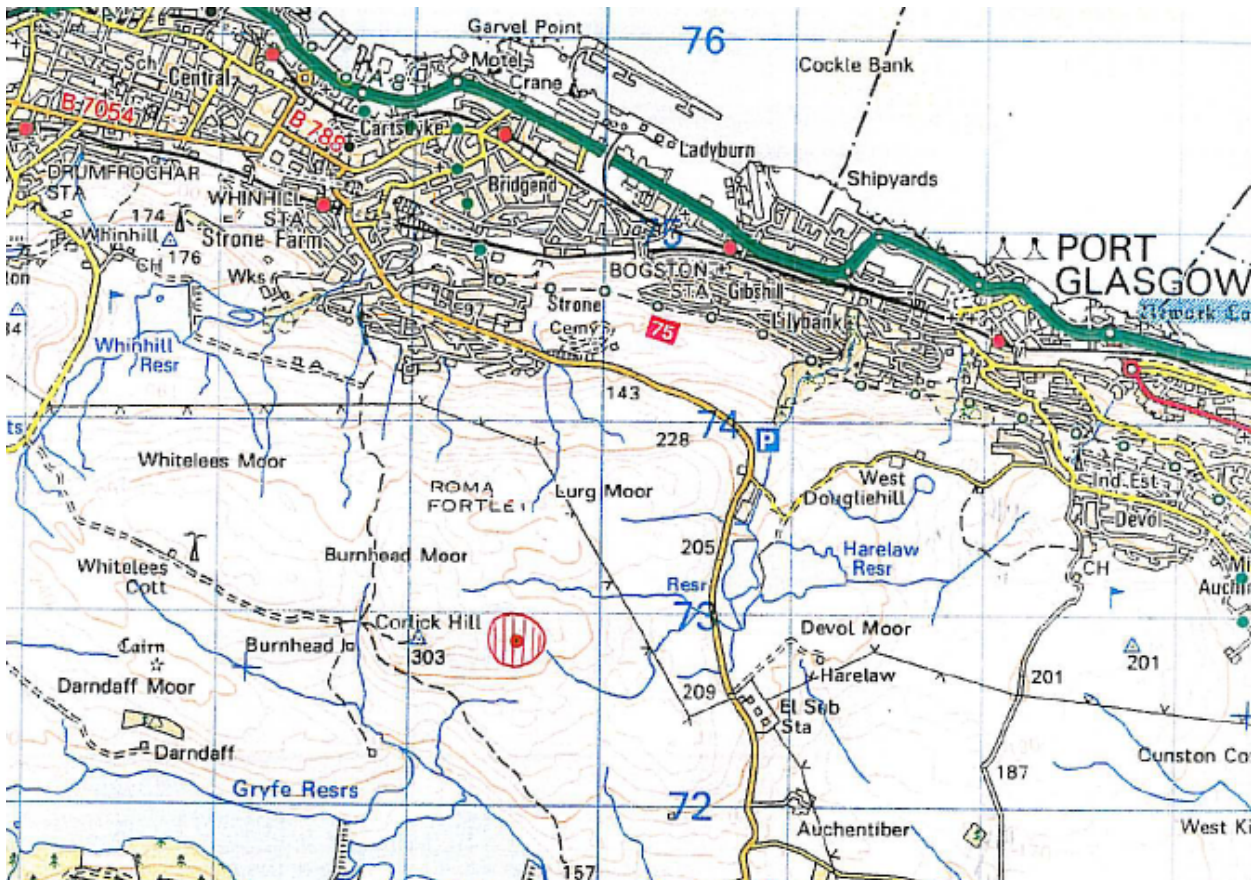


Report To:	The Planning Board	Date:	4th September 2013
Report By:	Head of Regeneration and Planning	Report No:	13/0116/IC Plan 09/13
			Local Application Development
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Erection of a 70 metre meteorological mast at Corlic Hill, Greenock		

SITE DESCRIPTION

The site is on open moorland due north of the Gryfe Reservoir No.2 on Burnhead Moor, and to the east of Corlic Hill. It is a position approximately 3 km south east of Greenock town centre commanding long views except to the west, where Corlic Hill intervenes.



PROPOSAL

It is proposed to erect a 70 metres high slender stayed steel meteorological mast on a small base frame and supported by 4 well spaced stay anchors. Each stay will consist of 6 guy wires. The mast is to carry wind vanes and anemometers at different heights and a small data logger. The applicant seeks approval for a 3 year period.

The mast is required in connection with a current planning application to construct a wind farm east of Corlic Hill and will facilitate the collection of meteorological data to support the proposed wind farm's operational needs. Access for construction is to be taken from the B788. The proposal for the wind farm will be considered at a future meeting of the Planning Board.

