

**APPLICATION NO. 13/00865/FULL
APPLICANT: MR WILLIAM SHAW
FIELD 1500M SOUTH EAST OF INGLISTON FARM
EASSIE**

ANGUS COUNCIL'S SUBMISSION

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Angus Council

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| Application Number: | 13/00865/FULL |
| Description of Development: | Erection Of Wind Turbine Of 50 Metres To Hub Height And 77 Metres To Blade Tip And Ancillary Development |
| Site Address: | Field 1500M South East Of Ingliston Farm Eassie |
| Grid Ref: | 334397 : 744313 |
| Applicant Name: | Mr William Shaw |

Report of Handling**Site Description**

The application site, which comprises agricultural land, is located on the north facing slopes of Ingliston Hill to the south of Balkeerie, approximately 4 kilometres west of Glamis. The site runs up the existing access track that enters the fields opposite Balkeerie School, before turning east towards Ingliston Wood where it runs up the field boundary before turning west towards the disused quarry on Ingliston Hill at a height of approximately 240 metres.

Proposal

The applicant proposes the erection of a single 800kW 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 incorporates a new 120 metre long access track that runs to the south east of the turbine that links into the existing network of tracks. The applicant also proposes a turbine base, turbine foundation, a hard standing measuring 35 x 20 metres, an external substation measuring 10 x 3 metres and a borrow pit measuring 92 x 44 metres.

The application has not been subject of variation.

Publicity

The application was subject to normal neighbour notification procedures.

The application was also advertised in the Dundee Courier on 4 October 2013.

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

Planning History

13/00581/EIASC for Erection of One Wind Turbine of 50 Metres to Hub Height and 77 Metres to Blade Tip was determined as "EIA NOT Required" on 10 September 2013.

Applicant's Case

The applicant submitted a Supporting Environmental Document in support of the application. In summary, it states that there are three core drivers for the applicant to develop wind energy on the farm: diversification of farming business; improve environmental performance; and combating climate change.

It also provides information in support of the turbine under a number of topics, the main points of which

are summarised below:

The proposal

The single medium scale turbine was deemed suitable for the site to ensure maximum utilisation of the available wind resource whilst minimising impact on the local environment. Residential exclusion zones were applied to mitigate impact on properties not in control of the applicant, the site avoids key environmental areas, utilises existing tracks as far as possible, avoids culturally sensitive areas and is clear from public roads. The turbine would be transported from an east coast port (probably Dundee) and would use the A90/A94/Balkeerie Road public road network and it is anticipated that no works would be required to enable this. The new access track would have a constant useable width of four metres and would be constructed along existing field boundaries where possible to minimise loss of useable farming land. The proposed turbine would be connected to the grid via 11kV cabling for subsequent sale as part of a long term power purchase contract, currently envisaged to run underground to a point 290 metres north west of Eassie. On reaching the end of its operational life (25 years) the turbine would be decommissioned, dismantled and removed unless another turbine is consented.

Landscape and Visual

In terms of the summary of effects, the Landscape and Visual Assessment (LVIA) suggests that the proposed development would not result in any significant direct effects on the physical landscape features of the site or indirect effects on its surroundings. Short term significant visual effects during construction and decommissioning are predicted on a limited number of residents and walkers within 1.5 kilometres of the turbine. Of the fourteen viewpoints, significant visual and landscape effects are only predicted at four. No significant effects are predicted on the overall character or the overall integrity of the landscape character types, landscape designations, road users or nationally important recreational routes. Significant visual effects are predicted on 34 dwellings within 1.5 kilometres of the turbine that would have some direct and open views of the turbine on the skyline, although these effects are not judged to be overbearing on residential amenity given the distance from the proposed turbine. Significant cumulative effects are predicted on residents at only one dwelling and a limited number of walkers. The statement also notes that the Sidlaw Hills have a medium capacity for development and scope for turbines up to 80 metres in height exists. The LVIA states that proposed development avoids significant landscape and cumulative effects on important landscape features. The landscape character and quality is already significantly compromised by Ark Hill wind farm which limit the changes that would be introduced by the proposed development.

Soils and Hydrology

This concludes that as with any construction project, there is a risk of pollution. However, detailed mitigation measures have been provided and on the basis these are adhered to, the impacts on soils, surface water and groundwater are considered to be negligible.

Socioeconomic

This states that the project has been assessed as having an overall positive socio-economic impact on the local area. The turbine represents a strong example of diversification for the farmer and is a significant additional source of income. This income will not only support the farm, but would have direct and indirect benefit on other local businesses and the wider community.

Cultural Heritage

The assessment notes that there are no known archaeological sites within the proposed construction area. There are 23 high sensitivity cultural heritage sites within 5 kilometres of the site, and three of those have potential for significant impact due to their proximity to the site (Castleward Burial Mound, Denoon Law Fort and Wester Denoon Burial ground). However, the proposed turbine is not considered to significantly impact on these because of the minimal interaction on views between them. The other 20

sites would not be adversely affected due to the distance from the proposed turbine.

Ecology

A phase 1 habitat survey was carried out. Whilst a suitable habitat for a range of protected species was identified, no direct field evidence was recorded. It concluded that no further survey would be necessary.

Shadow Flicker

No shadow flicker impacts are expected at nearby properties.

Noise

This concludes that the nearest property to the turbine is 686 metres from the turbine position. Noise modelling has been undertaken and noise at this property is shown not to exceed 35dB(A) (LA90) at a wind speed of 10 m/s and at a height of four metres, in accordance with ETSU and the guidance from the Institute of Acoustics. Overall, noise impacts are predicted to be low and assessed levels are well within ETSU limits.

Telecommunications

No specific mitigation measures are required in relation to the telecommunications links. Where any issues to arise, they can be appropriately mitigated.

Aviation

An initial desk based assessment has been carried out and it is not expected that there will be an issue with either civil or military aviation.

