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<b>Report to:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>7th September 2011</b>
<b>Report by:</b>	<b>Head of Regeneration and Planning</b>	<b>Report No:</b>	<b>10/0371/IC Plan09/11</b>
			<b>Local Application Development</b>
<b>Contact Officer:</b>	<b>Guy Phillips</b>	<b>Contact No:</b>	<b>01475 712422</b>
<b>Subject:</b>	<b>Installation of temporary 50M anemometer mast at Priestside Farm, Auchentiber Road, Kilmacolm</b>		

## **SITE DESCRIPTION**

The site is to the north east of the Clyde Muirshiel Regional Park on a hillside at Priestside Farm, approximately 2km to the east of the B788 between Greenock and Kilmacolm and 450m north of Auchentiber Road. It is within the Devol Road Upland Site of Importance for Nature Conservation (SINC). Auchentiber Road runs between the B788 to the west and Auchenbothie Road to the east and is identified as a core footpath in the Council's Core Paths Plan. There are two linked lines of approximately 23m high electricity pylons, each running east to west, to the north and south of the site.

Residential properties in proximity to the site include Auchentiber Farm to the west, High Mathernock Farm, Priestside Farm, "Cauldside" and "Pennysteral" all to the south and "West Kilbride" and "Cunston Cottage" to the east.

## **PROPOSAL**

It is proposed to erect a temporary 50m high anemometer mast for a period of two years. The mast would be secured by twenty guy lines to four anchor points, each 25m from the base. Five anemometers would be mounted on the mast at 30m, 38m, 40m, 48m and 50m high.

## **LOCAL PLAN POLICIES**

Local Plan Policy UT6 - Renewable Energy Infrastructure

In assessing proposals for renewable energy infrastructure, Inverclyde Council, as Planning Authority, will have regard to the impact on:

- (a) the natural environment and built heritage of the locality;
- (b) the landscape, particularly when viewed from major transport corridors;
- (c) residential amenity;
- (d) tourism and leisure resources, particularly if within the Clyde Muirshiel Regional Park; and
- (e) the operation of aircraft and telecommunications equipment.

## Local Plan Policy DS8 - Green Belt

There is a presumption against development in the designated Green Belt, as identified on the Proposals Map. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 for the 'Countryside' can be satisfied.

## Local Plan Policy DS10 - Countryside

Development within the countryside (including the Green Belt) will be permitted only where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture and forestry;
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and contributes to the social and economic development of the area;
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site;
- (d) it entails appropriate re-use of vacant buildings which it would be desirable to retain for their historic or architectural character; or
- (e) it forms part of an establishment or institution standing in extensive grounds; and
- (f) it does not adversely impact on the landscape character;
- (g) it does not adversely impact on the natural heritage resource;
- (h) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (i) there is a need for additional land for development purposes, provided it takes account of the requirements of the Structure Plan; and
- (j) it complies with other relevant Local Plan policies.

## Local Plan Policy HR1 - Designated Environmental Resources and Built Heritage

Development that would adversely affect, directly or indirectly, the natural or built heritage resources listed in Schedule 9.1 and where indicated, on the Proposals Map, will not normally be permitted.

Having regard to the designation of the environmental resource and built heritage, exceptions will only be made where:

- (a) Sites of Special Scientific Interest (SSSI) will not be compromised;
- (b) visual amenity and townscape will not be compromised;
- (c) no other site, identified in the Local Plan as suitable, is available;
- (d) the social and economic benefits of the scheme outweigh the total or partial loss of the environmental resource;
- (e) the developer has demonstrated that the impact of the development on the environment will be minimised; and
- (f) the loss can be compensated by habitat creation/site enhancement elsewhere, and where there are satisfactory arrangements to achieve this.

## Local Plan Policy LR6 - Inverclyde Access Strategy

Inverclyde Council, as Planning Authority, will seek to protect and promote the 'core path network' (both existing and proposed) and the other key themes of the adopted Inverclyde Access Strategy, where these do not conflict with other Local Plan policies, in particular DS8 and DS10.

