

TCP/11/16(206)

Planning Application 12/00275/FLL – Erection of 2 wind turbines at Errichel House, Aberfeldy, PH15 2EL

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD

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Planning Department

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000046944-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:

MBM Planning & Development

Ref. Number:

First Name: *

Mark

Last Name: *

Myles

Telephone Number: *

01738 450506

Extension Number:

Mobile Number:

Fax Number:

01738 450507

Email Address: *

mm@mbmplanning.co.uk

You must enter a Building Name or Number, or both:*

Building Name:

Algo Business Centre

Building Number:

Address 1 (Street): *

Glenearn Road

Address 2:

Town/City: *

Perth

Country: *

UK

Postcode: *

PH2 0NJ

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Alastair"/>
Last Name: *	<input type="text" value="Budge Reid"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="Errichel House"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Aberfeldy"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Perthshire"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="PH15 2EL"/>

Site Address Details

Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="Errichel House"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text"/>	Town/City/Settlement:	<input type="text" value="Aberfeldy"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="PH15 2EL"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="748043"/>	Easting	<input type="text" value="287342"/>
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *

(Max 500 characters)

Erection of two 15KW wind turbines

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to separate statement containing grounds of appeal

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

☒ Yes ☐ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review: * (Max 500 characters)

Although a Visual Impact Assessment was not requested as part of the application process this has been prepared in response to the reasons for refusal and to support the Notice of Review. The VIA includes montages from a number of different locations and directions to assist the LRB in their decision.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

The planning application forms, the Report of Handling, the PKC Decision Notice, all refused plans and drawings, the additional VIA and the Statement setting out the grounds of appeal

Application Details

Please provide details of the application and decision.

What is the application reference number? *

12/00275/FLL

What date was the application submitted to the planning authority? *

17/02/12

Has a decision been made by the planning authority? *

☒

Yes

☐

No

What date was the decision issued by the planning authority? *

20/06/12

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐

Yes

☒

No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)

To assess the potential impact of the two turbines on the wider landscape

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐

Yes

☒

No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒

Yes

☐

No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mark Myles

Declaration Date: 24/08/2012

Submission Date: 24/08/2012

1. Introduction

- 1.1 This statement should be read in conjunction with the Notice of Review submitted on 24th August 2012 on behalf of Mr Alastair Budge Reid, for the erection of two 20Kw wind turbines at Errichel House which is located approximately 1.1km to the south east of Aberfeldy. The planning application (12/00275/FLL) (see copy attached - MBM1) was refused by PKC on 20th June 2012 (see attached – MBM2).
- 1.2 The proposal requires to be considered under the terms of the development plan policy (in particular Policies 3 and 6 of the Tayplan Strategic Development Plan (approved in June 2012) and policies 1, 2, 3, 4, 5, 11, 13, 14, 26 and 47 of the Highland Area Local Plan 2000). In addition the policy guidance contained within Scottish Planning Policy (SPP - February 2010) and PKC's Wind Energy Supplementary Policy Guidance are significant material considerations. All of these policy documents provide support towards renewable energy resources as well as agricultural diversification particularly where this is undertaken in a sustainable manner and where it helps generate and maintain local employment and community benefits.
- 1.3 A Zone of Turbines Visibility (ZTV) was submitted in support of the original planning application (see attached – MBM3). The application was submitted on 17th February 2012 but no feedback was received on the application for 4 months until the refusal notice was issued by the council on 20th June. No further information or Visual Impact Assessment on which to assess the potential impact of the two turbines in more detail was requested by the council.
- 1.4 Within the PKC Wind Energy SPG, Diagram 1 shows that site of these two turbines lies within the Broad Area of Search which establishes that the principle of an individual wind energy proposal may be acceptable as the site does not lie within any of the Strategically Sensitive Areas. It is still necessary to consider impacts at the chosen location. Accordingly a VIA (see attached - MBM4) is now provided in support of this Notice of Review Appeal to allow the Local Review Body the opportunity to assess the landscape and visual impacts of the proposal in greater detail.
- 1.5 We contest the council's reasons for refusal of the planning application as well as certain statements contained within the Report of Handling (see attached – MBM5). We consider that the planning department incorrectly dismissed this application and did not properly assess the merits of the proposal for the reasons set out in this statement.

2. Addressing PKC Reasons for Refusal

- 2.1 The key development plan policies for assessing the suitability of this site to accommodate the two wind turbines are contained within Tayplan Strategic Development Plan (which was approved by Scottish Ministers only 2 weeks before the application was refused) and the policies contained within the Highland Area Local Plan.
- 2.2 In terms of national planning policy the proposal to generate electricity from a renewable resource is given strong support in Scottish Government legislation and policy. The key policy sources are National Planning Framework 2 (NPF2) and Scottish Planning Policy (SPP). Both respond to climate change by setting targets for the generation of significant amount of electricity from renewable sources by 2020. The SPP in particular expects that planning authorities will support the development of wind turbines in locations where the technology can operate efficiently and where environmental impacts can be addressed satisfactorily (paragraph 187).
- 2.3 The SPP seeks to balance protection and enhancement of the environment with sustainable development (paragraph 33). For wind turbines, which are currently one of the main sources of supply used in achieving these targets, decisions on individual proposals should protect and enhance the natural environment, including the landscape (paragraph 37). The design and location of wind turbine development should also reflect the scale and character of the landscape, as advised by Scottish Natural Heritage (SNH), and the location of turbines should make sure that visual impact is minimised. As well as assessing the contribution that a proposal might make to meeting renewable targets, other criteria for consideration are likely to include similar themes to the above from the development plan, i.e.:
- landscape and visual impact;
 - effects on natural heritage and the environment;
 - impact on tourism and recreation; and
 - benefits and disbenefits for communities (paragraph 187).
- 2.4 As noted in the Report of Handling ,Tayplan policy 6 states that the issue is no longer about whether such facilities are needed but instead about helping to ensure they are delivered in the most appropriate locations. Tayplan confirms that it is for Local Development Plans to identify areas suitable for different forms of renewable infrastructure but the Highland Area Local Plan is now nearly 12 years old and significantly predates the approved strategic development plan and Scottish Planning Policy Guidance.

- 2.5 As highlighted above the planning application was refused on 20th June 2012 (MBM2) for 3 different reasons none of which make any reference to SPP or Tayplan policy.
- 2.6 The first reason for refusal relates solely to Policy 2 of the Highland Area Local Plan. The reason states that the turbines will have an adverse impact on the visual amenity of the area, presently enjoyed by a host of receptors including residential properties and visiting recreational users. Of the 8 criteria listed under Policy 2 it is considered that this reason for refusal relates to the wording given under criteria c) which requires development to be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community.
- 2.7 The reason states that the proposed turbines will have an adverse impact on the visual amenity of the area. The Report of Handling suggests that the ZTV shows that the turbines will be readily visible from a very significant proportion of the surrounding countryside. However the Report of Handling also then goes on to add that visibility of the turbines from the south and south west is limited from a distance due to topography but they will remain visible from close by.
- 2.8 In terms of any potential impact on existing residential properties it should be noted that the nearest properties to the site are 310 m to the east including the applicants own property. The council's Environmental Health department raised no objections to the application.
- 2.9 The site does not lie within any designated conservation or archaeological site and there are no protected species that would require further assessments under the habitats regulations. The P&K Archaeologist and SNH raised no objections to the planning application.
- 2.10 There is also no firm evidence to support a conclusion that the proposal would have a significantly negative effect on visiting recreational users or local tourism. In fact the applicant has already diversified the traditional farm business by converting outbuildings into bed and breakfast and holiday letting cottages. As a rural business they need to continue to diversify and the electricity generated from the two farm turbines will power the holiday cottages as well as the existing farmhouse thus satisfying the relevant sustainable development and diversification policies within the development plan.
- 2.11 The Report of Handling makes an issue of the fact that no photomontages were submitted with the application. However as noted earlier despite the application being under consideration for 4 months none were requested from any specific views.
- 2.12 The attached VIA has therefore been prepared in response to the reason for refusal and its conclusions help to show how the two turbines would fit in with landscape and the limited visual impact that they would have on the wider area when viewed from particular vantage points. In terms of evaluating the level of significance for landscape impacts the VIA confirms that the two turbines would not be dominant components on

- 2.13 The 2nd reason for refusal relates to Policy 11 of the Highland Area Local Plan. Policy 11 encourages renewable energy development in appropriate locations. The wording used in the 2nd reason for refusal relates specifically to criteria b) of Policy 11 which requires development to not result in an unacceptable intrusion into the landscape character of the area. Criteria a) and c) of Policy 11 are not at issue and are therefore not considered reasons for refusal of the application.
- 2.14 The Report of Handling states 'given the potential visibility of the turbines and the quality of the surrounding landscape, I consider that the turbines would result in an unacceptable intrusion onto the landscape character of the area and would cause an undue visual dominance for neighbouring properties, resulting in an unacceptable loss of visual amenity.'
- 2.15 First of all as noted above the nearest residential properties are located 310 m to the east so any visual impact on neighbouring properties will be minimal and would not cause undue visual dominance as has been claimed. Policy 11 c) is the particular section of Policy 11 that refers to loss of amenity on neighbouring properties but this has not actually been used in the reason for refusal of the application.
- 2.16 In our view the Report of Handling makes an unjustified leap from acknowledging the 'potential visibility of the turbines' to saying that they 'would result in an unacceptable intrusion.' We question how that view could be reached despite the fact that no VIA or photomontages had been submitted with the application on which to properly assess the potential visual impact.
- 2.17 The purpose of selecting viewpoints from inside the ZTV is to test the expected outcomes, and thereby to predict the visual impact of the wind turbines more precisely. From the conclusions contained within the VIA it is considered that the landscape can absorb the two wind turbines without obvious change and without any substantial harm to the character of the area. As a result, the proposal would achieve an acceptable degree of landscape integration.
- 2.18 The 3rd reason for refusal states that approval of the two turbines would establish an undesirable precedent for similar sized developments. Precedent is an argument that can be used both ways e.g. it could already be argued that a precedent has been set with the approval of other structures and turbines in the area. The wind turbines would not be entirely out of accord by virtue of other tall structures in the area such as a communications mast, as well as power lines and other turbines located to the south.

- 2.19 Planning legislation also requires each application to be determined on its own merits and in this case it is considered that the reasons for refusal have been addressed by our response to the reasons for refusal quoted from policies 2 and 11 of the Highland Area Local Plan and by the additional information provided in the VIA. Any other application for similar sized farm related turbines would need to be assessed in the same manner.
- 2.20 No objections were received from any members of the public and no technical objections were received from any of the statutory consultees to the application. The additional information provided in the VIA and the grounds of appeal consider that the concerns raised within the reasons for refusal have been properly addressed and that approval can therefore be justified as being in accordance with the development plan.

3 Conclusions

- 3.1 This Notice of Review appeal seeks consent to erect two 20Kw wind turbines at Errichel Farm by Aberfeldy.
- 3.2 The proposal can be considered to be consistent with all of the criteria set out in the Development Plan (in particular policies 2 and 11 of the adopted Highland Area Local Plan) as well as the key policy objectives as set out in Tayplan, SPP and the PKC SPG.
- 3.3 There are no technical difficulties or infrastructure issues raised by this proposal and no objections were received from any individual or organisation.
- 3.4 The two turbines are considered to be an appropriate method of renewable energy resource for the farm as well as being a further means of diversification which also directly benefits the existing diversification (holiday let business) that is already operating and all in a location that is considered to have minimal landscape and visual impact as confirmed in the VIA.
- 3.5 We would therefore respectfully request that this Notice of Review is approved as the proposal is in conformity with Scottish Planning Policy, Tayplan and the relevant policies within the Highland Area Local Plan subject to any conditions that may be considered necessary by the Local Review Body.

VISUAL IMPACT ASSESSMENT
ERRECTION OF TWO 15kw WIND TURBINES
AT
Errichel
By Aberfeldy
PH15 2EL

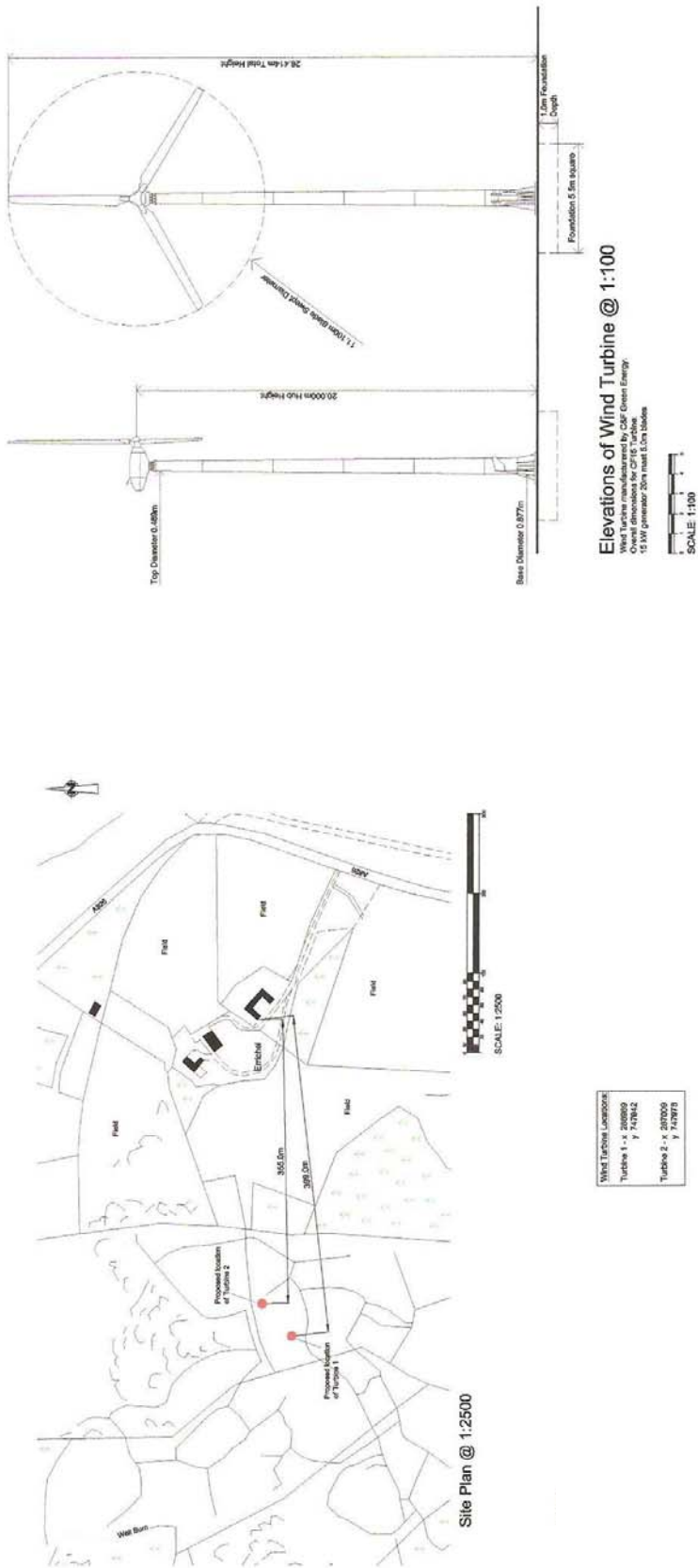


Report Date: 24th August 2012

Errichel, By Aberfeldy

Equipment	Nikon D3
Camera Settings	<ul style="list-style-type: none"> • Auto Setting • Auto White Balance • Auto Flash • Standard Colour Mode • ISO Speed 800 • F-Stop f7.1-14 • Exposure 1/200-1/800 • Focal Length 50mm (Fixed Lens)
Camera Lens Height	1.7m from ground
Software	Adobe Photoshop Elements 2.0
Weather Conditions	Dry and overcast.
Date and Time	14th July 2012 13.10-15.55hrs 10 th August 2012. 11.00-12.30 hrs
Other Considerations	<p>In order to provide a realistic assessment we have calculated the theoretical 'image height' for the turbine at various points of significance from the proposed location. This is based on the calculation cited below (derived from Can Vis Distance calculations and references a known height and image relative to the focal distance from the camera or observer, which can then be applied to determine an theoretical 'image' height for a specific distance.</p> <p>For example a 39.6m high wind turbine was photographed at a distance of 200m, This provided the reference height for visualisation, as the camera focal distance, and elevation will be essentially the same. The 'image height' of the 39.6m high turbine is 69mm.</p> <p>This provided some empirical guidance in relation to how 'large' the turbines would appear in any photomontage, assuming neither cropping nor zoom and would therefore provide more realistic Zone of Theoretical Visibility (ZTV) distances for consideration.</p>

