nearest two settlements are Berryhillock and Kirkton of Deskford, which is 3.5 km to the north east.

3.0 PLANNING POLICY AND GUIDANCE

- 3.1 Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan unless material considerations indicated otherwise.
- 3.2 The development plan in this case comprises the approved Moray Structure Plan 2007 and the adopted Moray Local Plan 2008.
- 3.3 Structure Plan Policy 2 (l) generally promotes sensitive renewable energy developments.
- 3.4 Policy ER1 in the Local Plan outlines that wind energy development should be located within a 'preferred search area' as originally defined within the Council's Supplementary Planning Guidance Wind Energy Planning Guidance (2005), but which has now been superseded by the Council's recently approved MOWE where these are now referred to as 'Areas of Search'. The application site falls within an 'Area of Search' for small/medium turbines as shown in the SPG.
- 3.5 Policy ER1 is also otherwise favourable towards renewable energy proposals provided they meet criteria relating to impact on the built and natural environment and other interests of acknowledged importance.
- 3.6 More detailed guidance can be found in the MOWE, which includes a spatial framework for considering turbine developments and other detailed information to be considered in assessing wind energy developments.
- 3.7 Scottish Planning Policy (SPP) 2010 sets out national policy regarding renewable energy proposals whilst separately the Scottish Government web-based renewables advice identifies a number of factors to be taken into account in determining the location of turbines. These are all covered in the MOWE, which sets out guidance including a spatial framework for considering turbine developments and other detailed information to be considered in assessing wind energy developments.
- 3.8 Also of importance is national policy that supports the renewable energy sector and how it can provide for the energy requirements of the country in the 21st century and can also provide for new employment opportunities, particularly in rural areas.
- 3.9 The most recent expression of this is to be found in the Government's Renewables Action Plan, which sets out some ambitious targets for Scotland going forward in terms of reducing carbon emissions and setting a target that by 2020 100% of Scotland's electricity is to be generated from renewable sources. Similarly, a target has been set for renewables sources to provide the equivalent of 11 per cent of

Scotland's heat demand by 2020. The Government wants targets to be exceeded rather than merely met and they should not be viewed as a cap on what renewables can deliver.

4.0 PLANNING ISSUES

- 4.1 The planning issues relating to this proposal are set out in the MOWE and are considered in the same order below.
- 4.2 **Biodiversity & Appropriate Assessment** - There are no protected sites close to the turbines that will be directly or indirectly impacted upon.
- 4.3 There no protected species issues have been raised by consultees.
- 4.4 **Separation distances** – As the turbines are small/medium the guidance requires them to be at least 200m from the nearest dwelling, and also a minimum separation distance equivalent to 10 rotor diameters (192m in this case), and 200m from the nearest settlement.
- 4.5 The nearest dwelling is Backies Farm, which is 259.1m away, and the nearest settlement is Berryhillock, approximately 2.3 km to the north east. These are both well outside of the separation distances.
- 4.6 **Transportation** – The guidance requires small/medium turbines to be at least 50m back from any roads or footpaths and this is exceeded in relation to the application site.
- 4.7 The local road network can cope with the level of construction traffic proposed.
- 4.8 **Carbon Balance/Pollution Prevention/Water Environment** - These issues are not relevant to this scale of proposal.
- 4.9 **Cultural Heritage** – There are cultural heritage features within 5 km, but almost all of the views towards them are limited due to the prevailing vegetation structure, topography and built form.
- 4.10 The Regional Archaeologist has raised no concerns.
- 4.11 **Noise Pollution** – This has been assessed by Moray Council Environmental Health and is considered to be acceptable by them provided standard noise conditions are applied.
- 4.12 **Electro Magnetic Interference** – No objections have been received in relation to this issue.
- 4.13 **Aviation/ MoD** – No objections have been received in relation to this issue.
- 4.14 **Site selection** – The site has been carefully chosen to ensure that landscape, visual and amenity impacts are minimised, but nonetheless to ensure that the turbines will work effectively and efficiently.

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- 4.15 **Landscape and Visual Impact** – As explained above, the site is within landscape character type ‘8 Upland Farmland’ and within a defined ‘Area of Search’ as defined in the MOWE. The SPG advises that within this character type there is limited scope for the small/medium typology turbines (35-50m) to be accommodated, i.e. there is scope, but the number of new turbines that the area can absorb will be limited overall.
- 4.16 In terms of landscape, the Cumulative Landscape and Visual Impact Assessment concludes that *“the overall sensitivity of the landscape character has been deemed as being low – medium.”* This means that the landscape can absorb change caused by new development, including wind turbines, without significant adverse impact. Those changes are thereafter detailed in the Assessment, which states that the turbines at Backies Farm are likely to have only a low to medium impact on the landscape quality of the area.
- 4.17 In terms of visual impact, the Assessment concludes that the turbines at Backies Farm will be of medium to high visibility within a 2 km radius, especially to the north west and south west, which will include from a few dwellings and casual users of the B9018 and other local tracks. However, the overall number of people that will be affected by these views is considered to be reasonably small. Beyond this visual impact from the east, north east and south east *“is significantly reduced due to the distance....and the interplay between the existing topography and landscape structure.”* The visibility of the development from the north west and south west is considered to be more of an issue, but the Assessment concludes that on balance even these longer views are not of major significance and do not change the overall conclusion on visual impact from being medium only.
- 4.18 **Tourism and Recreation** – There are no impacts on any tourist or recreation resources.
- 4.19 **Cumulative Impact** – The Cumulative Landscape and Visual Impact Assessment also assesses this issue, but concludes that due to due to the localised rise and fall in elevation and screening that this will not be an issue.

5.0 CONCLUSION

- 5.1 For the reasons given above it is considered that the proposed turbines comply with prevailing planning policy and the requirements of the MOWE and, therefore, warrant the grant of conditional planning permission.