## **CONSULTATIONS**

**NATS - CTC** - No objections.

**Scottish Power** - SP Distribution Ltd have no comments.

**Scottish Natural Heritage** - In summary, SNH will now only provide detailed advice to planning authorities in relation to proposals which demonstrably impact on sites or species for which we have a statutory responsibility. As such SNH will not offer detailed comment.

**Biodiversity Officer** – There are concerns as it is sited within the Devol Road Upland Site of Importance for Nature Conservation (SINC).

Although the static mast itself will not be of a significant impact associated groundworks to install the anchors for the mast will damage sphagnum and peat resources, thereby undermining the Dwarf Shrub Heath and Mire Habitats on site.

It is recommended that planning permission is refused in order to protect the nature conservation value of the SINC under Local Plan Policy HR1 Designated Environmental Resources and Built Heritage, however if permission is granted I would recommend the following conditions:-

- The siting of the mast and associated infrastructure will be selected to avoid the most sensitive habitat specifically wetter Dwarf Shrub Heath and Mire with significant sphagnum cover. Reason; to protect the priority habitats identified within the Local Biodiversity Action Plan.
- No pre-works or works to install the mast shall take place during the bird breeding season between mid March and mid August to ensure compliance with the Wildlife and Countryside Act 1981, as amended by the Nature Conservation (Scotland) Act 2004.

**Head Of Environmental And Commercial Services** - No objections.

**Argyll & Bute Council** - No objections.

**Head Of Safer And Inclusive Communities** - No objections.

**Land Use Consultants** - It is unlikely that the development would result in significant landscape or visual effects as the development is temporary (2 years); anemometer masts of this type are not highly visible structures in the wider landscape; visibility is likely to be restricted to a relatively local area with a minimal number of potential receptors; there are several other vertical elements in the landscape, such as pylons and telegraph poles, that are often located on the visual horizon; and there are a lack of local designations in relation to landscape quality/amenity.

**MOD Safeguarding** - No objections but there may be concerns should this site be developed further into a windfarm.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 10th December 2010 as it is contrary to the development plan.

## **SITE NOTICES**

The nature of the proposal did not require a site notice.

## **PUBLIC PARTICIPATION**

Three written representations have been received including two from Kilmacolm Civic Trust.

In addition to concerns regarding the proposed anemometer mast, the objectors make reference to a proposal for a wind turbine at the nearby High Mathernock Farm, approximately 1000m to the

north west. The planning application for the wind turbine proposal is the subject of another report on this agenda. Regarding the anemometer mast, the objectors are concerned that:-

1. It is a precursor to a large wind turbine or major wind farm. The application cannot be considered in isolation as there are planning applications under consideration for single wind turbines elsewhere in Inverclyde which, if approved shall have a cumulative impact on visual amenity.
2. In the event of a wind turbine being built on the site, Cunston Cottage would be adversely affected by shadow flicker.
3. There is no supporting information on environmental impact.
4. The natural landscape will have a large and highly visible structure implanted into it, visible from Kilmacolm, the Clyde estuary, Muirshiel Country Park, the B788, Locher Woods, Auchenbothie and Port Glasgow as well as the farmsteads and housing in the area including Auchenbothie Mains Farm and the Port Glasgow to Bridge of Weir cycle track. The application would have an impact on the environment and amenity of the area, disproportionate to the energy benefit of a future wind turbine.
5. Scottish Government SPP21 presumes against inappropriate development in the Green Belt.
6. It would have no positive effects on the local economy.

## **ASSESSMENT**

The site is located within the Green Belt, where Local Plan policies DS8 and DS10 apply. However, as a renewable energy development which may be expected to be located in a Green Belt / rural location, it is considered appropriate to assess the proposal against national and local planning policy for such developments.