DEVELOPMENT PLAN POLICIES

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 DS11 - Clyde Muirshiel Regional Park

Clyde Muirshiel Regional Park will be safeguarded by having regard to Local Plan policies DS8 and/ or DS10 and in accordance with the Planning Practice Advice Notes Nos. 5 and 6, under Policy DC1.

PROPOSED LOCAL DEVELOPMENT PLAN POLICIES

Policy ENV1 : Designated Environmental Resources

(a) International and National Designations

International

Development which could have a significant effect on a Natura site will only be permitted where: an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or there are no alternative solutions, and there are imperative reasons of overriding public interest, including those of a social or economic nature.

National

Development that affects a SSSI (or other national designation that may be designated in the future) will only be permitted where:

it will not adversely affect the integrity of the area or the qualities for which it has been designated, or any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

(b) Strategic and Local Designations

Development adversely affecting the strategic and local natural heritage resources will not normally be permitted. Having regard to the designation of the environmental resource, exceptions will only be made where:

- (i) visual amenity will not be compromised;
- (ii) no other site identified in the Local Development Plan as suitable, is available;
- (iii) the social and economic benefits of the proposal are clearly demonstrated;
- (iv) the impact of the development on the environment, including biodiversity, will be minimised; and
- (v) the loss can be compensated by appropriate habitat creation/enhancement elsewhere.

Policy ENV2 - Green Belt and the Countryside

Development in the Green Belt will only be considered favourable in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;
- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice.

Policy INF1 - Renewable Energy Developments

The Council will support development required for the generation of energy from renewable sources, subject to the proposal not having significant adverse effects upon:

- (a) natural heritage designations (international and national designations should not be compromised);
- (b) the landscape and wider environment;

- (c) neighbouring settlements;
- (d) tourism, recreation and conservation matters;
- (e) the built heritage;
- (f) biodiversity and the water environment;
- (g) air quality;
- (h) road safety and service infrastructure; and
- (i) the cumulative effect of such proposals.

CONSULTATIONS

BAA Aerodrome Safeguarding - No objection.

Civil Aviation Authority - No objection.

Clyde Muirshiel Park Manager - Objection due to the visual impact on a sensitive landscape, the detrimental impact on recreational users, the historic interest that is sensitive to inappropriate development, damage to the peat habitat that will release carbon, and the potential harm to bird species.

MOD Safeguarding - No objection. Advisory notes and conditions should be added to a grant of planning permission.

NATS - CTC - No objection.

Scottish Environment Protection Agency West - No objection. Drainage requires to be treated in accordance with the SUDS manual.

Scottish Natural Heritage - No objection subject to two conditions:

1. Bird diverters should be fitted to the guy lines used on the mast and they should be checked every 6 months to a year to ensure that they remain effective for the period of operation.
2. Construction work shall take place outwith the main bird breeding season (i.e., outwith April to July inclusive). If this is not possible an ornithologist should be engaged to survey the ground immediately prior to such works to advise of any bird nesting activity.

Historic Scotland - No objection, although the Council may wish to give consideration as to whether or not there is scope to relocate the mast away from the Roman Road to reduce any potential impact.

PUBLICITY

The application was advertised in the Greenock Telegraph as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification and press advertisement. 35 objections have been received. Objectors include Kilmacolm Community Council, Greenock West and Cardwell Bay Community Council, Inverkip and Wemyss Bay Community Council, the Save Your Regional Park Campaign and Inverclyde Ramblers. The points raised may be summarised as follows:

Policy issues:

- Disruption or destruction of archaeological remains. A "protection" condition for archaeological remains is also requested in the event of approval.
- Contrary to Local Plan policies DS8 and DS10.
- Historic Scotland object to the proposal.
- It is a IUNC Category V designated site (locally important) and merits protection.
- It is a nationally important site.
- Wind energy is inefficient – this is a precursor to a wind farm (several objectors refer to their opposition to a wind farm at this location).

Impact on enjoyment of the area:

- Adverse visual impact within the Regional Park, adding to the existing visual clutter caused by telecommunications masts, pylons and telegraph poles.
- Adverse impact on wildlife.
- Adverse impact on tourism.
- Impact on right to roam.
- Noise pollution.
- Loss of enjoyment of countryside through creeping industrialisation.
- Health and safety concerns.
- Too near to residential properties.
- The mast should be located closer to existing vertical structures such as telecoms masts to minimise visual clutter.

Other points:

- If the application is to be approved a requirement should be imposed that a bond be submitted to cover removal of the mast and restoration of the site in the eventuality that the developer enters administration or receivership.
- If the application is to be approved then a time restricted permission is requested.

ASSESSMENT

The material considerations in determination of this application are the Inverclyde Local Plan, the proposed Local Development Plan, the consultation responses, the letters of representation and the planning history of the site.

