

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 26 AUGUST 2014**

**GOLF COURSE, CUNNINGHILL, FORFAR**

**REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT:**

The Committee is asked to consider an application for a Review of the decision taken by the Planning Authority in respect of the refusal of planning permission for the erection of a wind turbine, application No 13/00825/FUL, at Golf Course, Cunninghamhill, Forfar.

**1. RECOMMENDATIONS**

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**);
- (ii) review the case submitted by the Applicant (**Appendix 2**); and
- (iii) review the further representations (**Appendix 3**).

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN**

This Report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

**3. CURRENT POSITION**

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant, the Planning Authority and the additional representations to review the case. Members may also wish to inspect the site before full consideration of the Appeal.

**4. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from the recommendations in the Report.

**5. CONSULTATION**

In accordance with Standing Order 47(3), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

List of Appendices:

Appendix 1 – Submission by Planning Authority

Appendix 2 – Submission by Applicant

Appendix 3 – Further Representations

## APPLICATION NO. 13/00825/FULL

**APPLICANT: MR P KAVANAGH FOR ERECTION OF WIND TURBINE OF 50 METRES TO HUB HEIGHT AND 77 METRES TO BLADE TIP AND ANCILLARY DEVELOPMENT AT GOLF COURSE, CUNNINGHILL, FORFAR**

## ANGUS COUNCIL'S SUBMISSION

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3	<b>Consultation Responses</b>  <b>AC3</b> Forfar Community Council (21.10.13) <b>AC4</b> Head of Roads (20.09.13) <b>AC5</b> Atkins (20.09.13) <b>AC6</b> Head of Environmental And Consumer Protection (11.10.13) <b>AC7</b> Natural & Built Environment – Landscape (01.04.14 & 29.04.14) <b>AC8</b> Civil Aviation Authority (16.09.13) <b>AC9</b> Dundee Airport Ltd (24.09.13) <b>AC10</b> NERL (17.09.13) <b>AC11</b> Joint Radio Co Ltd (02.10.13) <b>AC12</b> Spectrum (19.09.13) <b>AC13</b> Scottish Natural Heritage (28.11.13) <b>AC14</b> Historic Scotland (25.09.13)

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**Letters of Representation**

<b>AC15</b>	Mr David Soutar (13.09.13)
<b>AC16</b>	Mr Craig Anderson (17.09.13)
<b>AC17</b>	Mr Stewart Lennon (17.09.13)
<b>AC18</b>	Professor Gordon Peterkin (17.09.13)
<b>AC19</b>	Mr Ian Taylor (18.03.13)
<b>AC20</b>	Kevin Lynch (23.09.13)
<b>AC21</b>	Paul Hogan (23.09.13)
<b>AC22</b>	Arthur Bruce (24.09.13)
<b>AC23</b>	Dorothy Bruce (24.09.13)
<b>AC24</b>	Mr Ross Mitchell (26.09.13)
<b>AC25</b>	A Watt (27.09.13)
<b>AC26</b>	Andy Ducat (27.09.13)
<b>AC27</b>	Lesley Ducat (27.09.13)
<b>AC28</b>	Mr Ian Farquhar (28.09.13)
<b>AC29</b>	J Tavendale (02.10.13)
<b>AC30</b>	Roy Johnston (07.10.13)
<b>AC31</b>	W Johnston (07.10.13)
<b>AC32</b>	Paul Basford (29.04.14 & 03.05.14)
<b>AC33</b>	Mr Iain Richmond (13.09.13)
<b>AC34</b>	Mr Ralph Stewart (17.09.13)
<b>AC35</b>	Mr Rodney Brown (17.09.13)
<b>AC36</b>	Mr Colin Robertson (19.09.13)
<b>AC37</b>	Mr John Snelling (19.09.13)
<b>AC38</b>	Mr Andrew Clapp (20.09.13)
<b>AC39</b>	Mr Andrew Vivers (20.09.13)
<b>AC40</b>	Mr Gresham Worgan-Blake (21.09.13)
<b>AC41</b>	Derek Powell (23.09.13)
<b>AC42</b>	Mr Ewan Callander (24.09.13)
<b>AC43</b>	Mrs Freda Robertson (24.09.13)
<b>AC44</b>	Mr Renton Cuthill (24.09.13)
<b>AC45</b>	Mr Gerald Johnson (25.09.13)
<b>AC46</b>	Mrs Helen Prophet (02.10.13)
<b>AC47</b>	Mrs Avril Simpson (19.10.13)
<b>AC48</b>	Mr Iain Martin (05.11.13)

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**Application Drawings**

<b>AC49</b>	OS Map
<b>AC50</b>	Refused Drawings

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**Further Information Relevant to Assessment**

<b>AC51</b>	Site Photographs
<b>AC52</b>	Decision Notice
<b>AC53</b>	Photograph – Line of Track between Trees
<b>AC54</b>	EWT 500 Wind Turbine Report
<b>AC55</b>	Red Squirrel Survey Report
<b>AC56</b>	Information on Bats

**Angus Council**

<b>Application Number:</b>	13/00825/FULL
<b>Description of Development:</b>	Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development
<b>Site Address:</b>	Golf Course Cunninghill Forfar
<b>Grid Ref:</b>	348524 : 750248
<b>Applicant Name:</b>	Mr P Kavanagh

**Report of Handling****Site Description**

The application site, which measures 0.3 hectares including access track, is located within an established woodland area on the southern periphery of Forfar Golf, approximately 1.5km to the west of Forfar. The site is located at a ground level of approximately 90 metres Above Ordnance Datum (AOD) and is bounded by the golf course to the north, agricultural land to the south and east and the public road to the west. In terms of nearby residential properties Tulibardine lies approximately 550m to the south of the proposed turbine, Auchterforfar approximately 575m to the west of the proposed turbine, and Loanhead approximately 650m to the north.

**Proposal**

The application proposes the erection of a single 500kW wind turbine with a hub height of 50 metres, a rotor diameter of 54 metres and an overall height of 77 metres to blade tip. The turbine is of three blade design. The application site also incorporates a new access track that runs from the public road, eastwards to the proposed turbine covering a distance of almost 200 metres, a crane pad measuring 35 metres x 15 metres, a concrete base and a control box.

The applicant submitted following on 7 March 2014:

- Amended Location Plan
- Amended Site Plan
- Amended Site Layout Plan
- Amended Access Track Plan
- Amended Woodlands Site Plan
- Amended Plan Showing Extent of Shadow Flicker

These plans superseded all previous plans submitted.

**Publicity**

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 20 September 2013 for the following reasons:

- Schedule 3 Development

A site notice for Public Access - Special Interest was posted.

**Planning History**

None.

### **Applicant's Case**

The applicant submitted a statement in support of the application. In summary it states:

- The application can provide a limited but valuable contribution to the outputs of renewable energy.
- The generation of renewable electricity will improve the viability and sustainability of the golf course's members and the community.
- The applicant proposes to set aside a proportion of income generated by the turbine each year to establish a community fund.
- The proposed turbine has a capacity of 550kW which can achieve a predicted generation of approximately 1900MWh per annum.
- The applicant favoured wind energy over solar due to the amount of land required for solar and because wind energy can function over a 24 hour period.
- Based on an operational lifespan of 25 years, the turbine could offset approximately 24843.5 tonnes of CO2
- The surrounding land is predominantly agricultural to the south, and leisure and recreation to the north.
- There are no footpaths crossing the site and no residential properties within 540 metres.
- The turbine will be connected to the grid.
- The site is accessed from an unclassified road between the A932 and the B9128 and thereafter along a proposed access track. The crane and delivery vehicles will be able to access the site without any need for reinforcement of the track.
- Access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable permanent change to the environment or landscape.
- In terms of natural heritage, the site is located within zone 1, classified by SNH as being the lowest natural heritage sensitivity and with the least sensitivity to windfarms.
- In terms of heritage sites, Historic Scotland have been consulted regarding the possible impact on the Caterthun Forts, The Hill Fort at Turin and the Standing Stones at Aberlemno. The turbine cannot be seen from seen from Restenneth Priory.
- In terms of shadow flicker and residential amenity there are no properties within ten rotor diameters (540m) of the proposed turbine.
- In terms of water environment and flood risk the site is located in a low flood risk area and has a relatively small footprint. The proposed development will have no unacceptable and adverse impact on hydrology and flood risk within the site. The site is not within the source catchment area of any private water supply.
- There are no public rights of way that would be affected by the proposal.
- The application is in line with national, regional and local policy.

The applicant also provided the following as part of the supporting statement:

- In terms of landscape and visual impact, the applicant submitted a Zone of Theoretical Visibility (ZTV) drawing to assess potential viewpoints to gain a better understanding of the potential impact on the landscape by the proposed development. Photomontages and wireframes have been produced to indicate the potential impact of the development from identified viewpoints.
- Theoretical Noise Study. This concludes that the predicted sound level of the proposed turbine at the five nearest properties would be less than 35 dB LA90. Environmental Health have been consulted and the application is submitted in accordance with the advice given.
- Ecological Survey Report. This concluded that the areas of conifer plantation have little or no nature conservation interest but may provide shelter for wildlife. It also states that the present low level of nature conservation interest would not be adversely affected by the proposals for the site.

- Red Squirrel Survey. This stated that three squirrel dreys were found within the application site. It further stated that two of those would be likely to be lost as a result of the development and that mitigation would be required to retain the third.

## Consultations

**Community Council** - This consultee objects to this application on the grounds that it would result in an unacceptable visual impact, detract from the beauty of the area and set a precedent for future applications.

**Angus Council - Roads** - This consultee has no objection to the application subject to conditions regarding visibility splays, verge crossings, the provision of a Construction Traffic Management and Routing Plan, and the provision of a written maintenance agreement with respect to the agreed haul routes.

**Scottish Water** - There was no response from this consultee at the time of report preparation.

**Atkins** - This consultee has no objection to the application.

**Angus Council Environmental Health (Forfar)** - This consultee has no objection to the application subject to conditions regarding noise limits and turbine type.

**Natural & Built Environment - Landscape** - This consultee has raised concerns about the level and quality of information submitted to consider the landscape and visual impact of the proposed development. Concerns about the landscape and visual impact of the proposed turbine were also raised, as were concerns about the loss of woodland that would result from the proposed development.

**Ministry Of Defence** - There was no response from this consultee at the time of report preparation.

**Civil Aviation Authority** - This consultee has no objection to the application.

**Dundee Airport Ltd** - This consultee has no objection to the application.

**NERL Safeguarding** - This consultee has no objection to the application.

**Joint Radio Co Ltd** - This consultee has no objection to the application subject to a condition regarding micro siting.

**Spectrum** - This consultee has no objection to the application.

**RSPB Scotland** - There was no response from this consultee at the time of report preparation.

**Scottish Natural Heritage** - There was no response from this consultee at the time of report preparation.

**Historic Scotland - Archaeology** - This consultee has no objection to the application.

## Representations

36 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 17 objected to the proposal and 19 supported the proposal.

The main points of concern were as follows:

- Supports Local Business

- Boost to Local Economy
- Provides Renewable Energy
- Environmental Beneficial
- Complies with Development Plan
- Complies with National Policy
- Unacceptable Landscape/Visual Impact
- Unacceptable Impact on Trees
- Detrimently Affects Wildlife
- Noise Disturbance
- Detrimental to Residential Amenity
- Out of Scale
- Prominent Site
- Contrary to Development Plan
- Shadow Flicker
- Insufficient Information
- Substandard Access Road

#### **Development Plan Policies**

##### **Angus Local Plan Review 2009**

Policy ER16 : Development Affecting the Setting of a Listed Building

Policy S1 : Development Boundaries

Policy S6 : Development Principles (Schedule 1)

Policy ER5 : Conservation of Landscape Character

Policy ER11 : Noise Pollution

Policy ER34 : Renewable Energy Developments

Policy ER35 : Wind Energy Developments

##### **TAYplan Strategic Development plan**

Policy 3D : Natural and Historic Assets

##### **Other Guidance**

The site is not within the National Park.

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

#### **Assessment**

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.

Whilst the proposed turbine falls within Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011, it is not considered likely to have significant environmental effects by virtue of its nature, size and location. EIA is therefore not required.

In this case the development plan comprises: -

- TAYplan (Approved 2012);
- Angus Local Plan Review (Adopted 2009)

In addition to the Development Plan a number of matters will also be particularly relevant to the consideration of the application and these include: -

- National Planning Framework for Scotland 2 (NPF2);
- Scottish Planning Policy (SPP);
- Scottish Government 'Specific Advice Sheet' on Onshore Wind Turbines;
- Tayside Landscape Character Assessment;
- Angus Council Implementation Guide for Renewable Energy Proposals (2012);
- Strategic Landscape Capacity Assessment for Wind Energy in Angus (Ironsides Farrar - 2014);
- Angus Wind farms Landscape Capacity and Cumulative Impacts Study (Ironsides Farrar, 2008);
- SNH Siting and Designing windfarms in the landscape Dec 2009;
- Planning Advice Note 1/2011: Planning and Noise;
- The environmental information submitted in respect of this application by the applicant, consultees and third parties;

NPF2 states that "the Government is committed to establishing Scotland as a leading location for the development of renewable energy technology and an energy exporter over the long term. It is encouraging a mix of renewable energy technologies, with growing contributions from offshore wind, wave, and tidal energy, along with greater use of biomass. The aim of national planning policy is to develop Scotland's renewable energy potential whilst safeguarding the environment and communities".

The Scottish Planning Policy (SPP, February 2010) represents a statement of government policy on land use planning. In relation to wind farms, the SPP states 'planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. Development plans should provide a clear indication of the potential for development of wind farms of all scales, and should set out the criteria that will be considered in deciding applications for all wind farm developments including extensions. The criteria will vary depending on the scale of development and its relationship to the characteristics of the surrounding area, but are likely to include:

- Environmental and Economic Benefits;
- Landscape Impact;
- Visual Impact;
- Cumulative Landscape and Visual Impact;
- Impact on Residential Amenity;
- Other Development Plan Considerations;
- Other Material Considerations.

The design and location of any wind development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised.

The Scottish Government's Planning Advice Notes relating to renewable energy have been replaced by Specific Advice Sheets (SAS). The 'Onshore Wind Turbines SAS' identifies typical planning considerations in determining planning applications for onshore wind turbines. The considerations identified in the SAS are similar to those identified by policies ER34 and ER35 of the ALPR and the SPP as detailed above.

Angus Council has produced an Implementation Guide for Renewable Energy Proposals and this was approved by the Infrastructure Services Committee on 14 June 2012 (Report 314/12 refers). It provides guidance for development proposals ranging from small single turbines to major wind farms. It indicates that wind developments are the primary area of renewable energy proposals in Angus and the planning considerations are strongly influenced by the scale and location of the proposal including landscape and visual impact, potential adverse effects on designated natural and built heritage sites, protected species, residential amenity, soils, water bodies and access.

Scottish Natural Heritage in conjunction with Angus and Aberdeenshire Councils commissioned Ironside Farrar to review current landscape sensitivity and capacity guidance in relation to wind energy development. The Strategic Landscape Capacity Assessment for Wind Energy in Angus (March 2014) provides updated information on landscape capacity for wind energy development and the potential cumulative impact of proposals in the context of operational and consented developments. The document is a material consideration in the development management process for the assessment of wind energy development proposals and planning applications.

Proposals for wind turbine developments and associated infrastructure are primarily assessed against policies ER34 and ER35 of the ALPR although other policies within the plan are also relevant. The policy position provides a presumption in favour of renewable energy developments recognising the contribution wind energy can make in generating renewable energy in Scotland. These policies also require consideration of impacts on ecology including birds; cultural heritage including listed buildings, scheduled monuments, designed landscapes and archaeology; aviation; amenity in the context of shadow flicker, noise and reflected light; landscape and visual impact including cumulative impacts; future site restoration; transmitting or receiving systems; any associated works including transmissions lines, road and traffic access/safety and the environmental impact of this. These policy tests overlap matters contained in other policies and therefore these matters are discussed on a topic by topic basis.

#### Environmental and Economic Benefits

Policy 6 of TAYplan indicates that one of its aims for the city region is to deliver a low/zero carbon future and contribute to meeting Scottish Government energy and waste targets. The local plan indicates that Angus Council supports the principle of developing sources of renewable energy in appropriate locations. The SPP sets out a "commitment to increase the amount of electricity generated from renewable sources" and includes a target for 50% of Scotland's electricity to be generated from renewable sources by 2020 (which was subsequently increased to 100% in May 2011 along with a target for 500MW of community and locally owned renewable energy by 2020). Paragraph 187 of the SPP indicates that planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed.

The supporting information states that the applicant is seeking to help reduce CO2 emissions and increase the proportion of green energy available, whilst also allowing 'the farmer an income from the rental of the land' (sic).

#### Landscape Impacts

Policy 6 of TAYplan indicates that in determining proposals for energy development consideration should be given to landscape sensitivity. Local Plan Policy ER5 (Conservation of Landscape Character) requires development proposals to take account of the guidance provided by the Tayside Landscape Character Assessment (TLCA), prepared for Scottish Natural Heritage (SNH) in 1999, and indicates that, where

appropriate, sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape. Policy ER34 of the Local Plan indicates that proposals for renewable energy development will be assessed on the basis of no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints.

The application site lies within an area identified in the Tayside Landscape Character Assessment as "Broad Valley Lowland" Landscape Character Type (LCT), which is a 'medium' scale landscape type with corridor views, a tamed naturalness and tree loss weakening the landscape character being recognised as key characteristics. Landform is generally simple, gently sloping or flat valley form but with areas of more complex fluvio-glacial landform. The LCT is characterised by having open views. The TLCA recognises also states that whilst wind turbines are unlikely to present a significant threat to the landscape in this zone, proposals on higher ground could have an impact on the character of the straths.

The Angus Windfarms Landscape Capacity and Cumulative Impacts Study undertaken by Ironside Farrar in September 2008 acknowledges that the Broad Valley Lowlands Landscape Character Type (LCT) is divided into two connected areas (Landscape units): Strathmore in the west and the Lower South and North Esk River Valley in the east. The site in question is located within the latter. This is described as being slightly smaller in scale and width than Strathmore, with more tree cover and a stronger landscape structure with more intact field boundaries. The landscape and visual sensitivity are described as being medium.

The Council's Implementation Guide for Renewable Energy Proposals suggests that this landscape character type has scope for turbines circa 80m in height.

The Strategic Landscape Capacity Assessment for Wind Energy in Angus (March 2014) also classifies the area within which the turbine is proposed as Broad Valley Lowland LCT and the Lower South and north Esk Valleys Landscape Character Area (LCA) sub-area. The area is analysed as being narrower, less enclosed to the south by topography and more tree covered than the Strathmore LCA. The Capacity Assessment advises that the remaining landscape capacity is low for medium/large turbines (50m to 80m in height) and overall, the LCA should be Broad Valley Lowland with Occasional Wind Turbines/With Wind Turbines.

In this instance the proposed turbine would have a hub height of 50 metres and would be 77 metres high to blade tip. The site of the proposed turbine is towards the edge of the LCT tucked to the east of Forfar. It is at the start of the Lunan valley which extends between Forfar and Lunan Bay. The area east of Forfar is distinctively different from much of the remainder of Strathmore. It has a complex rolling landform as a result of fluvio-glacial deposits. This small scale landform has encouraged a less regular and smaller scale field pattern. Land use is more mixed including pasture and native woodlands along with arable. The area is visually framed between Pitscandly Hill to the north and Green Hill/Dunnichen Hill to the south. As a consequence, views are more channelled in contrast to the more open views in Strathmore. The limited size of the nearby hills makes them vulnerable to being dwarfed by larger turbines and thus landscape capacity is lower as a result.