The general planning policy position, stemming from Scottish Planning Policy, is that planning authorities should support the development of a diverse range of renewable energy technologies and that development plans or supplementary guidance must clearly indicate factors that will be taken into account in decision making. As infrastructure associated with renewable energy, Local Plan Policy UT6 applies, requiring assessment of impact on the natural environment and built heritage; the landscape, particularly when viewed from major transport corridors; residential amenity; tourism and leisure resources, particularly if within the Clyde Muirshiel Regional Park; and the operation of aircraft and telecommunications equipment.

- (a) the natural environment and built heritage of the locality.

The site is within a SINC and as such it requires assessment against Policy HR1. The policy advises that development that would adversely affect, directly or indirectly, listed natural or built heritage resources will not normally be permitted. The proposal requires further assessment against criteria (a) – (e) within Policy HR1:-

- (a) Sites of Special Scientific Interest will not be compromised. The proposal is acceptable in this regard.
- (b) Visual amenity and townscape. I shall assess this impact in detail under criterion (b) of Policy UT6.
- (c) Available other sites, identified in the Local Plan, are suitable. There are other parts of Inverclyde's countryside, more remote from public access than the proposal site, where a large anemometer could be located with less impact.
- (d) The social and economic benefits of the scheme outweigh the total or partial loss of the environmental resource. In this instance, I am not satisfied that a case has been presented supporting the benefits to be accrued in terms of renewable energy that outweighs the visual impact of a 50m high anemometer.

- (e) The impact of the development on the environment will be minimised. I shall assess this impact in detail under criterion (b) of Policy UT6.
- (f) Loss can be compensated by habitat creation/site enhancement elsewhere on the applicant's land. The Biodiversity Officer advises that although the static mast itself will not be of a significant impact associated groundworks to install the anchors for the mast will damage sphagnum and peat resources, thereby undermining the Dwarf Shrub Heath and Mire Habitats on site and recommends that planning permission be refused.

Regardless of assessment of visual impact, it can be concluded that the proposal is contrary to Policy HR1 as due to the position within a SINC it has an adverse impact on the natural environment of the locality.

- (b) the landscape, particularly when viewed from major transport corridors.

While I note the concerns of objectors on this being a precursor to wind turbine applications, the anemometer requires to be considered on individual merit. I note the comments of the Council's landscape consultant that it is unlikely to have significant landscape or visual effects as the proposal is temporary (2 years). It is advised that anemometer masts of this type are not highly visible structures in the wider landscape and the visibility is likely to be restricted to a relatively local area with a minimal number of potential receptors.

- (c) residential amenity.

It is recognised that the anemometer will be visible over a wide area, including from residential properties but the visual impact is significantly less than a turbine. The diameter is 140mm, much smaller than the proposed turbine at High Mathernock , which would be approximately 2.5m at base, tapering to 1.25m at top. Furthermore, unlike turbines it will be static, with no shadow flicker implications.

- (d) tourism and leisure resources, particularly if within the Clyde Muirshiel Regional Park.

The comments on impact on residential amenity are equally valid to tourism and leisure. While the site is outwith the Clyde Muirshiel Regional Park it is nearby to Auchentiber Road, which is identified as a core footpath route. As the proposal is temporary (2 years) I consider there is no long term, adverse impact to walkers and cyclists on the core footpath.

- (e) the operation of aircraft and telecommunications equipment.

There are no objections from NATS and the MOD.

In summary, the proximity of the anemometer from key visual receptors allied to the design of the structure deem the visual impact of this proposal to be acceptable, but the position proposed within a SINC determines that the proposal is contrary to Policy HR1 and should be refused.