Consultations

Angus Council Environmental Health - This consultee has no objection to the application subject to conditions in the interests of minimising noise concerns.

Natural & Built Environment - Countryside Access - This consultee has no objection to the application but states that the potential visual impact on core paths 209, 212 and 233 should be taken into consideration, as should the visual impact upon recreational use of the adopted roads which link core paths 239, 240 and 209.

Civil Aviation Authority - There was no response from this consultee at the time of report preparation.

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.

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 - This consultee has no objection to the application.

Historic Scotland - Archaeology - This consultee objects to the application on the basis that the proposed turbine would impact on the setting of scheduled monuments: Castleward and Wester Denoon burial grounds. Historic Scotland also advises that the development would impact on the setting of a third

scheduled monument, Denoon Law fort, but this would not be to such a degree that it would raise issues of national importance.

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

Community Council - This consultee does not object to the application but raises concerns about impact on the quality of life at the residential properties at Easter Denoon.

Angus Council - Roads - No objection to the application subject to conditions in relation to visibility splays, verge crossing construction, access track width and the provision of a Construction Traffic Management and Routing Plan.

Scottish Water - This consultee has no objection to the application.

Aberdeenshire Council Archaeology Service - This consultee has no objection but requests that a watching brief condition be attached to any planning permission.

Atkins - This consultee has no objection to the application.

Representations

39 letters of representation were received, of which 2 offered comments which neither supported nor objected to the proposal, 25 objected to the proposal and 12 supported the proposal.

The main points of concern were as follows:

- o Detrimentially Affects Wildlife
- o Detrimentially Affects Protected Species
- o Moral/Ideological Considerations
- o Noise Disturbance
- o Detrimental to Residential Amenity
- o Unacceptable Landscape/Visual Impact
- o Impact on existing livestock water supply
- o Right of Way Affected
- o Adversely Impacts Natural Heritage Site
- o Road too Narrow
- o Road Traffic/Pedestrian Safety
- o Shadow Flicker
- o Substandard Access Road
- o Surface Water Drainage Concerns
- o Construction Traffic will cause Problems

- o Unacceptable Flood Risk
- o Detrimentially Affects Listed Building
- o Contrary to Development Plan
- o Ownership Certificate Incorrect
- o Neighbour Notification Incomplete
- o Danger to School Children

The main points of support were as follows:

- o Provides Renewable Energy
- o Boost to Local Economy
- o Create Employment
- o Improvement for Road Safety
- o Improves Visual Amenity
- o Environmentally Beneficial

These matters are considered in the assessment below.

Development Plan Policies

Angus Local Plan Review 2009

Policy S1 : Development Boundaries
Policy S3 : Design Quality
Policy S6 : Development Principles (Schedule 1)
Policy ER34 : Renewable Energy Developments
Policy ER35 : Wind Energy Developments
Policy ER5 : Conservation of Landscape Character
Policy ER11 : Noise Pollution
Policy ER18 : Archaeological Sites of National Importance
Policy ER19 : Archaeological Sites of Local Importance

TAYplan Strategic Development plan

Policy 2E : Energy Efficiency/Embedded
Policy 3D : Natural and Historic Assets
Policy 6C : Consider Criteria as Minimum

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: -

- o TAYplan (Approved 2012);
- o 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: -

- o National Planning Framework for Scotland 3 (NPF3);
- o Scottish Planning Policy (SPP);
- o Scottish Government 'Specific Advice Sheet' on Onshore Wind Turbines;
- o Tayside Landscape Character Assessment;
- o Angus Council Implementation Guide for Renewable Energy Proposals (2012);
- o Strategic Landscape Capacity Assessment for Wind Energy in Angus (Ironsides Farrar - 2014);
- o Angus Wind farms Landscape Capacity and Cumulative Impacts Study (Ironsides Farrar, 2008);
- o SNH Siting and Designing wind farms in the landscape May 2014;
- o Planning Advice Note 1/2011: Planning and Noise;
- o The environmental information submitted in respect of this application by the applicant, consultees and third parties;

NPF3 states that the Government is committed to a Low Carbon Scotland and through the priorities identified in the spatial strategy set a clear direction to tackling climate change through national planning policy. Renewable energy technologies, including onshore wind, are identified as key aspects to realising this aim whilst recognising that a planned approach to development is required to find the correct balance between safeguarding assets which are irreplaceable while facilitating change in a sustainable way.

Scottish Planning Policy (SPP, June 2014) represents a statement of government policy on land use planning. In relation to onshore wind, the SPP states that 'Planning authorities should set out in the development plan a spatial framework identifying areas that are likely to be most appropriate for onshore wind farms... The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community and cumulative impacts... Proposals for onshore wind should continue to be determined while spatial frameworks are and local policies are being prepared and updated'.

The SPP states that proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. It notes that considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:

- o net economic impact
- o contribution to renewable energy generation targets
- o cumulative impacts
- o impacts on communities and individual dwellings
- o noise and shadow flicker
- o landscape and visual impacts
- o effects on the natural heritage
- o public access
- o impacts on the historic environment

- o impacts on tourism and recreation
- o impacts on aviation and defence interests
- o impacts on telecommunications and broadcasting installations
- o impacts on road traffic
- o effects on hydrology, the water environment and flood risk

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 states that the planning system should support the transformational change to a low carbon economy, consistent with national objectives and targets, including deriving 30% of overall energy demand from renewable sources by 2020 and the equivalent of 100% of electricity demand from renewable sources by 2020.

The supporting information states that the applicant is seeking to diversify the farm business to increase revenue to support the continued viability of the farm and to reduce the overall carbon footprint of the farm by offsetting energy usage. The applicant suggests that the proposed turbine would generate in the region of 1660MWh per annum and this would directly offset the emission of approximately 871 tonnes of CO₂ for every year of operation and increase the proportion of green energy available as supported by national, regional and local policy. In this respect the proposal attracts general support from both national and local planning policy and the potential benefits associated with the application are taken into account

in the assessment on specific matters that follows.