Errichel, By Aberfeldy



2 No. 15kw Wind Turbines on 20m Masts
at Errichel, by Aberfeldy, PH15 2EL.
for Mr Alisdair Budge Road

Proposed Location Plan, Site Plan & Turbine Details

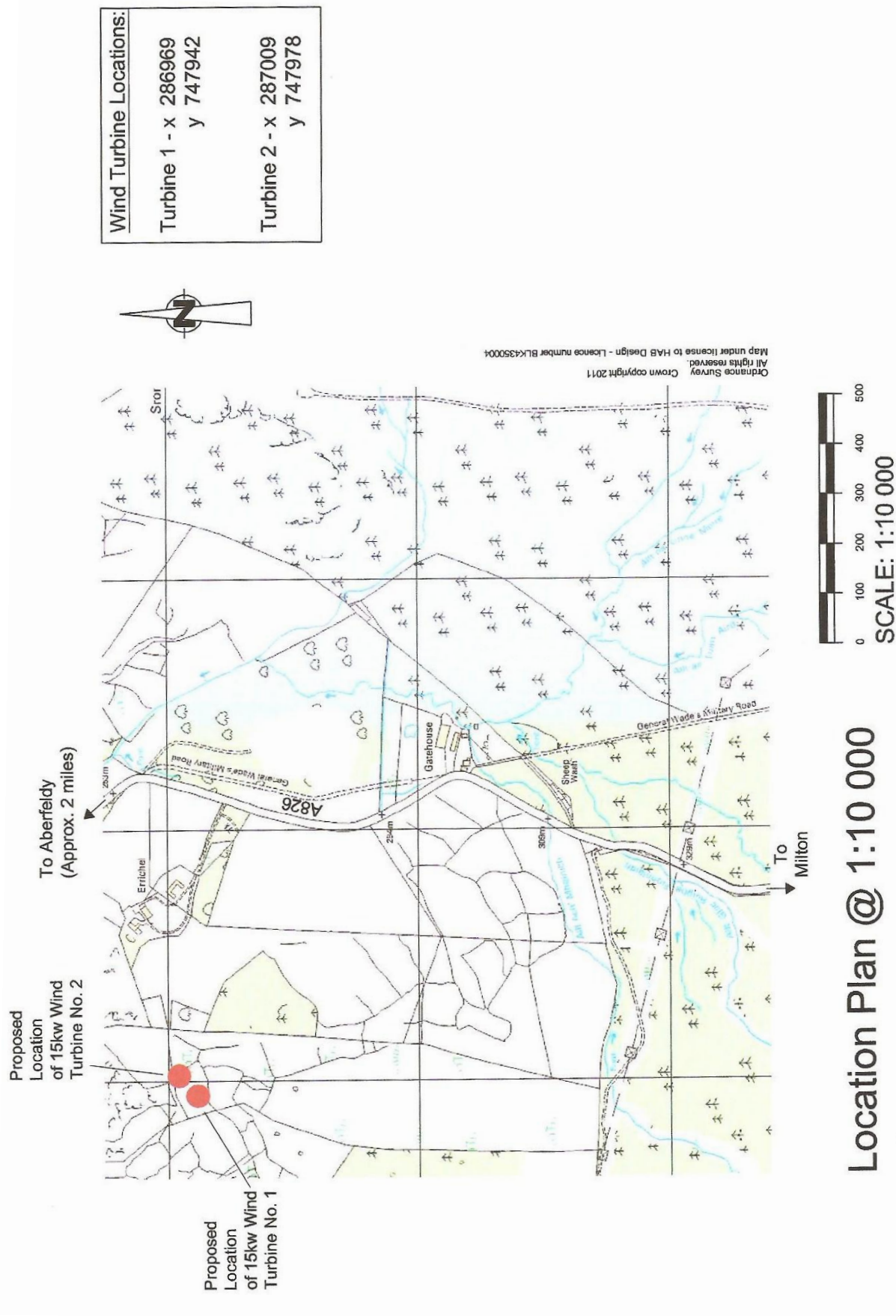
project	drawing	revision	A	for masts	sheet
BE21 101	A				
date	September 2011				
status	Scoping				

BRITISHECO
RENEWABLE ENERGY SOLUTIONS
UNITED KINGDOM

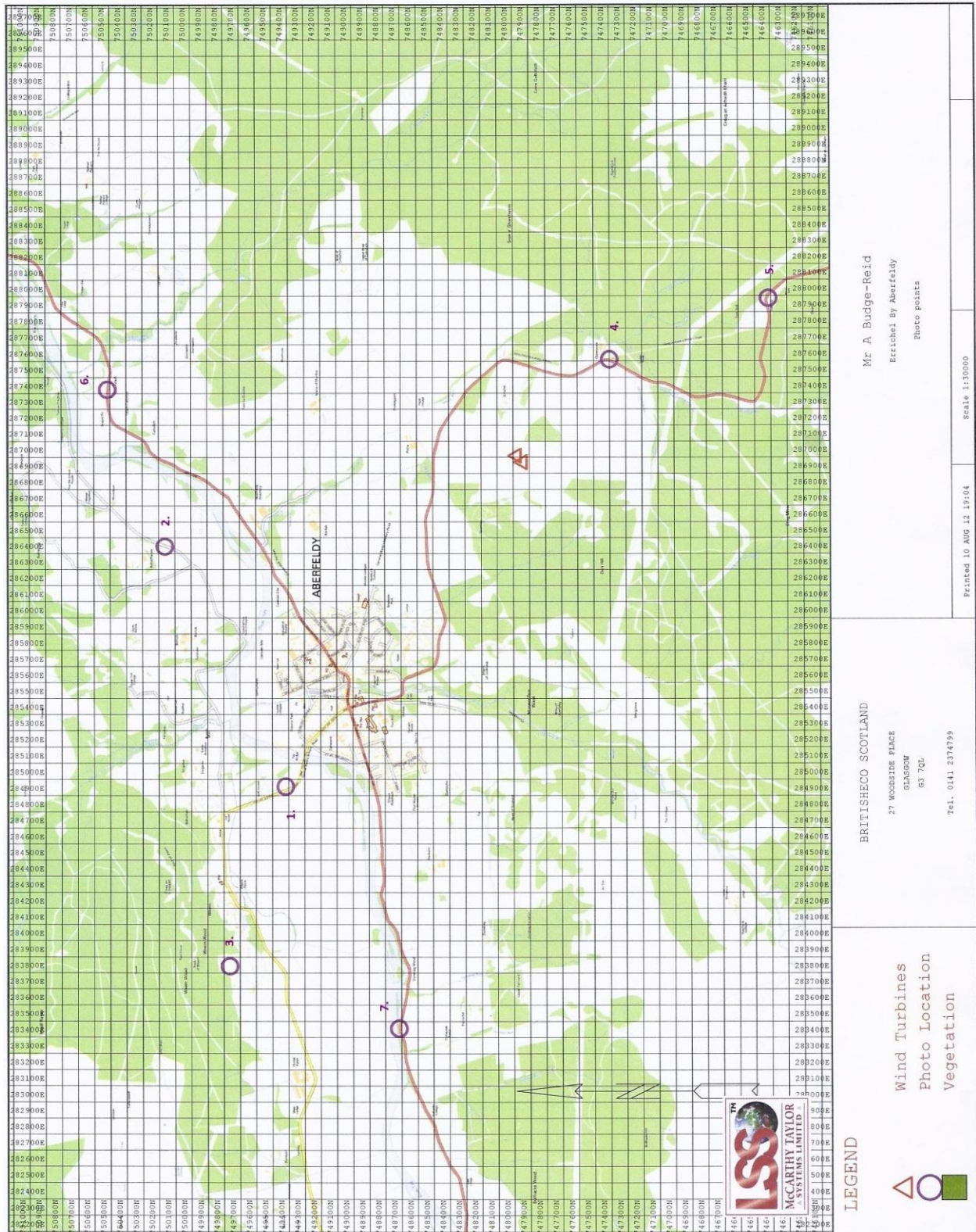
21 St Andrew's Place
Glasgow G3 7LN
Tel: 01226 160000
Fax: 01226 160001
Email: info@britisheco.co.uk
Website: www.britisheco.co.uk

Errichel, by Aberfeldy, PH15 2EL.
© This drawing is the property of BritishEco Scotland and should not be copied or reproduced without prior permission.

Errichel, By Aberfeldy



Errichel, By Aberfeldy



Errichel, By Aberfeldy

Photographic Locations	
Image 1	Image 1 - Grid ref (284956, 749417) Photograph taken from Aberfeldy Golf Club, 2495m from of proposed turbine No 1.
Image 2	Image 2 - Grid ref (286444, 750161) Photograph taken from Killichassie, 2280m from proposed turbine No 1.
Image 3	Image 3 - Grid ref (283610, 747400) Photograph taken from the top level of Castle Menzies walled garden, 3618m from proposed turbine No 1.
Image 4	Image 4 - Grid ref (287988, 746415) Photograph taken at Gatehouse on A826, 839m from proposed turbine No 1.
Image 5	Image 5 - Grid ref (287988, 746415) Photograph taken from viewpoint/picnic area to the south on A826, 1836m from proposed turbine No.1.
Image 6	Image 6 - Grid ref (287422, 750515) Photograph taken from North on A827 on approach into Aberfeldy on south side of River Tay, 2612m from of proposed turbine No 1.
Image 7	Image 7 - Grid ref (283455, 748715) Photograph taken from West on A827 on approach into Aberfeldy on south side of River Tay, 3598m from proposed turbine No 1.

Errichel, By Aberfeldy

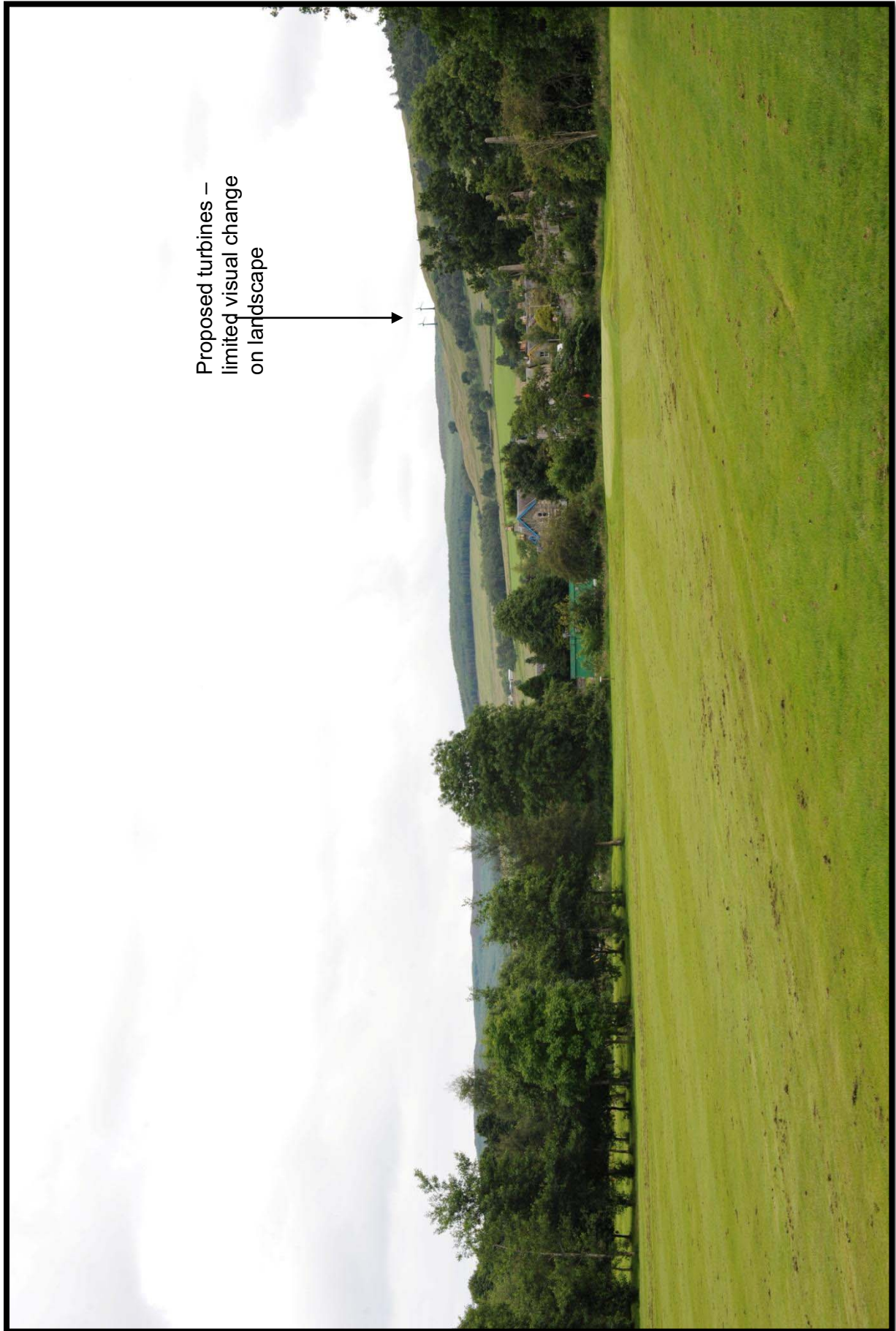


Image 1- Photograph taken from Aberfeldy Golf Club, 2495m from of proposed turbine No 1.

Errichel, By Aberfeldy



Image 2- Photograph taken from Killichassie, 2280m from proposed turbine No 1.

Errichel, By Aberfeldy

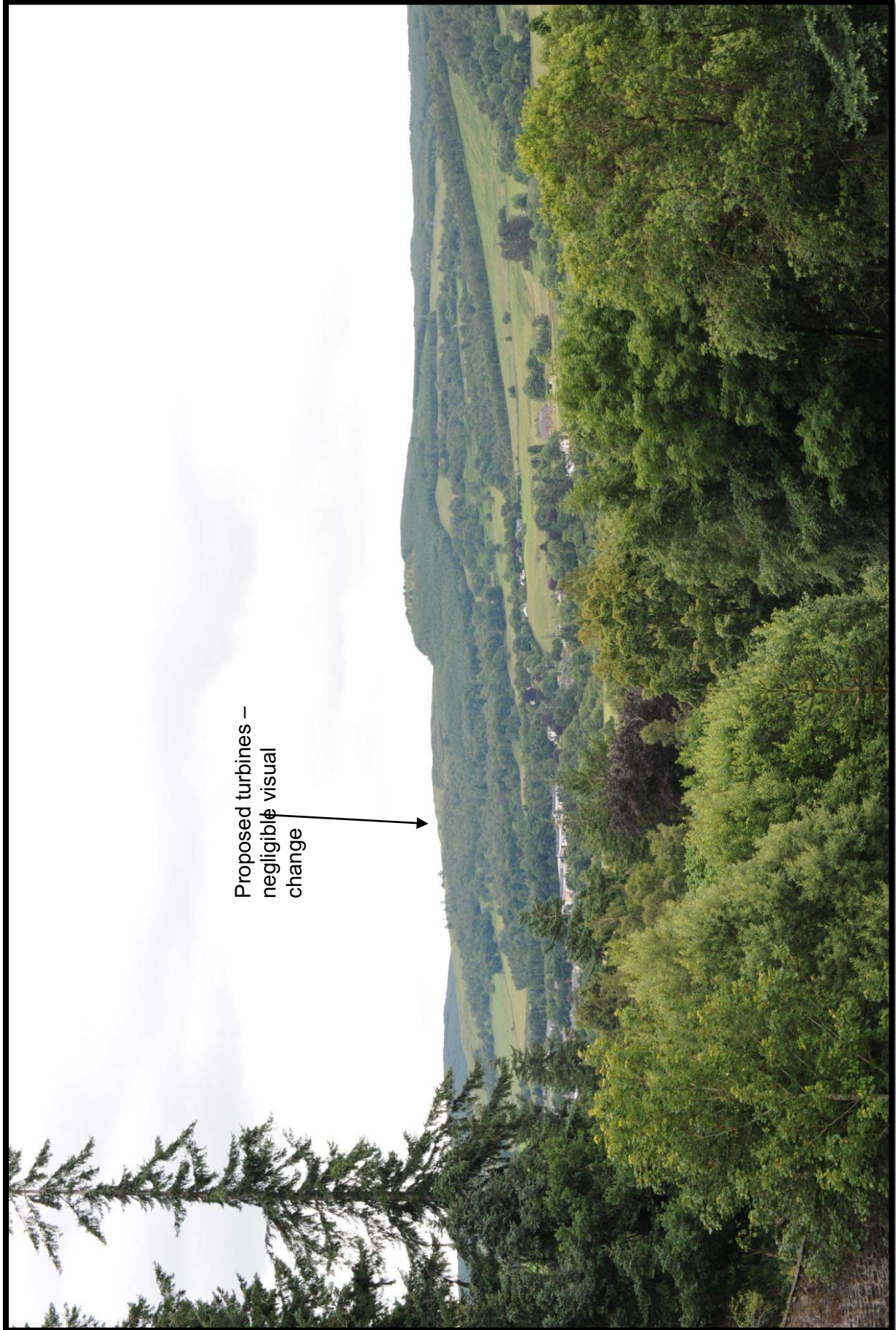


Image 3 - Photograph taken from the top level of Castle Menzies walled garden, 3598m from turbine No 1. location. Proposed turbines are not dominant components on the landscape being set in amongst woodland.