The proposed turbine would necessitate the loss of woodland at both the site of the turbine and to enable an access to be formed and that there has been no creditable assessment of the impacts of the proposal upon the viability to retain the remainder of the woodland. Tree loss is also likely to be greater than predicted by the applicant due to factors such impact on root protection zones and wind throw.

As stated above, there is considered to be a low capacity for turbines of this scale in the LCA and the particular site is located within a smaller scale landscape than those generally described in the guidance. Taking the above factors into consideration, a turbine of the scale proposed would have significant landscape impacts that are considered to be unacceptable. As a result, the application is considered to be contrary to Policy ER34 of the ALPR.

Whilst no cumulative landscape assessment has been submitted, the proposed turbine would have a

cumulative relationship with the grouping of smaller turbines to the south of Balmashanner Hill. This would however, be unlikely to change the cumulative wind turbine typology from landscape with occasional wind turbines to landscape with wind turbines. Cumulative landscape impact is therefore not considered to be a significant issue.

### Visual Impacts

Policy S6 of the Angus Local Plan Review requires that proposals should not give rise to unacceptable visual impacts. Policy ER34 of the Local Plan is relevant again here.

The applicant submitted a Zone of Theoretical Visibility (ZTV) and visualisations from eight locations around the turbine and a short statement about landscape and visual impact contained within the supporting statement. The ZTV is on a 1:250,000 Ordnance Survey base, shows only the blade tip visibility and this limits the ability to identify receptors which may be affected. All viewpoints/visualisations provided are within a close proximity to the proposed turbine and all are within 4 kilometres of the site. This leaves large swathes of landscape which may experience significant effects without visualisations to illustrate this. This is particularly because the ZTV provided indicates that the turbine would be visible beyond this distance and notably westwards to Forfar and beyond, where there are no viewpoints. It is also relevant to note that the visualisations are of mixed quality, with an inappropriate level of foreground included in some photographs and a high degree of obscuring from the intended target of the proposed turbine. No Landscape and Visual Impact Assessment (LVIA), has been submitted to support the visualisations. No cumulative ZTV or assessment has been submitted. The limitations of the submitted visualisations and ZTV made assessment of visual effects very challenging.

However, from the information submitted it is relevant to note that from the west, the proposed turbine is likely to be visible from those parts of Forfar which have views beyond Forfar in that direction. Similarly, from bridge at the A90(T) Kirriemuir junction (west of Forfar), the proposed turbine would be prominent between the hills behind Forfar. A similar effect would be visible from the top of the hill on the A926 west of Padanaram School, and from the Hill of Kirriemuir. From these directions, the monument on Balmashanner Hill is the main identifying landmark. The lack of visualisations creates assessment challenges, but the turbine may become an identifying landmark for Forfar given its height in relation to the scale of the surrounding landscape and its proximity to Forfar.

From the east, the proposed turbine would be likely to be dominant large focal point when travelling towards Forfar along the B9113 and the A932. Views would be channelled by the rising landform on either side.

From the south the ZTV shows theoretical visibility from the A90(T) south of Gateside and at Carrot Hill. Whilst the limitations of the submitted ZTV cause some challenges, this suggests that the turbine would be visible immediately behind or close to Balmashanner Monument.

More locally, roads adjacent to Auchterforfar Farm are often lined by narrow belts of woodland which were planted in connection with sand and gravel quarry proposals. These semi-mature woodlands would sometimes fully or partially obstruct views of the turbine.

No assessment of impacts on houses within two kilometres has been submitted by the applicant. However, planning appeal decisions have generally accepted that residents should be treated as of high sensitivity in assessing the significance of visual impact. The magnitude of change (and, thus, the significance of the impact they will experience) will vary with the context of the house that they occupy, its distance from the proposed wind turbine(s) and orientation in relation to it, the presence of intervening screening from vegetation and other buildings, and the presence of other significant visual features. However it is not only the views from principal rooms that are of importance as residents also use the space around their house and the impact on occupiers and visitors approaching or leaving the properties must also be considered.

The closest house is Tullibardine 556m to the south (a distance equating to 7 times the proposed turbine

height). Whilst the houses faces south and has a small wooded copse in the direction of the turbine, views would however be easily available from under the tree canopy and from the access to the property. At this distance the turbine would be a prominent feature. Nearby, to the south east of the turbine are, Mid Dod and Mid Dod Cottage which are 773m (10 times turbine height) and 886m (11 times turbine height) respectively. Mid Dod would have oblique views over a garden hedge and Mid Dod Cottage would have oblique views filters through roadside trees. Visualisations 1 and 2 provide an example of the likely views from these areas.

To the south west, Auchterforfar would have a clear view to the side of the house and from the garden on the opposite side of the road (584m or 7.5 times turbine height). Bridgend (705m, 9 times turbine height) would have views screened by Auchterforfar woodland planting (referred to above). South Cottage (773m, 10 times turbine height) has a gap in the woodland planting in front of the house. The turbine would be the focal point in the view from the front of the house. Knowehead is within woodland.

From Kingsmuir, houses on the north side of the main road, west of the old school would have prominent views in the direction of the turbine. Houses to the south of the old school are likely to have of the turbine screened by conifer trees planted within the disused railway cutting. Whilst visualisation 3 attempts to illustrate a similar view (although slightly to the east of these houses), the micro-siting of the photograph location is poor as it shows a tree/bush in the line of site to the proposed turbine and the photomontage therefore does not illustrate the turbine.

To the north, there are four houses at Lochhead (649m, 8.5 times turbine height). Most are likely to have views of the turbine screened by roadside trees and woodland strips within the golf course. However, due a gap in the roadside trees and the layout of the golf course, Lochhead is likely to have views of the turbine directly in front of the house between woodland areas. The turbine would become a prominent focal point in the view. The four houses at Clocksbriggs Feus are likely to have views screened by roadside trees (849m, 11 times turbine height). The Caravan Park at Forester Seat, along with five house may have views at least partial screened by a plantation. (1027m,14 times turbine height).

Whilst the applicant provided five other visualisations, these are not of a standard considered to be acceptable due to the amount of foreground vegetation hiding the turbine (Visualisations 3, 4, 5, 6, 8). The colour of the turbine blending it into the background (Visualisations 4, 8), the darkness of the photomontage (Visualisation 5), and the wireframe/photomontage illustrating the turbine in different places (Visualisation 5) are also evident as issues.

In assessing the visual impacts, even with the lack of high quality visualisations and LVIA, the visual impacts described above in relation to both residential and non-residential receptors are anticipated to be significant - potentially of major significance in some cases. Given the size of the turbine in relation to the relatively close proximity to the receptors, the visual impact of the turbine is considered to be unacceptable. As a result, the proposed turbine is again contrary to Policy ER34 and ER35.

Again, no cumulative visual impact assessment has been submitted and this makes assessment difficult. However, Policy ER35 requires consideration of this. The A90(T) road will experience cumulative visual effects with Ark Hill (constructed) Govals (approved) and Frawney (approved). These are all in the Sidlaws. South of Forfar there is a collection of small turbines south of Balmashanner Hill and two to the west Fotheringham Hill. The proposed turbine may add to the cumulative visual experience. If the proposed turbine is visible over Balmashanner Hill it would further add to the visual clutter to the south of Forfar. The substantially different turbine sizes would be visually incongruous and may lead to scale perception issues. Further, houses to the south and south-east of Forfar (including Kingsmuir) may experience "in sequence" (view of turbines in different directions) cumulative effects. These are additional concerns.

Amenity (Noise/Shadow Flicker/Reflected Light):

Criterion (a) of Policy ER34 requires the siting and appearance of renewable energy apparatus to be chosen to minimise its impact on amenity, while respecting operational efficiency. Policy ER35(c)

indicates wind energy developments must have no unacceptable detrimental effect on residential amenity, existing land uses or road safety by reason of shadow flicker, noise or reflected light. Policy S6 and Schedule 1 also refers to amenity impacts whilst Policy ER11 deals specifically with noise pollution.

The Environmental Health and Roads Services have raised no concerns regarding such impacts. On that basis there are not considered to be any unacceptable amenity impacts from noise, shadow flicker, light, surrounding land uses or road safety that cannot be satisfactorily addressed by conditions.

However as discussed above, the development would have an unacceptable visual impact on the occupants of a number of residential properties in the locality of the site. For the avoidance of doubt, it is considered that for this reason, their amenity would be adversely and unacceptably affected by the proposed development. Criterion (a) of policy ER34 requires the siting and appearance of renewable energy apparatus to be chosen to minimise its impact on amenity, while respecting operational efficiency. In this case, the significant and unacceptable visual impacts at nearby residential properties, the proposal would give rise to unacceptable amenity impacts. Given that the proposal gives rise to unacceptable amenity impacts an acceptable balance has not been struck.

#### Impact on Natural Heritage

The Angus Local Plan Review contains a number of policies that seek to protect important species and sites designated for their natural heritage interest and to ensure that proposals that may affect them are properly assessed. It also indicates that the Local Biodiversity Action Plans will constitute material considerations in determining development proposals. Policy ER35 specifically requires that proposals should demonstrate that there is no unacceptable interference to birds. RSPB has no objection to the application and no significant impact on bird species is considered likely.

It is relevant to consider that the site holds no statutory or non-statutory nature conservation designations. The applicant submitted a report of the results of an ecological survey with the application and this concludes that the areas of conifer plantation has little or no nature conservation interest but may provide shelter for wildlife and that the present low level of nature conservation interest would not be adversely affected by the proposal.

The applicant also submitted a Red Squirrel Survey Report in the course of the application. This identified three dreys within the site, and concluded that two dreys would certainly be lost through the tree removal required for the development, and without mitigation, the third may also be lost. Whilst it is clearly undesirable to lose squirrel dreys if they are used by red squirrels, the survey states that the retention of the two dreys would not be essential for maintaining the local red squirrel population and SNH has no objection to the development.

It is relevant to note that the proposed turbine and track would necessitate the removal of a significant number of trees given the site's location within an area of woodland. Policy ER6 of the ALPR aims to protect areas of trees, woodland and hedgerows with a landscape, amenity or nature conservation value from development. Policy ER7 requires the submission of a tree survey, the retention, protection and incorporation of existing trees into the design and layout, and to include details of appropriate new woodland planting.

The applicant has not provided a tree survey but did confirm within the course of the application that a number of trees would require to be removed to allow for the turbine and track to be developed. No assessment of root protection zones or any assessment of the impacts of the proposal on the viability to retain the remainder of the woodland was provided. No details of how the existing trees would be incorporated into the development have been submitted, nor have any details of any new planting. It is likely that tree loss within this woodland would be greater than predicted by the applicant because it is highly likely that a large clearance would be required within the woodland (approximately 70m around the turbine), in line with SNH's Bats and Wind Turbines guidance note. In addition, it is not exactly clear from the plans submitted precisely where the applicant proposes the access route. The applicant has submitted a number of different location and access plans, the most recent of which were received on 7

March 2014. These (and previously submitted plans) illustrate the different access routes when comparing the site layout plan to the access track plan. Both of these differ from the location plan submitted by the applicant. In essence, the location plan illustrates the site boundary leading northeast directly from the public road, immediately adjacent to the south fence/land ownership boundary before taking a turn southwards by approximately 30 degrees. The access track plan is similar, but slightly different in that it does not start immediately adjacent to the fence boundary. It moves closer to the boundary before turning southwards by approximately 25 degrees. The site layout plan illustrates the track adjacent to the existing fence line but there is next to no change of direction southwards and the track appears almost straight. As a result of these plan discrepancies, it is impossible to accurately ascertain precisely where the track is proposed, whether it is within the application site, and consequently what the impact on the existing woodland would be.

Aside from the inaccuracies in the plans, it is clear that a significant amount of woodland would require to be lost to implement the proposed development. The TLCA recognises that one of the threats to the landscape in this area is the loss of tree cover and it is therefore considered necessary to retain woodland areas where possible. The applicant has not provided any assessment as to why the turbine requires be located within this area of woodland, and why it cannot be located in an area away from woodland. Whilst the applicant states that the Golf Club has a tree planting plan and a commitment to planting a significant amount of new trees every year, and this is commended, it is not a reason to justify the loss of areas of woodland and it would not negate the desire to retain areas of established woodland. As a result of the above considerations, the unjustified loss of a significant amount of the existing woodland area is considered to be unacceptable.

#### Cultural Heritage

The development plan provides a number of policies that seek to safeguard cultural heritage. These include policies ER16, ER18 and ER19 of the Angus Local Plan Review. Policy ER34 requires proposals for renewable energy development to have no unacceptable detrimental effect on any sites designated for natural heritage, scientific, historic or archaeological reasons.

The applicant has not submitted an assessment of cultural heritage with the application. However, in the Planning Service's assessment of the application it is relevant to note that within 2km of the proposed turbine there a Scheduled Ancient Monument located 1.3km to the north (Restenneth Priory). This is also a Category A listed building. Between 2 - 5km of the proposed turbine there are a further 12 Scheduled Ancient Monuments. Within 2km of the proposed turbine there are 11 Listed Buildings, two of which are Category A (Restenneth Priory referred to above and Lawson Memorial Church).

Historic Scotland has considered the proposal insofar as it relates to potential impact on the nationally important designations and has offered no objections in respect of impacts on interests within its remit. Aberdeenshire Council's Archaeological Service has not objected to the application on the basis of impact on unscheduled archaeological sites.

It is also relevant to note that the proposed access track is immediately adjacent to the Burnside Road Bridge over the Auchterforfar Burn which is a Category C Listed Building. Again, the applicant has not provided any assessment of the impact of the proposal on the setting of this listed building. However, Policy ER16 states that developments should avoid building in front of important elevations, felling mature trees and breaching boundary walls. The applicant proposes to breach the existing stone boundary wall approximately 10 metres to the northwest of the listed bridge. The proposed access track would also result in the removal of a number of established trees in close proximity to the listed building. Given the lack of information and accurate plans provided in relation to the access (discussed above) and tree loss, the planning authority is unable to provide any accurate assessment of the true level of impact on the setting of the listed building and this is an additional concern.

#### Remaining Issues / Other Development Plan Considerations

The remaining policy tests cover the impact of transmission lines associated with energy generation

developments; impacts on transmitting or receiving systems; impact of transporting equipment via road network and associated environmental impacts; impact on authorised aircraft activity; and arrangements for site restoration.

The supporting statement indicates that power will be connected to the grid. However, no details of how this would be undertaken have been submitted. An assessment of the potential impacts of any development required to connect the turbine to the grid is therefore unable to be undertaken.

With regards to impacts on TV and other broadcast reception it is recognised that wind turbine development can give rise to interference. However it is generally accepted that digital signals are more robust to such disruption than the previous analogue system. In this case technical consultees have not raised any concern. In any case this matter could be addressed by planning condition.

In terms of transport to the proposed site, the applicant states that existing road networks will be used to deliver the sections of the turbine, and no improvements or upgrading of the road network are proposed. The Roads Service has raised no objections to the proposals, subject to conditions requiring the provision of visibility splays at the proposed access and the provision of a Construction Traffic Management and Routing Plan. In that regard, there are no road safety issues or associated environmental implications of transporting the turbine to the site that would render the proposal unacceptable.

In relation to the impact of the development on aircraft activity the MOD, NATS, CAA and Dundee Airport have been consulted and have not raised any objection to the application. Therefore, no significant impact on aircraft activity is anticipated.

The supporting information indicates that the operational period of the turbine would be 25 years. Whilst no information about decommissioning has been submitted, a planning condition could be used to secure removal of the apparatus and restoration of the site, and there are no barriers to granting planning permission in that regard.

Scottish Government policy supports the provision of renewable energy development including wind turbines. The SPP confirms that planning authorities should support the development of wind turbines in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. The SPP also indicates that planning authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised.

In this case, the wind turbine would contribute to meeting government targets and in this regard attracts some support from national policy and from the development plan. However, for the reasons explained above, namely the landscape and visual impact and the loss of woodland/trees, this proposal would result in significant adverse impacts on the amenity of area and as a result, the proposed turbine is considered to be unacceptable. The difficulties in dealing with this application have been compounded by the lack of detailed assessment undertaken by the applicant (for instance, in relation to LVIA, tree surveys and impact on cultural heritage) and the lack of accurate plans in relation to the proposed access route. However, based on the detail that was submitted, along with the Planning Service's own assessment of the proposal, the turbine proposed is considered to be unacceptable and contrary to development plan policy. Whilst wind turbines are necessary to meet government energy targets and there are no reasons to suggest that technology could not operate here, the environmental impacts have not and cannot be satisfactorily addressed with a turbine of this size on this site. Accordingly, the proposal does not receive unqualified support from the SPP.

Whilst there is clearly a benefit in producing electricity by renewable means, there is no known government policy that would suggest this should be at the expense of other environmental considerations or the amenity of those that live nearby. In the particular circumstances of this case, the environmental or economic benefit of the production of renewable energy does not outweigh the direct harm that this proposal would cause to the landscape and visual amenity of the area, the amenity of

occupants of nearby residential property and the unjustified loss of woodland.

Regard has been given to the information provided in relation to the application and comments received from consultees. Account has also been taken of all relevant representations made both in support and in opposition to these proposals. As discussed above, it is concluded that although the proposed wind turbine would comply with some relevant policies and criteria in the development plan, this must be balanced against the significant and adverse impacts identified in respect of the landscape and visual amenity and on those who live close to the site. These impacts are considered to be unacceptable, and in this respect the proposal is considered to be contrary to the objectives of development plan policy. It is accepted that the development would contribute towards the meeting Government energy targets, however, Government guidance confirms that schemes should only be supported where technology can operate efficiently and where environmental and cumulative impacts can be satisfactorily addressed. In this case it is accepted that whilst the technology would operate efficiently, the environmental impacts identified herein would not be satisfactorily addressed. Accordingly the proposed development is contrary to development plan policy. There are no material considerations that justify approval of the application contrary to the provisions of the development plan.

### **Human Rights Implications**

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

### **Equalities Implications**

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

### **Decision**

The application is refused.

### **Reason(s) for Decision:**

1. That the proposed turbine by virtue of its height and location would have an unacceptable prominence in the landscape and would be unacceptably close to housing. As a result, it would have an unacceptable landscape and visual impact and accordingly the siting and appearance of the turbine has not been chosen to minimise impact on landscape or amenity. As such the proposal is contrary to Policies ER5, ER34 and S6 of the Angus Local Plan Review 2009.
2. That the proposed turbine, its associated infrastructure and access track would result in the unacceptable and unjustified loss of a significant proportion of the existing woodland within which it is proposed and the application is contrary to Policies ER6 and ER7 of the Angus Local Plan Review 2009.
3. The applicant has failed to provide an acceptable level of supporting information in relation to landscape and visual impact, access, tree removal and impact on the adjacent Category C Listed Building at Burnside Road Bridge and this is contrary to Criterion (s) of Schedule 1 and Policy S6 of the Angus Local Plan Review 2009.

**Notes:**

Case Officer: David Gray  
Date: 19 June 2014

**Development Plan Policies****Angus Local Plan Review 2009****Policy ER16 : Development Affecting the Setting of a Listed Building**

Development proposals will only be permitted where they do not adversely affect the setting of a listed building. New development should avoid building in front of important elevations, felling mature trees and breaching boundary walls.

**Policy S1 : Development Boundaries**

(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.

(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

**Policy S6 : Development Principles (Schedule 1)**

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

**Schedule 1 : Development Principles****Amenity**

- (a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- (b) Proposals should not result in unacceptable visual impact.
- (c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

**Roads/Parking/Access**

- (d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- (e) Access to housing in rural areas should not go through a farm court.
- (f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds

200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.