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 "Igneous Hills" which is a 'medium' scale landscape character type (LCT) with semi-enclosed to open views, a disturbed naturalness and generally open landscapes of almost conical summits dominated by grass moorland recognised as being key characteristics. Other local landscape features noted in the TLCA include old field systems, burial sites, hill forts and later castle sites, and masts and aerials already being prominent features. The TLCA also states that the potential to steer wind farm development away from ridgelines and summits and to consider the shallow bowls and valleys away from ridges.

The Angus Wind farms Landscape Capacity and Cumulative Impacts Study undertaken by Ironside Farrar in September 2008 acknowledges that the Igneous Hills LCT is a prominent area of lowland hills that clearly separates Dundee and the dipslope farmland in the south to the broad valley lowland of Strathmore in the north. It states that the hills are of medium scale and have a fairly complex topography. Visually, the landscape is of medium sensitivity, has medium capacity for wind farm development, stating that careful siting of wind farms of a medium to small scale only would be acceptable.

The Council's Implementation Guide for Renewable Energy Proposals suggests that this landscape character type has scope for turbines circa 80 metres in height which do not disrupt the principal ridgelines or adversely affect the setting of important landscape features monuments such as Kinpurney Monument and Auchterhouse hillfort. It suggests that the Acceptable Future Windfarm Character for this area is Landscape with Occasional Windfarms.

The Strategic Landscape Capacity Assessment for Wind Energy in Angus (March 2014) also classifies the area within which the turbine is proposed as Igneous Hills LCT. The area is analysed as being a varied landscape of distinctive steep hills and valley farmland. The hills provide a backdrop to Dundee to the south and define the southern edge of Strathmore to the north. It also states that it is very visible from surrounding lowlands and advises that proposals should keep clear of key skyline ridges and summits. The Capacity Assessment advises that the remaining landscape capacity is medium for medium/large turbines (50 metres to 80 metres in height) and overall, the LCA should be Igneous Hills with Wind Turbines/No Wind Turbines. It is also relevant to note that this document classifies the proposed turbine as being within in the Central Sidlaws and Tealing 'Area where Cumulative Impact Limits Development'

In this instance the proposed turbine would have a hub height of 50 metres and would be 77 metres high to blade tip. It would be located at an elevation of between 230 and 240 metres, close to the summit of Castleward (273m). Castleward is the endpoint of a ridge which extends north-eastwards from Kinpurney (345m) and Henderson (369m) Hills. Whilst the Sidlaws in general are popular recreational area, Kinpurney and Auchterhouse Hills are particularly popular with networks of paths extending across the summits from various directions. Whilst a turbine of this size would generally be considered to be in scale with this LCT, the siting of the turbine on a ridge close to the hilltop would not be consistent with published guidance. A number of visualisations submitted by the applicant (VP02, 03, 04, 07 and 10) clearly illustrate the turbine in this ridge/skyline location. These visualisations show the turbine to appear as a prominent skyline feature from a number of different locations. The proposed turbine would therefore impact on the character of the skyline and potentially detract from the prominence of the existing hilltop

features in the area such as Kinpurney Hill Fort and Denoon Hill Fort (on ground lower than the turbine itself)(see Historic Scotland concerns highlighted below). Taking these factors into consideration, a turbine in the proposed skyline location would have significant adverse landscape impacts that are considered to be unacceptable. As a result, the application is considered to be contrary to Policy ER34 of the ALPR.

In terms of cumulative landscape impact, there are a number of built or approved turbines in the Sidlaws between Newtyle and the A90(T). These include Ark Hill, Scotston Hill, Henderson Hill, Govals and Frawney. It is also relevant again to note that the Strategic Landscape Capacity Assessment defines the site as being within an 'Area where Cumulative Impact Limits Development'. As a result, cumulative landscape impact is a matter that requires careful consideration. It is considered that the prominent location of the proposed turbine disproportionately increases the influence it would have to the level of wind turbine character in the area. It would typically be inter-visible with the turbines at Ark Hill. In addition, there are a number of turbines both to the north and particularly to the south of the Sidlaws. Given the above, the wind farm typology for this part of the Sidlaws could reasonably be regarded as Landscape with Wind Turbines. Further development which significantly increases the contribution of wind turbines towards defining the character would progressively lead towards a Wind Turbine Landscape. Unfortunately, the size and prominence of the proposed turbine together with its proximity and inter-visibility with other turbines would lead to this consequence. This conclusion would be consistent with the guidance within the Strategic Landscape Capacity for Wind Energy which provides recommended minimum separation distances between wind turbine developments. As a result, the cumulative landscape impact that would result from this development renders the development unacceptable given that it would not be capable of co-existing with other wind energy developments without unacceptable landscape impact. In that respect the application is also contrary to Policy ER35 of the Angus Local Plan Review.

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 location of the proposed turbine close to the hill summit would make the proposed turbine more commonly visible within the Sidlaws and from Strathmore to the north-west through north to north-easterly directions than would otherwise be the case. However, the location towards the northern edge of the hills generally restricts visibility from the lower ground south of the Sidlaws. The viewpoints and ZTV generally show that the turbine would be widely visible above the skyline from much of Strathmore. From the higher ground within the Sidlaws, again the ridge/ close to hilltop location would lead to the turbine being widely visible from the network of recreational paths and hilltops. The extent to which the turbine protrudes above the skyline would be greater than the single turbines approved at Scotston and Henderson Hills. From most viewpoints (with the exception of Kirriemuir) the turbine protrudes above the skyline by a greater extent than the development at Ark Hill. The skyline prominence would lead to levels of impact disproportionate for a single turbine.

