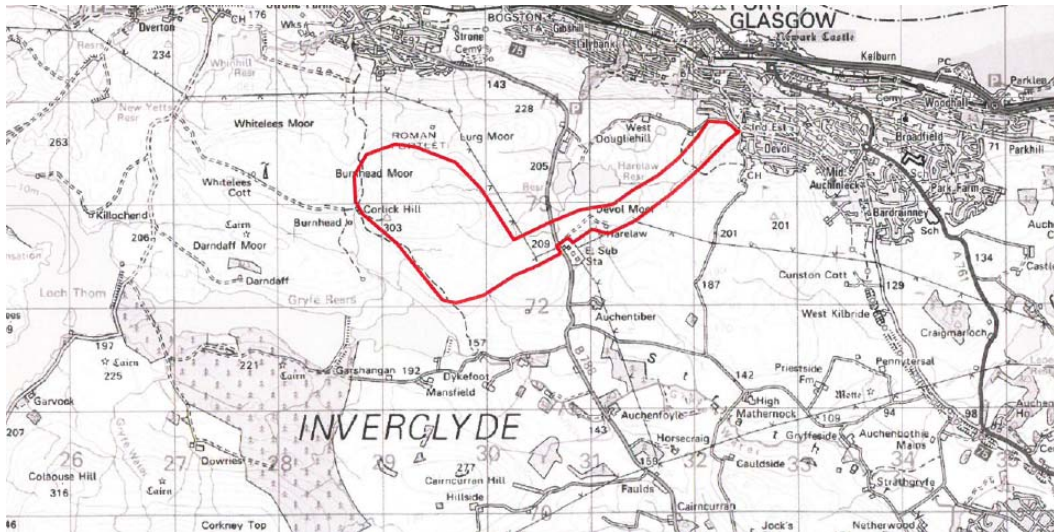


Report To: The Planning Board Date: 1 June 2016

Report By: Head of Regeneration and Planning Report No: 13/0199/IC
Plan 06/16
Major Application Development

Contact Officer: David Ashman Contact No: 01475 712416

Subject: Notification of Planning Appeal Decision: Erection of 8 wind turbines, the construction of access tracks and ancillary development (including crane hardstandings, cabling, transformers and culverts), the formation of a borrow pit, the erection of a sub-station and control building, the formation of a car park and the erection of temporary construction compounds at
Land north and east of Corlic Hill, Greenock



Ordnance Survey maps, and maps created from Ordnance Survey material are subject to Crown copyright.
Information on Ordnance Survey map licensing can be found on their website
<http://www.ordnancesurvey.co.uk/oswebsite>

SUMMARY

- The planning application was refused by Inverclyde Council.
- The applicant appealed the decision to the Scottish Ministers.
- The Reporter appointed by the Scottish Ministers allowed the appeal and granted planning permission subject to 32 conditions.

INTRODUCTION

In December 2014 planning permission was refused for a proposed windfarm as:

1. The proposed wind farm may adversely impact on the safe operation of Glasgow Airport and en-route traffic to the detriment of public safety.
2. It is contrary to Policies ENV1, criterion (b)(i) and ENV2, criterion (i) of the Inverclyde Local Development Plan as it will adversely impact on visual amenity and, in the case of the latter, is not capable of satisfactory mitigation.
3. It is contrary to Policies ENV2, criterion (f) and INF1, criterion (b) of the Inverclyde Local Development Plan as it will adversely impact on landscape character.
4. It is contrary to Policy INF1, criterion (c) of the Inverclyde Local Development Plan as it will adversely impact upon neighbouring settlements in terms of their visual outlook and enjoyment of the landscape.
5. It is contrary to Policy INF1, criterion (d) of the Inverclyde Local Development Plan as it will adversely impact on the enjoyment of the landscape by recreational users of Clyde Muirshiel Regional Park.
6. It is contrary to Policies INF1, criterion (e), ENV2, criterion (e) and HER6 of the Inverclyde Local Development Plan in that the proposal will have an adverse impact on the setting of the scheduled monument of Lurg Moor Roman Fortlet and Roman Road.
7. The visual impact and impact on landscape character of the proposed development would also be contrary to Scottish Natural Heritage guidance on "Siting and Designing Wind Farms in the Landscape", Scottish Government online guidance "Onshore Wind Turbines" and the Clyde Valley Strategic Development Plan Authority guidance "Landscape Capacity Study for Wind Turbine Development in Glasgow and the Clyde Valley".

APPEAL DECISION

The appeal was considered by the Reporter appointed by the Scottish Ministers by a combination of public inquiry and public hearing.