- (g) Development should not result in the loss of public access rights. (Policy SC36)

#### Landscaping / Open Space / Biodiversity

- (h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- (i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- (j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- (k) The planting of native hedgerows and tree species is encouraged.
- (l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

#### Drainage and Flood Risk

- (m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- (n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- (o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- (p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).
- (q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)
- (r) Development should minimise waste by design and during construction.

#### Supporting Information

- (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

#### Policy ER5 : Conservation of Landscape Character

Development proposals should take account of the guidance provided by the Tayside Landscape Character Assessment and where appropriate will be considered against the following criteria:

- (a) sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape;
- (b) where required, landscape mitigation measures should be in character with, or enhance, the existing landscape setting;
- (c) new buildings/structures should respect the pattern, scale, siting, form, design, colour and density of existing development;
- (d) priority should be given to locating new development in towns, villages or building groups in preference to isolated development.

#### Policy ER11 : Noise Pollution

Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels will not be permitted unless there is an overriding need which cannot be accommodated elsewhere.

Proposals for development generating unacceptable noise levels will not generally be permitted adjacent to existing or proposed noise-sensitive land uses. Proposals for new noise-sensitive development which would be subject to unacceptable levels of noise from an existing noise source or from a proposed use will not be permitted.

#### Policy ER34 : Renewable Energy Developments

Proposals for all forms of renewable energy developments will be supported in principle and will be assessed against the following criteria:

- (a) the siting and appearance of apparatus have been chosen to minimise the impact on amenity, while respecting operational efficiency;
- (b) there will be no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints;
- (c) the development will have no unacceptable detrimental effect on any sites designated for natural heritage, scientific, historic or archaeological reasons;
- (d) no unacceptable environmental effects of transmission lines, within and beyond the site; and
- (e) access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable permanent change to the environment and landscape, and
- (f) that there will be no unacceptable impacts on the quantity or quality of groundwater or surface water resources during construction, operation and decommissioning of the energy plant.

#### Policy ER35 : Wind Energy Developments

Wind energy developments must meet the requirements of Policy ER34 and also demonstrate:

- (a) the reasons for site selection;
- (b) that no wind turbines will cause unacceptable interference to birds, especially those that have statutory protection and are susceptible to disturbance, displacement or collision;
- (c) there is no unacceptable detrimental effect on residential amenity, existing land uses or road safety by reason of shadow flicker, noise or reflected light;
- (d) that no wind turbines will interfere with authorised aircraft activity;
- (e) that no electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system, or (where such disturbances may be caused) that measures will be taken to minimise or remedy any such interference;
- (f) that the proposal must be capable of co-existing with other existing or permitted wind energy developments in terms of cumulative impact particularly on visual amenity and landscape, including impacts from development in neighbouring local authority areas;
- (g) a realistic means of achieving the removal of any apparatus when redundant and the restoration of the site are proposed.

### **TAYplan Strategic Development Plan**

#### Policy 3D : Natural and Historic 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;
- safeguarding habitats, sensitive green spaces, forestry, watercourses, wetlands, floodplains

(in-line with the water framework directive), carbon sinks, species and wildlife corridors, geo-diversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets; and,

- identifying and safeguarding parts of the undeveloped coastline along the River Tay Estuary and in Angus and North Fife, that are unsuitable for development and set out policies for their management; identifying areas at risk from flooding and sea level rise and develop policies to manage retreat and realignment, as appropriate.

**Cairngorms National Park Local Plan**

The site is not within the National Park.

**DEVELOPMENT BOUNDARIES**

1.29 Angus Council has defined development boundaries around settlements to protect the landscape setting of towns and villages and to prevent uncontrolled growth. The presence of a boundary does not indicate that all areas of ground within that boundary have development potential.

**Development boundaries:**

Generally provide a definition between built-up areas and the countryside, but may include peripheral areas of open space that are important to the setting of settlements.

**Policy S1 : Development Boundaries**

**(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.**

**(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.**

**(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.**

**Public interest:** Development would have benefits for the wider community, or is justifiable in the national interest.

Proposals that are solely of

commercial benefit to the proposer would not comply with this policy.

**DEVELOPMENT PRINCIPLES**

1.44 The principles in Schedule 1 provide a 'checklist' of factors which should be considered where relevant to development proposals. They include amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information. The Local Plan includes more detailed policies relating to some principles set out. Not all development proposals will require to comply with all of the principles.

**Policy S6 : Development Principles**

**Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.**

**Schedule 1 : Development Principles****Amenity**

- a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- b) Proposals should not result in unacceptable visual impact.
- c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

**Roads/Parking/Access**

- d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- e) Access to housing in rural areas should not go through a farm court.
- f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17: Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary
- g) Development should not result in the loss of public access rights. (Policy SC36)

**Landscaping / Open Space / Biodiversity**

- h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- k) The planting of native hedgerows and tree species is encouraged.
- l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

**Drainage and Flood Risk**

- m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

**Waste Management**

- q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38).
- r) Development should minimise waste by design and during construction.

**Supporting Information**

- s) (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

## Landscape Character

3.10 The landscape of Angus is one of its most important assets. It ranges in character from the rugged mountain scenery of the Angus Glens, through the soft rolling cultivated lowland landscape of Strathmore to the sandy bays and cliffs of the coast.

3.11 A small part of north-west Angus is statutorily designated as part of a larger National Scenic Area (NSA). The character and quality of this landscape is of national significance and special care should be taken to conserve and enhance it. Part of the upland area of Angus, including the NSA, is contained within the Cairngorms National Park which is excluded from the Angus Local Plan Review. The guidance provided by the adopted Angus Local Plan will remain in force until it is replaced by a Cairngorms National Park Local Plan prepared by the National Park Authority. The Cairngorms was made a National Park in September 2003 because it is a unique and special place that needs to be cared for – both for the wildlife and countryside it contains and for the people that live in it, manage it and visit it. It is Britain's largest national park.

3.12 In seeking to conserve the landscape character of the area it is important to assess the impact of development proposals on all parts of the landscape. To assist in this the "Tayside Landscape Character Assessment (1999)" commissioned by Scottish Natural Heritage establishes landscape character zones and key character features within the local plan area to provide a better understanding of them and thus to enable better conservation, restoration, management and enhancement. Landscape Character Zones for the Local Plan Area are shown in Figure 3.2.

### **National Scenic Area:**

*Nationally important area of outstanding natural beauty, representing some of the best examples of Scotland's grandest landscapes particularly lochs and mountains.*

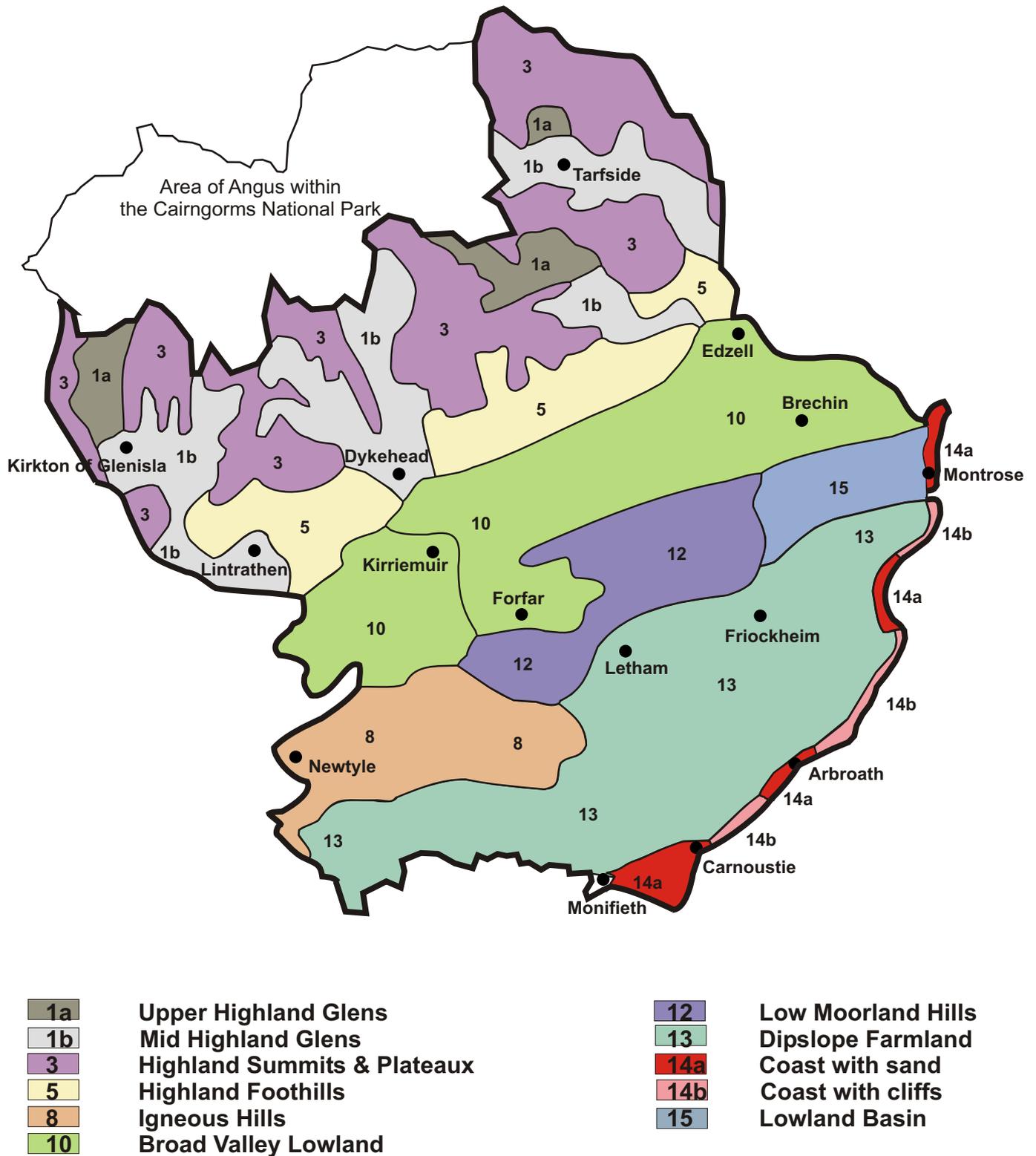
### **National Park (Scotland) Act 2000** sets out four key aims for the park:

- *To conserve and enhance the natural and cultural heritage of the area;*
- *To promote sustainable use of the natural resources of the area;*
- *To promote understanding and enjoyment (including recreation) of the special qualities of the area by the public;*
- *To promote sustainable economic and social development of the area's communities.*

### **Tayside Landscape Character Assessment 1999:**

*A detailed hierarchical assessment based on variations in the Tayside landscape, with a series of management and planning guidelines designed to conserve and enhance its distinctive character.*

Figure 3.2 : Landscape Character Zones



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3.13 Where appropriate, development proposals will be considered in the context of the guidance provided by the Tayside Landscape Character Assessment. The assessment identifies different landscape character zones, considers their capacity to absorb change, and indicates how various types of development might best be accommodated to conserve characteristic landscape features and to strengthen and enhance landscape quality. Particular attention is focussed on the location, siting and design of development and the identification of proposals which would be detrimental to the landscape character of Angus.

**Policy ER5 : Conservation of Landscape Character**

**Development proposals should take account of the guidance provided by the Tayside Landscape Character Assessment and where appropriate will be considered against the following criteria:**

- (a) sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape;**
- (b) where required, landscape mitigation measures should be in character with, or enhance, the existing landscape setting;**
- (c) new buildings/structures should respect the pattern, scale, siting, form, design, colour and density of existing development;**
- (d) priority should be given to locating new development in towns, villages or building groups in preference to isolated development.**

## Noise Pollution

3.20 Noise can have a significant impact on our health, quality of life and the general quality of the environment. The planning system has an important role in preventing and limiting noise pollution and the noise implications of development can be a material consideration in determining applications for planning permission adjacent to existing noise sensitive development or where new noise sensitive development is proposed.

### **Policy ER11 : Noise Pollution**

**Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels will not be permitted unless there is an overriding need which cannot be accommodated elsewhere. Proposals for development generating unacceptable noise levels will not generally be permitted adjacent to existing or proposed noise sensitive land uses.**

**Proposals for new noise-sensitive development which would be subject to unacceptable levels of noise from an existing noise source or from a proposed use will not be permitted.**

*Planning Advice Note 56 -  
Planning and Noise (1999)  
Noise sensitive land uses should  
be generally regarded as including  
housing, hospitals, educational  
establishments, offices and some  
livestock farms.*

## **LISTED BUILDINGS**

3.34 The relationship of a listed building with the buildings, landscape and spaces around it is an essential part of its character. The setting of a listed building is, therefore, worth preserving and may extend to encompass land or buildings some distance away. Insensitive development can erode or destroy the character and/or setting of a listed building. Consequently planning permission will not be granted for development which adversely affects the setting of a Listed Building. Trees and landscaping, boundary walls and important elevations may be particularly sensitive to the effects of development.

### **Policy ER16 : Development Affecting the Setting of a Listed Building**

**Development proposals will only be permitted where they do not adversely affect the setting of a listed building. New development should avoid building in front of important elevations, felling mature trees and breaching boundary walls.**

## Renewable Energy

3.72 The Scottish Executive is strongly supportive of renewable energies and has set a target of 17-18% of Scotland's electricity supply to come from renewable sources by 2010. NPPG6: Renewable Energy Developments (Revised 2000) considers a range of renewable energy technologies and encourages the provision of a positive policy framework to guide such developments. The Scottish Executive's aspiration is for renewable sources to contribute 40% of electricity production by 2020, an estimated total installed capacity of 6GW (Minister for Enterprise, July 2005). This will require major investment in commercial renewable energy production and distribution capacity throughout Scotland.

3.73 The Dundee and Angus Structure Plan acknowledges the advantages of renewable energy in principle but also recognises the potential concerns associated with development proposals in specific locations. Angus Council supports the principle of developing sources of renewable energy in appropriate locations. Large-scale developments will only be encouraged to locate in areas where both technical (e.g. distribution capacity and access roads) and environmental capacity can be demonstrated.

3.74 Developments which impinge on the Cairngorms National Park will be considered within the context of the National Park Authority's Planning Policy No1: Renewable Energy.

## Renewable Energy Sources

3.75 Offshore energy production, including wind and tidal methods, has the potential to make a significant contribution to the production of renewable energy in Scotland. Other than small-scale onshore support buildings, such developments currently fall outwith the remit of the planning system.

3.76 All renewable energy production, including from wind, water, biomass, waste incineration and sources using emissions from wastewater treatment works and landfill sites will require some processing, generating or transmission plant. Such developments, that can all contribute to reducing emissions will have an impact on the local environment and will be assessed in accordance with Policy ER34.

### Policy ER34 : Renewable Energy Developments

**Proposals for all forms of renewable energy development will be supported in principle and will be assessed against the following criteria:**

#### **NPPG6: Renewable Energy Developments (Revised 2000)**

*The Scottish Ministers wish to see the planning system make positive provision for renewable energy whilst at the same time:*

- *meeting the international and national statutory obligations to protect designated areas, species, and habitats of natural heritage interest and the historic environment from inappropriate forms of development; and*
- *minimising the effects on local communities.*

*Large-scale projects which may or will require an Environmental Assessment. These are defined as hydroelectric schemes designed to produce more than 0.5MW and wind farms of more than 2 turbines or where the hub height of any turbine or any other structure exceeds 15m.*

*SNH's EIA Handbook identifies 6 types of impact which may require an assessment:*

- *Landscape and visual;*
- *Ecological;*
- *Earth heritage;*
- *Soil;*
- *Countryside access; and*
- *Marine environment.*

- (a) the siting and appearance of apparatus have been chosen to minimise the impact on amenity, while respecting operational efficiency;
- (b) there will be no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints;
- (c) the development will have no unacceptable detrimental effect on any sites designated for natural heritage, scientific, historic or archaeological reasons;
- (d) no unacceptable environmental effects of transmission lines, within and beyond the site; and
- (e) access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable permanent and significant change to the environment and landscape.

## Wind Energy

3.77 Onshore wind power is likely to provide the greatest opportunity and challenge for developing renewable energy production in Angus. Wind energy developments vary in scale but, by their very nature and locational requirements, they have the potential to cause visual impact over long distances. Wind energy developments also raise a number of environmental issues and NPPG 6 advises that planning policies should guide developers to broad areas of search and to establish criteria against which to consider development proposals. In this respect, Scottish Natural Heritage Policy Statement 02/02, Strategic Locational Guidance for Onshore Wind Farms in Respect of the Natural Heritage, designates land throughout Scotland as being of high, medium or low sensitivity zones in terms of natural heritage. Locational guidance is provided to supplement the broad-brush zones.

3.78 A range of technical factors influence the potential for wind farm development in terms of location and viability. These include wind speed, access to the distribution network, consultation zones, communication masts, and proximity to radio and radar installations. Viability is essentially a matter for developers to determine although annual average wind speeds suitable for commercially viable generation have been recorded over most of Angus, other than for sheltered valley bottoms. Environmental implications will require to be assessed in conjunction with the Council, SNH and other parties as appropriate.

### **Strategic Locational Guidance for Onshore Windfarms in Respect of the Natural Heritage - Scottish Natural Heritage Policy Statement No 02/02**

**Zone 3** – high natural heritage sensitivity. Developers should be encouraged to look outwith Zone 3 for development opportunities

**Zone 2** – medium natural heritage sensitivity. ...while there is often scope for wind farm development within Zone 2 it may be restricted in scale and energy output and will require both careful choice of location and care in design to avoid natural heritage impacts.

**Zone 1** - ...inclusion of an area in Zone 1 does not imply absence of natural heritage interest. Good siting and design should however enable such localised interests to be respected, so that overall within Zone 1, natural heritage interests do not present a significant constraint on wind farm development

Figure 3.4 : Geographic Areas



**1 Highland**

**2 Lowland and Hills**

**3 Coast**

**TLCA Designation**

- 1a Upper Highland Glens
- 1b Mid Highland Glens
- 3 Highland Summits & Plateaux
- 5 Highland Foothills

**TLCA Designation**

- 8 Igneous Hills
- 10 Broad Valley Lowland
- 12 Low Moorland Hills
- 13 Dipslope Farmland

**TLCA Designation**

- 14a Coast with sand
- 14b Coast with cliffs
- 15 Lowland Basin

3.79 Scottish Natural Heritage published a survey of Landscape Character, the Tayside Landscape Character Assessment (TLCA), which indicates Angus divides naturally into three broad geographic areas – the Highland, Lowland and hills and the Coast. The Tayside Landscape Character Assessment provides a classification to map these areas based on their own particular landscape characteristics (Fig 3.4).

<b>Area</b>	<b>TLCA Classification</b>	<b>Landscape Character</b>
1 Highland	1a, 1b, 3, 5	Plateaux summits, glens and complex fault line topography
2 Lowland and hills	8, 10, 12,13	Fertile strath, low hills and dipslope farmland.
3 Coast	14a, 14b, 15	Sand and cliff coast and tidal basin

The impact of wind farm proposals will, in terms of landscape character, be assessed against the TLCA classifications within the wider context of the zones identified in SNH Policy Statement 02/02.

3.80 The open exposed character of the Highland summits and the Coast (Areas 1 and 3) is sensitive to the potential landscape and visual impact of large turbines. The possibility of satisfactorily accommodating turbines in parts of these areas should not be discounted although locations associated with highland summits and plateaux, the fault line topography and coast are likely to be less suitable. The capacity of the landscape to absorb wind energy development varies. In all cases, the scale layout and quality of design of turbines will be an important factor in assessing the impact on the landscape.

3.81 The Highland and Coast also have significant natural heritage value, and are classified in SNH Policy Statement 02/02 as mainly Zone 2 or 3 - medium to high sensitivity. The development of large scale wind farms in these zones is likely to be limited due to potential adverse impact on their visual character, landscape and other natural heritage interests.