Errichel, By Aberfeldy

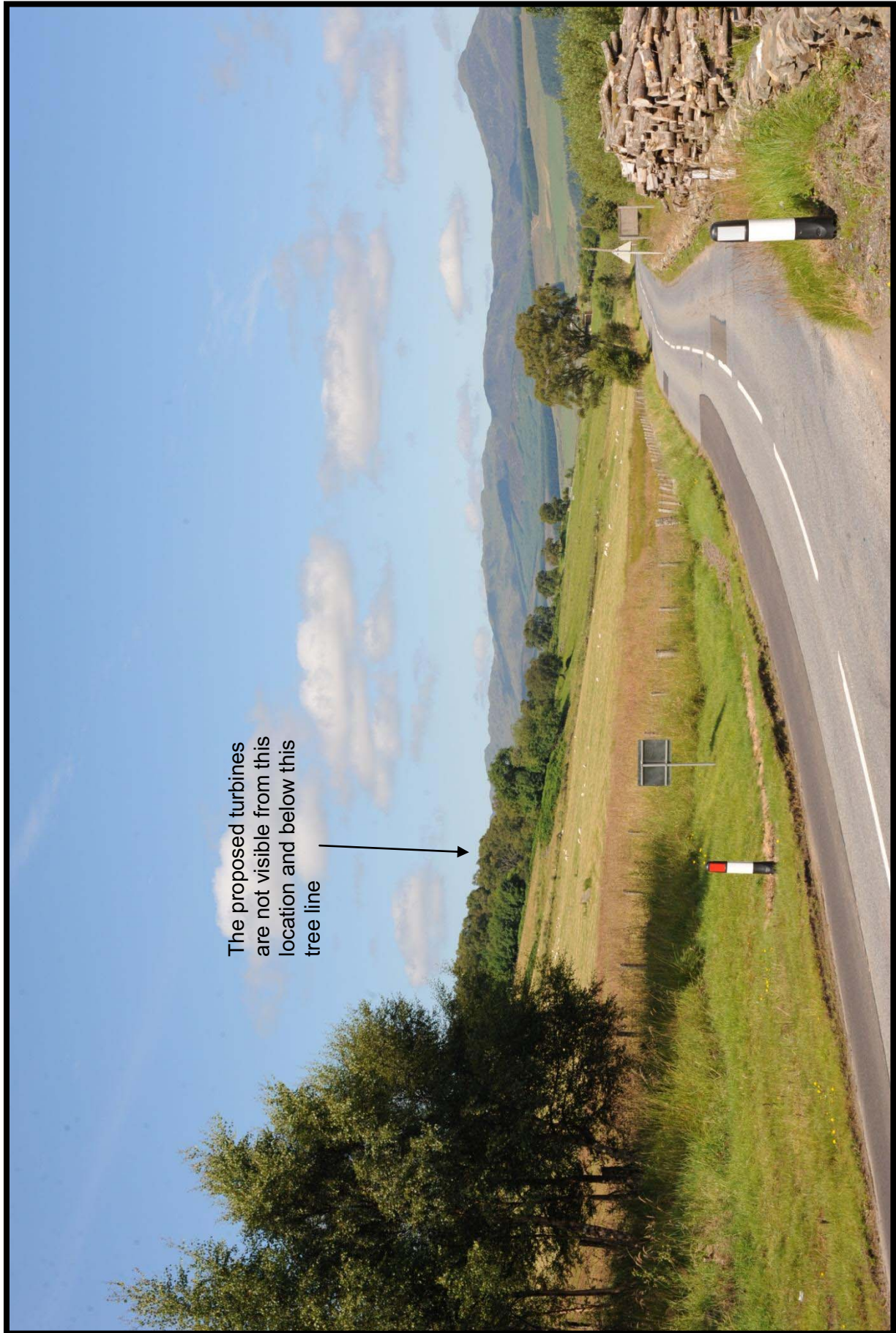


Image 4 - Photograph taken at Gatehouse on A826, 839m from turbine no 1. Proposed turbines are not visible from this location due dense to mature trees.

Errichel, By Aberfeldy

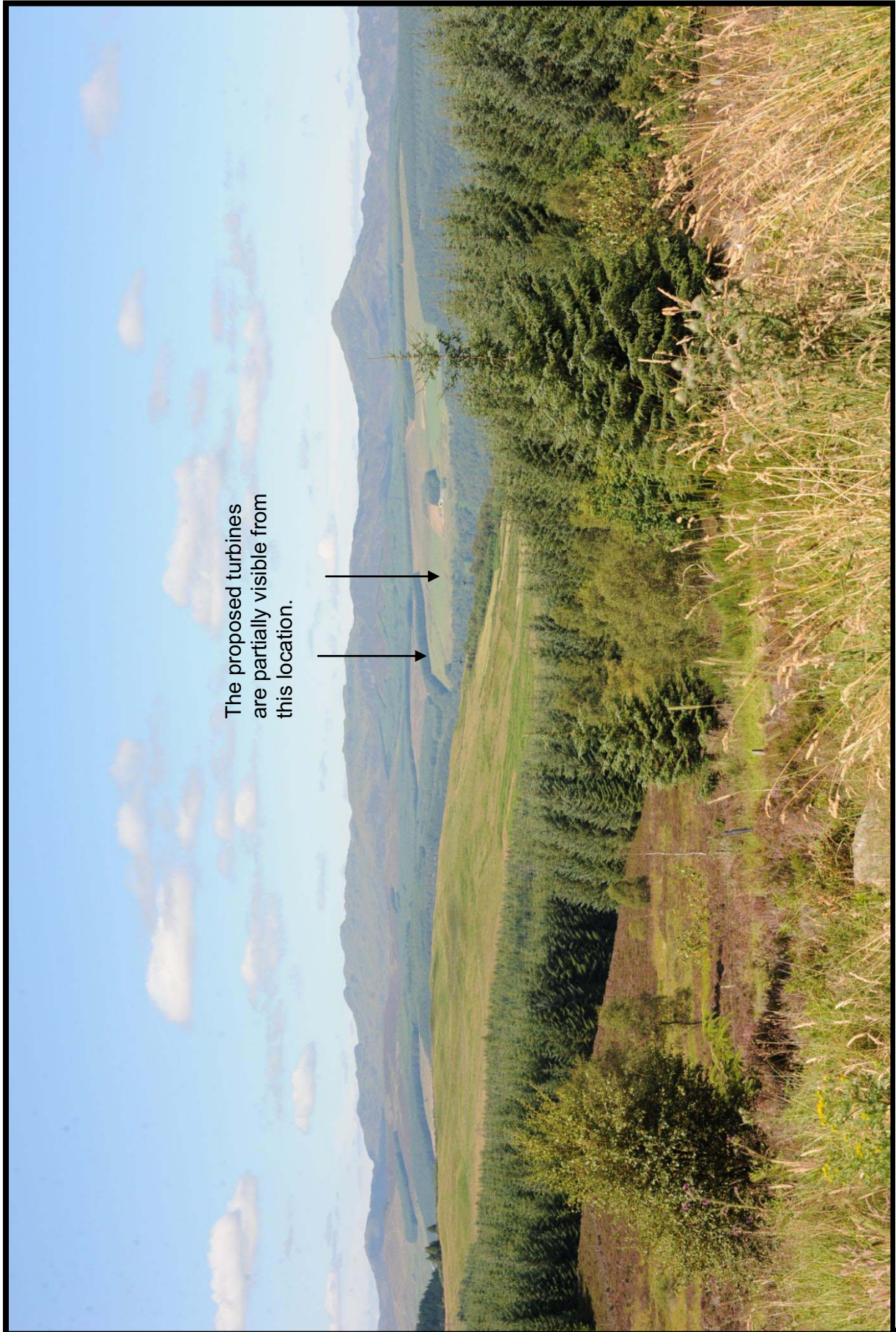


Image 5 - Photograph taken from viewpoint/picnic area to the south on A826, 1836m from turbine No 1 location. Proposed turbines have a negligible impact on the wider landscape.

Errichel, By Aberfeldy

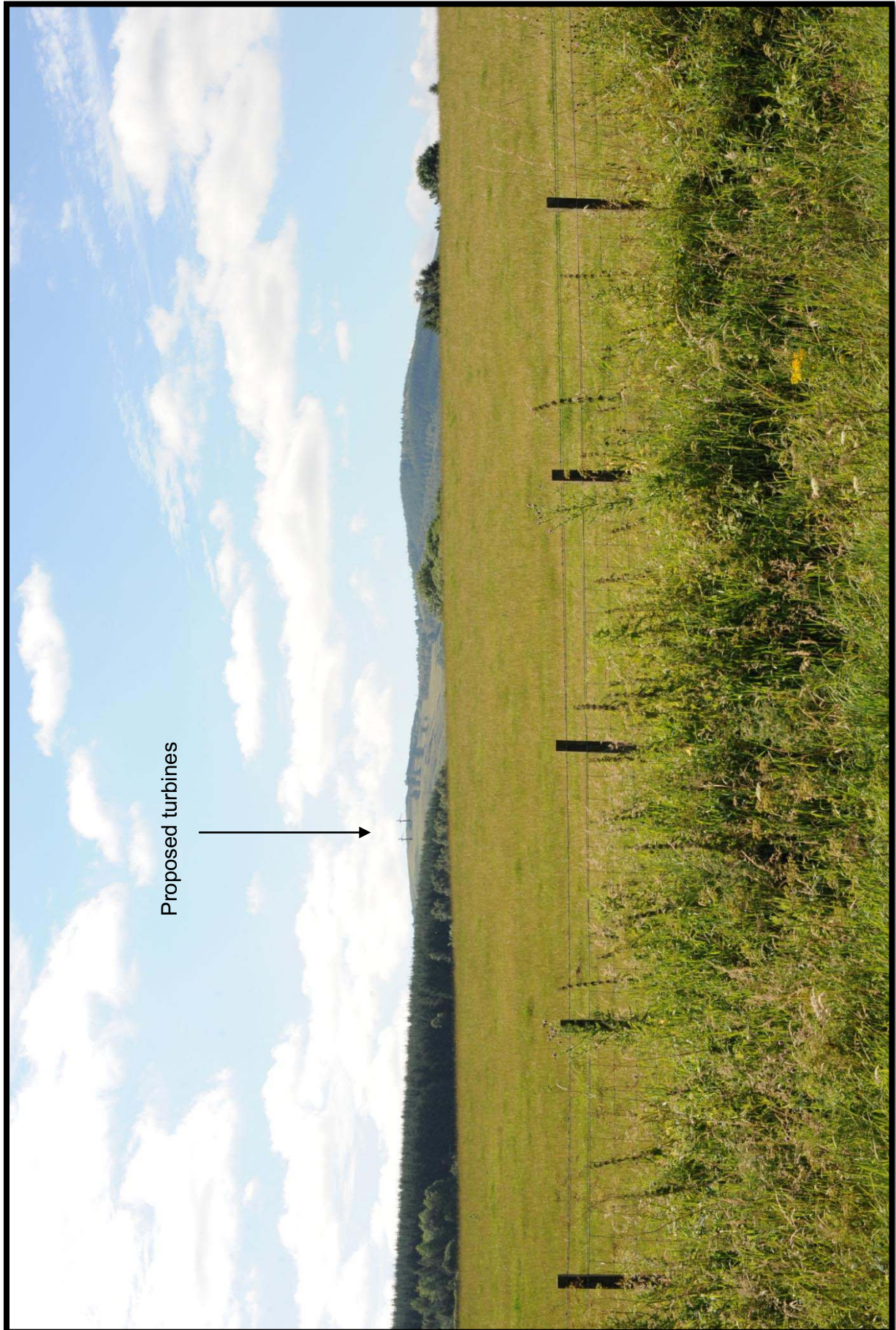


Image 6 - Photograph taken from North on A827 on approach into Aberfeldy on south side of River Tay, 2612m from Turbine No 1 location. Proposed turbines have a limited visual change on the landscape.

Errichel, By Aberfeldy



Image 7 - Photograph taken from West on A827 on approach into Aberfeldy on south side of River Tay, 3598m from turbine No 1. location. Proposed turbines are not visible from this location or at any point along the A827 to the west of Aberfeldy.

Summary Statement

With reference to various Local Authority Guidance for the preparation of and submission of photographs and photomontages to illustrate the impacts of wind energy development for inclusion in planning applications and environmental statements:

We conclude that the proposed erection of two 15kw wind turbines located at Errichel, By Aberfeldy will have a minimal visual impact from outlying locations and will be mainly disguised by the topography of the land when viewed from the A826. The proposed wind turbines are not visible from the A827 West of Aberfeldy due to the dense tree cover.

Whilst visible, the turbines being of a size and scale smaller than other man made features in the vicinity including telephone masts and electricity pylons are considered not to be out of proportion to these types of structures. The images within this VIA have shown that the turbines will not be dominant components on the landscape and the magnitude of visual change is small or negligible which is in accordance with the guidance set out in PKC's Supplementary Planning Guidance 2005.

PERTH AND KINROSS COUNCIL

Mr Alistair Budge Reid
c/o BritishEco Scotland
FAO Jeremy Brough
27 Woodside Place
Glasgow
G3 7QL

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 20th June 2012

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/00275/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 20th February 2012 for permission for **Erection of 2 wind turbines Errichel House Aberfeldy PH15 2EL** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. As the proposed turbines will have an adverse impact on the visual amenity of the area, which is presently enjoyed by a host of receptors including (but not exclusively) existing residential properties and visiting recreational users, the proposal is contrary to Policy 2 of the Highland Area Local Plan 2000, which seeks to protect existing amenity from new developments within the landward area.
2. The proposal is contrary to Policy 11 of the Highland Area Local Plan 2000 as the proposal would result in an unacceptable intrusion into the landscape character of the area.
3. The approval of this proposal would establish an undesirable precedent for similar sized developments within the local area, which would be to the detriment of the overall visual character of the area, and which in turn could potentially undermine (and weaken) the established Development Plan relevant policies.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Notes

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

12/00275/1

12/00275/2

12/00275/3

12/00275/4

12/00275/5

12/00275/6

12/00275/7

12/00275/8

12/00275/9

12/00275/10

REPORT OF HANDLING

DELEGATED REPORT

Ref No	12/00275/FLL
Ward No	N4- Highland

PROPOSAL: Erection of 2 wind turbines

LOCATION: Errichel House Aberfeldy PH15 2EL

APPLICANT: Mr Alistair Budge Reid

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 14 March 2012

OFFICERS REPORT:

This application is for the erection of 2no. 20Kw turbines with a hub height of 20 metres and an overall blade tip height of 25.4 metres on land some 1.1km to the south east of Aberfeldy and approximately 300m to the west of Errichel at which there are a number of residential properties.

There are numerous large turbines operational and others approved within the area including the Griffin and Calliacher windfarms. There are no turbines of the scale proposed approved within this area of the Tay valley to date though there is an application for a further two turbines some 1.1km to the north north east (12/00273/FLL).

Due to the development falling within schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999 under Part 3 Energy Industry column 1 (i) column 2 (i) and (ii) the Planning Authority took account of the criteria contained within the EIA Regulations and adopted a screening opinion that an EIA was not required. This Screening Opinion should not be taken as implying that the planning authority considers this to be an acceptable development but that the environmental impacts for the scale of the development can be considered adequately in the assessment of the Planning Application.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The adopted development plans that are applicable to this area are the TAYplan 2012 and the Highland Area Local Plan 2000.

The determining issues in this case are whether: - the proposal complies with development plan policy; the proposal complies with supplementary planning guidance; or if there are any other material considerations which justify a departure from policy.

Policy:

Within the text associated with Policy 6: Energy and Waste/Resource Management Infrastructure, TAYplan states that 'the issue is no longer about whether such facilities (renewable sources and resource recovery) are needed but instead about helping to ensure they are delivered in the most appropriate locations'. The responsibility for identifying areas suitable for different forms of renewables infrastructure lies with the Local Plans though development proposals are required to have considered the anticipated effects of construction and operation on air quality, emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on off-site properties; sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures; and impacts of associated new grid connections and distribution or access infrastructure.

Although not adopted the Proposed Local Development Plan 2012 is a material consideration and Policy ER1A is relevant. It generally supports appropriate development and identifies the factors which will be considered in proposals' considerations. This includes both individual and cumulative effects on landscape character, visual integrity, tranquil qualities, wildness areas and the residential amenity of the surrounding area in addition to other criteria. As the PLDP is only just through public consultation and the representations have yet to be assimilated, the PLDP has limited weight. The Development Plan retains precedence.

Policy 11 of the HALP encourages renewable energy developments in appropriate locations. The development is required not to have significant detrimental effect on sites designated for nature conservation or archaeological interests, to not result in an unacceptable intrusion into the landscape character of the area and not to result in an unacceptable loss of amenity to neighbours by reason of noise emission, visual dominance, electromagnetic disturbance or reflected light.

The proposed site does not lie within a designated conservation or archaeological site and therefore impact on archaeology is not a concern in this case. The site does lie within the Breadalbane Environmentally Sensitive Area. The ESA Scheme was introduced in Scotland to help conserve specially designated areas of the countryside where the landscape, wildlife or historic interest is of particular importance and where these environmental features could be affected by farming operations. Although the Scheme has been superseded, the designation of the land as an ESA shows that the landscape was valued and farming practices should continue to be respectful of the natural resource, for the benefit of the land and the wider population.

The submitted zones of turbines' visibility clearly show that both turbines will be readily visible from a very significant proportion of the surrounding countryside including from Castle Menzies Historic Garden/Designed Landscape, parts of Aberfeldy, the north side of the valley and the A827, a major tourist route. No photomontages have been submitted. Visibility of the turbines from the south and south west is limited from a distance due to topography but they will remain visible from close by.