Cumulatively, it is apparent from the cumulative ZTV's provided that the proposed turbine would be visible in conjunction with a number of other wind turbine developments (including Ark Hill, Scotston and Henderston). The proposed turbine is approximately 2.5 kilometres to the Northwest of the Ark Hill wind farm. From the Northwest, in some light conditions, the proposed turbine may appear as part of the Ark Hill development but the distance between the two developments would probably result in it more normally appearing as a separate development. The prominence of the proposed turbine together with the number of other built or approved turbines relatively close would lead to increased frequency of turbines being within views when on the recreational hilltops and paths within the Sidlaws. For example, from Kinpurney Hill, the extent of arc of view which includes prominent turbines would be extended by this development. Given that the hub design of the proposed turbine in particular is very different from those at Ark Hill, the significant differences in turbine design may also be apparent when nearby within the Sidlaws.

In terms of the visual impact on houses, those located in the glen at Denoon would typically have views of

the turbine at distances of at least the equivalent of 11 times turbine height. However, there would be substantial differences of what can be seen from different parts of the glen with the locality of all but one of the houses seeing at least blades. Some will see the hub and at least part of the tower. Whilst some of the houses may have localised screening from farm buildings, the approaches and typically the environs of all houses would experience views of the turbine. The turbine would be viewed on the skyline and above the houses at a distance of around 1 kilometre. The turbine is likely to be prominent, as illustrated in VP01, and would therefore result in significant impacts upon the visual amenity of houses within the small glen. Additionally, many of the houses in the vicinity of Eassie and Balkeerie would experience significant visual effects. The proposed turbine would typically be visible at a distance of the equivalent of 14 to 22 times turbine height but the visual effects would be increased due to southerly aspect of the turbine relative to the houses and its location on higher ground. Notwithstanding this, at the separation distances involved and as this is a single turbine, these impacts in themselves are not considered unacceptable.

In terms of cumulative visual impact on nearby houses, those located in the glen at Denoon are most at risk, particularly because the houses at Denoon already experience significant impacts in relation to the existing wind farm development at Ark Hill. The prominence of the proposal in a different direction of view from the existing development at Ark Hill would increase the overall cumulative impact, it would also give the impression of being surrounded by wind turbines. Additionally, the position of both developments on higher ground would increase the impacts, both individually and cumulatively. Within different parts of the glen, cumulative views are likely to be in-succession and sequential. This cumulative impact would be of major significance and is considered to be unacceptable.

Nearby houses to the west and northwest of the proposed turbine at Balkeerie, Eassie would be unlikely to get views of the other turbines at Ark Hill, Henderson or Scotston and therefore would not experience significant cumulative effects.

As a result of the above, the visual impact of the proposed turbine, both individually and cumulatively, is considered to be unacceptable. This is contrary to Policies ER34 and ER35 of the local plan.

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 note that the site holds no statutory or non-statutory nature conservation designations. The applicant submitted an ecological report of the results of a phase one habitat survey with the application and this concluded that there was no evidence of protected species using the site. Whilst concerns have been raised in letters of objection about the accuracy of the survey undertaken by the applicant, there are no objections from any statutory consultees in relation to impacts on wildlife and/or habitats. On that basis, there is no reason to justify refusal of the application on that basis.

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 scientific, historic or archaeological reasons.

Historic Scotland has considered the proposal and advises that the proposal has the potential to impact on the setting of three scheduled monuments: Castleward burial mound, Wester Denoon burial mound and Denoon Law fort. Given the proposed turbine's location close to the hilltop, on the skyline, it is inevitable that it would have an impact on the setting of the monuments in the area. It is particularly significant in this case because of the number of hilltop monuments in the area, and the manner in which they command views over the surrounding area and interact together. Historic Scotland objects to the application on the basis that the proposed development would have an adverse impact on the setting of the Denoon Law and the Castleward burial sites, from which the full height of the turbine would be visible. Both of these monuments are located at a similar ground level as the proposed turbine and with the proposed turbine at 77m high, would be dominated by its presence on the skyline. Historic Scotland also advises that the development would impact on the setting of a third scheduled monument, Denoon Law fort, but this would not be to such a degree that it would raise issues of national importance. Scottish Planning Policy (SPP, paragraph 145) states that "where there is potential for a proposed development to have an adverse effect on a scheduled monument or the integrity of its setting permission should only be granted where there are exceptional circumstances." In this case, the proposed development would have an unacceptable effect on a scheduled monument and there are no 'exceptional circumstances' that would justify that the application be approved.

There are five Listed Buildings within two kilometres of the proposed turbine, the closest of which is the Category B listed Dovecot at Wester Denoon which is approximately one kilometre away. The other listed buildings are located in Eassie/Balkeerie. The setting of these buildings would not be significantly impacted by the development given the separation distances involved.

Lastly, it is relevant to note that the Archaeology Service advises that a watching brief would be required. This would not be a barrier to granting planning permission.

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 National Grid via 11kV cabling, most likely underground to a point 290 metres north/north west of Eassie (although this is not confirmed). No route has been proposed, and a full assessment of the potential impacts of such a route is therefore unable to be undertaken at this stage.

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. No improvement or upgrading of the road network is 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, and the construction of the proposed track. 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, the impact on the setting of the scheduled monuments and the impact on residential amenity, this proposal would result in significant adverse impacts and as a result, the proposed turbine is considered to be unacceptable. Whilst wind turbines are necessary to meet government energy targets and there are no reasons to suggest that technology could not operate here, the 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 and is contrary to local plan policy.

Whilst there is clearly a benefit in producing electricity by renewable means, this should not 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 setting of Scheduled Ancient Monuments.

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, the setting of the scheduled monuments and 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.

It is noted that the applicant has given consideration to other, smaller turbines on a slightly different site. However, no amendment to the application has been proposed. Any future (different) application would be considered on its own merits should one be submitted.