3.82 The Lowland and Hills (Area 2) comprises a broad swathe extending from the Highland boundary fault to the coastal plain. Much of this area is classified in Policy Statement 02/02 as Zone 1- lowest sensitivity. Nevertheless, within this wider area there are locally important examples of higher natural heritage sensitivity such as small- scale landscapes, skylines and habitats which will influence the location of wind turbines. In all cases, as advocated by SNH, good siting and design should show respect for localised interests.

3.83 Wind farm proposals can affect residential amenity, historic and archaeological sites and settings, and other economic and social activities including tourism. The impact of wind farm developments on these interests requires careful assessment in terms of sensitivity and scale so that the significance can be determined and taken into account.

3.84 Cumulative impact occurs where wind farms/turbines are

visually interrelated e.g. more than one wind farm is visible from a single point or sequentially in views from a road or a footpath. Landscape and visual impact can be exacerbated if wind turbines come to dominate an area or feature. Such features may extend across local authority, geographic or landscape boundaries and impact assessments should take this into account. Environmental impacts can also be subject to cumulative effect – for example where a number of turbine developments adversely affect landscape character, single species or habitat type.

3.85 SNH advise that an assessment of cumulative effects associated with a specific wind farm proposal should be limited to all existing and approved developments or undetermined Section 36 or planning applications in the public domain. The Council may consider that a pre-application proposal in the public domain is a material consideration and, as such, may decide it is appropriate to include it in a cumulative assessment. Similarly, projects outwith the 30km radius may exceptionally be regarded as material in a cumulative context.

#### **Policy ER35 : Wind Energy Development**

**Wind energy developments must meet the requirements of Policy ER34 and also demonstrate:**

- (a) the reasons for site selection;**
- (b) that no wind turbines will cause unacceptable interference to birds, especially those that have statutory protection and are susceptible to disturbance, displacement or collision;**
- (c) there is no unacceptable detrimental effect on residential amenity, existing land uses or road safety by reason of shadow flicker, noise or reflected light;**
- (d) that no wind turbines will interfere with authorised aircraft activity;**
- (e) that no electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system, or (where such disturbances may be caused) that measures will be taken to minimise or remedy any such interference;**
- (f) that the proposal must be capable of co-existing with other existing or permitted wind energy developments in terms of cumulative impact particularly on visual amenity and landscape, including impacts from development in neighbouring local authority areas;**
- (g) a realistic means of achieving the removal of any apparatus when redundant and the restoration of the site are proposed.**

#### ***NPPG6 : Renewable Energy Developments (Revised 2000)***

*Large-scale projects which may or will require an Environmental Assessment. These are defined as hydroelectric schemes designed to produce more than 0.5MW and wind farms of more than 2 turbines or where the hub height of any turbine or any other structure exceeds 15m.*

#### **Local Community Benefit**

3.86 Where renewable energy schemes accord with policies in this local plan there may be opportunities to secure contributions from developers for community initiatives. Such contributions are not part of the planning process and as such will require to be managed through other means than obligations pursuant to Section 75 Planning Agreement. Community contributions are separate from planning gain and will not be considered as part of any planning application.

## Managing TAYplan's Assets: Safeguarding resources and land with potential to support the sustainable economic growth.

Delivering the vision and objectives of this Plan requires management of land and conservation of resources. This recognises that good quality development and the right type of development in the right places can lead to a series of social, economic and environmental benefits for those areas and the TAYplan region as a whole. This Plan balances these factors with the sometimes competing nature of different land uses.

This Plan safeguards for present and future generations important resources and land with potential to support the economy. It also requires us to ensure that development and growth in the economy occur in a way that does not place unacceptable burdens on environmental capacity and increase the exposure of users or inhabitants to risks. This can be achieved by directing development to specific locations (Policies 1, 4, 5, 6 and 7); ensuring that development is fit for place (Policies 2 and 8); and, that some areas or assets are safeguarded for a specific range of land uses (Policy 3).

This is important to support the growth of emerging sectors of the economy, such as the off-shore renewable energy sector through the protection of the region's ports for port-related uses, particularly Dundee and Montrose Ports. Similarly employment land, particularly in rural areas, can be affected through redevelopment for alternative uses or by alternative uses nearby. This could hinder or even prevent the start up of businesses in the future and/or limit business operations.

The economic recovery of the region and new development will need to be supported by appropriate infrastructure, particularly transport infrastructure. This will also contribute to behavioural change and reducing reliance on the car and on road-based freight. Ensuring that this can be delivered will require land and routes to be protected from prejudicial development. It also requires the public and private sectors to work jointly to deliver infrastructure.

Supporting future food and resource security will require the protection of finite resources like minerals, forestry and prime agricultural land\* by management as one consideration in the prioritisation of land release under Policy 1.

Limiting the types of land uses that can occur within green belts at Perth and St. Andrews will contribute to protecting the settings and historic cores of those settlements from inappropriate development and prevent coalescence with neighbouring areas.

It is essential to grow the economy within environmental limits and build-in resilience to climate change, natural processes and increased risk from sea level rise. Identifying environmentally sensitive areas and important natural and historic assets where no or very limited development would be permitted, such as some coastal areas, Natura 2000\*\* sites and other locations, will contribute to this. It will also be important to ensure that plans for managed realignment of coast and other coastal management are devised in liaison with Scottish Natural Heritage and Marine Scotland.



\*Prime agricultural land: Land classes 1, 2 and 3.1 – these are the most suited to arable agriculture.

\*\*Natura 2000: European-wide designations to protect habitats and species – special protection areas (SPAs), Ramsar sites and special areas of conservation (SACs)

## Policy 3: Managing TAYplan's Assets

- identifying and safeguarding at least 5 years supply of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements;
- safeguarding areas identified for class 4 office type uses in principal settlements; and,
- further assisting in growing the year-round role of the tourism sector.

- continuing to designate green belt boundaries at both St. Andrews and Perth to preserve their settings, views and special character including their historic cores; assist in safeguarding the countryside from encroachment; to manage long term planned growth including infrastructure in this Plan's Proposals Map and Strategic Development Areas in Policy 4; and define appropriate forms of development within the green belt based on Scottish Planning Policy;

Perth Core Area



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- using Perth green belt to sustain the identity of Scone, and provide sufficient land for planned development around key villages and settlements.

using the location priorities set out in Policy 1 of this Plan to:

- safeguard minerals deposits of economic importance and land for a minimum of 10 years supply of construction aggregates at all times in all market areas; and,
- protect prime agricultural land, new and existing forestry areas, and carbon rich soils (where identified) where the advantages of development do not outweigh the loss of productive land.

Employment Land

Greenbelts

Natural and Historic Assets\*

Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets by:

Transport

Finite Resources

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;
- safeguarding habitats, sensitive green spaces, forestry, watercourses, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geodiversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets; and,
- identifying and safeguarding parts of the undeveloped coastline along the River Tay Estuary and in Angus and North Fife, that are unsuitable for development and set out policies for their management; identifying areas at risk from flooding and sea level rise and develop policies to manage retreat and realignment, as appropriate.

- safeguarding land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related uses to support freight, economic growth and tourism; and,
- safeguarding land for future infrastructure provision (including routes), identified in the Proposal Map of this Plan or other locations or routes, as appropriate, or which is integral to a Strategic Development Area in Policy 4 of this Plan, or which is essential to support a shift from reliance on the car and road-based freight and support resource management objectives.

\*Natural and historic assets: Landscapes, habitats, wildlife sites and corridors, vegetation, biodiversity, green spaces, geological features, water courses and ancient monuments, archaeological sites and landscape, historic buildings, townscapes, parks, gardens and other designed landscapes, and other features (this includes but is not restricted to designated buildings or areas).

RECEIVED

22 OCT 2013

IL/KW

Mrs Freda Napier  
Community Council  
12 Turfbeg Place  
Forfar  
DD8 3LQ

21<sup>ST</sup> OCTOBER 2013

Mr David Gray  
Planning & Transport  
County Buildings  
Market Street  
Forfar  
DD8 3LG

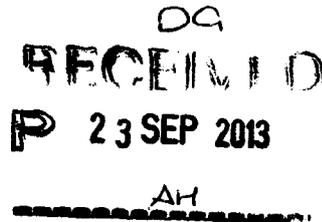
Dear Mr David Gray,

Having consulted The Community Council Members regarding Planning Application Ref Nos 13/00825/FULL for the erection of a wind turbine at the Golf Course Cunninghill we are of the opinion that this would set a precedent for future applications. The visual impact of said turbine is not acceptable and would detract from the scenic beauty of the area and for miles around. Therefore we strongly object to this application.

Community Council Planning Contact



Freda Napier



# Memorandum

Communities, Roads, County Buildings, Forfar Telephone 01307 461460

**TO:** HEAD OF PLANNING & TRANSPORT

**FROM:** HEAD OF ROADS

**YOUR REF:**

**OUR REF:** GH/AB/FJ TD1.3

**DATE:** 20 September 2013

**SUBJECT:** **PLANNING APPLICATION REF. NO. 13/00825/FULL – PROPOSED SINGLE EWT500 WIND TURBINE AT FORFAR GOLF CLUB, FORFAR FOR MR P KAVANAGH**

I refer to the above planning application.

The site is located within the grounds of Forfar Golf Club with access taken from the east side of U460 Burnside Road approx. 390m east of the junction with U459 Auchterforfar Road.

The council's Road Standards document is relative to the consideration of the application, and the following comments take due cognisance of the guidance contained therein.

I have considered the application in terms of the traffic likely to be generated by it, and its impact on the public road network. As a result, I do not object to the application but would recommend that any consent granted shall be subject to the following conditions:

- 1 That, prior to the commencement of development, visibility splays shall be provided at the junction of the proposed access with U460 Burnside Road giving a minimum sight distance of 90 metres in each direction at a point 2.4 metres from the nearside channel line of U460 Burnside Road.  
*Reason: to ensure a safe and suitable access, in the interests of road safety.*
- 2 That, within the above visibility splays nothing shall be erected, or planting permitted to grow to a height in excess of 1050mm above the adjacent road channel  
*Reason: to provide and maintain adequate sightlines, in the interests of road safety.*
- 3 That, prior to the construction of the access road, the verge crossing at the proposed access shall be improved to form a new bellmouth junction with kerbed radii of 6



metres and a minimum throat width of 5.5 metres. The verge crossing shall be constructed in accordance with the Angus Council Road Standards (Type C Junction. Reason: to provide a safe and satisfactory access in a timely manner.

- 4 That, prior to the commencement of development, a Construction Traffic Management and Routing Plan shall be submitted for the written approval of the Planning Authority. The details of the plan should consider arrangements for the following:
- (i) agreement with the Roads Authority on the routing for abnormal loads;
  - (ii) the type and volume of vehicles to be utilised in the delivery of construction materials;
  - (iii) assessment of the suitability of the proposed routes, including bridge capacities, to accommodate the type and volume of traffic to be generated by the development. The assessment shall include details of swept path analyses and include DVD video route surveys;
  - (iv) mitigating measures on public roads, including, carriageway widening, junction alterations, associated drainage works, protection to public utilities, temporary or permanent traffic management signing, and temporary relocation or removal of other items of street furniture;
  - (v) the restriction of delivery traffic to agreed routes;
  - (vi) the timing of construction traffic to minimise impacts on local communities, particularly at school start and finish times, during refuse collection, at weekends and during community events;
  - (vii) a code of conduct for HGV drivers to allow for queuing traffic to pass;
  - (viii) liaison with the roads authority regarding winter maintenance;
  - (ix) contingency procedures, including names and telephone numbers of persons responsible, for dealing with vehicle breakdowns;
  - (x) a dust and dirt management strategy, including sheeting and wheel cleaning prior to departure from the site;
  - (xi) the location, design, erection and maintenance of warning/information signs for the duration of the works, at site accesses and crossovers on private haul roads or tracks used by construction traffic and pedestrians, cyclists or equestrians;
  - (xii) contingencies for unobstructed access for emergency services;
  - (xiii) co-ordination with other major commercial users of the public roads on the agreed routes in the vicinity of the site;



- (xiv) traffic management, in the vicinity of temporary construction compounds;
- (xv) the provision of data from traffic counters, installed at locations and at intervals to be agreed with the Roads Authority, at the applicant's expense;
- (xvi) arrangements for the monitoring, reviewing and reporting on the implementation of the approved plan; and
- (xvii) procedures for dealing with non-compliance with the approved plan.

The Construction Traffic Management and Routing Plan shall be implemented in accordance with the approved details.

*Reason: to ensure the free flow of traffic, in the interests of road safety and for the convenience of road users.*

- 5 That, prior to the commencement of development, the applicant shall enter into a written maintenance agreement with Angus Council as Roads Authority with respect to the agreed haul routes. The agreement shall formalise an inspection, maintenance and reparation strategy for the public roads on the haul routes.

*Reason: to ensure the integrity of the public road network is protected.*

I trust the above comments are of assistance but should you have any further queries, please contact Adrian Gwynne on extension 3393.

#



**From:** Windfarms (windfarms@atkinsglobal.com) [windfarms@atkinsglobal.com]  
**Sent:** 20 September 2013 10:35  
**To:** KennedyPD  
**Subject:** WF 24652 - 13/00825/FULL - Golf Course, Cunninghill - NO 48524 50248

Dear Sirs,

I am responding to an email of 19-Sep-13, regarding the above named proposed development.

The above application has now been examined in relation to UHF Radio Scanning Telemetry communications used by our Client in that region and we are happy to inform you that we have **NO OBJECTION** to your proposal.

Please note that this is not in relation to any Microwave Links operated by Scottish Water

*Atkins Limited is responsible for providing Wind Farm/Turbine support services to TAUWI.*

*Atkins Limited is responsible for providing Wind Farm/Turbine support services to the Telecommunications Association of the UK Water Industry. Web: [www.tauwi.co.uk](http://www.tauwi.co.uk)*

Windfarm Support

ATKINS

The official engineering design services provider

for the London 2012 Olympic and Paralympic Games

Web: [www.atkinsglobal.com/communications](http://www.atkinsglobal.com/communications)

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Consider the environment. Please don't print this e-mail unless you really need to.

**MEMORANDUM**

TO: David Gray, Planning Officer (Development Standards)

FROM: Alan Milne, Environmental Protection Officer

YOUR REF: 13/00825/FULL

OUR REF: Flare no 245322

DATE: 11 October 2013

SUBJECT: Erection of a Wind Turbine of 50m Hub Height at Golf Course, Cunninghill, Forfar.

---

With reference to the above planning application and your consultation requesting comment regarding noise, I have reviewed the submitted Theoretical Noise Study dated August 2013 and can offer the following comments.

I can advise that the applicant's consultant has provided noise level predictions using manufacturer's noise data and referring to the appropriate guidance. The predicted noise levels have been presented for the surrounding properties and the results demonstrate that the ETSU-R-97 simplified method noise limit of 35 dB (LA90) can be met at all residential dwellings.

In light of the above I would have no objections to this application proceeding subject to the following conditions:

---

- 1) That the turbine hereby approved shall be an Enercon Directwind 54 500 kW with a hub height of 50m unless otherwise approved in writing by the planning authority.
  - 2) At any property lawfully existing at the date of this planning permission the rating level of noise emissions, including any tonal correction, from the wind turbine, when measured in accordance with the guidance in "The Assessment and Rating of Noise from Wind Farms, ETSU-R-97", shall not exceed the LA90 noise limit of 35 dB (A) up to 10m/s and 10m height.
  - 3) At the reasonable request of the Planning Authority following a complaint, and within 28 days of any such written request, the operator of the development shall measure and assess the level of noise emission from the wind turbine following the procedures described in "The Assessment and Rating of Noise from Wind Farms, ETSU-R-97" or such other methodology as may be agreed in writing by the planning authority and submit a copy of the report of that assessment to the planning authority. In the event that noise emissions from the turbine exceed the levels set by this condition, operation of the turbine shall cease until measures to reduce noise levels to comply with the condition are implemented. Should such measures fail to achieve compliance with the noise levels set by condition the operation of the turbine shall cease until otherwise approved in writing by the planning authority.
- 



1 April 2014

**13/00825/full Golf Course, Cunninghill, Forfar  
Comments of Countryside Officer in Relation to Landscape & Visual Impact**

I would comment as follows:

**Information Submitted in Support of Application**

Unfortunately, the level and quality of supporting information submitted is inadequate. The Implementation Guide lists the information required in support of applications and most of it is missing. Information omitted or sub-standard includes:

- The ZTV should be on a 50k OS base rather than the submitted 250k base. This limits the ability to identify receptors which may be affected.
- The ZTV should show both blade tip and hub height visibility. The submitted ZTV is for only one height and it is not stated whether it is for hub or blade tip height. A ZTV which differentiates between both heights enables smart interrogation to help identify the most affected receptors.
- Viewpoints were not agreed in advance. There is likelihood that they do not cover the receptors which would be expected by the Council.
- Viewpoints are required to represent the range of directions, distances and receptors which may experience significant effects. All submitted viewpoints are within 5km, and all but one are within 3km of the proposed turbine site. This leaves large swathes of landscape which may experience significant effects without viewpoints visualisations.
- The visualisations are of mixed quality. They are often dark or with the sky washed out. An inappropriate level of foreground is included in some photographs. The proposed turbine is behind vegetation in viewpoints 3, 4, 5 and 6. The turbine appears to be missing on visualisation 4. At viewpoint 5 the turbine is in a different position on the wireline and photomontage. In general, the visualisations do not comply with published best practice guidance. Photomontages which do not match the wirelines raise questions on the reliability of the suite of visualisations submitted. Visualisations from viewpoint 8 are missing. With visualisations for viewpoint 7 being dark, this leaves only viewpoints 1 and 2 with satisfactory visualisations.
- There are no single frame A3 images with the equivalent of a 70mm lens on a 35mm SLR format camera.
- There is no landscape and visual impact assessment (LVIA) to support the visualisations.
- There is no cumulative visualisations
- There are no cumulative ZTVs.
- There is no cumulative LVIA
- There is no assessment of impacts on houses within 2km or visualisations from the most affected houses.

Notwithstanding the above, I will comment as best I can with the information supplied and my knowledge of the area.

**Landscape Effects**

According to the Tayside Landscape Character Assessment the proposed turbine is located within TAY1 Broad Valley Lowland Landscape Character Type (Strathmore). This LCT is characterised by as being of medium scale, with open simple regular large arable fields with a network of shelterbelts. Landform is generally simple,

gently sloping or flat valley form but with areas of more complex fluvio-glacial landform. It is characterised by having open views.

The Implementation Guide (IG) provides interpretation of the level of turbine development that a LCT is capable of absorbing. The IG indicates that the Broad Valley Lowland LCT has capacity to accept turbines up to 80m in height.

The site of the proposed turbine is towards the edge of the LCT tucked to the east of Forfar. It is at the start of the Lunan valley which extends between Forfar and Lunan Bay. The area east of Forfar is distinctively different from much of the remainder of Strathmore. It has a complex rolling landform as a result of fluvio-glacial deposits. This small scale landform has encouraged a less regular and smaller scale field pattern. Land use is more mixed including pasture and native woodlands along arable. The area is visually framed between Pitscandly Hill to the north and Green Hill/ Dunnichen Hill to the south. As a consequence, views are more channelled in contrast to the more open views in Strathmore. The limited size of the nearby hills make them vulnerable to being dwarfed by larger turbines.

The proposed turbine site is around 2km from the edge of Forfar, less than 1km from Kingsmuir; immediately adjacent to a golf course and around 1km from Restenneth Priory. The above factors combine to dramatically reduce the capacity of the area for wind turbine development.