Given the potential visibility of the turbines and the quality of the surrounding landscape, I consider that the turbines would result in an unacceptable intrusion into the landscape character of the area and would cause an undue visual dominance for neighbouring properties, resulting in an unacceptable loss of visual amenity. I therefore conclude that the proposal is contrary to HALP 11.

Wildlife/Protected Species:

Local Plan Policies 14, 16 and 17 seek to protect areas supporting protected species, local nature conservation or geological interest and local habitats. I have used the Council's Sustainable Mapping System to ascertain whether protected species are in close proximity to the site. In this case records have been returned noting that hedgehogs, brook lamprey, sea lamprey and lampren are in close proximity to the site. Based on my assessment I am satisfied that I would not be precluded from granting planning permission for this development in terms of the Habitat Regulations.

Noise:

Planning Advice Note 1/2011 confirms that the planning system has an important role to play in preventing and limiting noise pollution and that noise implications of development can be a material consideration in determining applications for planning permission. The Council's Environmental Health Division has been consulted on the application and offers no objection. It is highlighted that noise from the turbine is not anticipated to adversely affect neighbouring noise sensitive premises however conditions to control potential noise should be incorporated into any approval.

Tayside Landscape Character Assessment: (TLCA):

The Tayside Landscape Character Assessment 1999 (TLCA) is a material consideration in the assessment of development proposals. The application site lies within the Highland Summits and Plateaux Landscape Unit with the boundary with the Highland Glens Landscape Unit lying some 500m to the north west. Some of the key characteristics identified include 'little or no settlement' and 'one of the remotest and wildest landscapes in the UK'.

The TLCA states that 'the Highland Summits and Plateaux are comparatively free from tall structures such as pylons and masts. There are, however, a number of electricity pylons lines which link hydroelectric plants and which climb out of the highland glens to cross the exposed upland. Examples include the pylons between Tummel Bridge and Glen Garry, and the pylons between Appin of Dull and Glen Quaich. Though the lines of pylons are relatively small when set within the expansive uplands, they are a modern and functional intrusion into the highland landscape. Opportunities to bury these cables should be taken should they arise. Additional pylons should be resisted'. The Landscape Guidance section of the TLCA recommends, in relation to tall structures, proposals for aërials, masts and wind turbines should be discouraged because of their likely impact on the undeveloped character of the Landscape Unit, a rigorous landscape impact assessment should be carried out and where new power or telephone lines are proposed operators should use underground cable solutions.

The proposed turbines will have a detrimental impact on the landscape character of the area as well as having a negative visual impact. On this basis I consider the proposal would not be in accordance with the advice set out in the TLCA.

Landscape Character, Visual and Cumulative Assessment:

It is likely that any renewable energy scheme will meet some environmental requirements and not others and the overall judgement to be made on the weight to be given to the 'positives' and 'negatives' will determine whether the scheme has

environmental acceptability. Even if the development is likely to have an adverse local environmental effect on the negative side of the equation a further balancing exercise must be undertaken taking account of the energy contribution and the pollution reduction benefits of the scheme.

Having had the opportunity to undertake a site visit and take cognisance of the supporting information it is considered that the landscape impact will be significant as the turbines will be visible from all directions at both near and distant viewpoints. The ZTV and site visit confirms that the two turbines at an overall tip height of 25.4 metres on rising land will be readily visible from parts of the A827 (which accommodates a lot of tourist traffic), parts of the Aberfeldy Conservation Area, residential areas and many rural locations. It is not clear from the supporting information whether the ZTV plans are based on hub height or tip height.

In this case I consider the turbines will be dominant features within this landscape when viewed from numerous aspects. The turbines will be larger than many of the surrounding landscape features. This form of development in this location would contravene the recommendations contained within the Tayside Landscape Character Assessment and policy 11 of the Local Plan.

Having considered the potential impact of the development on its own I consider it prudent to address the cumulative landscape assessment and effects of similar developments on the local area.

A key issue for the assessment of the impact of a number of wind farms and energy infrastructure on landscape character is the extent to which they become characteristic features of that landscape. In some cases, wind farms may become a defining characteristic of a landscape because of their number and spacing, such that it may be described as a "landscape with wind farms". The addition of more wind farms/energy infrastructure may lead to them becoming the dominant characteristic in the landscape so that it can be described as a "wind farm landscape". The degree to which the landscape will be changed by the addition of wind farms will inevitably be affected by the size of the area being considered and how they interact with each other. This is not exclusive to inter-visible turbines but also needs to take into account the experience of travelling through the landscape and the perception that is given.

Evaluation of cumulative impact assessment should be limited to those proposals which are constructed, approved, submitted for scoping, Section 36 application or planning applications.

In this case I consider a cumulative impact would occur with the two turbines proposed at Mains of Murthly. The constructed turbines at Griffin and potentially the proposed turbines at Calliacher in conjunction with those under consideration here would contribute to the perception of a turbine-dominated landscape particularly if the proposed turbines at Mains of Murthly were also to be developed. This would be to the severe detriment of the valued landscape character of the area.

While the proposal would contribute to the aim of the Scottish Government to increase the amount of electricity generated from renewable energy sources the benefits associated must be balanced against any adverse impacts. In this instance the power generation and reduction of CO2 emissions are limited, they do not outweigh the adverse landscape and visual impacts which have been discussed in detail above and consequently the development fails to meet the requirements of Policy 11.

The application is therefore recommended for refusal.

DEVELOPMENT PLAN

Tayplan Strategic Development Plan 2012-2032 June 2012

Policy 3 : Managing Tayplan's Assets

Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through:

- ensuring development likely to have a significant effect on a designated or proposed Natura 2000 sites (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 sites in accordance with Scottish Planning Policy;
- and safeguarding habitats, sensitive green spaces, forestry, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geodiversity, landscapes, parks, townscape, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets;

Policy 6: Energy and Waste/Resource Management Infrastructure

Local Development Plans should be based on a number of considerations, including:

- Anticipated effects of construction and operation on air quality, emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on off-site properties;
- Sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures;
- Impacts of associated new grid connections and distribution or access infrastructure;
- Cumulative impacts of the scale and massing of multiple developments, including existing infrastructure.

Highland Area Local Plan 2000

Policy 1 Highland Sustainable Development

The Council will seek to ensure, where possible, that development within the Plan area is carried out in a manner in keeping with the goal of sustainable development. Where development is considered to be incompatible with the pursuit of sustainable development, but has other benefits to the area which outweigh this issue, the developer will be required to take whatever mitigation measures are deemed both practical and necessary to minimise any adverse impact. The following principles will be used as guidelines in assessing whether projects pursue a commitment to sustainable development: -

- (a) The consumption of non-renewable resources should be at levels that do not restrict the options for future generations.
- (b) Renewable resources should be used at rates that allow their natural replenishment.
- (c) The quality of the natural environment should be maintained or improved.
- (d) Where there is great complexity or there are unclear effects of development on the environment, the precautionary principle should be applied.

- (e) The costs and benefits (material and non-material) of any development should be equitably distributed.
- (f) Biodiversity is conserved.
- (g) The production of all types of waste should be minimised thereby minimising levels of pollution.
- (h) New development should meet local needs and enhance access to employment, facilities, services and goods.

Policy 2 Highland Development Criteria

All developments within the Plan area will be judged against the following criteria:-

- (a) The site should have a landscape framework capable of absorbing, and if necessary, screening the development, and where appropriate opportunities for landscape enhancement will be sought.
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of development within the locality.
- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community.
- (d) The local road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided.
- (e) Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development.
- (f) The site should be large enough to accommodate the impact of the development satisfactorily in site planning terms.
- (g) Buildings and layouts for new development should be designed so as to be energy efficient.
- (h) Built development should, where possible be located in those settlements which are the subject of inset maps.

Policy 3 Highland Landscape

Development proposals should seek to conserve landscape features and sense of local identity, and strengthen and enhance landscape character. The Council will assess development that is viewed as having a significant landscape impact against the principles of the Tayside Landscape Character Assessment produced by Scottish Natural Heritage.

Policy 4 Highland Landscape

Details of landscape treatment should be submitted with development proposals including, where appropriate, boundary treatment, treatment of settlement edges, and impact on key views.

Developers will be required to demonstrate that satisfactory arrangements will be made, in perpetuity, for the maintenance of areas of landscaping.

Policy 5 Highland Design

The Council will require high standards of design for all development in the Plan Area. In particular encouragement will be given to: -

- (a) The use of appropriate and high quality materials.
- (b) Innovative modern design incorporating energy efficient technology and materials.
- (c) Avoidance of the use of extensive underbuilding on steeply sloping sites .
- (d) Ensuring that the proportions of any building are in keeping with its surroundings.
- (e) Ensuring that the development fits its location.

The design principles set out in the Council's Guidance on the Design of Houses in Rural Areas will be used as a guide for all development proposals.

Policy 11 Highland Renewable Energy

The Council will encourage, in appropriate locations, renewable energy developments. Once accepted for renewable energy purposes, sites and installations will be safeguarded from development that would prevent or hinder renewable energy projects and could be accommodated elsewhere. Renewable energy developments, including ancillary transmission lines and access roads, will be assessed against the following criteria:

- (a) The development will not have a significant detrimental effect on sites designated at national, regional or local level for nature conservation interest or archaeological interest;
- (b) The development will not result in an unacceptable intrusion into the landscape character of the area;
- (c) The development will not result in an unacceptable loss of amenity to neighbouring occupiers by reasons of noise emission, visual dominance, electromagnetic disturbance or reflected light.

Note: Developers will be required to enter into an agreement for the removal of the development and restoration of the site, following the completion of the development's useful life.

Policy 13 Highland Nature Conservation

Development will only be permitted on a site designated or proposed under the Habitats or Birds Directives (Special Areas of Conservation and Special Protection Areas) or a Ramsar Site where the appropriate assessment indicates that the following criteria can be met:-

- (a) The development will not adversely affect the integrity of the site.
- (b) There are no alternative solutions.
- (c) There are imperative reasons of overriding public interest.

Policy 14 Highland Nature Conservation

The Council will not normally grant consent for any development which would have an adverse affect on:-

- (a) Sites supporting species mentioned in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 as amended; Annex II or IV of the European Community Habitat Directive; or Annex 1 of the European Community Wild Birds Directive.
- (b) Those habitats listed in Annex 1 of the European Community Habitats Directive.

Note: The list of protected habitats and species is contained in the Technical Appendix.

Policy 26 Highland Archaeology

The Council will seek to protect unscheduled sites of archaeological significance and their settings. Where development is proposed in such areas, there will be a strong presumption in favour of preservation in situ and where in exceptional circumstances preservation of the archaeological features is not feasible, the developer, if necessary through appropriate conditions attached to planning consents, will be required to make provision for the excavation and recording of threatened features prior to development commencing.

On the 30 January 2012 the Proposed Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading up to adoption. It has recently undergone a period of representation, the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. It is therefore a material consideration in the determination of this application.

OTHER POLICIES

NATIONAL GUIDANCE

Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

SITE HISTORY

00/01674/FUL Conversion of byre to farm workers bothy and farm office at 8 January 2001 Application Permitted

91/01879/FUL CONVERSION OF FARM STEADING TO 2 HOLIDAY HOUSES AT 24 December 1991 Application Permitted

98/00252/FUL Erection of an agricultural building at 6 April 1998 Application Permitted

99/00660/FUL Erection of a telecommunications mast 24.0m high with associated antennae and equipment cabin on site within 12 July 1999 Application Permitted

CONSULTATIONS/COMMENTS

Ministry Of Defence	MOD has no objection to the proposal.
Transport Planning	No objections.
Environmental Health	The applicant seeks consent to install 2 x 15kW wind turbines with a 20m hub height at the above location. There are 3 residential properties located near the site, the

closest of which is approximately 310 metres from the turbines. The supporting information contains data regarding the noise output from the proposed turbine indicating that the noise levels at 60m from the turbines would be 40dB (A).

In order to maintain a level of consistency with similar applications I recommend that conditions relating to noise are included on any permission.

Perth And Kinross Area
Archaeologist

The above development is proposed to be located within an area containing an extensive field system of irregular enclosures covering the North facing slope of Dun Hill. This field-system is of historic interest as it dates to the pre-improvement period and may have medieval origins. Due to the relatively small footprint of the proposed development and the minimal disturbance which will be caused to the field-system, in this instance, no archaeological condition is recommended.

In respect to archaeology and the planning process, as outlined by Scottish Planning Policy paragraphs 110 and 123, no archaeological condition is recommended in this instance.

Scottish Water

No objections.

TARGET DATE: 1 May 2012

REPRESENTATIONS RECEIVED:

Number Received: 0

Additional Statements Received:

Environment Statement	Not required
Screening Opinion	undertaken
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement or Design and Access Statement	Not required
Report on Impact or Potential Impact eg Flood Assessment	Not required

Legal Agreement Required:

no

Summary of terms:

N/A

Direction by Scottish Ministers:

no

Reasons:-

- 1 As the proposed turbines will have an adverse impact on the visual amenity of the area, which is presently enjoyed by a host of receptors including (but not exclusively) existing residential properties and visiting recreational users, the proposal is contrary to Policy 2 of the Highland Area Local Plan 2000, which seeks to protect existing amenity from new developments within the landward area.

- 2 The proposal is contrary to Policy 11 of the Highland Area Local Plan 2000 as the proposal would result in an unacceptable intrusion into the landscape character of the area.
- 3 The approval of this proposal would establish an undesirable precedent for similar sized developments within the local area, which would be to the detriment of the overall visual character of the area, and which in turn could potentially undermine (and weaken) the established Development Plan relevant policies.

Justification

- 1 The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: onlineapps@pkc.gov.uk

Planning Department

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000035354-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- ☒ Application for Planning Permission (including changes of use and surface mineral working)
- ☐ Application for Planning Permission in Principle
- ☐ Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

2 No. 15kW Turbines on 20m Masts

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Have the works already been started or completed? *

☒ No ☐ Yes - Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	BritishEco Scotland
Ref. Number:	
First Name: *	Jeremy
Last Name: *	Brough
Telephone Number: *	08455439501
Extension Number:	
Mobile Number:	
Fax Number:	01413530178
Email Address: *	planning@britisheco.com

You must enter a Building Name or Number, or both:*

Building Name:	
Building Number:	27
Address 1 (Street): *	Woodside Place
Address 2:	
Town/City: *	Glasgow
Country: *	UK
Postcode: *	G3 7QL

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	Alistair
Last Name: *	Budge Reid
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

You must enter a Building Name or Number, or both:*

Building Name:	Errichel
Building Number:	
Address 1 (Street): *	by Aberfeldy
Address 2:	
Town/City: *	Perthshire
Country: *	Scotland
Postcode: *	PH15 2EL

Site Address Details

Full postal address of the site (including postcode where available):

Address 1:

Errichel House

Address 5:

Address 2:

Town/City/Settlement:

Aberfeldy

Address 3:

Post Code:

PH15 2EL

Address 4:

Please identify/describe the location of the site or sites.

Northing

748043

Easting

287342

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

Screening opinion requested before submission of application.

Title:

Ms

Other title:

First Name:

Christine

Last Name:

Brien

Correspondence Reference
Number:

Date (dd/mm/yyyy):

03/11/11

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

183.10

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Grassland / grazing

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☐ Yes ☒ No

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

☐ Yes ☒ No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☐ Yes

☐ No, using a private water supply

☒ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☐ Yes ☒ No

If Yes or No, please provide further details:(Max 500 characters)

N/A

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☐ Yes ☒ No

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

Certificate and Notice under Regulation 15 8 – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☒ Yes ☐ No

Do you have any agricultural tenants? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants
Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

These People are:

Name:

Address:

Date of Service of Notice: *

(3) - I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and *have/has been unable to do so –

Notice of the application has been published in:

On:

Signed:

Jeremy Brough

On behalf of:

Mr Alistair Budge Reid

Date:

17/02/2012

☒ Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments, have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

c) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

d) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2008) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☐ Cross sections.

☐ Roof plan.