## **RECOMMENDATION**

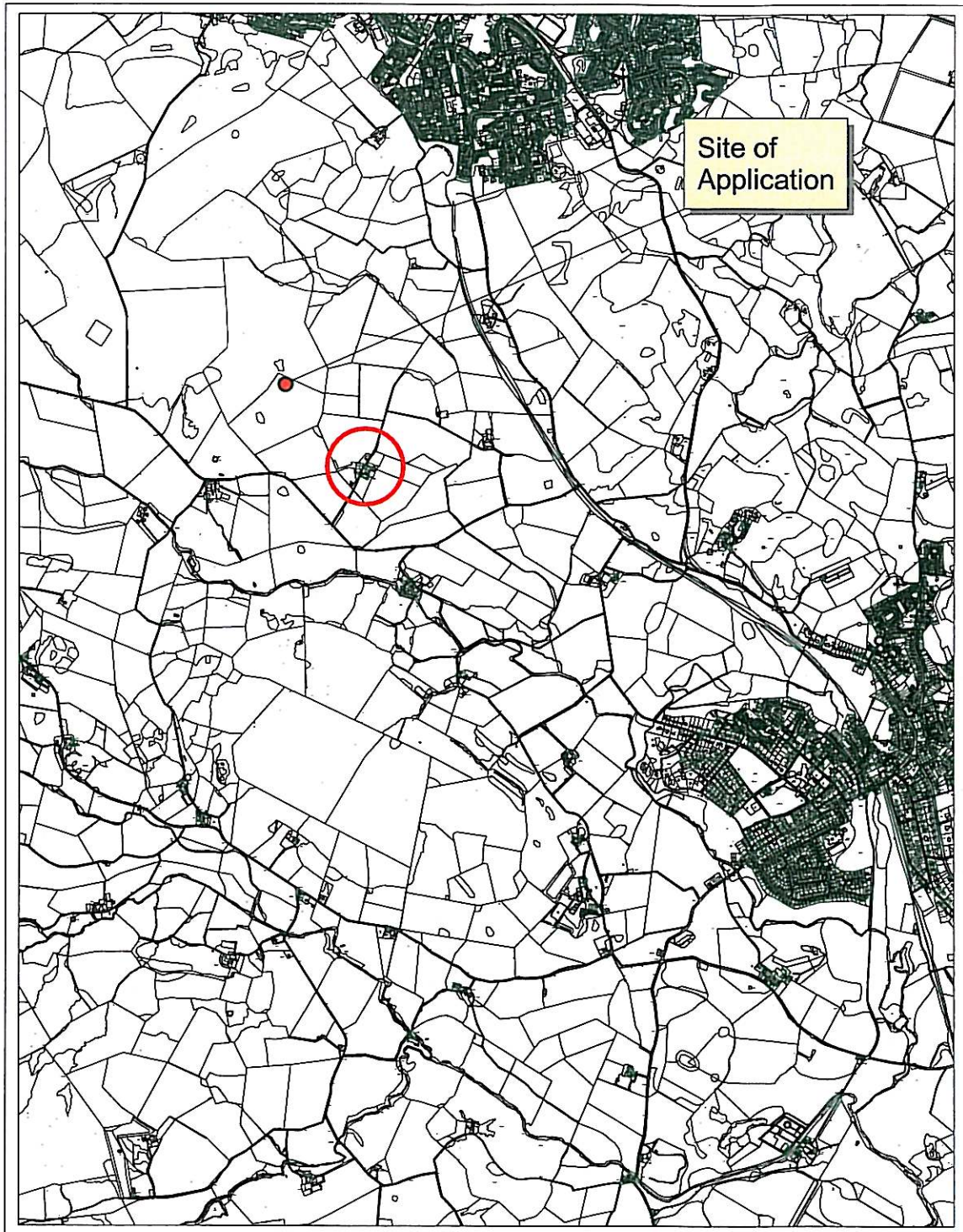
That the application be refused as:-

Associated groundworks to install the anchors for the mast will damage sphagnum and peat resources, thereby undermining the Dwarf Shrub Heath and Mire Habitats on site to the detriment of the Devol Road SINC and contrary to Inverclyde Local Plan Policy HR1.

Stuart Jamieson  
Head of Regeneration and Planning

## BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Inverclyde interim policy on small scale wind energy developments
5. Consultation responses
6. Written representations



Drawing No. 10/0371/IC Priestside Farm, Auchentiber Road, Kilmacolm.

Drawn by: JML

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