Planning permission has twice been granted for the erection of a meteorological mast on this site; in November 2002 (for a two year period) and, on appeal to the Scottish Ministers, in December 2005 (for a 1 year period). Neither planning permission was implemented. Given this site history, it remains to be considered if there are any circumstances that have changed in the intervening period to suggest that planning permission now merits refusal.

The Development Plan position has changed. The most recent approval was issued when the current Inverclyde Local Plan was at the final draft stage. It has since been adopted, with the Council since moving on to produce the Inverclyde Local Development Plan, which is currently at the Proposed Plan stage.

The application site is within an area of the current Local Plan where policies DS8, DS10 and DS11 apply. As the site is within the Green Belt (policy DS8), assessment of the proposal requires to be carried out under policy DS10. I consider the most relevant criteria are (c), (f), (g) and (h).

Criterion (c) relates to demonstration of a specific locational need. Without prejudice to the later consideration of a proposed wind farm, I accept that a meteorological mast is an integral element of wind farm developments and that readings have to be taken in the same area that the wind turbines would be placed. It has to be recognised that wind farms are sited in rural areas and that should permission be granted at a later date there is a clear locational need for

this mast. Furthermore, in determining this application the Council cannot prejudice the consideration of any other planning applications.

Considering the impact on landscape character (criterion (f)) and the effects on visual amenity (criterion (h)), I concur with previous assessments that the slender nature of the mast will have a negligible impact on visual amenity and as the only example of this type of structure, will not adversely impact on the landscape character. The increase of the height of the mast to 70 metres from the previously approved 50 metres does not change this conclusion. Furthermore, the footprint of the mast and the guy anchoring points cover such a limited area that any impact on the natural heritage resource will be very limited. I also note that Scottish Natural Heritage have no objection subject to conditions in respect of bird protectors and the timing of works (criterion (g)). I am therefore satisfied that this limited visual, landscape character and wildlife impact means that the proposal is acceptable with reference to policies DS8, DS10 and DS11.

A similar conclusion may be reached when assessing the relevant policies of the proposed Local Development Plan; Clyde Muirshiel Regional Park is a local designation under policy ENV1 and Policy ENV2 addresses issues of the Green Belt and Countryside. Criteria from Local Plan policy DS10 are repeated in these policies. In addition, Policy ENV2 introduces an assessment of impact on prime quality agricultural land and on significant peat land (criteria (g) and (h) respectively of policy ENV2). The mast will avoid deep peat deposits and is not sited on prime agricultural land. Finally, as a renewable energy related development this proposal is supported in principle by policy INF1.



In summary, while the Development Plan has changed since a mast on this site was last approved, the proposal continues to accord with the current Local Plan and the proposed Local Development Plan.

It rests, therefore, to consider if there are any other material considerations that have changed since approval for a mast in this location was last granted. Consultation responses do not present an impediment to the granting of planning permission and, while recognising the various objections submitted, this development will not have a materially greater impact on residential amenity, the Clyde Muirshiel Regional Park or enjoyment of the area than would the previously approved masts. I further note that Historic Scotland offers no objection with reference to any impact on the setting of any existing known antiquity and any, as yet to be discovered features may be protected by condition. Scottish Government guidance is that planning conditions should not seek to cover all eventualities, accordingly I do not consider the lodging of a bond to cover the removal of the mast at the end of the consent period as appropriate.

Overall, I am satisfied that circumstances have not changed sufficiently since the previous planning approvals of a meteorological mast on this site to suggest that planning permission should not be granted.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. The mast and all associated equipment shall be removed 3 years from the date of this permission (or immediately upon the development becoming redundant if earlier) and all reinstatement on a like-for-like basis shall be completed within a further two months.
2. That bird diverters shall be fixed to the guy lines upon erection of the mast, to the satisfaction of the Planning Authority in consultation Scottish Natural Heritage and that they be checked every 6 months to ensure that they remain effective for the period of operation.
3. That construction works shall take place outwith the main bird breeding season (i.e., outwith April to July inclusive). If this is not possible an ornithologist shall be engaged to survey the ground prior to such works to advise of any bird nesting activity and a report shall be submitted to and approved in writing by the Planning Authority prior to the commencement of work.
4. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority in writing not less than 14 days before development commences.
5. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas.

Reasons

1. In view of the stated temporary nature of the development and to secure satisfactory reinstatement.
2. In the interests of ecology.
3. In the interests of ecology.
4. In the interests of antiquity.
5. To control runoff from the site to reduce the risk of flooding.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Applicant's supporting information.
3. Inverclyde Local Plan.
4. Proposed Inverclyde Local Development Plan.
5. Consultation responses.
6. Representations.
7. Planning permissions IC/02/281 and IC/05/052.



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