The proposed turbine would necessitate the loss of woodland at both the site of the turbine and to enable an access to be formed. I note that there has been no creditable assessment of the impacts of the proposal upon the viability to retain the remainder of the woodland. Assessment of root protection zones of trees proposed for retention together with an assessment of whether the remaining trees would continue to be wind firm and viable would also have been helpful. Tree loss is likely to be greater than predicted.

A turbine of 77m in the proposed location would be out of scale with the local landscape and may have a dwarfing influence on the nearby hills. It is further likely to affect the setting of Restenneth Priory. I would therefore assess that the turbine would have significant landscape effects.

### **Visual Effects**

The limitations of the submitted visualisations and ZTV detailed above make an assessment of visual effects challenging.

From the west, the proposed turbine is likely to be visible from those parts of Forfar which have views beyond Forfar in that direction. Similarly, from bridge at the A90(T) Kirriemuir junction (west of Forfar), the proposed turbine would be prominent between the hills behind Forfar. A similar effect would be visible from the top of the hill on the A926 west of Padanaram School, and from the Hill of Kirriemuir. From these directions, the monument on Balmashanner Hill is the main identifying landmark. The lack of visualisations creates assessment challenges, but the turbine may become an identifying landmark for Forfar.

From the east, the proposed turbine would be likely to be dominant large focal point when travelling towards Forfar along the B9113 and the A932. Views would be channelled by the rising landform on either side.

From the south the ZTV shows theoretical visibility from the A90(T) south of Gateside. Whilst the limitations of the submitted ZTV cause some challenges, this suggests that the turbine would be visible immediately behind or close Balmashanner Monument.

The effects described above would be significant and in some cases could be of major significance.

Locally, roads adjacent to Auchterforfar Farm are often lined by narrow belts of woodland which were planted in connection with sand and gravel quarry proposals. These semi-mature woodlands would sometimes fully or partially obstruct views of the turbine. It is understood that the residents of nearby houses were asked whether they preferred that views towards the prospective quarry were screened by woodland or that gaps were retained to enable views.

### Houses

The closest house is Tullibardine 556m to the south (7 times turbine height). Whilst the houses faces south and has a small wooded copse in the direction of the turbine, views would however be easily available under the tree canopy and the access to the property. At this distance the turbine would be a prominent feature. Nearby, to the south east of the turbine are, Mid Dod and Mid Dod Cottage which are 773m (10 times turbine height) and 886m (11 times turbine height) respectively. Mid Dod would have oblique views over a garden hedge and Mid Dod Cottage would have oblique views filters through roadside trees.

To the south west, Auchterforfar would have a clear view to the side of the house and from the garden on the opposite side of the road (584m or 7.5 times turbine height). Bridgend (705m, 9 times turbine height) would have views screened by Auchterforfar woodland planting (referred to above). South Cottage (773m, 10 times turbine height) has a gap in the woodland planting in front of the house. The turbine would be the focal point in the view from the front of the house. Knowehead is within woodland.

From Kingsmuir, houses on the north side of the main road, west of the old school would have prominent views in the direction of the turbine. Houses to the south of the old school are likely to have of the turbine screened by conifer trees planted within the disused railway cutting.

To the north, there are four houses at Lochhead (649m, 8.5 times turbine height). Most are likely to have views of the turbine screened by roadside trees and woodland strips within the golf course. However, due a gap in the roadside trees and the layout of the golf course, Lochhead is likely to have views of the turbine directly in front of the house between woodland areas. The turbine would become a prominent focal point in the view. The four houses at Clocksbriggs Feus are likely to have views screened by roadside trees (849m, 11 times turbine height). The Caravan Park at Forester Seat, along with five house may have views at least partial screened by a plantation. (1027m,14 times turbine height).

### **Cumulative Landscape Effects**

The proposed turbine would have a cumulative relationship with the grouping of smaller turbines to the south of Balmashanner Hill. This would probably not be likely to change the cumulative wind turbine typology from landscape with occasional wind turbines to landscape with wind turbines. It would be landscape effect of low or moderate significance.

**Cumulative Visual Effects**

Again the lack of any cumulative submission is challenging. The A90(T) will experience cumulative visual effects with Arc Hill (constructed) Govalls (approved) and Frawney (approved). These are all in the Sidlaws. South of Forfar there is a collection of small turbines south of Balmashanner Hill and two to the west Fotheringham Hill. The proposed turbine may add to the cumulative visual experience. If the proposed turbine is visible over Balmashanner Hill it would further add to the visual clutter to the south of Forfar. The substantially different turbine sizes would be visually incongruous and may lead to scale perception issues.

**Houses**

Houses to the south and south-east of Forfar (including Kingsmuir) may experience “in sequence” (view of turbines in different directions) cumulative effects.

**Conclusion**

The lack of supporting information and assessments does make it challenging to be certain of effects. However it can be concluded that a turbine of this size would be out of scale with the landscape. Similarly, it is reasonable to conclude that there would be impacts on nearby houses of major significance.

It is reasonable to conclude that the turbine would become a large moving focal point when travelling towards Forfar along the B9113 and the A932. However the degree and extent would be better determined by the use of visualisations. It would nevertheless be likely to be considered to be significant.

The relationship with Forfar, Balmashanner Hill and other nearby hills is not fully clear. Whilst there is likely to be significant effects, again the degree and extent would be better determined by the use of visualisations.

My opinion would be similar in relation to cumulative effects, particularly from the A90(T).

**GrayRD**

---

**From:** RobertsS  
**Sent:** 29 April 2014 12:15  
**To:** GrayRD  
**Subject:** RE: 13/00825/FULL Proposed Turbine at Forfar Golf Club

**Importance:** High

David

I refer to the letter from A Craig dated 18 April (copied to me on 28 April) and the letter from P Basford dated 28 April (copied to me on 29 April). I would comment as follows:

In my comments, I listed 11 categories of omitted or sub-standard information:

- *The ZTV should be on a 50k OS base rather than the submitted 250k base. This limits the ability to identify receptors which may be affected.*

No further comment

- *The ZTV should show both blade tip and hub height visibility. The submitted ZTV is for only one height and it is not stated whether it is for hub or blade tip height. A ZTV which differentiates between both heights enables smart interrogation to help identify the most affected receptors.*

This is in accordance with best practice.

- *Viewpoints were not agreed in advance. There is likelihood that they do not cover the receptors which would be expected by the Council.*

No further comment.

- *Viewpoints are required to represent the range of directions, distances and receptors which may experience significant effects. All submitted viewpoints are within 5km, and all but one are within 3km of the proposed turbine site. This leaves large swathes of landscape which may experience significant effects without viewpoints visualisations.*

No further comment.

- *The visualisations are of mixed quality. They are often dark or with the sky washed out. An inappropriate level of foreground is included in some photographs. The proposed turbine is behind vegetation in viewpoints 3, 4, 5 and 6. The turbine appears to be missing on visualisation 4. At viewpoint 5 the turbine is in a different position on the wireline and photomontage. In general, the visualisations do not comply with published best practice guidance. Photomontages which do not match the wirelines raise questions on the reliability of the suite of visualisations submitted. Visualisations from viewpoint 8 are missing. With visualisations for viewpoint 7 being dark, this leaves only viewpoints 1 and 2 with satisfactory visualisations.*

I understand that visualisations from viewpoint 8 are not in the file. As I explained when I met A Craig, I have no issues with photograph resolution. The photographs shown to me by A Craig were slightly better than those I used. This does not change my opinion that it is poor practice to take photographs into the sun. I'm uncertain what A Craig was suggesting, but for the avoidance of doubt, I continue to consider that visualisations where the turbine is in different positions on wireframe and photomontage are unacceptable. As for viewpoint 4, the turbine is substantively the same colour as the background, only discernible from a tiny blade protruding above the horizon. This does not accord with best practice.

- *There are no single frame A3 images with the equivalent of a 70mm lens on a 35mm SLR format camera.*

No further comment

- *There is no landscape and visual impact assessment (LVIA) to support the visualisations.*

No further comment

- *There is no cumulative visualisations*

No further comment

- *There are no cumulative ZTVs.*

No further comment

- *There is no cumulative LVIA*

No further comment

- *There is no assessment of impacts on houses within 2km or visualisations from the most affected houses.*

No further comment.

My comments in relation to Landscape Effects; Visual Effects; Cumulative Landscape Effects and Cumulative Visual Effects are unchanged.

Regards

Stewart

Countryside Officer, Communities, Angus Council, County Buildings, Market Street, Forfar, DD8 3LG, Tel: 01307 473349

**From:** Windfarms [Windfarms@caa.co.uk]

**Sent:** 16 September 2013 09:25

**To:** KennedyPD

**Cc:** PLNProcessing

**Subject:** RE: e consultation

Dear Sir/Madam

Request for Comment under the Town and Country Planning Act 1990 and the Town and Country Planning (Scotland) Act 1997

There is currently a high demand for CAA comment on wind turbine applications which exceeds the capacity of the available resource to respond to requests within the timescales required by Local Planning Authorities. The CAA has no responsibilities for safeguarding sites other than its own property, and a consultation by a Council is taken as a request for clarification of procedural matters. Councils are reminded of their obligations to consult in accordance with ODPM/DfT Circular 1/2003 or Scottish Government Circular 2/2003, and in particular to consult with NATS and the Ministry of Defence as well as any aerodromes listed in Annex 3 of the above documents, taking note of appropriate guidance and policy documentation. Should the Council be minded to grant consent to an application despite an objection from one of the bodies listed in the circular, then the requisite notifications should be made.

Whilst the CAA recommends all aerodrome operators/license holders develop associated safeguarding maps and lodge such maps with local planning authorities, the CAA additionally encourages councils/planning authorities to undertake relevant consultation with known local aerodromes regardless of status or the existence of any aerodrome/council safeguarding agreement, including local emergency service Air Support Units (e.g. Police Helicopter or Air Ambulance).

There is an international civil aviation requirement for all structures of 300 feet (91.4 metres)\* or more to be charted on aeronautical charts. However, on behalf of other non-regulatory aviation stakeholders, in the interest of Aviation Safety, the CAA requests that any feature/structure 70 feet in height, or greater, above ground level is notified to the Defence Geographic Centre [ICGDGC-ProdAISAFDb@mod.uk](mailto:ICGDGC-ProdAISAFDb@mod.uk), including the location(s), height(s)\* and lighting status of the feature/structure, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, at least 6 weeks prior to the start of construction, to allow for the appropriate notification to the relevant aviation communities.

Any structure of 150 metres\* or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Although if an aviation stakeholder (including the MOD) made a request for lighting it is highly likely that the CAA would support such a request, particularly if the request falls under Section 47 of the Aviation Act.

Cumulative effects of turbines may lead to unacceptable impacts in certain geographic areas.

The Ministry of Defence will advise on all matters affecting military aviation.

Should the Council still have a specific query about a particular aspect of this application the CAA will help in the clarification of aviation matters and regulatory requirements. Site operators remain responsible for providing expert testimony as to any impact on their operations and the lack of a statement of objection or support from the CAA should not be taken to mean that there are no aviation issues, or that a comment from an operator lacks weight.

Guidance relating to the impact of wind turbines upon aviation can be found at <http://www.caa.co.uk/docs/33/Cap764.pdf>. More generic comment relating to the CAA involvement in the planning process is described at [http://www.caa.co.uk/docs/33/DAP\\_GuidanceOnCAAPanningConsultationRequirements.pdf](http://www.caa.co.uk/docs/33/DAP_GuidanceOnCAAPanningConsultationRequirements.pdf).

Yours Faithfully

*Kelly Lightowler*

K LIGHTOWLER

Squadron Leader (RAF)

Surveillance and Spectrum Management

Directorate of Airspace Policy

Civil Aviation Authority

45-59 Kingsway London WC2B 6TE

Tel: 020 7453 6534 Fax: 020 7453 6565

[windfarms@caa.co.uk](mailto:windfarms@caa.co.uk)

\*The effective height of a wind turbine is the maximum height to blade tip.

---

**From:** KennedyPD [mailto:KennedyPD@angus.gov.uk]

**Sent:** 13 September 2013 15:04

**To:** dioopsnorth-lms7b@mod.uk; Windfarms; Safeguarding@hial.co.uk; NATSsafeguarding@nats.co.uk; windfarms@jrc.co.uk; Spectrum.LicensingEnquiries@ofcom.org.uk; claire.b.smith@rspb.org.uk; Tayside\_Grampian@snh.gov.uk

**Subject:** e consultation

Planning application 13/00825/FULL

Golf Course

Cunninghill

Forfar

Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Phyllis Kennedy Communities Planning & Transport Division, County Buildings Market Street Forfar DD8 3LG

Telephone 01307 473394

E Mail [Kennedypd@angus.gov.uk](mailto:Kennedypd@angus.gov.uk)

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**From:** Anne Phillips [APhillips@hial.co.uk]

**Sent:** 24 September 2013 11:45

**To:** PLNProcessing

**Subject:** Plan App 13/00825/FULL - Erect Single Wind Turbine Golf Course Cunninghill Forfar

**Your Ref:** Plan App 13/00825/FULL

Dear Sir/Madam,

**PROPOSAL:** Erect Single Wind Turbine (max height 77m to blade tip)

**LOCATION:** Golf Course Cunninghill Forfar

---

With reference to the above proposed development, it is confirmed that our calculations show that, at the given position and height, this development would not infringe the safeguarding surfaces for **Dundee Airport**.

Therefore, Dundee Airport Limited has no objections to the proposal.

Anne Phillips  
Operations Manager  
on behalf of Dundee Airport Limited  
c/o Highlands and Islands Airports Limited  
Head Office, Inverness Airport, Inverness IV2 7JB  
' 01667 464244 (DIRECT DIAL)  
\* [safeguarding@hial.co.uk](mailto:safeguarding@hial.co.uk) | [www.hial.co.uk](http://www.hial.co.uk)

**From:** [ALLEN, Sarah J](#) on behalf of [NATS Safeguarding](#)  
**To:** [PLNProcessing](#)  
**Subject:** Your Ref: 13/00825/FULL (Our Ref: W(F)17904)  
**Date:** 17 September 2013 15:05:36

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The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NERL (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NERL in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully,

Sarah Allen  
Technical Administrator  
On behalf of NERL Safeguarding Office

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From: Windfarms Team [windfarms@jrc.co.uk]  
Sent: 02 October 2013 14:38  
To: KennedyPD  
Subject: Planning Ref: 13/00825/FULL -- Golf Course, Cunninghill, Forfar

Dear Sir/Madam,

Planning Ref: 13/00825/FULL

Name/Location: Golf Course, Cunninghill, Forfar

Turbine at NGR/IGR: 348524 750248 - see note

Hub Height: 50m Rotor Radius: 27m

(defaults used if not specified on application)

Cleared with respect to radio link infrastructure operated by:-

Scottish Hydro (Scottish & Southern Energy) and Scotia Gas Networks

Note: Because turbine position is critical in this case, micrositing is restricted as follows:-

No movement permitted between 106 degrees and 286 degree East of Grid North. A maximum of 20m in other directions.

JRC requests that the above siting restriction is included as a condition in any associated planning permission.

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry and the Water Industry in north-west England. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be

file:///C:/Documents%20and%20Settings/kennedyd/My%20Documents/JRC%20response%20cunninghill.txt

held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Regards

Keith Brogden

Wind Farm Team

The Joint Radio Company Limited  
Dean Bradley House,  
52 Horseferry Road,  
LONDON SW1P 2AF  
United Kingdom

DDI: +44 20 7706 5197

TEL: +44 20 7706 5199

Skype: keithb\_jrc

<windfarms@jrc.co.uk>

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JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.

Registered in England & Wales: 2990041

<<http://www.jrc.co.uk/about>>

**From:** Spectrum Licensing [Spectrum.Licensing@ofcom.org.uk]  
**Sent:** 19 September 2013 06:02  
**To:** KennedyPD  
**Cc:** windfarms@jrc.co.uk; windfarms@atkinsglobal.com  
**Subject:** RE: e consultation

**Attachments:** MOD Info Cunninghill.doc

### **Fixed Link Report for Windfarm Co-ordination Area:**

Dear Sir/Madame

For a response on all future requests please only provide the following to [Spectrum.Licensing@ofcom.org.uk](mailto:Spectrum.Licensing@ofcom.org.uk):

- 12 character UK NGR, eg SP 12345 12345 or, Grid Co-ordinates e.g. 123456 123456
- Site/town
- Email address for response
- Search radius (optional)

Please do not post to Ofcom:

- planning/scoping requests
- large packets/parcels in the post

***Search Radius 0m at Centre NGR NO4852450248 NO Links Identified. Search includes an additional 500m of requested radius.***

<b>Links</b>	<b>Company</b>	<b>Contact</b>	<b>Telephone</b>	<b>Email</b>
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These details are provided to Ofcom by Fixed Link operators at the time of their licence application and cannot be verified by Ofcom for accuracy or currency and Ofcom makes no guarantees for the currency or accuracy of information or that they are error free. As such, Ofcom cannot accept liability for any inaccuracies or omissions in the data provided, or its currency however so arising. The information is provided without any representation or endorsement made and without warranty of any kind, whether express or implied, including but not limited to the implied warranties of satisfactory quality, fitness for a particular purpose, non-infringement, compatibility, security and accuracy.

Our response to your co-ordination request is only in respect of microwave fixed links managed and assigned by Ofcom within the bands and frequency ranges specified in the table below. The analysis identifies all fixed links with either one link leg in the coordination range or those which intercept with the coordination range. The coordination range is a circle centred on your provided national grid reference. We add an additional 500 metres to the coordination range that you request. Therefore if you have specified 500 metres the coordination range will be 1km.

If you should need further information regarding link deployments and their operation then you will need to contact the fixed link operator (s) identified in the table above directly.

Additional coordination is also necessary with the band managers for the water, electricity and utilities industries which operate in the frequency ranges 457-458 MHz paired with 463-464 MHz band. You should contact both the following:

- Atkins Ltd at [windfarms@atkinsglobal.com](mailto:windfarms@atkinsglobal.com).
- Joint Radio Company (JRC) at [windfarms@jrc.co.uk](mailto:windfarms@jrc.co.uk). Additionally, you can call the JRC Wind Farm Team on 020 7706 5197.

For self coordinated links operating in the 64-66GHz, 71-76GHz and 81-86GHz bands a list of current links can be found at: <http://www.ofcom.org.uk/radiocomms/ifi/licensing/classes/fixed/>

Regarding assessment with respect to TV reception, the BBC has an online tool available on their website: [http://www.bbc.co.uk/reception/info/windfarm\\_tool.shtml](http://www.bbc.co.uk/reception/info/windfarm_tool.shtml) . Ofcom do not forward enquiries to the BBC.

Please note other organisations may require coordination with regard to your request. More information regarding windfarm planning is available on the British Wind Energy Association website [www.bwea.com](http://www.bwea.com) .