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 skyline location 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 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 would have an unacceptable cumulative impact on the landscape and visual amenity of this part of the Sidlaw Hills and would give rise to unacceptable impacts on the visual amenity of occupants of nearby residential property and this is contrary to Policy ER35 of the Angus Local Plan Review, 2009.
3. That the proposed turbine by virtue of its height and skyline location, and proximity to the existing Castleward and Denoon Law burial sites would have an unacceptable impact on the setting of these Scheduled Ancient Monuments. As such, the proposal is contrary to Scottish Planning Policy, 2014 and Policies ER18 and ER34 of the Angus Local Plan Review, 2009.

Notes:

Case Officer: David Gray
Date: 14 July 2014

Development Plan Policies

Angus Local Plan Review 2009

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 S3 : Design Quality

A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:-

- * site location and how the development fits with the local landscape character and pattern of development;
- * proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;
- * use of materials, textures and colours that are sensitive to the surrounding area; and
- * the incorporation of key views into and out of the development.

Innovative and experimental designs will be encouraged in appropriate locations.

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 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.

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 ER18 : Archaeological Sites of National Importance

Priority will be given to preserving Scheduled Ancient Monuments in situ. Developments affecting Scheduled Ancient Monuments and other nationally significant archaeological sites and historic landscapes and their settings will only be permitted where it can be adequately demonstrated that either:

- (a) the proposed development will not result in damage to the scheduled monument or site of national archaeological interest or the integrity of its setting; or
- (b) there is overriding and proven public interest to be gained from the proposed development that outweighs the national significance attached to the preservation of the monument or archaeological importance of the site. In the case of Scheduled Ancient Monuments, the development must be in the national interest in order to outweigh the national importance attached to their preservation; and
- (c) the need for the development cannot reasonably be met in other less archaeologically damaging locations or by reasonable alternative means; and
- (d) the proposal has been sited and designed to minimise damage to the archaeological remains.

Where development is considered acceptable and preservation of the site in its original location is not possible, the excavation and recording of the site will be required in advance of development, at the

developer's expense

Policy ER19 : Archaeological Sites of Local Importance

Where development proposals affect unscheduled sites of known or suspected archaeological interest, Angus Council will require the prospective developer to arrange for an archaeological evaluation to determine the importance of the site, its sensitivity to development and the most appropriate means for preserving or recording any archaeological information. The evaluation will be taken into account when determining whether planning permission should be granted with or without conditions or refused.

Where development is generally acceptable and preservation of archaeological features in situ is not feasible Angus Council will require through appropriate conditions attached to planning consents or through a Section 75 Agreement, that provision is made at the developer's expense for the excavation and recording of threatened features prior to development commencing.

TAYplan Strategic Development Plan

Policy 2E : Energy Efficiency/Embedded

Ensure that high resource efficiency is incorporated within development through the orientation and design of buildings, the choice of materials and the use of low and zero carbon energy generating technologies to reduce carbon emissions and energy consumption to meet the Scottish Government's standards.

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.

Policy 6C : Consider Criteria as Minimum

Local Development Plans and development proposals should ensure that all areas of search, allocated sites, routes and decisions on development proposals for energy and waste/resource management infrastructure have been justified, at a minimum, on the basis of these considerations:-

- The specific land take requirements associated with the infrastructure technology and associated statutory safety exclusion zones where appropriate;
- Waste/resource management proposals are justified against the Scottish Government's Zero Waste Plan and support the delivery of the waste/resource management hierarchy;
- Proximity of resources (e.g. woodland, wind or waste material); and to users/customers, grid connections and distribution networks for the heat, power or physical materials and waste products, where appropriate;
- Anticipated effects of construction and operation on air quality, emissions, noise, odour, surface

and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on of-site properties;

- Sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures;
- Impacts of associated new grid connections and distribution or access infrastructure;
- Cumulative impacts of the scale and massing of multiple developments, including existing infrastructure;
- Impacts upon neighbouring planning authorities (both within and outwith TAYplan); and,
- Consistency with the National Planning Framework and its Action Programme.

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.

DESIGN QUALITY

1.37 High quality, people-friendly surroundings are important to a successful development. New development should add to or improve the local environment and should consider the potential to use innovative, sustainable and energy efficient solutions. A well-designed development is of benefit to the wider community and also provides opportunities to:

- create a sense of place which recognises local distinctiveness and fits in to the local area;
- create high quality development which adds to or improves the local environment and is flexible and adaptable to changing lifestyles;
- create developments which benefit local biodiversity;
- create energy efficient developments that make good use of land
- and finite resources.

1.38 Design is a material consideration in determining planning applications. In all development proposals consideration should be given to the distinctive features and character of the local area. This includes taking account of existing patterns of development, building forms and materials, existing features such as hedgerows, trees, treelines and walls and distinctive landscapes and skylines.

1.39 The preparation of a design statement to be submitted alongside a planning application is encouraged, particularly for major developments or those affecting listed buildings or conservation areas. Early contact with Planning and Transport is recommended so that the requirement for a design statement can be determined.

Designing Places - A policy statement for Scotland – Scottish Executive 2001 This is the first policy statement on designing places in Scotland and marks the Scottish Executive's determination to raise standards of urban and rural development. Good design is an integral part of a confident, competitive and compassionate Scotland.

Good design is a practical means of achieving a wide range of social, economic and environmental goals, making places that will be successful and sustainable.

PAN 68 Design Statements Design Statements should explain the design principles on which the development is based and illustrate the design solution.

The PAN explains what a design statement is, why it is a useful tool, when it is required and how it should be prepared and presented.

The aim is to see design statements used more effectively in the planning process and to

Policy S3 : Design Quality

A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:

- **site location and how the development fits with the local landscape character and pattern of development;**
- **proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;**
- **use of materials, textures and colours that are sensitive to**
- **the surrounding area; and**
- **the incorporation of key views into and out of the development.**

Innovative and experimental designs will be encouraged in appropriate locations.