☒ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan. *

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Jeremy Brough

Declaration Date: 17/02/2012

Submission Date: 17/02/2012

Payment Details

Cheque: Eco Systems (Scotland) Ltd T/A British Eco, 000444

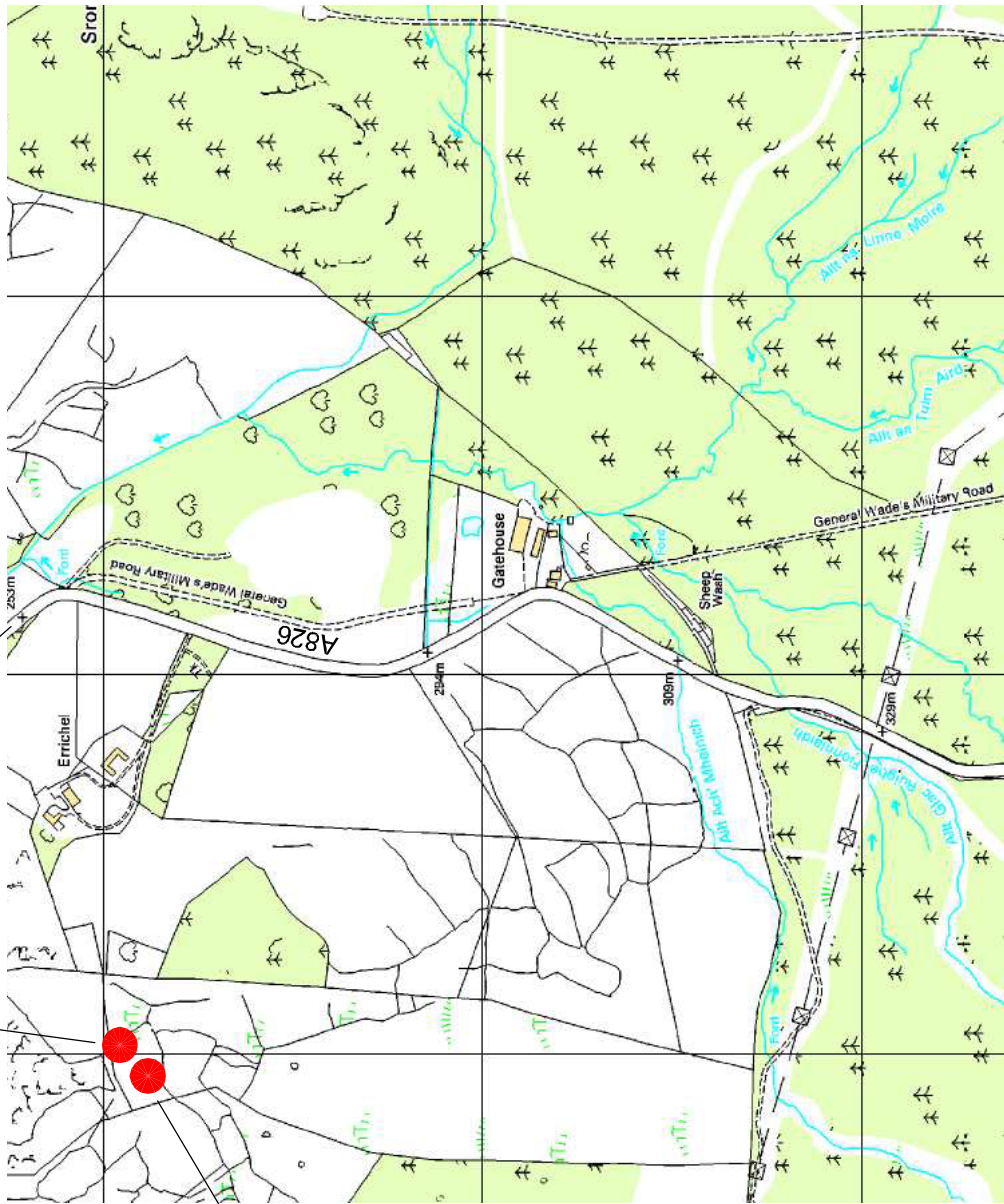
Created: 17/02/2012 16:14

Proposed
Location
of 15kw Wind
Turbine No. 2

Proposed
Location
of 15kw Wind
Turbine No. 1

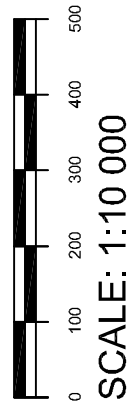
To Aberfeldy
(Approx. 2 miles)

To
Milton

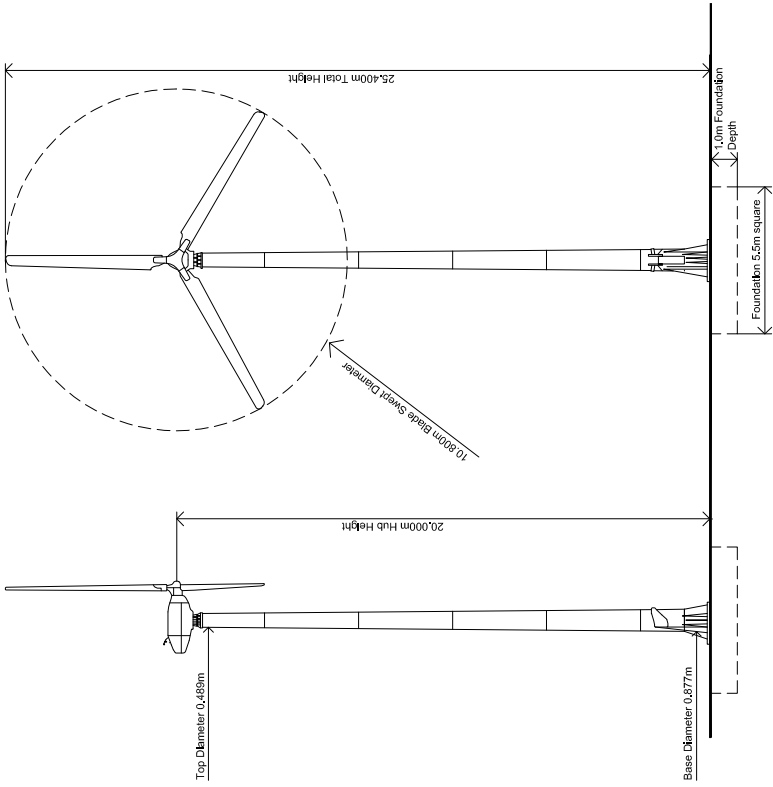


Ordnance Survey Crown copyright 2011
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Map under license to HAB Design - Licence number BLK4350004

Wind Turbine Locations:	
Turbine 1 - x	286969
y	747942
Turbine 2 - x	287009
y	747978



Location Plan @ 1:10 000



Elevations of Wind Turbines 1 & 2 @ 1:100

Wind turbine manufactured by Cor Green Energy.
On call wind turbine model "CEFT"
15 kW generator 20m mast 5.4m blades



2 No. 15kw Wind Turbines on 20m Masts
at Enfield, by Aberfeldy, PH15 2EL
for Mr Allstair Budge Reid

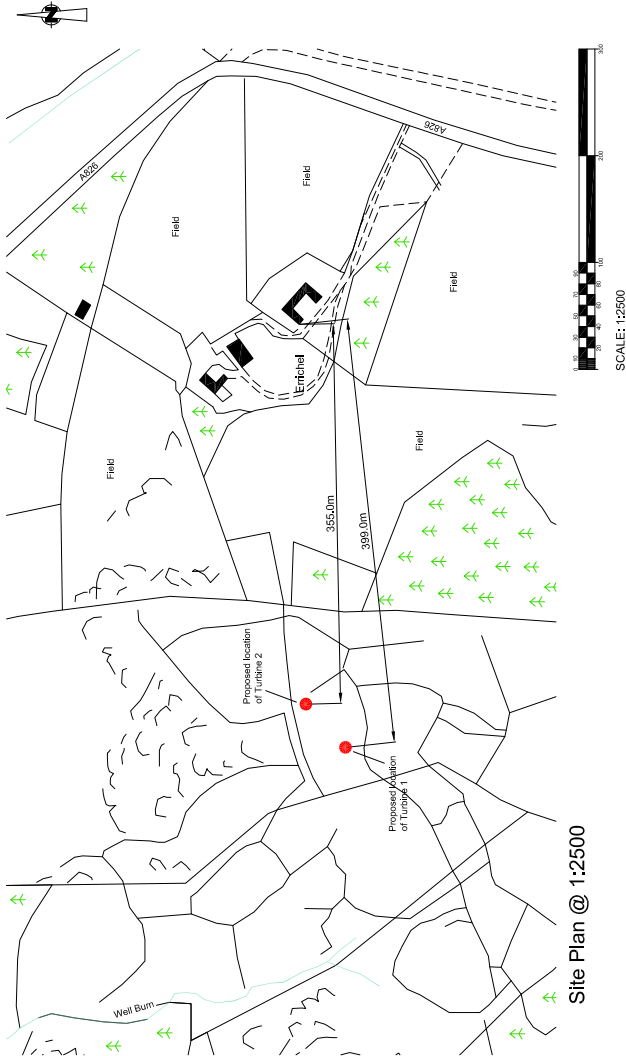
Proposed Location Plan, Site Plan & Turbine Details
project: drawing: revision: A First Issue
10/02/12

BE21 101 A
date: February 2012
status: Planning

BRITISHECO
RENEWABLE ENERGY SOLUTIONS
SCOTLAND
27 Woodside Place
Glasgow
G3 7JL
t 0141 543 9501
f 0141 533 0178
e planning@britisheco.com

Eco Systems (Scotland) Ltd - T/A - Britisheco Scotland - 27 Woodside Place, Glasgow, G3 7JL

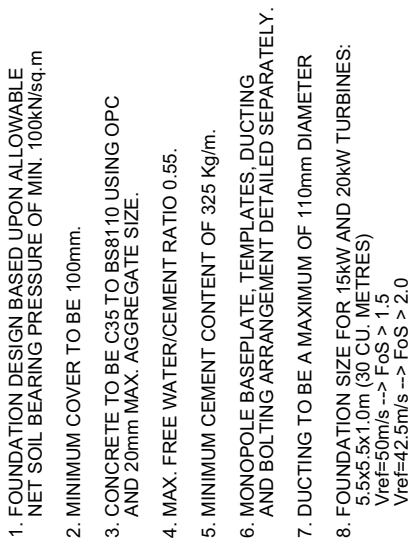
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Site Plan @ 1:2500

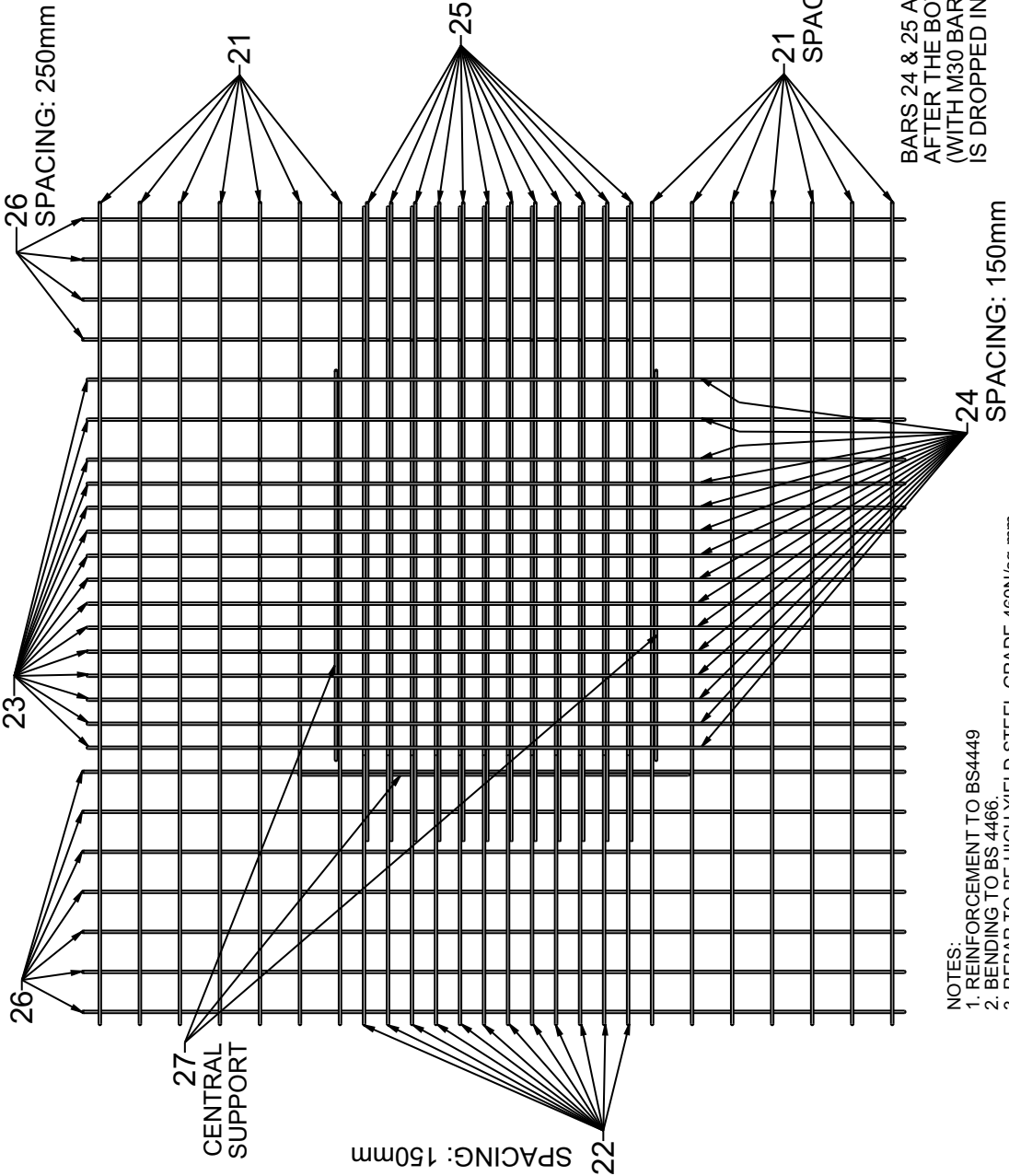
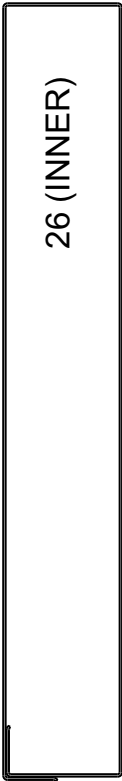
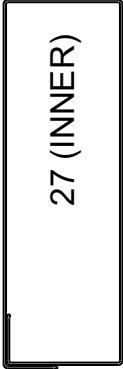


Location Plan @ 1:10 000



	PART NUMBER: A-0920	
	QTY PER UNIT: 1	
SCALE: -		DWG SIZE: A4 DRAWING CONFORMS TO ANSI Y14.5, 14.194
DESCRIPTION: 5.5 SQ. FOUNDATION		 THIRD ANGLE PROJECTION
MATERIAL: -		
DRAWN: C O'Neill	PAINT: -	
CHECKED: -	FINISH: -	
DATE: 21-Jan-11	SHEET: 1 OF 1	THE DRAWING IS THE PROPERTY OF C&F GREEN-ENERGY. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO REUSE, REPRODUCTION, OR TRANSMISSION OF ANY PART HEREOF IS PERMITTED WITHOUT THE WRITTEN PERMISSION OF C&F GREEN-ENERGY.

P/N	Bar Mark	Type & Size	Total No.	Length	Shape Code	A	B	C	D	E
K-1241-1	21	T16	14	12300	51	5100	800	325	325	
K-1241-2	22	T16	12	9075	41	1675	800	5100	800	825
K-1241-3	23	T16	15	9875	41	1675	770	5100	770	1675
K-1241-4	24	T16	15	2950	20	2950				
K-1241-5	25	T16	12	4275	11	325	3975			
K-1241-6	26	T16	11	12150	51	5100	770	325	325	
K-1241-7	27	T16	3	6700	51	2400	770	325	325	



- NOTES:
1. REINFORCEMENT TO BS4449
 2. BENDING TO BS 4466.
 3. REBAR TO BE HIGH YIELD STEEL GRADE 460N/sq.mm
 4. TOTAL REBAR WEIGHT = APPROX 1075kg



PART NUMBER:

A-0920

DESCRIPTION: 5.5m REBAR SCHEDULE		QTY PER UNIT:	1
SCALE:		SCALE:	
MATERIAL:	-	THIRD ANGLE PROJECTION	
DRAWN:	C O'Neill	PAIN:	-
CHECKED:	-	FINISH:	-
DATE:	21-Jan-11	SHEET:	1 OF 1

