



Cunninghame House,
Irvine.

7 March 2013

Local Review Body

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **WEDNESDAY 13 MARCH 2013 at 2.30 p.m., or at the conclusion of the meeting of the Planning Committee, whichever is the later** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1. Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2. Minutes

The Minute of the meeting held on 20 February 2013 will be signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

3. Notice of Review: 12/00476/PP: Craigdhu Farm: Shannochie: Brodick: Isle of Arran

Submit report by the Chief Executive on a Notice of Review by the applicant in respect of the refusal of a planning application by officers under delegated powers (copy enclosed).

4. Notice of Review: 12/00498/PP: 26 North Crescent Road: Ardrossan

Submit report by the Chief Executive on a Notice of Review by the applicant in respect of the refusal of a planning application by officers under delegated powers (copy enclosed).

Local Review Body

Sederunt:

Matthew Brown

(Chair)

John Ferguson

(Vice-Chair)

Robert Barr

John Bell

John Bruce

Joe Cullinane

Ronnie McNicol

Tom Marshall

Jim Montgomerie

Robert Steel

Chair:

Attending:

Apologies:

Meeting Ended:

Local Review Body
20 February 2013

IRVINE, 20 February 2013 - At a Meeting of the Local Review Body of North Ayrshire Council at 2.30 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Joe Cullinane, Tom Marshall and Jim Montgomerie.

In Attendance

J. Michel, Planning Adviser to the Local Review Body (Development and Environment); A. Craig, Legal Adviser to the Local Review Body and D. McCaw Committee Services Officer (Chief Executive's Service).

Chair

Councillor Brown in the Chair.

Apologies for Absence

Ronnie McNicol and Robert Steel.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the meeting held on 23 January 2013 was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: 12/00469/PP: Erection of a wind turbine with a hub height of 24m and a maximum blade tip height of 35m: Titwood Farm, Kilmaurs, Kilmarnock

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of the refusal of a planning application by officers under delegated powers for the erection of a wind turbine with a hub height of 24m and a maximum blade tip height of 35m at Titwood Farm, Kilmaurs, Kilmarnock. The Notice of Review documentation, the Planning Officer's Report of Handling, a location plan and a copy of the Decision Notice, were provided as Appendices 1-4 to the report.

The Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant. Photographs and plans of the proposed development were displayed and the Planning Adviser provided the LRB with a verbal summary of the review documents.

The Local Review Body agreed to (a) proceed to a site familiarisation visit; (b) advise the applicant and interested parties; and (c) note that only those Members of the LRB who attended the site visit would be eligible to participate in the determination of the review request.

The meeting ended at 2.35 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

13 March 2013

Local Review Body

Subject: Notice of Review: 12/00476/PP: Erection of 15kW wind turbine measuring 12.6m to hub and 18.2m to blade tip: Craigdhu Farm, Shannochie, Brodick, Isle of Arran

Purpose: To submit, for the consideration of the Local Review Body, a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers.

Recommendation: That the Local Review Body considers the Notice.

1. Introduction

- 1.1 The Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, provides for certain categories of planning application for "local" developments to be determined by appointed officers under delegated powers. Where such an application is refused, granted subject to conditions or not determined within the prescribed period of 2 months, the applicant may submit a Notice of Review to require the Planning Authority to review the case. Notices of Review in relation to refusals must be submitted within 3 months of the date of the Decision Notice.

2. Current Position

- 2.1 A Notice of Review has been submitted in respect of Planning Application 12/00476/PP for the erection of a 15kW wind turbine measuring 12.6m to hub and 18.2m to blade tip at Craigdhu Farm, Shannochie, Brodick, Isle of Arran.
- 2.2 The application was refused by officers for the reasons detailed in the Decision Notice at Appendix 5.
- 2.3 The following related documents are set out in the appendices to this report:-

Appendix 1 - Notice of Review documentation;
Appendix 2 - Representation received from interested party;
Appendix 3 - Report of Handling;
Appendix 4 - Location Plan; and
Appendix 5 - Decision Notice.

3. Proposals

- 3.1 The Local Review Body is invited to consider the Notice of Review.

4. Implications

Financial Implications

- 4.1 None arising from this report.

Human Resource Implications

- 4.2 None arising from this report.

Legal Implications

- 4.3 The Notice of Review requires to be considered in terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

Equality Implications

- 4.4 None arising from this report.

Environmental Implications

- 4.5 None arising from this report.