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



- 1a** Upper Highland Glens
- 1b** Mid Highland Glens
- 3** Highland Summits & Plateaux
- 5** Highland Foothills
- 8** Igneous Hills
- 10** Broad Valley Lowland

- 12** Low Moorland Hills
- 13** Dipslope Farmland
- 14a** Coast with sand
- 14b** Coast with cliffs
- 15** Lowland Basin

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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.*

Ancient Monuments and Archaeological Sites

3.36 Angus has a rich heritage of archaeological remains ranging from crop marks and field systems through to structures such as standing stones, hill forts, castles and churches. They are evidence of the past development of society and help us to understand and interpret the landscape of today. They are a finite and non-renewable resource to be protected and managed.

3.37 Sites considered to be of national importance are scheduled by Scottish Ministers as Ancient Monuments. There are over 200 such sites in Angus with additional sites regularly being incorporated into the List. In addition, there are other monuments of regional or local significance. All of these sites and monuments, whether scheduled or not, are fragile and irreplaceable.

3.38 The owner or occupier of a scheduled ancient monument is required to obtain consent from Historic Scotland for repairs, alterations, demolition, or any work affecting the monument. In order therefore to protect the scheduled monument any planning application that may affect it will be notified to Historic Scotland and their comments taken into account in determining development proposals.

Policy ER18 : Archaeological Sites of National Importance

Priority will be given to preserving Scheduled Ancient Monuments in situ. Developments affecting Scheduled Ancient Monuments and other nationally significant archaeological sites and historic landscapes and their settings will only be permitted where it can be adequately demonstrated that either:

- a) the proposed development will not result in damage to the scheduled monument or site of national archaeological interest or the integrity of its setting; or
- b) there is overriding and proven public interest to be gained from the proposed development that outweighs the national significance attached to the preservation of the monument or archaeological importance of the site. In the case of Scheduled Ancient Monuments, the development must be in the national interest in order to outweigh the national importance attached to their preservation; and
- c) the need for the development cannot reasonably be met in other less archaeologically damaging locations or by reasonable alternative means; and
- d) the proposal has been sited and designed to minimise damage to the archaeological remains.

Where development is considered acceptable and preservation of the site in its original location is not possible, the excavation and recording of the site will be required in advance of development, at the developer's expense.

NPPG 5: Planning and Archaeology (1994)

Sets out the role of the planning system in protecting ancient monuments and archaeological sites and landscapes. The Government seeks to encourage the preservation of our heritage of sites and landscapes of archaeological and historic interest. The development plan system provides the policy framework for meeting the need for development along with the need for preserving archaeological resources.

PAN 42 : Archaeology – the Planning Process and Scheduled Monument Procedure (1994)

Archaeological remains offer a tangible, physical link with the past. They are a finite and non-renewable resource containing unique information about our past and the potential for an increase in future knowledge. Such remains are part of Scotland's identity and are valuable both for their own sake and for education, leisure and tourism. The remains are often fragile and vulnerable to damage or destruction; care must therefore be taken to ensure that they are not needlessly destroyed.

Scheduled Ancient Monument (SAM):

The site of a scheduled monument and any other monument which in the opinion of the Scottish Ministers is of public interest by reason of its historic, architectural, traditional, artistic or archaeological interest.

3.39 While the best examples of valuable archaeological sites are designated of national importance there are numerous examples of historic sites in both urban and rural areas that are of local significance. There are also other sites where finds may have been made in the past but no remains are known to date.

3.40 Within the mediaeval burghs of Arbroath, Brechin, Forfar and Montrose areas of primary and secondary archaeological significance were identified through the Scottish Burgh Surveys undertaken in the late 1970s. This provides an indicator for prospective developers that where redevelopment is being proposed an archaeological assessment may be required prior to commencement of works or at least a watching brief during excavations.

Policy ER19 : Archaeological Sites of Local Importance

Where development proposals affect unscheduled sites of known or suspected archaeological interest, Angus Council will require the prospective developer to arrange for an archaeological evaluation to determine the importance of the site, its sensitivity to development and the most appropriate means for preserving or recording any archaeological information. The evaluation will be taken into account when determining whether planning permission should be granted with or without conditions or refused.

Where development is generally acceptable and preservation of archaeological features in situ is not feasible Angus Council will require through appropriate conditions attached to planning consents or through a Section 75 Agreement, that provision is made at the developer's expense for the excavation and recording of threatened features prior to development commencing.

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).

| Area | TLCA Classification | Landscape Character |
|---------------------|----------------------------|---|
| 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.

Shaping better quality places: Requires new development to be fit for place, supporting more sustainable ways of life for people and businesses.

Quality of place within TAYplan is central to the vision and objectives of this Plan. This directly contributes to a better quality of life for the TAYplan region's people and to improving its economic competitiveness as a place.

Better quality helps provide for improved resilience through greater adaptability to the risks posed to the residents, economy and environments of the region by climate change. Measures to mitigate and adapt to climate change also help to improve resilience to global peak oil* production; contributing to a more diverse and stronger economy for the TAYplan region that can better weather global changes.

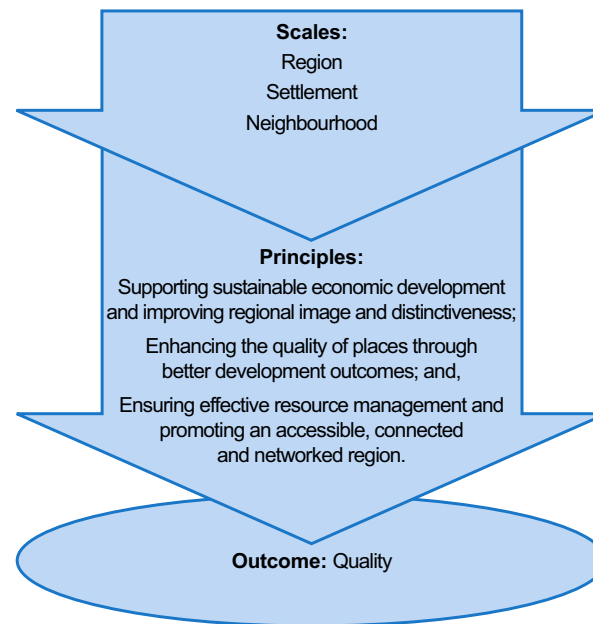
This Plan requires all types of new development within the TAYplan region to be fit for place and be capable of supporting more sustainable ways of life for the people and businesses that use them. The approach set out in Policy 2 requires better quality to be designed-in to all types of development from the outset.