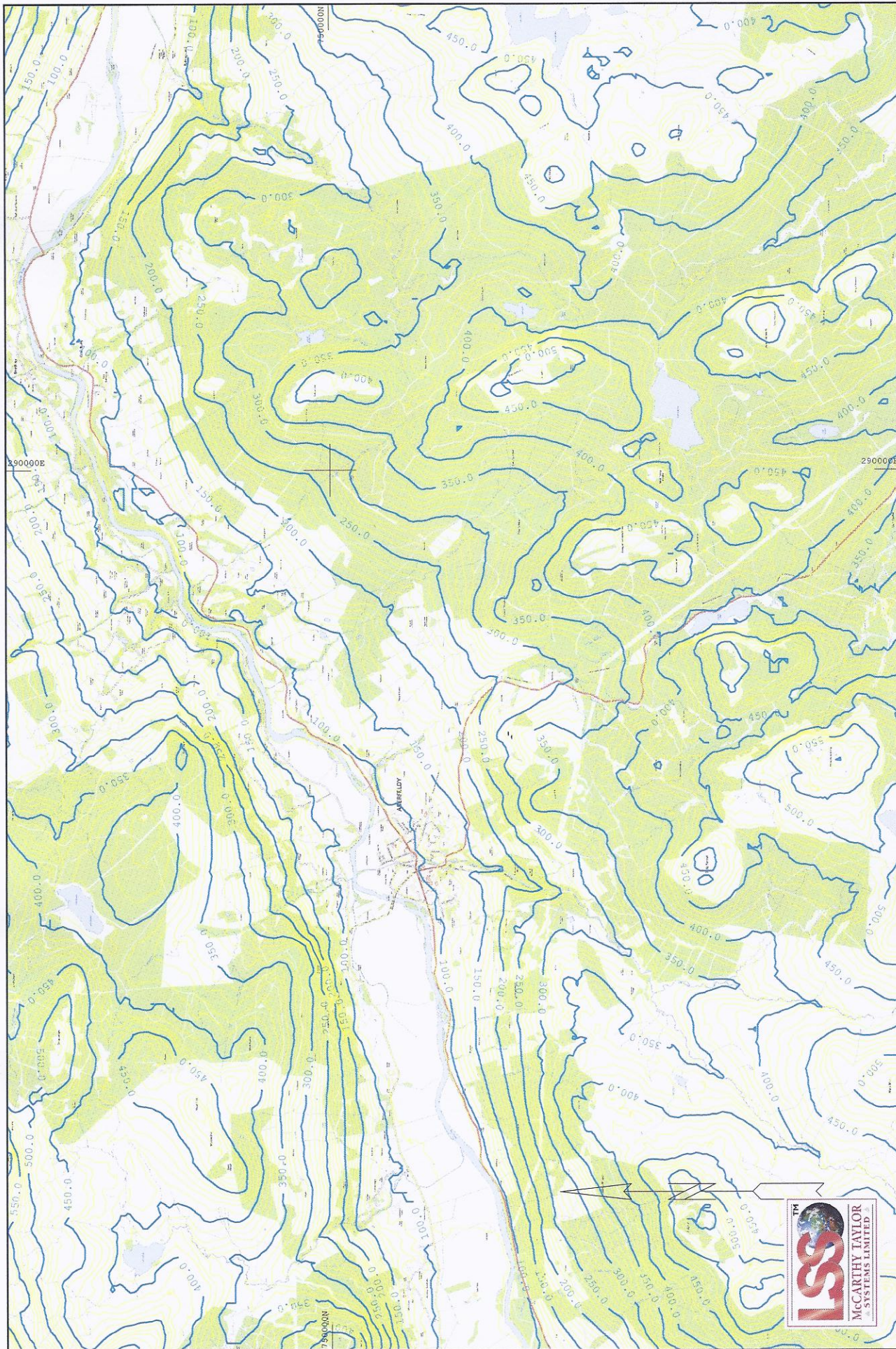
BARS 24 & 25 ARE SPLICED IN AFTER THE BOTTOM TEMPLATE (WITH M30 BARS)

IS DROPPED INTO THE CAGE

SPACING: 150mm

SPACING: 250mm

810



LEGEND



Vegetation

BRITISHECO SCOTLAND

27 WOODSIDE PLACE
GLASGOW
G3 7QL

Tel. 0141 2374799

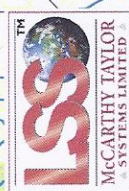
Mr A Budge-Reid

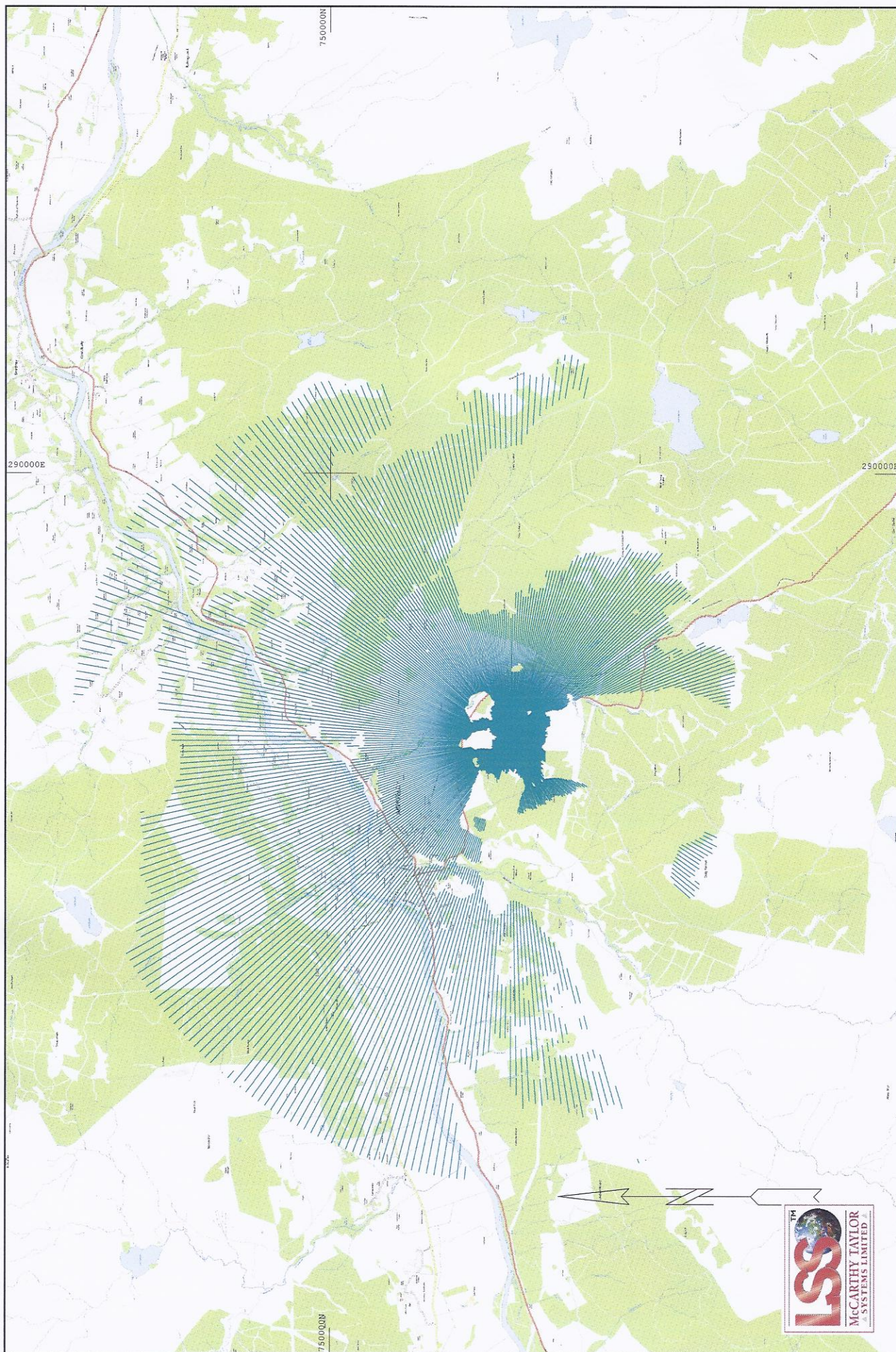
Errichell By Aberfeldy

Contour Map

Printed 31 JAN 12 11:39

Scale 1:60000





LEGEND

Turbine visible
Vegetation



BRITISHECO SCOTLAND

27 WOODSIDE PLACE
GLASGOW
G3 7JL

Tel. 0141 2374799

Mr A Budge-Reid

Errichell By Aberfeldy - 2TV

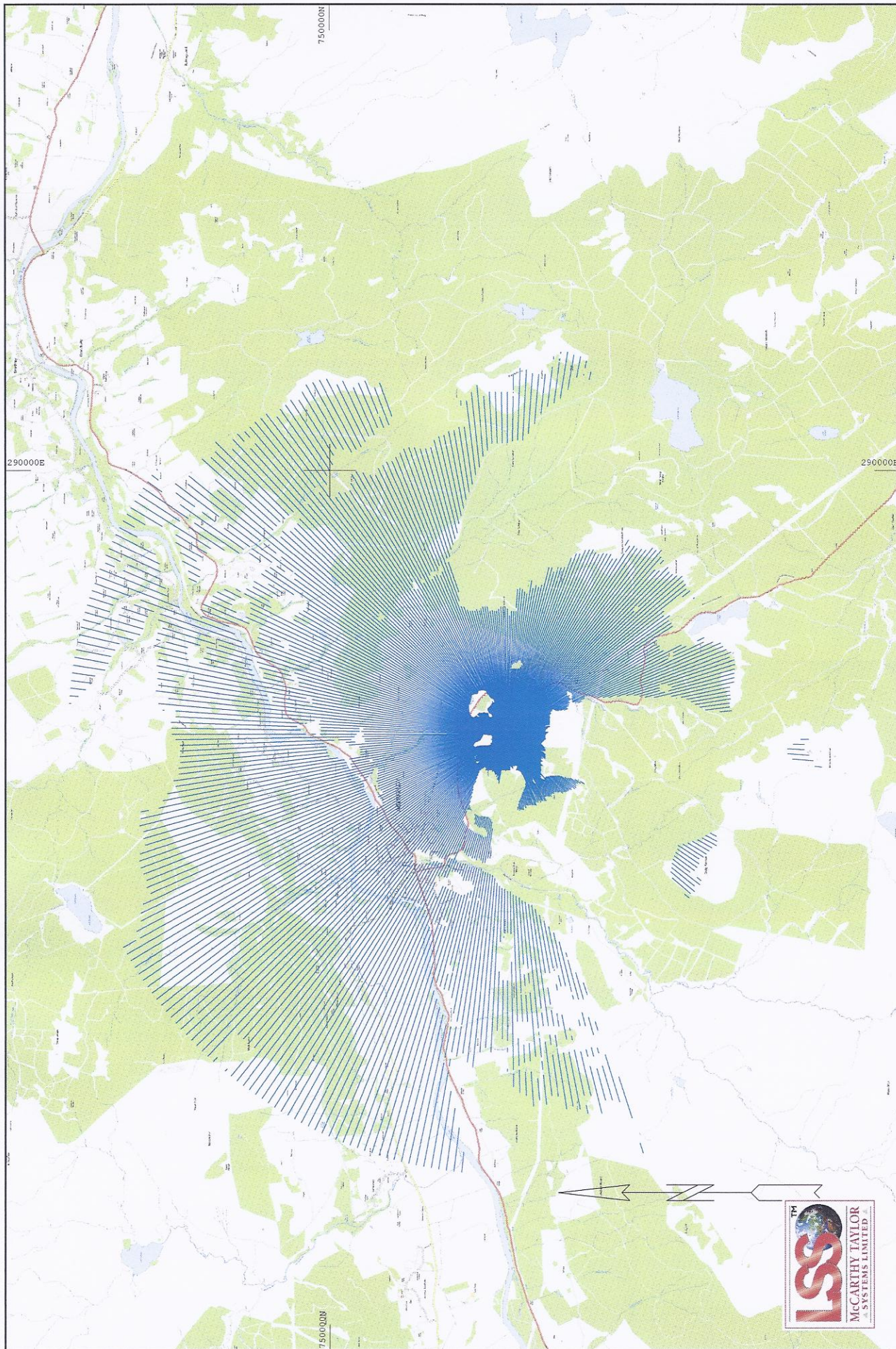
Turbine (1) location: 286963N 747969E

Printed 31 JAN 12 13:05

Scale 1:60000

5km visibility radius

A4 paper



LEGEND

Turbine visible
Vegetation

BRITISHECO SCOTLAND

27 WOODSIDE PLACE
GLASGOW
G3 7QL

Tel. 0141 2374799

Mr A Budge-Reid

Errichel By Aberfeldy

Turbine (2) location: 287009N 747978E

Printed 31 JAN 12 12:42

Scale 1:60000

5km visibility radius

A4 paper

ERRIER

WINDSPEED DATABASE QUERY RESULTS

FOR THE 1KM GRID SQUARE 286 747 (NN8647)

Wind speed at 45m agl (in m/s)

5.3	5.4	5.5
5.8	6.2	6.4
7	7.2	7.1

Wind speed at 25m agl (in m/s)

4.7	4.8	4.8
5.1	5.6	5.6
6.3	6.4	6.3

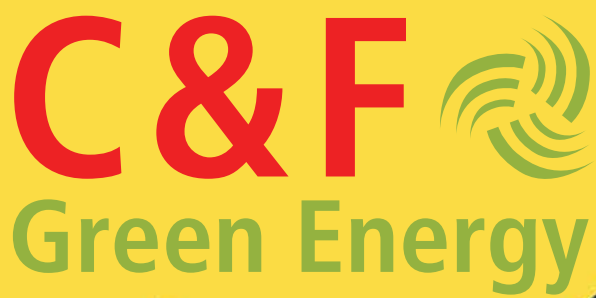
Wind speed at 10m agl (in m/s)

4	4	4
4.2	4.7	4.7
5.5	5.5	5.4

Blank squares indicate areas outside the land area of the UK - i.e. areas at sea or of neighbouring countries.

agl = above ground level.

Squares surrounding the central square correspond to wind speeds for surrounding grid squares.



The *Best* Wind Turbines in the World



Generator

Designed and built at C&F in Athenry, Co. Galway Ireland. This axial flux permanent magnet air cooled multiple generator will give a lifetime of efficient, trouble-free electrical production.

This is achieved through multi plate axial configuration which also facilitates modular construction with multiple independent outputs. This feature gives us the ability to design turbines to specific customer needs.

Blade Pitch Control

(Pitch Actuator)

The blades are automatically controlled to optimise aerodynamic performance under different operating conditions. Bigger blades give more power but demand a more sophisticated control mechanism. C&F have adopted mega turbine pitch control technology, giving us perfect control over each model.

This guarantees power production at the lowest wind speed as well as at the highest wind speeds. The overall result is the most efficient micro turbine available in the world today.

Wind Vane Cup Anemometer

(Yaw Actuator)

A wind direction vane is monitored by the turbine microprocessor which then activates the yaw motor to align the turbine into the wind. This feature, usually employed on large turbines, improves performance and energy yield.

Electro Mechanical Brake

An electro mechanical brake is employed as a failsafe back-up to the blade pitch brake. This is an essential safety feature usually employed on large turbines and it acts in such a way that the brake automatically engages should a fault be detected.

Blades

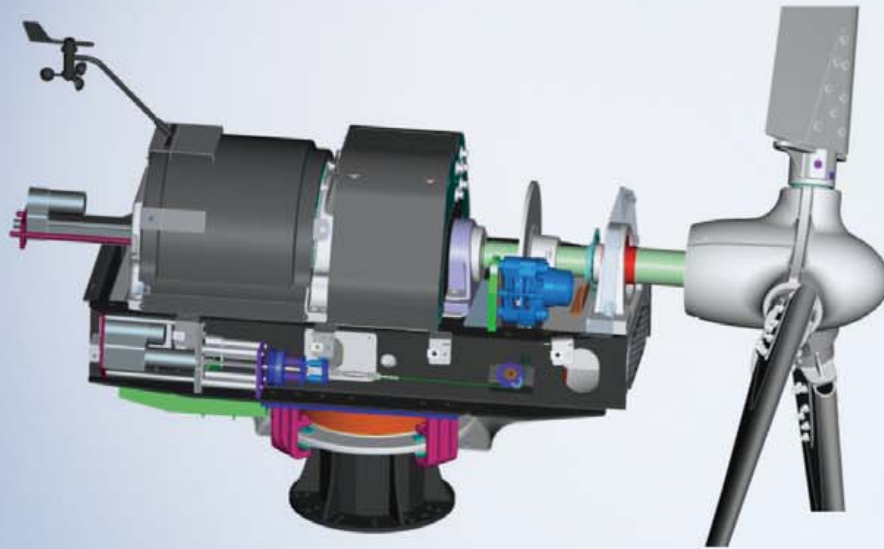
Our blades are manufactured from aerospace type composite materials which are stronger than steel. The CF6/11 turbines use carbon fibre reinforced polypropylene while the larger machines use glass fibre reinforced vinyl ester.

Mast

All C&F turbines employ a monopole mast which can withstand hurricane force winds. The mast is erected using a hydraulic ram which enhances operator safety and facilitates ongoing safety.

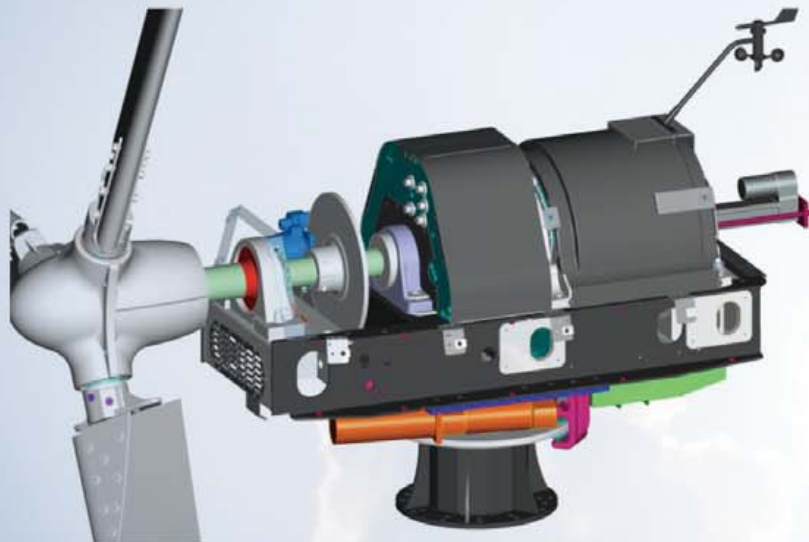
Controller/GSM

C&F have developed their own microprocessor to control their range of turbines. The microprocessor is GSM enabled allowing the machine to be remotely monitored and controlled over the internet or even by mobile phone. This facility allows us to monitor your turbine and ensure that it is operating to its full potential at all times. This provides the customer with peace of mind that their investment is continuously working for them.