Implications for Key Priorities

5. Consultations

- 5.1 Interested parties (both objectors to the planning application and statutory consultees) were invited to submit representations in terms of the Notice of Review. The applicant was given the opportunity to respond to the representation submitted. The additional representation received is set out at Appendix 2 to the report.

6. Conclusion

- 6.1 The Local Review Body is invited to consider the Notice of Review, including any further procedures which may be required prior to determination.



ELMA MURRAY
Chief Executive

Reference :

For further information please contact Diane McCaw, Committee Services Officer on 01294 324133.

Background Papers

Planning Application 12/00476/PP and related documentation is available to view on-line at www.north-ayrshire.gov.uk or by contacting the above officer.

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

Address
Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address
Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be
through this representative: x

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes No
x ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision
notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- | | |
|--|--------------------------|
| 1. Application for planning permission (including householder application) | x |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|--------------------------|
| 1. Refusal of application by appointed officer | x |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

Review procedure

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

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

- | | |
|---|--------------------------|
| 1. Further written submissions | <input type="checkbox"/> |
| 2. One or more hearing sessions | x |
| 3. Site inspection | x |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/> |

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

A site inspection is crucial to the understanding of the proposal and the minimal impact it will have on historic features or surrounding areas. An oral hearing is important in this case as a significant amount of information has been submitted by the applicant which needs to be discussed in detail. There are a number of inconsistencies in the local authority's handling of this application. The refusal reasons have all been addressed or mitigated within the application and an oral hearing would make this clear to the members of the committee. An oral hearing allows the applicant to address these inconsistencies and refusal reasons immediately, and demonstrate exactly how the application is in compliance with policy and how the refusal reasons have no basis.

Site inspection

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

- | | Yes | No |
|--|-----|--------------------------|
| 1. Can the site be viewed entirely from public land? | | x |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | x | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

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

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Grounds for appeal are stated in full in the main appeal document and other appeal documents.

The planning authority have failed to consider the landscape and visual impact assessment which has been submitted with this application. This assessment provides an evidence base which justifies the grant of this application, and demonstrates visually the small scale nature of the proposal and the negligible landscape and visual impacts.

The planning authority have failed to apply sufficient weight to the wider environmental, economic and social benefits of the proposal in their decision. These benefits include farm diversification, production of renewable energy, reduction in Co2 emissions and economic benefits to local communities.

The local authority have mistakenly confused this application for a small scale single wind turbine with a 12.6m hub height with that of a wind farm, and have relied on this error in their report of handling.

The local authority have relied on out of date policies to form the basis for their refusal.

The Isle of Arran Local Plan was adopted on the 15th February 2005. It is noteworthy that there have been several major national policy changes in relation to renewable energy since this plan was adopted. Therefore, less weight should be given to the Isle of Arran local plan as it is largely out of date and predates national policy changes which have been amended to provide greater support for renewable energy initiatives.

The applicant has mitigated all of the planning authorities concerns, through the submission of a considerable amount of further information, addressing landscape and visual impact, heritage impact assessment and impact on the historic fort, and through the reduction in height of the proposed turbine to 18.2m in accordance with the planning authorities' request.

There have been no objections to the proposal. The comments of Historic Scotland and WoSAS have been addressed in the submitted Heritage Impact Assessment.

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

Yes No
x

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

Executive Summary of Appeal
Appeal Submission
Landscape and visual impact assessment
Heritage / Key views Impact Assessment
Historic Fort Impact Assessment
Photomontage report
Photomontage from Craigdhu Fort
Full Page Photomontage Photos
Elevation Drawing
Manufacturers Brochure

Note: The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Date

08/01/2013



Executive Summary

The information contained herein is the property Entrust Professional Services Ltd. The information contained within this document must be used with respect to its confidentiality or for the purpose for which it was specifically furnished.