**Table of assessed fixed links bands and frequency ranges**

<b>Band (GHz)</b>	<b>Frequency Range (MHz)</b>
1.4/1.5	1350 -1375 1450 -1452 1492 -1530
1.6	1672 – 1690
1.7	1764 – 1900
2	1900 – 2690
4	3600 – 4200
6	5925 – 7110
7.5	7425 – 7900
11	10700 – 11700
13	12750 – 13250
14	14250 – 14620
15	14650 – 15350
18	17300 – 19700
22	22000 – 23600
25	24500 – 26500
28	27500 – 29500
38	37000 – 39500
50	49200 – 50200
55	55780 – 57000

Regards

Duty Engineering Officer

**:: Ofcom**  
Radio Monitoring Station  
Royston Road  
Baldock  
Hertfordshire  
SG7 6SH  
[www.ofcom.org.uk](http://www.ofcom.org.uk)

**From:** KennedyPD [mailto:KennedyPD@angus.gov.uk]

**Sent:** 13 September 2013 15:04

**To:** dioopsnorth-lms7b@mod.uk; windfarms@caa.co.uk; Safeguarding@hial.co.uk; NATSsafeguarding@nats.co.

uk; windfarms@jrc.co.uk; Spectrum Licensing; claire.b.smith@rspb.org.uk; Tayside\_Grampian@snh.gov.uk

**Subject:** e consultation

AC12

Planning application 13/00825/FULL

Golf Course  
Cunninghill  
Forfar

Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Phyllis Kennedy Communities Planning & Transport Division, County Buildings Market Street Forfar DD8 3LG

Telephone 01307 473394

E Mail [Kennedypd@angus.gov.uk](mailto:Kennedypd@angus.gov.uk)

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McWilliamIA



**From:** Julia Quin [<mailto:Julia.Quin@snh.gov.uk>]  
**Sent:** 28 November 2013 09:51  
**To:** GrayRD  
**Subject:** RE: Comments for Planning Application 13/00825/FULL

Hi David,

Sorry not to get back to you sooner, I've been out the office for a few days. In terms of red squirrel records, we don't hold any for that area. The best thing to do is a records search on NBN (<http://www.nbn.org.uk/>). This is something we would expect of the developer to undertake and submit to yourselves as part of a preliminary assessment of risks to habitats and species. See 'Assessing the impact of small-scale wind energy proposals on the natural heritage' guidance: <http://www.snh.gov.uk/docs/A669283.pdf>

The surveyor may have undertaken this or a visual appraisal of the site for red squirrel but ruled it out.

I hope this helps.  
Best wishes  
Julia

---

**From:** GrayRD [<mailto:GrayRD@angus.gov.uk>]  
**Sent:** 25 November 2013 16:08  
**To:** Julia Quin  
**Subject:** RE: Comments for Planning Application 13/00825/FULL

Thank-you,

I was not necessarily looking for a full response, I was simply trying to let your office via the general mail address know the case history, in case one of your officer was looking at the development.

With specific regard to red squirrels, I note your link to the general guidance. In terms of site specifics, are you aware of (or have any record of) the presence of red squirrel or any other protected species in this location?

Thanks again for your help.

Regards,

David Gray | Planning Officer (Development Standards) | Angus Council | Communities |  
Planning & Transport | County Buildings, Market Street, Forfar, DD8 3LG | ☎ 01307 473374

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**From:** Julia Quin [<mailto:Julia.Quin@snh.gov.uk>]  
**Sent:** 25 November 2013 15:24  
**To:** GrayRD  
**Subject:** RE: Comments for Planning Application 13/00825/FULL

Hi David,

22/07/2014

I haven't seen the formal consultation, but after taking a quick look at the case I assume it is because the proposal falls below our threshold for consultation, as outlined in our 'Service Statement for Planning and Development' - <http://www.snh.gov.uk/docs/A495949.pdf>. Paragraph 20 states "We may give a 'no comment' response...but...this does not mean that SNH supports the application or that there are no impacts on the natural heritage... in most of these cases we would expect PAs to be able to identify and address such impacts without the need for specialist SNH advice."

Further advice can be found on our website: <http://www.snh.gov.uk/protecting-scotlands-nature/protected-species/which-and-how/mammals/squirrel-protection/>

Kind regards

Julia

**Julia Quin**

Operations Officer

Tayside & Grampian

**Scottish Natural Heritage**

Battleby

Redgorton

PERTH, PH1 3EW

Tel: 01738 444177

Fax: 01738 458627

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**From:** GrayRD [<mailto:GrayRD@angus.gov.uk>]

**Sent:** 25 November 2013 11:28

**To:** TAYSIDE\_GRAMPIAN

**Subject:** FW: Comments for Planning Application 13/00825/FULL

Dear Sir/Madam,

Please see the email below. SNH were consulted on the above planning application but no response has been received. You will note that the email below indicates that there may be red squirrels present in the area. Can you advise further?

Please do not hesitate to contact me should you wish to discuss.

Regards,

David Gray | Planning Officer (Development Standards) | Angus Council | Communities, Planning & Transport | County Buildings, Market Street, Forfar, DD8 3LG | ☎ 01307 473374

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**From:** [publicaccess@angus.gov.uk](mailto:publicaccess@angus.gov.uk) [<mailto:publicaccess@angus.gov.uk>]

**Sent:** 05 November 2013 20:04

**To:** GrayRD

**Subject:** Comments for Planning Application 13/00825/FULL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 7:16 PM on 05 Nov 2013 from [REDACTED]

### Application Summary

**Address:** Golf Course Cunninghill Forfar  
**Proposal:** Erection Of Wind Turbine Of 50 Metres To Hub Height  
And 77 Metres To Blade Tip And Ancillary Development  
**Case Officer:** David Gray  
[Click for further information](#)

### Customer Details

**Name:** [REDACTED]  
**Email:** [REDACTED]  
**Address:** 1 Melbourne Place Lour Road Forfar

### Comments Details

**Commenter Type:** Member of Public  
**Stance:** Customer objects to the Planning Application  
**Reasons for comment:**  
**Comments:** Congratulations to Forfar Golf Club for their insight into the wellbeing of Golf in Scotland. The application of a Wind Turbine at Forfar Golf Club is sure to increase the membership of neighbouring clubs as members leave in droves should this monstrosity of a structure be allowed. I have been a member of Forfar Golf Club for over 25 years but doubt if I will be for much longer if this proposal goes through, I just can't imagine the effect that this will have on my enjoyment in playing golf. The visual impact and the noise from the rotating blades of a Wind Turbine don't fill me with any confidence that my round of golf will be enhanced. I also doubt that it will do anything but discourage visitors from playing golf at Forfar. The wooded area designated for the Wind Turbine is to be felled that in itself is a disgrace, it has been managed by the green staff to encourage wildlife including the red squirrel which I believe has legal protection and is included in Schedules 5 and. 6 of the Wildlife & Countryside Act 1981. I strongly object to this application.

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Planning & Transport Division  
Angus Council  
County Buildings  
Market Street  
FORFAR  
DD8 3LG

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Direct Line: 0131 668 8688  
Direct Fax: 0131 668 8722  
Switchboard: 0131 668 8600  
[Victoria.Clements@scotland.gsi.gov.uk](mailto:Victoria.Clements@scotland.gsi.gov.uk)

Our ref: AMH/90246/10  
Our Case ID: 201303702  
Your ref: 13/00825/FULL

25 September 2013

Dear Sirs

**Town And Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011  
Erection of Wind Turbine (50 metres to hub height and 77 metres to blade tip) and ancillary development, Golf Course, Cunninghamhill, Forfar Restenneth Priory**

Thank you for your consultation dated 13 September which we received on 13 September.

We have considered your consultation and have no comments to make on the proposals. We confirm that your Council should proceed to determine the application without further reference to us.

Yours faithfully

**VICTORIA CLEMENTS**  
Heritage Management Officer East

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr David Soutar

Address: 5 Potters Park Crescent Forfar

### Comment Details

Commenter Type: Miscellaneous

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This project will be of huge financial benefit to Forfar Golf Club and ensure the long term future of the club at least for the next 20 years. It will mean annual fees will not have to rise and hopefully attract more people into golf as it remains affordable. The £2000 annual gift for the benefit of local community will be most welcome to those needing financial support

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Craig Anderson

Address: 14 Drummers Dell Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would support this application, it is my position that we need to encourage renewable energy wherever possible. This application is relatively unobtrusive and does not impact on any residential properties.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Stewart Lennon

Address: 2 Mossside View Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The projected Viewpoint pictures clearly show how visible the turbine will be. However if the application was moved elsewhere (e.g. perhaps even a short distance out-with the course but adjacent to the 10th hole) the visual impact would remain but no financial advantage would accrue to the club.

The energy generated from the turbine is a welcome addition to demand.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Professor Gordon Peterkin

Address: thistlecroft carseburn Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Representations received

Comment: I believe that there are significant opportunities from wind, solar and tidal energy generators. We need to develop and refine all these areas and to progress experimentation and development should go ahead.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Ian Taylor

Address: 19 Roberts Street North Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am a member of Forfar Golf Club and fully support The clubs environmental policy and the installation of a Wind Turbine



# The Forfar Golf Club

Cunninghill, Arbroath Road, Forfar, Angus, DD8 2RL

Secretary: 01307 463773      Clubhouse: 01307 462120  
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Mr Peter McNiven

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## Wind Turbine Application - 13/00825/FULL

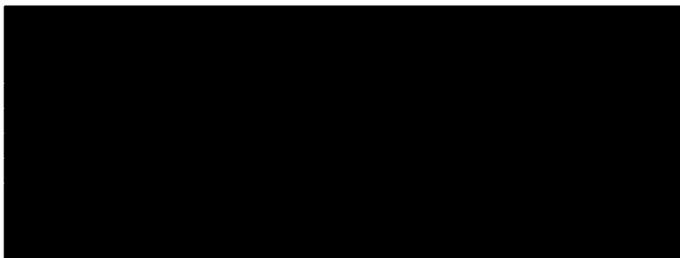
Dear Sir,

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I would request that Angus Council support the club in their efforts to be an example to other clubs and organisations across the UK and approve this application.

Yours sincerely,



Member

KEVIN LYNCH



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**Wind Turbine Application - 13/00825/FULL**

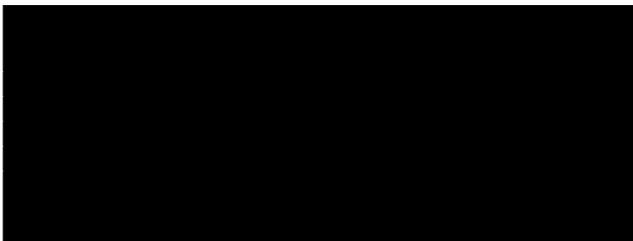
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Yours sincerely,



Member

Paul Howan



# The Forfar Golf Club

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## Wind Turbine Application - 13/00825/FULL

Dear Sir,

I write in support of the application of a Wind Turbine at Forfar Golf Club.

I am a member at the club and fully support the clubs environmental policy which includes introducing a biomass heating system, planting of 300 trees every year on the course and the installation of a Wind Turbine. This policy and these projects are essential to secure the future of both the club and the environment for present and future generations.

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Yours sincerely,



Member

ARTHUR BRUCE



# The Forfar Golf Club

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## Wind Turbine Application - 13/00825/FULL

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Yours sincerely,

Member

DOROTHY BRUCE

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Ross Mitchell

Address: 130 Dundee Roaf Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As a member of Forfar Golf Club I fully support this application which will assist in putting our golf club on a far firmer financial footing for the foreseeable future whilst assisting in providing renewable energy to our country.



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### **Wind Turbine Application - 13/00825/FULL**

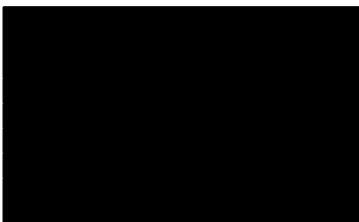
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Yours sincerely,



Member

A. WATT



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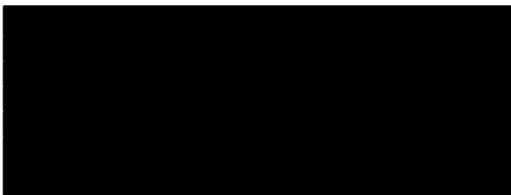
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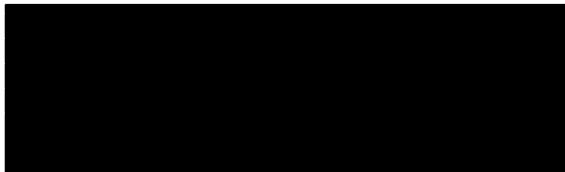
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Yours sincerely,



Member

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Ian Farquhar

Address: 12 Balmashanner Place Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I do not have particularly strong opinions on the merits, or otherwise, of turbines albeit understand that we all must recognise the benefits of renewable energy.

However the likely income to be generated from this turbine will allow Forfar Golf Club to remain financially viable and an asset to the community.

This is against a background of more than 80 clubs requesting assistance from the Scottish Golf Union and at least 3, not so many miles from us, having to close their doors.



## The Forfar Golf Club

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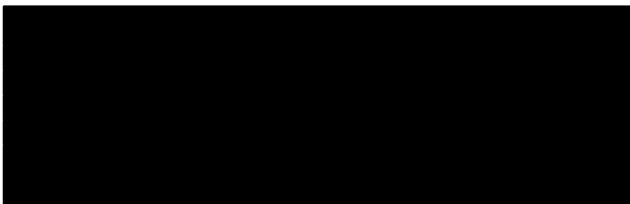
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## **Wind Turbine Application - 13/00825/FULL**

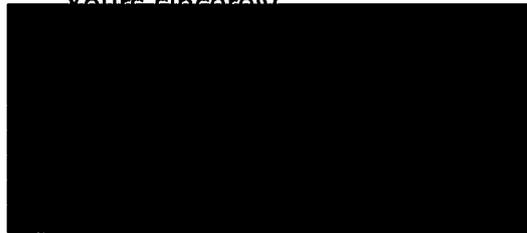
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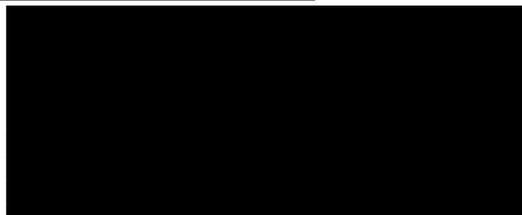
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Yours sincerely



Member



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# The Forfar Golf Club

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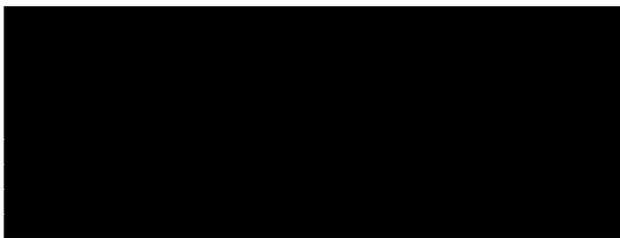
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Member

W. JOHNSTON

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Balhall Lodge, Menmuir, Angus, Scotland. DD9 7RW

Head of Planning  
 Angus Council Planning Department  
 County Buildings  
 Market Street  
 Forfar  
 DD8 3LG

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30 APR 2014

IL/KW

13/00825/full Forfar Golf Club Wind Turbine Application

28<sup>th</sup> April 2014

Dear Sir,

On reading the comments of the countryside officer (Mr Roberts), I was very surprised to see his comments criticizing the level and quality of information submitted by Mr Craig in support of the above planning application to the extent that seemed to be verging on incompetence. However, on seeing Mr Craig's response to this criticism it would appear that **Mr Roberts comments on the information supplied are mostly incorrect** and that the information supplied by Mr Craig is not only of good quality and totally adequate but the reasons for Mr Roberts having difficulty with the information is down to lack of communication within the planning department and the planning departments own failure to reproduce quality copies for Mr Roberts to assess.

In particular, I would make the following comments for discussion and consideration -

1. ZTV - The ZTV was produced in line with SNH best guidelines for a turbine of 77m tip height and shows all areas that the turbine is visible from at tip height. I could understand the criticism by Mr Roberts if the ZTV only showed visibility at Hub Height and omitted areas that could

only see the turning blades as this would be misleading, but what has been supplied is a ZTV that shows all areas where any part of the turbine can be seen. It would be safe to assume that any areas capable of seeing the tip will also see more of the turbine and indeed probably the Hub at 50m. Mr Roberts states “A ZTV that differentiates between both heights enables smart interrogation to help identify the most affected receptors” I would suggest that it makes not one jot of difference weather all you can see is all or half of a turning blade and / or the Hub and that any “smart interrogation” would look at receptors that were much closer to the turbine that are able to see all of the blades and indeed the tower rather than a receptor that can only see the Hub or Tip. In front of my house, I can see from my office on a sunny day a large single turbine blade turning in the distance. If I go upstairs, I can then see two blades turning and the turbine Hub as well. If this turbine had a ZTV produced for both Hub Height and Tip Height receptors, then my property would only be on the tip height ZTV yet from the upstairs of my property I can also see the Hub which would suggest that a ZTV for both Hub height and Tip height is a nonsense as the difference between the two is irrelevant.

2. VIEWPOINTS – It would appear that the Countryside Officer is not in contact with either his colleagues, SNH or historic Scotland as the viewpoints were agreed in advance with all interested parties. Mr Roberts comments that the viewpoints are taken from within 5km of the site or in old money 3 miles away from the turbine. From 3 miles away the turbine will be visible but small and any viewpoints taken from further away would have no relevance to the application.
3. QUALITY OF VIEWPOINTS – Again it would seem that this is down to further incompetence of the council who it would appear are making judgements based on their own badly copied images. The viewpoints supplied with the application were of excellent quality and if Mr Roberts had bothered to look at the originals he would not have made this most basic of mistakes.
4. MISSING VIEWPOINT – This missing viewpoint had been lost by either Mr Roberts or one of his colleagues yet somehow from his office in Brechin Mr Craig bore the brunt of the blame. Again, if Mr Roberts had taken the trouble to look at the original viewpoints supplied by Mr Craig he would have found the missing viewpoint.
5. I THINK IT SHOULD ALSO BE NOTED AT THIS POINT that the applicant company is based in Yorkshire, yet, unlike many local applicants, has chosen to spend potentially tens of thousands of pounds with a LOCAL ARCHITECT rather than using other architects in Edinburgh or in England with potentially more resources than local firms. **I believe that Angus Council should be duty bound to encourage this practice and help local architects with their submissions rather than criticize them in order to ensure that money spent on planning applications in Angus - stays in Angus.**

6. **SINGLE FRAME IMAGES** – These are basically a close up of the centre of the viewpoint – if the viewpoints had not been copied so badly surely you could simply “zoom in”?
7. **CUMULATIVE VISUALISATIONS & ZTV** – I understand that Mr Craig had supplied a location plan with all approved and pending turbines plotted. From this plan it is obvious that none of these turbines can be seen from any of the viewpoints so any cumulative visualisations would be pointless as they would show nothing?
8. **LETTER FROM MR SOUTAR (Forfar Golf Club Captain)** also throws further questions regarding this issue as it would also appear that Mr Roberts took more than Three Months to write this report. Surely, during this time Mr Roberts would have had ample time to consult with Mr Craig and / or his Colleagues in order to obtain the missing information and original viewpoints and rectify these mistakes prior to issuing this incorrect report – after all you are all in the same office building ? I look forward to reading your reply to Mr Soutar in due course which I presume will be posted with the application comments?
9. **IMPLEMENTATION GUIDE** –

Angus Council define this as follows –

Angus Council's Infrastructure Services Committee at their meeting of 14 June 2012 approved the Implementation Guide for Renewable Energy Proposals and accompanying Environmental Report.

The Implementation Guide explains and clarifies for developers and the general public the existing Angus Local Plan Review policy base that will be used by Angus Council in determining renewable energy planning applications.

This application fails within these guidelines that state on page 48 of the guide that the area that the proposed turbine is located in is defined as broad valley lowlands and **IS SUITABLE FOR TURBINES OF UP TO 80M IN HEIGHT** with **NO** restrictions or concerns as to landscape visual impact.

Mr Roberts contradicts these guidelines by stating that because the turbine is towards the edge of the area, the turbine would be out of scale with the landscape. It's either in or its out – the report does not state that only the centre of the area is suitable for **LARGE** turbines and reduces outwards. The report states clearly that the area that the proposed turbine is located in is suitable for turbines up to 80m tip height.