Good quality development properly considers how location, design and layout can reduce the need to consume resources, maximise the contribution towards sustainable economic development and support a better quality of life for people and a better quality of environment.

This is about ensuring new development mitigates against and adapts to climate change and becomes an integral part of its surroundings rather than exclusive from them. It is about how new development adapts to, interacts with and responds by enhancing the existing features, networks and

design of TAYplan's many different and distinct places, rather than standardised products which can diminish local character and/or put unacceptable infrastructure and/or environmental burdens upon them. Better location, design and layout also have the potential to increase land values making additional infrastructure more deliverable.

This Plan recognises that different measures to deliver quality, being applied at different scales, contribute individually or collectively to the delivery of this Plan's vision. Policy 2 is therefore built around achieving quality as a direct outcome of the three principles of this Plan's objectives with a recognition that these apply individually and collectively at three scales.



In delivering quality Strategic Development Frameworks** will consider a range of factors to:

1. Highlight constraints and opportunities
2. Identify the opportunities for an integrated network of public transport
3. Relate opportunities for increased density to public transport accessibility
4. Draw out a hierarchy of connected routes and spaces that link well into transport routes
5. Focus civic and community building onto major routes and spaces
6. Promote frontage developments and a range of complementary uses on busy streets
7. Establish a pattern of local streets and blocks which are clearly contained and enclosed
8. Bring forward guidance (or design codes) on issues such as scale (height and massing) and the public realm

Source: Architecture and Design Scotland using Willie Miller Urban Design 'Inverness City Vision' and Urban Initiatives (image 8).

*Peak Oil: This is the point when the maximum rate of global oil extraction is reached, after which the rate of production declines but continued demand increases price. This is expected in the 2020s or 2030s.

**Strategic Development Frameworks: Wide area proposals of strategic links, accessibility, and land use principles, and how these relate to the masterplan site. They establish key development parameters through a process of consultation with community, stakeholders and the local authority. Strategic Development Frameworks are used for large masterplan sites and neighbourhoods.

Policy 2: Shaping better quality places

A. ensure that climate change resilience is built into the natural and built environments through:

- i. a presumption against development in areas vulnerable to coastal erosion, flood risk and rising sea levels; including the undeveloped coast. To ensure flood risk is not exacerbated, mitigation and management measures; such as those envisaged by Scottish Planning Policy, should be promoted;
- ii. reducing surface runoff including through use of sustainable drainage systems;
- iii. protecting and utilising the water and carbon storage capacity of soils, such as peatlands, and woodland/other vegetation; and,
- iv. Identifying, retaining and enhancing existing green infrastructure and spaces whilst making the best use of their multiple roles.

B. integrate new development with existing community infrastructure and work with other delivery bodies to integrate, concentrate and co-locate additional new infrastructure to optimise its coverage and capability.

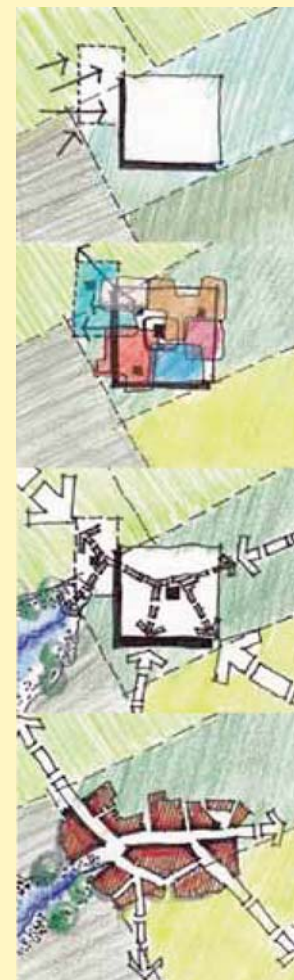
C. ensure the integration of transport and land use to: reduce the need to travel and improve accessibility by foot, cycle and public transport; make the best use of existing infrastructure to achieve a walkable environment combining different land uses with green space; and, support land use and transport development by transport assessments/ appraisals and travel plans where appropriate, including necessary on and offsite infrastructure.

D. ensure that waste management solutions are incorporated into development to allow users/occupants to contribute to the aims of the Scottish Government's Zero Waste Plan.

E. ensure that high resource efficiency is incorporated within development through the orientation and design of buildings, the choice of materials and the use of low and zero carbon energy generating technologies to reduce carbon emissions and energy consumption to meet the Scottish Government's standards.

To deliver better quality development and places which respond to climate change, Local Development Plans, masterplans and development proposals should:

F. ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets*, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's Designing Places and Designing Streets and provide additional green infrastructure where necessary.



Outside - In.

Understanding the environmental context of a site, how a site works in its wider location and how that shapes what happens within is essential to integrating new development.

Inside - Out.

Conversely, considering how the site connects from the inside-out and builds on existing features, networks and infrastructure, enhancing these through new development.

Integrate Networks

Making it easy, safe and desirable to walk and cycle within and between neighbourhoods utilising existing green space and water networks and enhance these areas to deliver a better quality of place and life.