In reaching his decision the Reporter considered five questions:

- Would the proposal have an unacceptable effect on the landscape?
- Would the proposal unacceptably detract from important views or from the visual amenity of nearby settlements or properties?
- Would the proposal unacceptably harm the setting of the Lurg Moor Roman fortlet and Roman road or any other cultural heritage asset?
- Would the proposal have an unacceptable effect on aviation safety?
- What would be the net economic effect of the proposal?

He found that the proposal would have significant adverse effects on the landscape within and immediately around the site. It would also detract from short range views including from a few residential properties and from some parts of local settlements. However, he acknowledged that commercial-scale wind energy proposals will inevitably create significant

effects within their immediate surroundings. If such effects were always considered to rule out a proposal, no commercial-scale wind energy projects would be approved and this would be contrary to Scottish Government policy. In this instance, he did not regard the site and its immediate surroundings as having a particularly high level of visual amenity. The aspect of the site that contributes most to its visual amenity in his assessment - the extensive views out across the Firth of Clyde - would, from many locations within the site, not be undermined by the proposal. Therefore, he has not given this disbenefit of the proposal as much weight as the wider visual amenity effects.

With regard to wider visual amenity effects, there are issues of private amenity for the small number of individual properties who would be most affected. There would also be broader effects on the public more generally as a result of the proposal's visibility from Greenock and other settlements. He concluded that visual effects on settlements, although significant, would not be unacceptable as he considered the proposed turbines would be visible but not be dominant or overly intrusive. Effects on a limited number of individual properties on Garshangan Road and at Auchenfoyle Cottage would be of greater significance. However, despite the clear view of the turbines that residents of these properties would have, he considered there would not be the impression of turbines dominating or encroaching upon their domestic setting.



View from Corlic Hill

From the point of view of a visitor's appreciation of how the Lurg Moor Roman fortlet would have operated and what life would have been like for a soldier stationed there, the Reporter accepted that the proposed turbines would significantly alter the wider moorland context for the monument. However, he took the view that they would not intrude upon the monument's immediate surroundings and would be partially screened by the summit of Corlic Hill. The effect would be a prominent skyline feature but not one that gave the impression of an excessively intrusive or distracting feature within the setting of the monument. He advised that the presence of wind turbines would not transform the landscape and its essential character would remain relatively remote and forbidding regardless of whether there were turbines there. The significant issue for the Reporter was the ability to understand and appreciate the monument and the fortlet, the road and the surrounding countryside and he considered that they would remain readily apparent to any visitor. Overall he was satisfied that the proposal complies with relevant requirements of national policy and guidance on heritage matters.

Addressing the effect on aviation safety, the Reporter concluded that a balance needs to be struck between, on the one hand, providing certainty of how the proposal would be mitigated and, on the other, allowing the proposal to progress beyond the planning stage and into the pre-construction phase, where final details of how the proposal would be implemented can be worked out. He concluded that the use of a suspensive radar mitigation condition would strike the correct balance.

In considering economic benefit, the Reporter considered the most significant positive aspect of the appeal proposal is the contribution it would make to the delivery of low-carbon energy. The output of the proposed wind farm is estimated at between 16 and 24 megawatts and he considers that this will represent a valuable contribution to Scottish, UK and international targets for greenhouse gas emissions reduction and the use of renewable energy and potentially assist in providing greater security of supply in the Scottish energy market by potentially displacing imported energy. These benefits are recognised in SPP, with one of its four planning outcomes, which set out how the planning system should support the Government's vision, being a reduction in carbon emissions. He gave this benefit of the scheme significant weight.

The Reporter considered that the proposal would be likely to have a positive but not significant benefit for the national economy in which the renewable energy sector is an important and growing sector and for the local economy, where improved economic activity would be welcome. He found no evidence to support an argument that the proposal would have adverse economic consequences through the discouragement of potential visitors to the area.

The Reporter consequently allowed the appeal and granted planning permission. Development must be begun with 3 years of the date of permission, and before commencing the applicant requires permission or agreement (as applies) from the Council including on any variations to turbine positions and heights, site buildings, a pollution prevention plan, water supply impact, a programme of archaeological investigation work, a traffic management plan, visibility at access points onto public roads, a road management plan, a radar mitigation scheme and a television and radio reception survey.

There are also ongoing obligations on the applicant including relating to noise control and site conditions. There is an obligation requiring the lodging of a bond with the Council to cover the costs of decommissioning and site restoration. The permission has a 25 year lifespan.

RECOMMENDATION

That the Board notes the position.

Stuart Jamieson
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.