The guide clearly defines the area adjacent to the broad valley lowlands as **Low Moorland Hills** which is also considered to have scope for turbines up to

80m in height but goes on to add restrictions for applicants to consider regarding landscape and visual impact.

Mr Roberts conclusion is in direct contradiction to this guide as his comments are based on the restrictions placed on applications within area 12 and NOT within area 10 where the turbine is to be located and therefore must be incorrect, otherwise, what is the point in spending thousands and thousands of pounds of tax payers money on an implementation guide that planners then ignore and move boundaries at will to suit their mood?

When driving my car in a 40mph speed limit area, I will not get a speeding ticket for driving at 35mph because I am driving near a 30mph speed limit area – its either in or its out.

The following paragraph in blue is taken from page 42 of the implementation guide -

The landscape character areas form the basis of The Wind Energy Geographic Areas in the ALPR as follows (Figure 1, page 39):-

- Area 1 Highland - primarily the Angus Glens along and to the north of the Highland Boundary Fault;
- Area 2 Lowland and Hills - mainly rolling farmland and low hills;
- Area 3 Coast - a mix of sand, cliffs and, around Montrose, lowland basin.

The ALPR identifies areas 1 Highland and 3 Coast as having a greater potential sensitivity to the landscape and visual impact of large turbines.

The map referred to can be seen on page 43 of the guide at -

[https://www.angus.gov.uk/renewableenergy/Finalised\\_Implementation\\_Guide\\_Renewable\\_Energy.pdf](https://www.angus.gov.uk/renewableenergy/Finalised_Implementation_Guide_Renewable_Energy.pdf)

If you take a look at the map you will see that Forfar is right in the middle of area 2 (not towards the edge) which is defined above as the area most suitable for development of LARGE turbines. By Angus Councils own definition, the proposed turbine is classified as a MEDIUM sized turbine being under 80m to tip height and therefore falls well within the councils own guidelines for development in this area.

Let's get the size of the turbine into perspective – the turbine from the ground to the highest tip of the blade is SMALLER than just the rotor diameter of the Nordex 80 wind turbines at Laurencekirk and is classed as a MEDIUM wind turbine.

10. TREES – Forfar Golf Club has recently installed a biomass heating system and will be felling these trees whatever the outcome of this planning application to fuel the new boiler. The loss of trees is therefore not a consideration for this application. The club has an excellent environmental policy and already plants 350 trees every year which more than covers any selective tree felling. Furthermore, the area cleared after construction of the turbine is to be used by the club for the storage and processing of timber for the new Biomass System.
11. HISTORIC SCOTLAND has made no adverse comments regarding the turbine and has raised no objections to the application. Historic Scotland considers that any impact on Resteneth Priory is not significantly important and therefore this cannot be sufficient reason to warrant refusal.
12. VISUAL EFFECTS – None of the closest houses are within a distance from the turbine that will have any detrimental effects from either Noise or Shadow Flicker and indeed none of the occupiers referred to by Mr Roberts have raised any objections to the turbine. I am not sure if Mr Roberts has visited the site or not but if he had he would see that the turbine has been cleverly located so that none of the properties detailed by Mr Roberts actually face the turbine and therefore will not have views of the turbine from principal rooms in the properties. The fact that nearest receptors will have views of the turbine when approaching their houses or from their gardens **is not a legitimate ground for refusal**. Wind turbines are big structures – if grounds for refusal are simply that they give rise to unacceptable effects simply because they can be seen by receptors close by then onshore wind energy could not be developed.
13. MR ROBERTS CONCLUSION – **Mr Roberts has reached his conclusion in direct contradiction to the Implementation Guide, Policies ER34 and ER35 of the Angus local plan review and Government Policy (PAN45) and has based a large amount of his opinions on badly copied images (responsibility of the Planning Department) and incorrect information and his conclusions should therefore be dismissed.**

The possible effects on the landscape from this application are in line with the sort of effects contemplated in the government policy PAN45. **Scottish Ministers recognise that wind turbines are likely to be predominant or relatively prominent in landscape up to 5km and possibly up to 15km yet it remains the case that onshore wind energy is, as a matter of government policy, acceptable in principle and this is not in itself a reason to refuse this application.**

## COMMENTS OF MR DAVID GRAY (Planning Officer) TO FORFAR GOLF CLUB

Regardless of the level of detail submitted, the Planning Service considers that the turbine proposed would be out of scale with the landscape and that it would have significant visual impacts on nearby houses. As a result, the application is considered to be contrary to Policies ER34 and ER35 of the [Angus Local Plan Review](#). As previously indicated, the proposal would also result in the loss of a significant (and an underestimated) amount of woodland due to the location of the proposed turbine and access. I am still unsure of precisely where you propose the access due to the discrepancies in your plans, despite several discussions and revisions to the plans. The most recent set of plans still appear to show two separate access tracks: one with a bend in it and one without.

I believe that my comments above serve to conclude that Policies ER34 and ER35 of the [Angus Local Plan Review](#) clearly define that this application is located within an area that is suitable for this wind turbine development and that Mr Roberts assessment is incorrect and in direct contradiction of Policies ER34 and ER35 and in direct contradiction of Dundee and Angus Structure Plan Environmental Resources Policy 1 as defined below. Impact on local houses is minimal with no properties being affected by either Noise or Shadow Flicker and no close properties have direct views from principal rooms to the turbine. The trees at the location are to be felled to fuel the Clubs new Biomass heating system regardless of the outcome of this application (please refer to paragraph 9) so have no relevance to the determination of this application.

### Dundee and Angus Structure Plan Environmental Resources Policy 1:

Renewable Energy Proposals for renewable energy development will be favourably considered where they deliver quantifiable environmental and economic benefits and any significant or cumulative adverse impacts on the natural and historic environment, landscape and local communities can be satisfactorily addressed.

This proposed wind turbine will deliver both quantifiable environmental benefits through the generation of renewable energy and tremendous economic benefits to Forfar Golf Club and the local community through the profit share scheme, the turbine trophy sponsorship and the local community benefit fund. There are no cumulative adverse impacts on any

natural or historic environments and everybody benefits from this proposal.

**Are there any legitimate grounds for refusal ?**

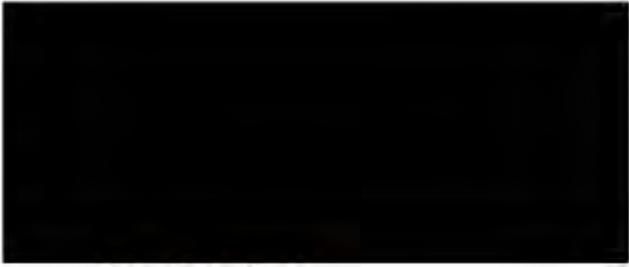
- Is the site on top of a hill – NO
- Is the site going to have multiple turbines – NO
- Is there an adverse cumulative effect with other Wind Turbines – NO
- Have there been any objections from the nearest receptors – NO
- Are any receptors affected by noise or shadow flicker – NO
- Does the proposal have significant visual impact on nearby houses – NO
- Are there any transport or safety issues – NO
- Is the site within a conservation area – NO
- Are there any Archaeology concerns – NO
- Will the turbine interfere with birds – NO
- Are there any Aviation concerns – NO
- Does the Angus Council implementation guide raise any concerns about this location regarding Landscape and Visual effects – NO
- Have there been any objections from any consulted authorities – NO
- Have there been any objections in particular from Historic Scotland – NO
- Is the site located in an area approved by Angus Council Plan for turbines of this size – YES
- Does the turbine offer economic benefits to the community – YES
- Will the turbine secure added value by helping to secure jobs – YES
- Will the turbine help to secure the future of Forfar Golf Club – YES
- Should this turbine be built – YES

**Are there any legitimate grounds for refusal - NO**

Finally, I would finish with a quote from the reporter that approved the appeal for the Lochelbank Wind Farm –

Any wind turbine will give rise to effects on the landscape character and will have visual impacts. It must be taken into consideration that renewables are being brought in to counter adverse changes that are already happening to our environment. National policy supports the development of onshore wind turbines and recognises their visual characteristics and the potential impacts that they will have on the landscape. For such impacts to be unacceptable at this location there has to be something more than the mere conclusion that landscape character would change and that there would be significant visual impact where the turbines are visible at close distances, diminishing over increased distances.

Close range views of Wind Turbines would be likely to give rise to significant visual impacts in any terrain. That itself CANNOT be a sufficient reason to reject the Lochelbank proposa



Paul Basford,

**LeslieA**

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**From:** GrayRD  
**Sent:** 06 May 2014 10:01  
**To:** PLNProcessing  
**Subject:** FW: 13/00825/FULL Proposed Turbine at Forfar Golf Club  
**Importance:** High  
**Attachments:** Forfar Golf Letter 2.doc

Please log as a further rep and acknowledge.

Thanks

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David Gray | Planning Officer (Development Standards) | Angus Council | Communities |  
Planning & Transport | County Buildings, Market Street, Forfar, DD8 3LG | ☎ 01307 473374

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[REDACTED]  
**Sent:** 03 May 2014 15:40  
**To:** GrayRD  
**Subject:** 13/00825/FULL Proposed Turbine at Forfar Golf Club  
**Importance:** High

Dear Mr Gray,

Please find attached letter regarding the above planning application which is further to my previous letter and in direct reply to Mr Roberts reply to me on 29th April.

Hard copy has been posted this morning so should arrive on Monday.

I would be obliged if you would circulate this letter to the relevant people and I look forward to seeing the letter and an appropriate response on the applications open access page.

Kind regards,

Paul Basford.

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[REDACTED]  
**To:** [grayrd@angus.gov.uk](mailto:grayrd@angus.gov.uk)  
**Subject:** 13/00825/FULL Proposed Turbine at Forfar Golf Club  
**Date:** Mon, 28 Apr 2014 17:35:29 +0100

Dear Mr Gray,

Please find attached a letter to the Head of Planning with regard to the above application and in particular to the report by Mr Roberts and the response by Mr Craig.

I have put a hard copy in the post but missed today's post so this should be with you on Wednesday.

I would be obliged if you would circulate this letter to the relevant people and I look forward to seeing the letter and an appropriate response on the applications open access page.

Kind regards,

Paul Basford.

06/05/2014



Balhall Lodge, Menmuir, Angus, Scotland. DD9 7RW  
Telephone: 01356 660332

Head of Planning  
Angus Council Planning Department  
County Buildings  
Market Street  
Forfar  
DD8 3LG

13/00825/full Forfar Golf Club Wind Turbine Application.

Support letter.

3<sup>rd</sup> May 2014

Dear Sir,

I write in response to Mr Roberts letter dated 29<sup>th</sup> April 2014 which is headed as a response to my letter dated 28<sup>th</sup> April 2014.

I find this response to be wholly inadequate as it fails to address any of the points raised by me in my letter and I would therefore request a full detailed response to my letter before this application is determined so that the committee will have better and more accurate information in order to assess the application.

I would also like to draw your attention to the following approved planning application at Field 50M North Of Dunswood Menmuir Brechin ref 12/00115/FULL

This approved application is for an identical wind turbine (EWT 500kw at 77m tip height) and is situated approximately 2000m directly in front of my property.

The following paragraphs in Blue are taken from the decision notice approving the application –

7.12 In this case a key consideration in relation to visual impact is the effect of the development on the nearest residential properties. Whilst the properties are at a distance of some 670 metres from the proposal none of these appear to be directly orientated towards the proposed turbine. I therefore do not consider that the turbine will have any significant impact on the amenity from these properties.

These circumstances are identical to the circumstances at Forfar Golf Club in that none of the properties are orientated towards the turbine yet Mr Roberts incorrectly states that there is still significant impact on the properties.

7.14 Given the height of the turbine cumulative impacts need to be considered and upon request the agent provided additional information in terms of wirelines and a further report.

It would appear that there are different rules for different applicants. Here it is stated that the applicant was invited to provide additional information yet despite taking more than 3 months to provide his report, Mr Roberts failed to ask for any additional information from either the applicant or his colleagues and instead proceeded to criticize and reject the proposal. This in itself is not acceptable.

7.15 Overall I am satisfied that this proposal will not give rise to any unacceptable landscape or visual impacts. Angus Councils approved Implementation Guide for Renewable Energy indicates that as a guide the Broad Valley Lowland in Strathmore has scope for turbines circa 80 m in height. The implementation guide indicates that the existing landscape character is a landscape with views of windfarms and the acceptable future windfarm character is landscape with occasional windfarms.

Again the application is referring to the Implementation Guide and as per the Forfar Golf Club, this turbine is in the Broad Valley Lowlands area and states that the landscape is accepted as a landscape with views of wind farms yet Mr Roberts has moved the goal posts and is applying the rules for “Low moorland Hills” to the Forfar Golf Club application.

Should Mr Roberts opinion be upheld in direct contradiction to the Implementation Guide, I would ask that Angus Council's Infrastructure Services Committee be immediately recalled to discuss the immediate withdrawal of the Implementation Guide as this document is clearly misleading applicants to submit applications within areas that are unsuitable for wind turbines. Full proposals should be put to the committee for the refund in full of all planning fees, architects fees and costs for any and all applicants whose planning application for a wind turbine has been refused where the applications have been submitted in accordance with this misleading guide.

I look forward to your reply.

Yours Faithfully,

Paul Basford.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Iain Richmond

Address: Guildy House Kirkton of Monikie Monikie Angus

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Representations received

Comment: The intention of Forfar Golf Club to erect a 250ft high Wind Turbine on their Golf courses signifies a new low in the search to inflict environmental damage on our countryside and outdoor leisure facilities. To even contemplate putting a massive industrial machine, on a Golf course of all places, would have Old Tom Morris, who set out the course, turning in his grave. If your 'Miscellaneous' commenter thinks more people will be attracted to playing golf at a Course with a muckle Turbine at the end of the fairway then I've got the distinct feeling he's living in cloud cuckoo land.

Mark Twain famously said that "Golf was a good walk spoiled". Well if this application is approved it will be a good walk ruined.....permanently. Not only will the ambiance of the course itself be devastated but also the surrounding country will suffer the same fate. And what is going to happen to the wood where it is to be located? Will it be cut down to improve the aerodynamics of the site? I believe this proposal breaches Policies ER34 and ER35.

I hope the planning committee will reject this proposal and by so doing, protect Forfar Golf Course from the ravages of Forfar Golf Club

Sent from my iPad

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Ralph Stewart

Address: 9 Turfbeg Road Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Feel that this is an area that red squirrels nest therefore they should not be disturbed by this monstrosity .Also being a playing member of Forfar Golf Club there will be a constant noise coming from the wind turbine, i no this, as i have to visit wind turbines in Aberdeenshire.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Rodney Brown

Address: 13 Potters park crescent Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Representations received

Comment: I want to make a formal objection to the planning application cited above on the following grounds.

The proposed turbine would be visible for a significant distance.

The turbine will dramatically alter the landscape character of the area both in the immediate locality and from important vantage points.

Wildlife - The destruction of local birds and bats is inevitable.

Noise - The UK Noise Association recommends that wind turbines are not sited within 1 mile (1.6 km) of houses.

Other families have experienced serious problems with smaller turbines at a greater distance from their homes

There is a potential risk of sleep disturbance and related health issues from this proposal. Include any relevant personal medical conditions such as tinnitus, epilepsy, menieres disease, autism or hyperacusis.

Recreational - This will drastically affect the golf course, resulting in the potential loss of members to other courses.

Government Policy PPS7 - The proposal contravenes a key principle to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife

etc.

The New Coalition Government has indicated that developments should not be permitted if the local community is opposed to a scheme. This gives a strong mandate from the local community to refuse the application if enough people oppose

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Colin Robertson

Address: 16 Maviscroft Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to wind turbine application which would introduce an incongruous, highly prominent and visually damaging structure into a sensitive small scale rural landscape. It would result in serious detriment to the amenity of the recreational quality of the golf course and surrounding area, including parts of Kingsmuir. It would adversely affect a site containing species of nature conservation importance, including red squirrels.

Application should be refused as contrary to several policies of the adopted Angus Local Plan Review, including:

POLICIES ER3 and ER4: Contrary to the findings of the superficial survey accompanying the application, the site forms part of a significant local wildlife corridor frequented by red squirrels, bats, owls, woodpeckers.

POLICY ER5: The turbine is of a scale which cannot be absorbed into the local landscape. It would dominate views in the immediate area and over a considerable distance to the serious detriment of the landscape. Alternative view points (for example from within the golf course, from Balmashanner, from locations around the designated Forfar Path Network) clearly demonstrate the overpowering visual impact.

POLICY ER6: The loss of a significant number of trees (extent of felling requires clarification) to accommodate the construction/operation of the turbine would be detrimental to both landscape and nature conservation interests.

POLICY ER11: Noise arising from the turbine would adversely affect the natural environment, including the recreational area of the golf course and areas containing a variety of wild life.

POLICY ER34: By virtue of its scale and location the proposed turbine is contrary to part (b) of this policy as it will have an unacceptable adverse landscape and visual impact.

POLICY ER35: The proposed turbine will have an unacceptable detrimental effect on existing land uses (golf course) by reason of shadow flicker and noise, contrary to part (c) of this policy.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr John Snelling

Address: 5 The Den Letham Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am a member of the golf club and I strongly object to the erection of this wind turbine. It destroys the natural vista of the surrounding area. A BLOT ON THE LANDSCAPE.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Andrew Clapp

Address: 9 Westfield Crescent, Forfar, Angus DD8 1EG

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I cite the following reasons for objecting to this application -

- 1 The removal of mature trees
  - 2 Loss of habitat for red squirrels
  - 3 The affect of potential shadow flicker over the area of the golf course
  - 4 The potential noise pollution for those using the golf course
  - 5 Turbines of this size should be located in groups - Not single units
- And
- 6 The problems in accessing the site via the existing minor road structure.
- As an earlier objector this will be a BLOT ON THE LANDSCAPE

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: mr andrew viviers

Address: arniefoul glamis forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write to object to this application.

In August 2013, the United Nations Economic Commission Europe (UNECE) declared that the UK government's National Renewable Energy Action Plan (NREAP) violates the laws that transpose the Aarhus Convention into the UK legal framework, in that it is not abiding by Article 7 of the Convention. In particular the public have not been given full access to information on the established unacceptable negative impacts on people and the environment, nor have the public been given decision-making powers over their approval.

For this reason alone there should be a moratorium on all wind turbine applications.

Further to the above, the term Wind Farm is a disingenuous spin on the words farm and farming. My dictionary describes farming as: the husbandry or cultivation of animals, plants, fungi and other life forms, for food, fibre, bio-fuel and other products, in order to sustain human life.

Wind turbine applications often state that the turbine(s) are required for farming diversification. This is obviously incorrect. What it is, is an industrialisation and sterilisation of huge areas of farmland.

When two or more turbines are gathered together, it should be called a wind factory.

Firstly, wind turbines are certainly not life forms, and therefore it can not be a farm nor farming. And secondly, there is no conclusive evidence that they sustain human life, or the lives of any other life form (except perhaps a few carrion feeders until they are killed by the impact of a blade or suffer internal haemorrhaging and death).

In fact the opposite is probably true.

For example, there is mounting evidence that the end result of wind turbine manufacture and use is an increase in CO2 emissions. Furthermore, there is mounting evidence that wind turbine use is harmful to humans, livestock, and other life forms.

Of the millions and millions of bats that are killed each year by wind turbines, it is estimated that 90% drown in their own blood when their lung capillaries rupture as a result of the pressure changes near turning blades. Only around 10% are killed by the impact of a blade.

(Small turbines are also lethal to bats and birds as they are usually sited near buildings that provide roosting and nesting sites.)

There is also growing concern over the stress, internal haemorrhaging, birth defects and still births, of livestock and pets that are kept near wind turbines. These same harmful affects are no doubt occurring to our wild life, and other life forms.