Connection Options (Grid Tie or Off Grid Connections)

We offer a complete hybrid solution including backup DC power, battery storage and control systems.



CARBON CREDITS

Leading the way in the green energy field, C&F Green Energy is currently establishing a carbon credits system for its customers. Once your turbine has been installed, the turbines output will be monitored on an ongoing basis. C&F will then issue the customer with an accredited certificate detailing the carbon credits produced each year. This can, in turn, be offset against a carbon tax.

SPECIFICATION SHEET

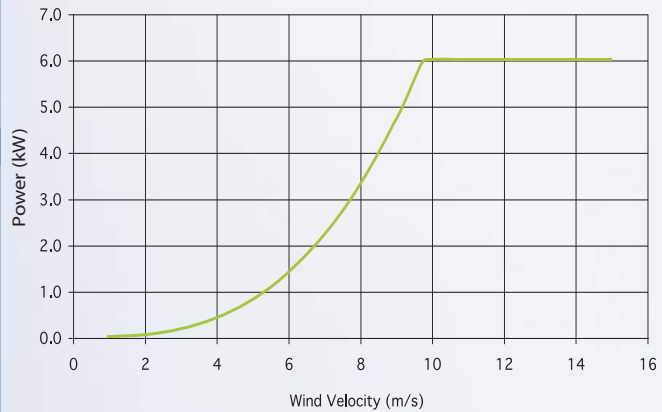
Rotor Diameter	6 m
Tower	10 m Monopole
Max. Power	6 kW
An. Yield @ 5 m/s av.	11,300 kWh
Rated Wind Speed	9.5 m/s
Min active wind speed	1.2 m/s
Cut out wind speed	NONE
Annual Carbon Savings	8 - 14 Tonnes
Noise @ 5 m/s at 60m	40dBA
Rated RPM	220 rpm
Method of Installation	Hydraulic Tilt Installation

GSM CONTROLLED AS STANDARD

Annual Average Wind Speed in m/s	Annual Yield kWh
4.5	8,670
5	11,290
5.5	13,978
6	16,570
6.5	18,932
7	20,969
8	23,915

Single Phase CF 6d

Power Curve: CF6



SPECIFICATION SHEET

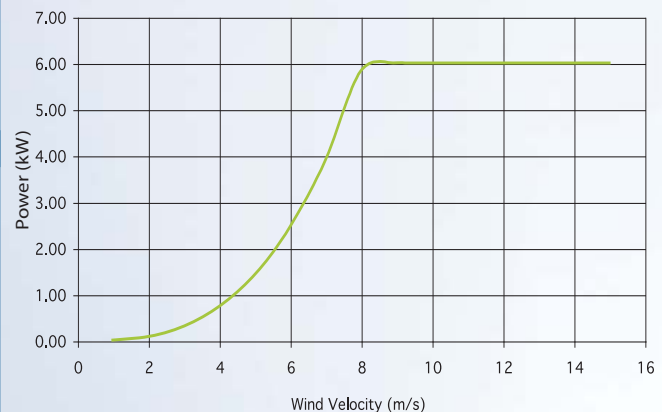
Rotor Diameter	8 m
Tower	15 m Monopole
Max. Power	6 kW
An. Yield @ 5 m/s av.	17,000 kWh
Rated Wind Speed	8.0 m/s
Min active wind speed	1.2 m/s
Cut out wind speed	NONE
Annual Carbon Savings	8 - 14 Tonnes
Noise @ 5 m/s at 60m	42 dBA
Rated RPM	220 rpm
Method of Installation	Hydraulic Tilt Installation

GSM CONTROLLED AS STANDARD

Annual Average Wind Speed in m/s	Annual Yield kWh
4.5	13,761
5	17,065
5.5	20,188
6	23,000
6.5	25,400
7	27,356
8	29,905

Single Phase CF 6e

Power Curve: CF6e



SPECIFICATION SHEET

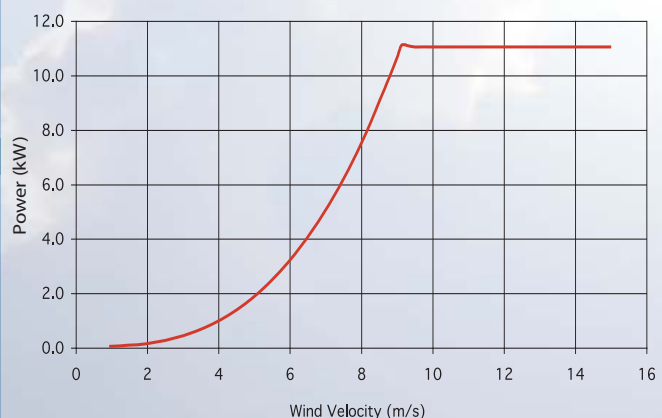
Rotor Diameter	9 m
Tower	15 m Monopole
Max. Power	11 kW
An. Yield @ 5 m/s av.	24,000 kWh
Rated Wind Speed	9 m/s
Min active wind speed	1.2 m/s
Cut out wind speed	NONE
Annual Carbon Savings	14 - 19 Tonnes
Noise @ 5 m/s at 60m	42 dBA
Rated RPM	220 rpm
Method of Installation	Hydraulic Tilt Installation

GSM CONTROLLED AS STANDARD

Annual Average Wind Speed in m/s	Annual Yield kWh
4.5	18,880
5	24,170
5.5	29,450
6	34,400
6.5	38,820
7	42,550
7.5	45,530
8	47,765

Single or Three Phase CF11/ CF11i

Power Curve: CF11



SPECIFICATION SHEET

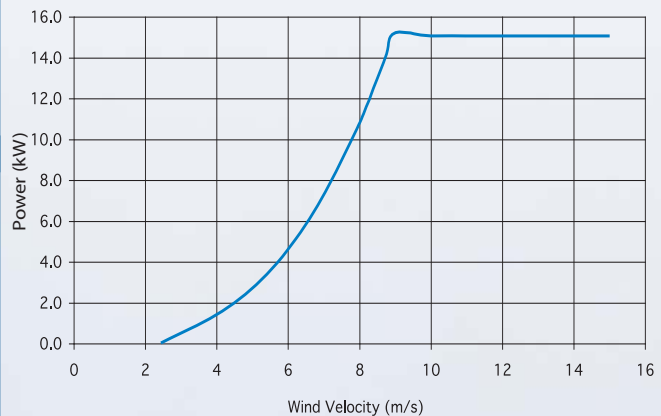
Rotor Diameter	10.8 m
Tower	15 m Monopole
Max. Power	15 kW
An. Yield @ 5 m/s av.	34,400 kWh
Rated Wind Speed	9 m/s
Min active wind speed	2.2 m/s
Cut out wind speed	NONE
Annual Carbon Savings	19 - 23 Tonnes
Noise @ 5 m/s at 60m	40 dBA
Max RPM	110 rpm
Method of Installation	Hydraulic Tilt Installation

GSM CONTROLLED AS STANDARD

Annual Average Wind Speed in m/s	Annual Yield kWh
4.5	26,980
5	34,400
5.5	41,730
6	48,570
6.5	54,630
7	59,700
7.5	63,750
8	66,750

Single or Three Phase CF15/ CF15i

Power: CF15



SPECIFICATION SHEET

Rotor Diameter	12.8 m
Tower	20 m Monopole
Max. Power	20 kW
An. Yield @ 5 m/s av.	47,750 kWh
Rated Wind Speed	9 m/s
Min active wind speed	2.2 m/s
Cut out wind speed	NONE
Annual Carbon Savings	26 - 30 Tonnes
Noise @ 5 m/s at 60m	40 dBA
Rated RPM	110 rpm
Method of Installation	Hydraulic Tilt Installation

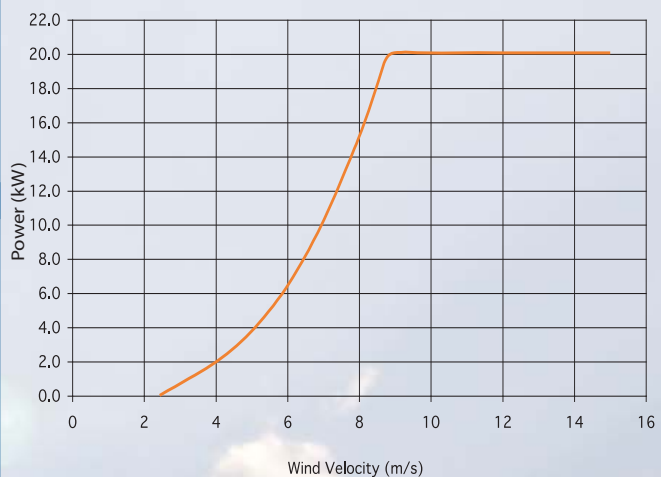
GSM CONTROLLED AS STANDARD

Annual Average Wind Speed in m/s	Annual Yield kWh
4.5	37,600
5	47,750
5.5	57,700
6	66,930
6.5	75,050
7	81,820
7.5	87,160
8	91,100

Single or Three Phase

CF 20

Power: CF20



SPECIFICATION SHEET

Rotor Diameter	20 m
Tower	29 m Monopole
Max. Power	50 kW
An. Yield @ 5 m/s av.	117,250 kWh
Rated Wind Speed	9 m/s
Min active wind speed	2.2 m/s
Cut out wind speed	NONE
Annual Carbon Savings	70 - 80 Tonnes
Noise @ 5 m/s at 60m	TBA
Rated RPM	50 rpm
Method of Installation	Crane

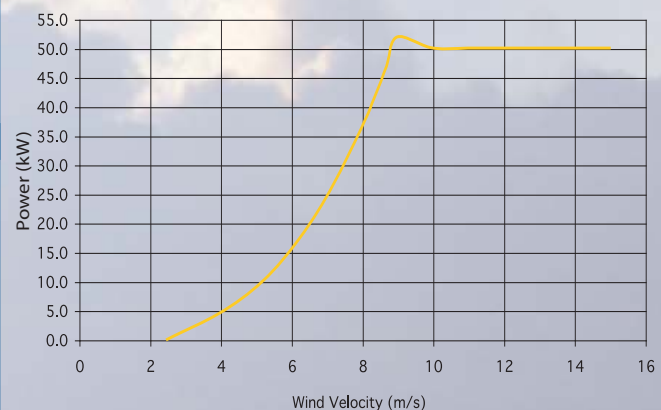
GSM CONTROLLED AS STANDARD

Annual Average Wind Speed in m/s	Annual Yield kWh
4.5	92,150
5	117,250
5.5	141,940
6	164,900
6.5	185,160
7	202,100
7.5	215,500
8	225,400

Single or Three Phase

CF 50

Power: CF50





Cashla, Athenry, Co. Galway, Ireland

Tel: + 353 91 790868

Email: info@cfgreenenergy.com

Web: www.cfgreenenergy.com



C&F Green Energy is part of the globally renowned Irish owned C&F Group. C&F was first established in 1989 in Galway, Ireland and now employs over one thousand people in over six sites worldwide. With manufacturing locations in Ireland, Germany, the UK, The Czech Republic, the Philippines and China. C&F is a global company with a local face.

The proof of our engineering capabilities can be seen from our customer list which includes IBM, EMC, BMW, Mercedes, Ford, VW, Thermo King to name but a few, all of which have awarded us multiple global contracts.

C&F Green Energy was officially established by the C&F Group in 2006. The group recognized the need to provide a more powerful and safer wind energy solution for the home, farm and business owner. With its experience in the manufacturing area, C&F set about designing an innovative wind turbine that would combine unrivalled performance and power with clean aesthetics and reliability.

With this in mind the company has assembled a world class team of industrial design experts in this field to deliver solutions based on innovation and engineering excellence. The group's success is attributed to its unrivalled levels of workmanship quality, streamlined manufacturing processes and un-surpassed levels of customer care and retention. This team has developed an innovative range of medium-sized turbines that incorporate the same advanced technologies that are used in Mega-Watt sized machines. Leveraging off the company's expertise in manufacturing and design and its global reach, has enabled C&F Green Energy to offer this advanced technology at very competitive prices.

Our commitment to customer service and our confidence in our products are evident in the fact that all customer contracts will be directly with C&F Green Energy and all warranties will be carried by C&F Green Energy. This includes the full parts, labour and service warranty that is available for 10 years. As founder and CEO of the C&F Group I am determined to make C&F Green Energy the world leader in small and medium sized generation. We build the best turbines in the world.



John Flaherty
CEO C&F Group

IRELAND

UK

GERMANY

CZECH REP

CHINA

PHILIPPINES

C&F Tooling Ltd., Ireland
C&F Green Energy, Ireland
C&F Automotive Trading as Iralco, Ireland
C&F Manufacturing (UK) Ltd.
C&F Automotive Germany GmbH
C&F Manufacturing CR. S.R.O.,
Czech Republic
C&F Manufacturing Philippines
Corporation, Philippines
C&F Manufacturing China

IT Industry
Automotive Industry
Refrigeration Industry
Air Conditioning Industry
Wind Energy Industry
Delivering world class manufacturing
processes all over the world
ESTABLISHED IN 1989. IRISH OWNED.



guaranteed irish
promoting irish excellence

822



C&F Planning Supporting Statement

Proposal to supply and install 2 No. small 15Kw C&F wind turbines at:

Errichel, by Aberfeldy, PH15 2EL

by BritishEco Scotland for Mr Alistair Budge Reid

Summary

It is proposed to install 2 No. small wind turbines on land at Errichel, by Aberfeldy. The small scale 15kw wind turbines proposed are designed for grid-connected electricity generation and will be mounted on an 20m masts. The turbines have a maximum rotor radius of 5.4 metres and a rated output of 15kw. The turbines are to be connected to the national grid to enable surplus energy generated to be fed onto the grid.

Each C&F 15kw turbine is expected to generate in excess of 48,570 kWh - of electricity each year at an average wind speed of 6m/s. This installed capacity will also help to contribute towards the targets for renewable energy generation for 2020 (40% of Scotland's electricity to be generated from renewable sources). The turbine has been specifically designed for low noise operation and minimal visual impact, and has exceptional performance within its class. The turbine is constructed of high tech composite materials. The tower is finished fully in galvanised steel.

The proposed location of the wind turbines is shown on the attached location plan.

Wind Resource

The proposed site has been evaluated thoroughly and in line with the national wind speed database for the UK (NOABL). This average wind reading for the proposed site is above average and is comfortably within recommended guidelines for wind turbine siting.

Environmental Impact Assessment

Background and Policy Context

Wind energy is an abundant natural resource. It is non-polluting, clean and sustainable. The UK has one of Europe's windiest climates and therefore wind energy is expected to be an important element in achieving the UK government's commitment to reduce CO² emissions to 12.5% below 1990 levels by 2010. More specifically it is Government policy to achieve 10% of the nation's electrical requirements from renewable sources by 2010.

Scottish Planning Policy – SPP 6 Renewable Energy (March 2007) and Planning advice Note – PAN 45 – Renewable Energy Technologies (revised 2002) and Planning for Micro Renewables (annex to PAN 45) cover aspects of renewable energy including considerations for the siting of wind turbines and encourages favourable views towards small scale renewable power sources.

Extracts:

“Increased use of renewable energy, including micro-renewables, can make an important contribution to efforts to reduce carbon emissions in support of climate change and renewable energy objectives. The Scottish Executive is committed to making an equitable contribution to the UK Kyoto target to reduce 1990 levels of greenhouse gas emissions by 12.5% by 2008-12, and has set a target that 40% of electricity generated in Scotland should come from renewable sources by 2020.”

“There is potential for communities and small businesses in urban and rural areas to invest in ownership of renewable energy projects or to develop their own projects for local benefit. Planning authorities should support communities and small businesses in developing such initiatives in an environmentally acceptable way.”

Environmental Impact

Sitting and the Landscape

It has been normal practice to site utility scale wind turbines on elevated and exposed ground in order to achieve the highest possible energy capture and optimise the economics of the project. This has led to considerable opposition to wind power projects wherever they have been proposed.

It is important to appreciate that the C&F turbine is of a completely different scale to the now familiar utility scale turbines which may have tower heights of 100m and rotor diameters of 80m or more

By comparison the C&F turbine, has a tower height of 20m and rotor radius of just 5.4m.

Standard and Certification

The turbine is currently being assessed under the rigorous MCS 006 Microgeneration Certification Scheme product accreditation scheme under which C&F have already been approved as certified grant installer.

Proximity to Power Lines

There are no power lines in the immediate vicinity of the proposed wind turbine.

Proximity to Airports

The nearest airport is Dundee airport over 45 miles away. Due to its size this scale of turbine will not have any impact on air traffic.

Proximity to Railways

There are no railway lines in the vicinity of the proposed wind turbine.

Shadow Flicker

Shadow flicker is a rare event which sometimes can occur when the shadow of the turbine blades play on nearby buildings at certain times of day and days of the year. It most commonly would affect nearby buildings to the East or West of the turbine at dusk and dawn. The distance from the turbine to neighbouring properties mean this would not be an issue.