Work with the grain of the place

Respecting and working with the grain of a place. This approach will help determine the size, shape and form of development and how it can respond to adaptation to help achieve future-proofing our new communities and facilities.

*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).

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.



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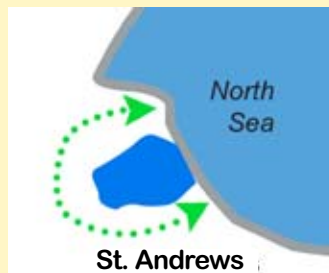
*Prime agricultural land: Land classes 1, 2 and 3.1 – these are the most suited to arable agriculture.

**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;



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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).

Energy and Waste/Resource Management Infrastructure: Ensures that energy and waste/resource management infrastructure are in the most appropriate locations.

This Plan seeks to reduce resource consumption through provision of energy and waste/resource management infrastructure* in order to contribute to Scottish Government ambitions for the mitigation of and adaptation to climate change and to achieve zero waste. It also aims to contribute towards greater regional energy self-sufficiency.

This requires us to use less energy and to generate more power and heat from renewable sources and resource recovery; and, to consider waste from start to finish; becoming better at resource management. This is strongly tied into resource security and living within environmental limits. It also presents opportunities to grow the renewable energy and waste/resource management sector as a whole within the TAYplan region. The issue is no longer about whether such facilities are needed but instead about helping to ensure they are delivered in the most appropriate locations.

Land use planning is only one of the regulatory requirements that energy and waste/resource management operators must consider. This Plan does not provide the locations for energy infrastructure; this role is for Local Development Plans. It sets out a series of locational considerations for all energy and waste/resource management infrastructure as the impacts and operations of these share similar characteristics.

This Plan ensures consistency between Local Development Plans in fulfilling Scottish Planning Policy requirements to define areas of search for renewable energy infrastructure and it applies this to a wide range of energy and waste/resource management infrastructure.

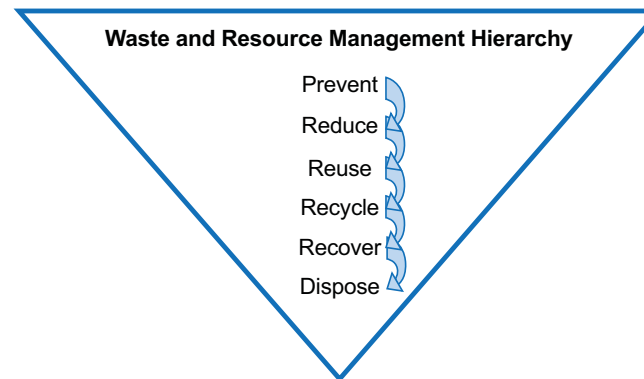
It recognises the different scales – property (eg micro-renewables or individual waste facilities), community (eg district heating and power or local waste facilities) and regional/national (eg national level schemes and waste facilities for wide areas) at which this infrastructure can be provided and both the individual and cumulative contribution that can be made, particularly by community and property scale infrastructure, to Scottish Government objectives for greater decentralisation of heat and energy.

Changes in the law allowing surplus power to be sold back to the national grid and other incentives could stimulate interest from local authorities, businesses, householders, community land trusts and other groups to obtain loans for energy infrastructure to enable development to meet local or individual needs in future. Similarly the price of materials in the global market place may continue to stimulate business interests in resource recovery.

Many of the region’s existing waste management facilities have additional capacity or could be expanded in situ, including the strategic scale facilities at Binn Farm near Glenfarg and DERL at Baldovie in Dundee. No requirement for new landfill sites has been identified before 2024 and successful implementation of the Scottish Government’s Zero Waste Plan and expansion of other treatment facilities could extend this to and beyond 2032.

This Plan encourages new strategic scale waste/resource management infrastructure to be within or close to the Dundee and Perth Core Areas reflecting the proximity of materials and customers for heat and other products.

Modern waste/resource management infrastructure is designed and regulated to high standards and is similar to other industrial processes. Subject to detailed site specific considerations, waste management facilities can be considered appropriate land uses within industrial and employment sites.



*Energy and waste management infrastructure: Infrastructure for heat and power generation and transmission; and, collection, separation, handling, transfer, processing, resource recovery and disposal of waste. This includes recycling plants, anaerobic waste digesters, energy from waste plants, wind turbines, biomass plants, combined heat and power plants, solar power, hydro electric power plants and similar facilities.

Policy 6: Energy and Waste/Resource Management Infrastructure

To deliver a low/zero carbon future and contribute to meeting Scottish Government energy and waste targets:

A. Local Development Plans should identify areas that are suitable for different forms of renewable heat and electricity infrastructure and for waste/resource management infrastructure or criteria to support this; including, where appropriate, land for process industries (e.g. the co-location/proximity of surplus heat producers with heat users).

B. Beyond community or small scale facilities waste/resource management infrastructure is most likely to be focussed within or close to the Dundee and/or Perth Core Areas (identified in Policy 1).

C. Local Development Plans and development proposals should ensure that all areas of search, allocated sites, routes and decisions on development proposals for energy and waste/resource management infrastructure have been justified, at a minimum, on the basis of these considerations:

- The specific land take requirements associated with the infrastructure technology and associated statutory safety exclusion zones where appropriate;
- Waste/resource management proposals are justified against the Scottish Government's Zero Waste Plan and support the delivery of the waste/resource management hierarchy;
- Proximity of resources (e.g. woodland, wind or waste material); and to users/customers, grid connections and distribution networks for the heat, power or physical materials and waste products, where appropriate;
- Anticipated effects of construction and operation on air quality, emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on off-site properties;
- Sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures;
- Impacts of associated new grid connections and distribution or access infrastructure;
- Cumulative impacts of the scale and massing of multiple developments, including existing infrastructure;
- Impacts upon neighbouring planning authorities (both within and outwith TAYplan); and,
- Consistency with the National Planning Framework and its Action Programme.