Humans are reported to suffer depression, dizziness and insomnia and I am sure that internal haemorrhaging, birth defects and still births will follow as the years go by.

I understand that in recent years there has been an acknowledged and unexplained increase in cases of insomnia, dizziness and headaches in Dundee. There have been two large wind turbines operating in Dundee since 2006.

The harm is caused by emissions of both ground hugging Infrasound, and Low Frequency Noise. These are accumulative (ie. the longer the exposure, the worse the symptoms), have a range of around 10km, and are mostly at vibrations below the human hearing range.

From my own observations, hares, which live and breed on open ground, would appear to be one of the first terrestrial animals to succumb to this internal haemorrhaging and death out to a distance of at least 5km.

With regard to the effect of off-shore wind factories on marine life, we can be sure that it is considerable. Water is an excellent conductor of sound vibrations, and fish have the ability to detect minute pressure changes (0.5%), and in some cases down to less than 1mb (millibar). Standard atmospheric pressure at sea level is about 1,013 mb.

Recently, the cities of Kolding and Sønderborg in Denmark decided to not erect further wind turbines (in their 500 km<sup>2</sup>+ jurisdictions) until the uncertainty about the health impacts on neighbours is settled.

Mr Mauri Johansson (Specialist in Community and Occupational Medicine) recently stated that: "During the last 12 months, several smaller municipalities had done the same, in spite of strong pressure from government. They are not satisfied with the noise regulations, and demand that genuinely independent studies be done concerning the effects of wind turbines on health.

Last year, retired Danish High Court judge Peter Roerdam stated that wind power is an industry which has thoroughly corrupted the political system Further, Mr Mauri Johansson has this year

added that: It is clear the institutional political corruption, and the lack of professional ethics on the part of wind industry acousticians and public health researchers, who ignore or deny the existence of the sleep and health problems and the consequent serious long term damage to health, is not limited to Denmark.

Indeed, in 1987 a report, led by N.D.Kelley from the Solar Energy Research Institute in Colorado, found impulsive infrasound caused health problems. This report has been ignored for 25 years. Wind electricity is one of the most expensive forms of electricity to be produced. Each turn of a blade adds to our electricity charges. This is as a result of their abysmal efficiencies. It has been calculated that the average turbine only produces between 15 - 28% of its rated capacity over a year, and the kilowatts of electricity produced per square kilometre, or cubic kilometre, of a wind factory is equally abysmal.

The way these huge costs are arbitrarily added to our electricity bills, and the profits kept by a select few, is worse than the illegal chain letter scam.

I say worse because one has to actually opt in to be scammed by a chain letter. This is not the case with wind energy. However, it would be a simple matter to contact all electricity users and ask them if they wish to pay for wind electricity - and if so, could they tick the opt in to be scammed` box. The cost of wind electricity could then be proportioned fairly between those willing and able to pay for it.

I understand that thousands of diesel generators are being prepared all over Britain to provide emergency back-up when wind power fails - in order to prevent the National Grid collapsing. Under this hugely costly scheme, the National Grid is set to pay up to 12 times the normal wholesale market rate for the electricity they generate. Currently the wholesale price for electricity is around £50 per megawatt hour (MWh) but diesel-generator owners will be paid £600 per MWh. These generator owners will also be paid enormous sums for just having them available to be switched on.

Any suggestions that:

1. because there are already turbines or pylons in the area, then it is somehow OK to compound the problem with these turbines is ludicrous! You do not solve a problem by creating an even bigger problem.
2. because there is already a commercial business in the area and therefore it is somehow OK to compound the problem with these turbines is similarly ludicrous. Why enhance an eye sore with an even larger eye sore?
3. if we have to have wind factories, then this is as good a place as any to have one is again ludicrous. We are meant to be living in a democracy and nobody should have to have anything; particularly when it is against the wish of the majority of the population. There are probably now as many, if not more, opinion polls against wind turbines as there are for them. One thing is certain

though, those against are growing rapidly as more and more people realise the true nature and cost, both financially and environmentally, of wind turbines, be they individual or factory units.

4. the county has somehow missed out on tens of millions of pounds worth of investment money by the rejection of several wind factory applications is, once again, ludicrous. Very little of that supposed investment would ever benefit the county, as is proven time and again, where the local business to gain the most is probably the fencing contractor!

5. communities would somehow gain from the so-called Community Fund, or community bribe as more and more people are calling it, is ludicrous - although there is an argument that this is merely another disingenuous misleading spin. The value of the bribe is often only equivalent to the concessions and exemptions a landowner receives for having a wind factory on his land, and therefore the net gain to local county and therefore community, is probably zero.

6. jobs would be increased by this application is misleading, if not ludicrous. The majority of the workforce in the construction, erection and maintenance of turbines comes from abroad, and if the American example is anything to go by, any UK jobs come at a cost of \$12m per job. There is also the valid argument that they are not green jobs anyway, since they cause harm to humans and the environment, and raise CO2 emissions.

7. it is somehow OK to empty properties and effectively sterilise huge areas of Scotland so that wind factories can be built is outrageous and is reminiscent of the Highland Clearances. Scotland has much to be proud of in its history with our willingness to fight for, and support, freedom and democracy. This renewable energy policy is certainly not something to be proud of.

8. there is a silent majority in favour of wind turbines - that harm their neighbours and cause great financial hardship through the exorbitant increases to our electricity bills, is yet again, ludicrous. The silent majority are silent because they have not been told about the harm (to humans, environmentally and financially) that wind turbines and wind factories cause. This comment is supported by the UNEC decision mentioned above.

Finally, any arrangement which pays millions of pounds to wind factories to NOT produce electricity is beyond belief. If this was applied to every business, I dread to think where the money would come from to pay for all the surplus production and services.

Should Scotland gain its independence, one wonders if the electricity users of the rest of Great Britain will continue to be prepared to pay the exorbitant price for Scottish wind power, even if it is later sold back to them at a ridiculously reduced price. If not, and if these costs are placed solely on Scottish electricity users, it will cause great hardship, financial difficulty, fuel poverty and bankruptcy to many people and businesses in Scotland, and Scotland will swiftly follow in the footsteps of countries like Spain and others who have fallen for the wind power scam. (Spain is a particularly cautionary tale. By failing to control the cost of guaranteed subsidies, Spanish

electricity users have been saddled with 126bn of obligations to renewable-energy developers.)

In theory would take about 1,500 wind turbines of around 100m tall spread over 20km<sup>2</sup> to produce the same electricity as a 1,000 megawatt (1GW) power station even then the wind farm could not provide a steady supply. Wind varies considerably, and thus the power station is still required or maybe we need to cover over 100sq km with turbines to possibly provide something near the power from one power station!

In Denmark there are over 6000 turbines for 5.4m people, yet wind power only counts for less than 19% of their electricity requirements, has not resulted in the closure of any power stations, and they have one of the highest electricity prices in Europe.

Germany has the most expensive electricity in Europe and it is estimated that up to 800,000 German households have had their power cut off because they couldn't pay the country's rising electricity bills.

In the UK there are around 5 million households that are struggling to pay their ever rising electricity bills (mainly as a result of these wind factories).

German CO<sub>2</sub> emissions have been rising for two years in a row as coal is experiencing a renaissance, and they are building 20 new coal-fired power stations to provide power when there is no wind or sun usually in the winter when the power is most needed.

CO<sub>2</sub> emissions in the EU as a whole are likely to rise because of increased coal burning at power stations.

There are very few good wind turbines. By good I mean ones which comply with a few simple, common-sense criteria such as:

- a) where the electricity produced helps to supplement the power requirements of the landowner without taking money from every other electricity user in the country to do so;
- b) where they do not cause continuous harm to humans and other life forms;
- c) where the CO<sub>2</sub> emissions caused by the construction, erection and maintenance of the turbines is accurately assessed and the result (either increased or decreased), is justified;
- d) where the loss of revenue to other local businesses caused by the location of the turbines is justified.

If one applies these few criteria to wind factories, then there are no good wind factories, either onshore or offshore (the financial cost and CO<sub>2</sub> emissions caused by offshore factories are considerably greater than onshore factories).

If we are to have renewable energy providers for our national requirements, then we should be considering systems that guarantee to provide a steady supply of power at more than 30% efficiency, do no harm, and help save the environment. Wind power can never achieve this.

On a more personal level, we run a holiday cottage business, and many of our visitors have stated that, with regret, they will not return if Angus over-run with turbines. This will greatly affect our livelihood and many other businesses in the area which rely on tourism. I am sure this growing dislike and rejection of turbines applies to other areas of the country.

I urge you not to allow the country to be invaded by these turbines.

Let common-sense prevail, reject this application, and help save the country for future generations.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Gresham Worgan-Blake

Address: Stockmans Cottage Drowndubbs Farm Kirkbuddo, forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Based on the very sketchy information and indifferent research I can see little or no basis for the claims made in regard of this application. A number of the actual details were incorrect or incomplete on the original paperwork and this only supports my belief that virtually no actual research has been completed on the effectiveness or likely returns from this turbine. The destruction of the wooded area to the left of the 10th fairway and the necessity for a new access road and hard standing all seem to have been somewhat glossed over in the application.

Experience also suggests that the developers claims are extremely optimistic when it comes to the actual returns for this type of installation. One only needs to travel the A90 on a breezy day to see how many of these types of turbines have to be locked out as they cannot cope with higher wind speeds. All things considered I believe the disadvantages of having this turbine dominating the landscape for several square miles far outweigh any advantages its installation may bring.

Broadlands,  
Loanhead,  
Forfar,  
Angus,  
DD8 1XF

14/09/2013

RECEIVED

20 SEP 2013

IKW

Head of Planning & Transport,  
County Buildings,  
Market Street,  
Forfar,  
DD8 3LG

Ref: Application **13/00825/FULL**

Dear Sir,

I have read with utter disbelief the planning application and supporting documentation for the erection of a 77m industrial wind turbine in the wooded area at the south-east corner of Forfar golf course. I can only assume that this story has been entered as a candidate for the Booker Prize.

In the application form itself there are questions for which incorrect answers were given, despite a statement on the last page confirming that the information given is true and accurate....

1. Are you proposing new/altered vehicle access from a public road? **NO**

***The location plans clearly indicate that a new access must be constructed from the by-road to Tullibardine, with the access road constructed beside the ditch. This would require a 20m radius curve to allow access to the turbine vehicles, based on data contained in Section 10***

2. Are there any trees on or adjacent to the site? **NO**

***The location plan and OS maps clearly show that this is a wooded area.***

3. In a subsequent letter to the Council, this error was corrected, with the comment that "...only selective felling of existing conifers will be required along the route of the access track, turbine and crane bases".

***This fails to mention that, based on the assembly area plan on page 11 of Section 10 of the proposal, a cleared working area of approximately 54m x 54m would be required for the assembly of blades and hub, in addition to a 6m wide cleared area for the access road. This would require the felling of nearly 50% of the trees in this section of the wood.***

4. Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2008? **NO**

**Schedule 3 (formerly known as 'bad neighbour') developments include the following:**

- ..the construction of a building to a height exceeding 20m**
- ..construction of buildings which will alter the character of an area of established amenity**
- ..introduce change into a homogeneous area.**

Section 3 of the Environmental Impact Assessment makes a number of claims and statements which require further examination.

Page 4 Introduction states

" ..the generation of renewable energy will also improve the viability and sustainability of the Golf Course...."

***It may well benefit the Golf Club and members but it is unlikely that the course will benefit.***

and continues ...

"The applicant proposes .....to establish a 'Community Fund'...."

***Angus Council protocols state quite clearly that 'community funds' do not form part of the planning process. Why then, does this application continue with what has been described elsewhere as a 'bribe'?***

***However, a 0.5MW turbine operating at a base-load of 25%, with current FIT rates of 22.54p per kW/hr, would be expected to have a gross revenue of approx £250k pa, of which the 'community fund' would receive less than 1%., despite electricity consumers paying approx £200k in renewable surcharges. Guess who receives the lion's share, subsidised by electricity users.***

Section 1.1 Sustainability comments..

"..while also allowing the farmer an income from the land".

***There has, sofar, been no indication of the involvement of the neighbouring farm ..... or is this simply a badly edited standard, pro-forma application?***

and continues...

"...implementation of the turbine will play a small but significant part in contributing to the Government's renewable energy targets with the associated impact on CO2 and global warming."

**Agreed small, but totally insignificant, contribution to an utterly meaningless target, where the IPCC has recognised that there is no relevant relationship between CO2 and 'global warming'.**

Concluding...(oh, if only!)

"...location..carefully selected....maximise available wind resource...etc etc"

**There is no evidence of any form of meteorological measurement and no anemometer readings.**

and...

"..little intrusion on the surrounding environment"

**A 77m/252ft industrial turbine, surrounded by a few remaining 20m conifers and open fields? Still, presumably golfers on the adjoining tee (possibly less than 70m away) will not be distracted or even notice the noise and blade movement.**

Section 1.2 Energy Options asserts...

"The generation of the same amount of solar energy would require in excess of 30 acres of valuable land"

**Difficult to see what possible relevance this has. Solar energy is generated, yes, you've got it, in the Sun! Nuclear energy could generate the same amount of energy in one square foot – or less."**

Section 2.1 makes claims about generation of electrical energy.

"..at an average wind speed of 6.5m/sec the proposed turbine could generate 1900MW/Hr per annum".

**No doubt, if such an average wind speed were available. But, as has been seen, no evidence of wind measurement has been provided. Moreover, the claimed output of 1900MW/Hr represents an average load-factor of 43.4%, which would make this the most efficient wind turbine in the UK, possibly the World. Given an average on-shore load-factor of about 25% for the UK, and research which shows that output diminishes significantly after the first year, with a realistic life of 12-17 years, claims for a 43% load factor over 25 years are more than optimistic. If the anticipated payment to the golf club is based on the forecast of 1900MW/hr, there could be a few long faces in the bar in a year or two.**

Section 2.5 Site Access and Traffic Management

"..site is accessed from an unclassified road.....along proposed access track.....without need for re-enforcement (sic) of the track"

***This contradicts the 'new/alterd vehicle access' statement in the planning application and ignores the fact that removal of trees and stumps along the proposed access track would leave the ground unsuitable for very heavy vehicle movements without significant consolidation and reinforcement. There is no indication of the number of vehicle movements, particularly in respect of access track and working area construction.***

In short, this application makes no significant contribution to energy supply, makes over-optimistic claims about the amounts which might be produced, does nothing for energy security, requires the destruction of half the wooded area in which it might be situated and appears to have the sole objective of reducing membership fees at the expense of other electricity users.

I would suggest that this application fails to meet the requirements of ER5(a) , ER34(a,b) , ER35(c) and urge the Council to refuse permission.



Derek R Powell



## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: MR Ewan Callander

Address: 11 turfbeg avenue Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Representations received

Comment:As a past president of forfar golf club i cannot beleive that the club is considering putting such a large construction which will be a complete eye sore to the local community and will have a severe deppromental evect to the golf course and will certainly have an effect on visitor income as who would want to play a game of golf with a large windmill swishing in the background. I support renewable energy but not on a golf course there are places far more suitable to site these turbines. It would also have a severe depromental effect on the local wildlife.Please refuse this application and protect a local golf course from destruction.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mrs Freda Robertson

Address: 16 Maviscroft Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the proposed wind turbine. As a member of Forfar Golf Club it is difficult to conceive how a moving structure more than four times the height of Balmashanner War Memorial can even be contemplated on part of a historic golf course designed by Tom Morris and James Braid.

It would not only be golfers who would share the views of this 250ft high Forfar landmark it will be seen from miles around despoiling the landscape quality of a beautiful area of Angus countryside. Well sited wind turbines can play an important role in developing and delivering sustainable energy. However Forfar golf course is not an appropriate location on which to site a wind turbine dominating views, blighting the golf course and seriously disturbing local wildlife species and habitats.

The nature and extent of tree felling associated with this proposal requires clarification, where discrepancies continue to arise between the original planning application (no impact on trees), the amended application (selective felling), and information previously indicated to members of the club (clear felling of an extensive area of trees).

Access to the turbine site requires clarification. The planning application form indicates no new altered vehicle access to or from a public road. This is contradicted by the site plan which shows a new access track with new junction onto the Burnside Road some distance from the existing gated access to the golf course.

The planning application should be refused in order to protect the amenity of a valuable recreational area, to safeguard nature conservation and wildlife interests, and to respect local landscape attributes.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Renton Cuthill

Address: 46 West Hemming Street Letham Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Large stand of trees, which are red squirrel habitat are to be felled in order that this turbine can be built and operate. This is a protected species and I therefore strongly object to this proposal.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr. Gerald Johnson

Address: 6 Anvilbank Letham

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to add my name to the chorus of objectors regarding the application of a Wind Turbine at Forfar Golf Course.

Forfar Golf Course has been said by members and visitors alike to be a gem of a golf course, a tranquil setting with its beautiful landscape and surrounding views. This turbine certainly won't lend itself as an enhancement.

The proximity of the planned site of the turbine to the 10th TEE area (approximately 80 meters) and height of it (reportedly 77 meters) would be an overshadowing blight on the golf course.

The shadow flicker pattern shows the immediate area of the 10th tee and 9th green most often affected but the pattern extends far beyond.

The noise, visibility and even the effects on the habitat cannot be favorable factors, and I question the "selective tree cutting to accommodate the delivery access and construction of the turbine. Is it really a matter of "selectively" clear cutting?

Would this installation if approved set a precedent for more turbines to follow in the immediate area by the golf club (if suggested annual income is £34,500.00 per annum to the club, why not 2 or 3 turbines.), or by adjacent landowners.

As a member of Forfar Golf Club, I understand and appreciate the need to identify revenue opportunities, especially during the current economic climate and its effects on dwindling membership, but should the beauty of the golf course be sacrificed. I would hope for a better

solution.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mrs Helen Prophet

Address: 77 Thornton Park FORFAR

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The wind turbine on Forfar Golf Course will have a huge visual and noise adverse affect on the surrounding area.

There are red squirrels on the course and the mass felling of trees will have an impact on their environment. Woodpeckers nested in that area this spring.

It is also a known fact that birds are killed by the rotating turbine blades.

I object very strongly to a turbine being erected on the course.

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mrs Avril Simpson

Address: Field Studio Welton Corner Forfar

### Comment Details

Commenter Type: Miscellaneous

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposal fills me with some concern and I question why such a high and large Wind Turbine is necessary for a Golf Club!? I could be in agreement if the size was reduced dramatically.

The positioning seems to be causing concern too.

Have the Golf Club considered Solar Panels?

Who else is going to benefit?

## Comments for Planning Application 13/00825/FULL

### Application Summary

Application Number: 13/00825/FULL

Address: Golf Course Cunninghill Forfar

Proposal: Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development

Case Officer: David Gray

### Customer Details

Name: Mr Iain Martin

Address: 1 Melbourne Place Lour Road Forfar

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Congratulations to Forfar Golf Club for their insight into the wellbeing of Golf in Scotland. The application of a Wind Turbine at Forfar Golf Club is sure to increase the membership of neighbouring clubs as members leave in droves should this monstrosity of a structure be allowed.

I have been a member of Forfar Golf Club for over 25 years but doubt if I will be for much longer if this proposal goes through, I just cant imagine the effect that this will have on my enjoyment in playing golf. The visual impact and the noise from the rotating blades of a Wind Turbine dont fill me with any confidence that my round of golf will be enhanced. I also doubt that it will do anything but discourage visitors from playing golf at Forfar.

The wooded area designated for the Wind Turbine is to be felled that in itself is a disgrace, it has been managed by the green staff to encourage wildlife including the red squirrel which I believe has legal protection and is included in Schedules 5 and. 6 of the Wildlife & Countryside Act 1981. I strongly object to this application.