Scattering Signal

This is a phenomenon that very occasionally may affect large turbines. It is not considered to be relevant to a turbine as small as the C&F turbine.

Specialist Consultation

This is not believed to be appropriate for a small turbine such as the C&F in the proposed location.

Ecology

It is not believed that the proposed site is in any way a protected habitat or area of outstanding natural beauty. As stated in Annex to PAN 45 - "it is unlikely that micro-wind turbines will cause a significant increase in bird strike, beyond those already arising from birds flying into existing buildings, windows and other obstacles", this is borne out by C&F experience.

Listed buildings and conservation areas

There are not believed to be any known archaeological remains at the proposed location. In any case, the foundations required for each C&F turbine involve minimal disturbance of the ground beneath the tower and each anchoring point and are removable in the event of future decommissioning of the turbines.

The proposed location is not in the vicinity of any known listed buildings or conservation areas.

Construction Disturbance

The amount of additional traffic and need for construction machinery to erect the C&F turbine is negligible. No road closures or hindrances to access will be necessary.

Conditions

Due to the minimal foundations required for the C&F turbine, restoration of the site following possible de-commissioning is particularly simple.

No ancillary structures or buildings are required to house electrical equipment or controllers, which will be located in the applicants building.

TCP/11/16(206)

Planning Application 12/00275/FLL – Erection of 2 wind turbines at Errichel House, Aberfeldy, PH15 2EL

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 787-788)*

REPORT OF HANDLING *(included in applicant's submission, see pages 789-798)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 807-826)*

TCP/11/16(206)

Planning Application 12/00275/FLL – Erection of 2 wind turbines at Errichel House, Aberfeldy, PH15 2EL

REPRESENTATIONS

- Representation from Environmental Health Manager, dated 2 March 2012

Memorandum

To	Development Quality Manager	From	Environmental Health Manager
Your ref	PK12/00275/FLL	Our ref	SP
Date	2 March 2012	Tel No	(01738) 476460

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an application for Planning Permission

PK12/00275/FLL: RE: Installation of 2 wind turbines, Errichel House, Aberfeldy, PH15 2EL for Alistair Budge Reid

I refer to your letter dated 22 February 2012 in connection with the above application and have the following comments to make.

Noise

The applicant seeks consent to install 2 x 15kW wind turbines with a 20m hub height at the above location.

There are 3 residential properties located near the site, the closest of which is approximately 310 metres from the turbines. The supporting information contains data regarding the noise output from the proposed turbine indicating that the noise levels at 60m from the turbines would be 40dB (A).

Recommendation

I have no objection in principle to the application but recommend the under noted conditions be included on any given consent.

Conditions

1. Noise arising from the wind turbine shall not exceed an L_{A90} , 10 min of 35 dB at the nearest noise sensitive premises at wind speeds not exceeding 10m/s, and measured at a height of 10m above ground at the wind turbine site, all to the satisfaction of the Council as Planning Authority. In the event of that audible tones are generated by the wind turbine, a 5dB(A) penalty for tonal noise shall be added to the measured noise levels.
2. On a formal written request by the Council as Planning Authority, appropriate measurements and assessment of the noise arising from the wind turbine (carried out in accordance with ETSU report for the DTI - The Assessment and Rating of Noise from Wind Farms (ETSU-R-97) shall be submitted for the approval in writing by the Council as Planning Authority



TCP/11/16(206)

Planning Application 12/00275/FLL – Erection of 2 wind turbines at Errichel House, Aberfeldy, PH15 2EL

WRITTEN SUBMISSION

- Written Submission from Appointed Officer, dated 6 November 2012
- Comments from Agent for TCP/11/16(203), dated 19 November 2012
- Agents comments on Written Submission from Appointed Officer, dated 22 November 2012

**Delayed Office Opening for
Employee Training**

*This Office will be closed from 8.45 am –
11.00 am on the 1st Thursday of each
month .*

Perth and Kinross
Local Review Body
2 High Street
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FAO Gillian Taylor



Planning and Regeneration
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Our ref 12/00273/FLL
12/00275/FLL

Your ref TCP/11/16 (203)
TCP/11/16 (206)

Date 6 November 2012

Dear Ms Taylor

Town & Country Planning (Scotland) Act 1997
The Town & Country Planning (Schemes of Delegation & Local Review Procedure)
(Scotland) Regulations 2008.

**12/00273/FLL Erection 2 wind turbines at Farmhouse, Mains of Murthly, Aberfeldy,
PH15 2EA**

12/00275/FLL Erection of 2 wind turbines at Errichel House, Aberfeldy, PH15 2EL

I refer to your letters of 25 October in which you requested comments on the subsequent submission of the Visual Impact Assessments (VIAs) by the applicants' agent in relation to the above proposed turbine developments (12/00275/FLL and 12/00273/FLL). As there are many interconnected aspects of these two developments, not least they had the same agent for the planning applications, I have combined my responses to both applications below. You will see that many issues relate to both proposals.

In order to provide you with a comprehensive and detailed evaluation of the VIAs I asked the Council's Landscape Architect to consider the documents. The observations below incorporate those provided by the Landscape Architect and include comments which relate to the originally submitted information as well as the more recent submissions. It is considered that all these comments are relevant in order that the Local Review Body has the fullest information before concluding its reviews.

Having reviewed the two proposals including previous Zones of Theoretical Visibility (ZTVs) information it is evident there is a significant lack of information provided in both planning applications and therefore it is not possible to evaluate the landscape and visual effects. In general the Landscape and Visual Impact Assessment information is very poor.

The ZTVs are of exceptionally poor standard:

- the ZTVs maps are illegible
- turbine locations are not clearly shown

- the base map resolution is illegible
- there is no recognisable scale (scale 1:65k is shown on the plan)
- the visual rays are not transparent and it is not possible to read the underlying map
- contours are not shown
- study area is not identified
- both hub and blade tip ZTVs are required – it is not clear which is shown
- two ZTVs have been submitted and it is understood that they represent the ZTV from each turbine and not the combined ZTV – this makes assessing the actual extent of theoretical very difficult
- overall the ZTVs do not follow best practice as outlined by SNH Guidance
- the heights of the turbines are not shown on the ZTV although the technical data shows that they are 26.41m to blade tip

It is recommended that the applicants submit revised ZTVs for both blade tip and hub heights and in line with SNH guidance prior to the applications being further considered.

Effect on Visual Receptors:

The viewpoint analyses are also very poor and there is a lack of evidence that has been undertaken by a person with sufficient experience. The following comments apply to both applications (12/00275/FLL and 12/00273/FLL) currently at review:

- Viewpoints are not located on the ZTV maps and the viewpoint location rationale is not provided.
- The applicant does not describe the potential visual effect on nearby local residents.
- As it is impossible to read the ZTVs it is therefore not possible to comment on the viewpoint locations, determine whether there is a suitable number of representative viewpoints or whether they are in fact representative of typical and key views in the area.
- Viewpoint analysis is not provided nor is there any understanding of sensitivity of viewpoint receptors or analysis describing magnitude of change or significance of effect etc. There is no landscape and visual methodology and this does not meet any standards set out in the GLVIA. Therefore, the summary statements for the visual impact assessment are not robust and do not demonstrate any understanding of potential landscape and visual effects.
- The photography does not meet the standards set out in the PKC guidance.
- The methodology provide for the determination of turbine size in photomontage is not robust and software such as Resoft Windfarm should be used to accurately portray the scale of the turbines in the landscape. Therefore, the photomontages as shown in the visual assessment should be considered with a degree of caution. For example it is not known how the visibility of the turbines was calculated using the methodology when the ground level of the site is hidden from view e.g. behind trees.

It is recommended that the visual assessments are rewritten in line with the appropriate guidance and resubmitted.

Effects on Landscape Character:

There is no evidence that a landscape character assessment carried out for either application and therefore it is not possible to assess the potential effect on key landscape features, the setting of Aberfeldy or potential sensitive landscape areas such as landscape designations and conservation areas.

The landscape setting of Aberfeldy is of importance and the applicants need to demonstrate how their respective developments will fit into the landscape and how they would potentially affect the character of the area.

Other considerations:

The turbine locations are not centrally located on the location plans and therefore do not fully show the site context.

It should be noted that the turbine locations for 12/00273/FLL is immediately adjacent to stone grouping with cup and ring markings as shown on the applicant's location plan. The location of the turbines in relation to the stones appears to be different from those shown in the Perth and Kinross Heritage Trust response and this matter should be clarified. The Council's Landscape Architect predicts that the proposal would have a significant effect on the setting and experience of the archeological feature. This is not discussed nor identified in the submitted documents.

Comments specific to the Errichel proposal (12/00275/FLL):

The following is based on the information provided in the submitted documents and, as inadequate information is provided (as stated above), the comments based on best judgement.

Viewpoint 1: It is evident from the photograph that this view represents residents in nearby houses, walkers and golfers. Residents and walkers are generally considered to be of High sensitivity to change and golfers are of Medium sensitivity. This view demonstrates that the proposed turbines would create a prominent feature on the skyline and which would create a High to Medium magnitude of change to the view when it is considered that there are no other tall vertical elements in the landscape in this view, the skylining of the turbines on the horizon and the distraction of moving blades in an otherwise 'still' landscape. It should also be noted that the location of this viewpoint may represent views from tourists and the prominence of the turbines would affect the landscape setting of Aberfeldy from this location. Overall, it is likely that the proposed development would give rise to a significant landscape and visual effect at this location.

Viewpoint 2: The view represents road users and possibly nearby local residents (it is not possible to read the base map of the viewpoint location plan in order to determine this). Similarly to viewpoint 1, the proposed turbines are seen on the nearby skyline and appear prominent in the view and add a new vertical element with moving blades. The proposal would affect the landscape setting of Aberfeldy on the approach from the northwest and it is likely that significant landscape and visual effects would occur at this location.

Viewpoint 6 also demonstrates that the proposed turbines would be prominent in the landscape in views from the south.

It is of my opinion that the proposed development would significantly affect the landscape setting of Aberfeldy in views from the north and north west and on the approach to the town. It is inconclusive from the information provided whether the development would be visible in views from the A826.

Comments specific to the Mains of Murthly proposal (12/00273/FLL):

The viewpoint locations for this proposal are mostly the same as the above application. As the viewpoints are not necessarily specific to this proposal it is difficult to gauge the orientation towards the proposed development and suggests that the viewpoints are not specific to this application. Therefore, I am of the opinion that the assessment underplays the potential effect on landscape and visual receptors in the area as it is not possible to make judgement based on the information provided in visual impact assessment.

In respect of the further letter submitted by Mr McDiarmid (12/00273/FLL) and forwarded to me on 25th October I would suggest that Mr McDiarmid is mistaken about the level of impact his proposed turbines would have both on their own and cumulatively with those existing and proposed in the area. It is evident from past decisions that this authority is supportive of turbine development in principle and agrees that alternative methods of electricity generation are important at both local and national levels. Whilst an economic case can usually be put forward to show the benefit to a local business or two, the planning authority is required to give a much broader consideration than solely the economic arguments. Whilst it is accepted that in the vast majority of cases a compromise is made when it come to landscape impact, it is held that the current proposal would have a significantly detrimental impact on the surrounding landscape and visual amenity of the area.

In light of the need for substantial revision and addition to the currently available information I would ask the Local Review Body to consider dismissing the current reviews and to direct the applicants in both cases to submit fresh planning applications with all the necessary information in order that the proposal may be fully and openly considered in the public domain.

I trust this additional information will allow the Local Review Body to conclude its consideration. Please let me know if any further information is required.

Yours sincerely

Christine Brien
Planning Officer

Ms Gillian A Taylor
Clerk to the Local Review Body
Local Review Body
Perth & Kinross Council
2 High Street
Perth
PH1 5PH

19 November 2012

Your Ref: TCP/11/16 (206)

Dear Ms Taylor

Town and Country Planning (Scotland) Act 1997

The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2008

Application Ref: 12/00275/FLL – Erection of 2 wind turbines at Errichel House, Aberfeldy, PH15 2EL – Mr Budge-Reid

Thank you for your letter dated 13th November, and for the opportunity to respond to the enclosed submission from the Appointed Officer.

The letter from Ms Brien is very disappointing and appears to be a retrospective justification of the Officer's decision. We cannot understand why this is the first time these issues are being raised, and would make the following points:

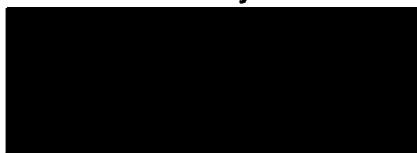
1. If there was a problem with the original submission then why was this not raised at the time?
2. We have successfully applied for planning using the same software, VIA and ZTV information with other councils throughout Scotland.
3. The last 3 paragraphs of the letter clearly negate all the previous assertions and summarise that the Planning Body have decided the outcome on the basis of the perceived cumulative landscape impact.
4. This letter and its contents have been brought forward at a very late stage in the process and presented without an opportunity to be addressed, in what appears to be a retrospective justification of the Planning Body's decision.

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The fundamental problem is that the planning department are clearly not in favour of the proposed wind turbines at the site due to their perceived visual impact. The letter clearly states in the penultimate paragraph that they believe "the current proposal would have a significantly detrimental impact on the surrounding area". They accuse us of underplaying the effect on the landscape but the basis of our application is that what we do not agree that these small domestic turbines will have an adverse impact.

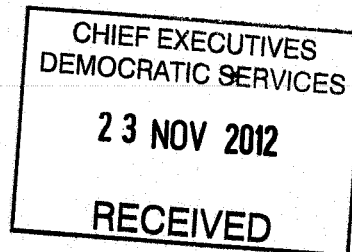
We have looked at other planning submissions and refute the assertion that substantial revision and resubmission is required. We respectfully request that you do not dismiss our appeal but uphold our right to disagree with the Planning decision and to accept that small domestic turbines in no way are the same as an industrial wind farm and do not merit to be treated as such. I look forward to your verdict.

Yours sincerely



Jeremy Brough
Director
BritishEco Scotland
jeremy.brough@britisheco.com

Clerk to the Local Review Body
Perth & Kinross Local Review Body
2 High Street
PERTH
PH1 5PH



22nd November 2012

Our ref: ABR001
Your ref : TCP/11/16 (206)

Dear Madam

Town & Country Planning (Scotland) Act 1997
Notice of Review Appeal (12/00275/FLL)
Erection of two wind turbines at Errichel, by Aberfeldy, PH15 2EL

I refer to the above Notice of Review Appeal that was deferred by the Local Review Body (LRB) at their meeting on 9th October 2012, my letter of 11th October and to your subsequent letters of 1st November and 13th November.

I am grateful for the confirmation received in your letter of 1st November that a full summary of our case will be presented by the Planning Advisor when the appeal is next heard by the LRB. In terms of the photographs that have been taken by the Planning Advisor, these show that the two farm turbines will be set against the sloping hillside and will also be set against the rising distant ground when viewed from the 'Viewpoint' located on the A826 public road to the south.

I also welcome the fact that the LRB are to undertake a site inspection of the site and surrounding area as that will hopefully allow members to see that these two turbines will generally only be seen from distances of more than 2.5km when viewed from the north and as such at vastly reduced scale in the context of the overall landscape.

This proposal is in sharp contrast with the commercial wind farms at Griffin and Calliachar which have multiple turbines that extend to well over 100 metres in height and require entirely different consideration, a distinction which was not made apparent in the appointed officer's Report.

The appointed officer is correct to point out that the same agent was originally involved with the planning application for this and also the Mains of Murthly application. British Eco have therefore provided a separate response to both Notice of Review Appeals (in as far as the concerns raised by the appointed officer in respect of the VIA and ZTV information).

Nevertheless the appointed officer has now failed to address any of the planning policy matters raised within our planning statement that was provided in support of my client's Notice of Review Appeal and in direct response to the actual reasons for refusal of my client's planning application.

It is considered that the Planning Statement submitted in support of the Notice of Review provides a thorough assessment of the specific planning policy considerations surrounding this case.

It is extremely frustrating for my client to find himself in a situation whereby the planning department appear to get two chances to try and defend their position and criticise the submitted information when any requests for such information should have been made during the original planning application process.

The VIA submitted in support of my client's appeal also provided sufficient detail so that the merits of this proposal could be properly assessed against the relevant planning policy framework.

The two turbines are around one fifth of the height of the turbines that are located at the large scale wind farms to the south and they will also be sited at a lower ground level. When assessing combined impact from the more distant views to the north, it is considered that there would be no significant change on the landscape as a whole.

It also needs to be highlighted once again that no objections were received from any member of the public or statutory consultee in respect of my client's two farm turbines. Each proposal should be considered on its own particular merits and when the LRB members visit the site and surrounding area we trust that it will be apparent that any individual or cumulative impact caused by these two particular domestic turbines will not be significant.

These two turbines, which will reduce substantially the electricity consumption and carbon footprint of the existing farm and holiday let business, is a responsible proposal in keeping with the Scottish Government's Policy on Renewable Energy. The turbines will only be 20 metres to the hub and 26 metres to the blade tip and we submit that they will form an acceptable addition to the rural landscape whilst contributing to the maintenance and sustainability of the farming and business activity within that landscape and the environment.

I look forward to hearing from you in due course in terms of a date for the next LRB meeting.

Yours faithfully



Mark Myles

cc: Mr A Budge-Reid