1 Executive Summary

- 1.1 The proposed development consists of the construction of 1No. 15kW small scale wind turbine, with a hub height of 12.6m and an overall blade tip height of 18.2m that will provide power supply to the applicant's property and farm buildings at Craigdhu Farm, Shannochie, Brodick, Isle of Arran, KA27 8SH. The applicant has reduced the height of the proposed turbine by nearly 4m in order to mitigate possible impacts of the proposal. Full grounds for appeal are contained in the main appeal document.
- 1.2 The review body is respectfully requested to overturn the decision of the council on the grounds that:
- 1.3 The planning authority have failed to apply sufficient weight to the wider environmental, economic and social benefits of the proposal in their decision. These benefits include farm diversification, production of renewable energy, reduction in Co2 emissions and economic benefits to this small rural business and the local community. It is noteworthy that there have been no objections from neighbours or members of the local community.
- 1.4 The proposed development is consistent with and contributes to the implementation of national policy objectives in particular government objectives for 100% of Scotland's electricity to be generated from renewable sources by 2020
- 1.5 In reply to the stated refusal reasons the following points are made; the proposal is in compliance with the Isle of Arran Local Plan, 2005, the Ayrshire Supplementary Planning Guidance on Wind Farm Development, 2009 and the Landscape Capacity Study for Wind Farm Development in North Ayrshire, 2009.
- 1.2 **In response to refusal reason 1;** the landscape and visual impact assessment submitted with this appeal demonstrates that the proposal would not detract from the natural appearance and scenic quality of the area and would not be detrimental to visual amenity.
- 1.3 **In response to refusal reason 2;** the photomontage report (page 5-7 of this summary) demonstrates that the proposal will not detract from key views from the C147 to coastal and historically important features and will not interrupt key views from the coast road. The planning authority have failed to apply sufficient consideration to the landscape and visual impact assessment and other photographic evidence which has been submitted with this application. This assessment provides an evidence base which justifies the grant of this application, and demonstrates visually the small scale nature of the proposal and the negligible landscape and visual impacts. The evidence demonstrates that no key views to Pladda, Ailsa Craig or the foreshore are affected.
- 1.4 **In response to refusal reason 3,** the Historic Fort Impact Assessment submitted with this appeal supported by Viewpoint 2 (page 6 of this summary) demonstrates that the proposal would not have an adverse impact on the setting of Craigdhu Fort.

The proposal would be a temporary structure on the landscape and the Historic Fort Impact Assessment document has shown that it will not cause significant adverse effect on the Scheduled Monument when viewed from key position to and from the Fort (see Historic Fort Impact Assessment document). Given the wider environmental benefits of the application, when assessed against its low visual impacts, there is considerable justification for a single small scale turbine as proposed.

- 1.5 **In response to refusal reason 4**, the proposal would not establish an undesirable precedent for wind farm development in isolated locations as each application is dealt with on its merits and the granting of one wind turbine does not guarantee that a separate application would be approved.

The council directly contradict this refusal reason in their report of handling for a similar application; *"Regarding the point raised with the undesirable precedent, each application is dealt with on its merits and the granting of one wind turbine does not guarantee that a separate application would be approved"*, (Report of Handling 11/00408/PP paragraph 2, p4). This refusal reason should be dismissed because of the inherent double standards in the council's decision making.

- 1.6 There are only two landscape character areas within Arran which have any capacity for wind turbine development. The proposed site falls within one of these character areas. Therefore it can be concluded that if wind turbines are to be accommodated on Arran in order to comply with national renewable energy targets, the coastal fringe with agriculture landscape character area is one of the most suitable areas on the island. Therefore it can be deduced that the proposed site is one of the most suitable sites for wind turbine development on the island of Arran.

- 1.7 There are currently eighteen certified turbines (Microgeneration Certification Scheme (MCS) Product Type, 2010). Apart from the C&F Turbine applied for, there are no turbines with an equal output which would suit the site or conditions e.g. wind speed and ease of erection on site (removing the need for roads to be built).

- 1.8 The Applicant has chosen to locate the proposed turbine in a hollow, further reducing the height of the proposed turbine. The chosen site takes advantage of existing screening and backclothing, reducing the visual impact further. See Landscape and Visual Impact Assessment, pages 5-9 below.

- 1.9 There have been no objections from Scottish Natural Heritage regarding the SSSI or Arran Moors SPA.

- 1.10 There has been no formal objection from Historic Scotland to the application. There are a number of discrepancies and contradictions in Historic Scotland's report and the report from West of Scotland Archaeology Service disagrees with Historic Scotland on a number of points. Neither of the report writers have visited the site, despite being urged to do so by the Applicant. Nevertheless the comments of Historic Scotland and WoSAS have been addressed in the submitted Heritage Impact Assessment and the photomontage report demonstrates the minimal impact of the proposal on the fort and

its setting. This should also be taken in the context that the structure is of a temporary nature and would be removed with the site being restored fully to agricultural use on its removal.

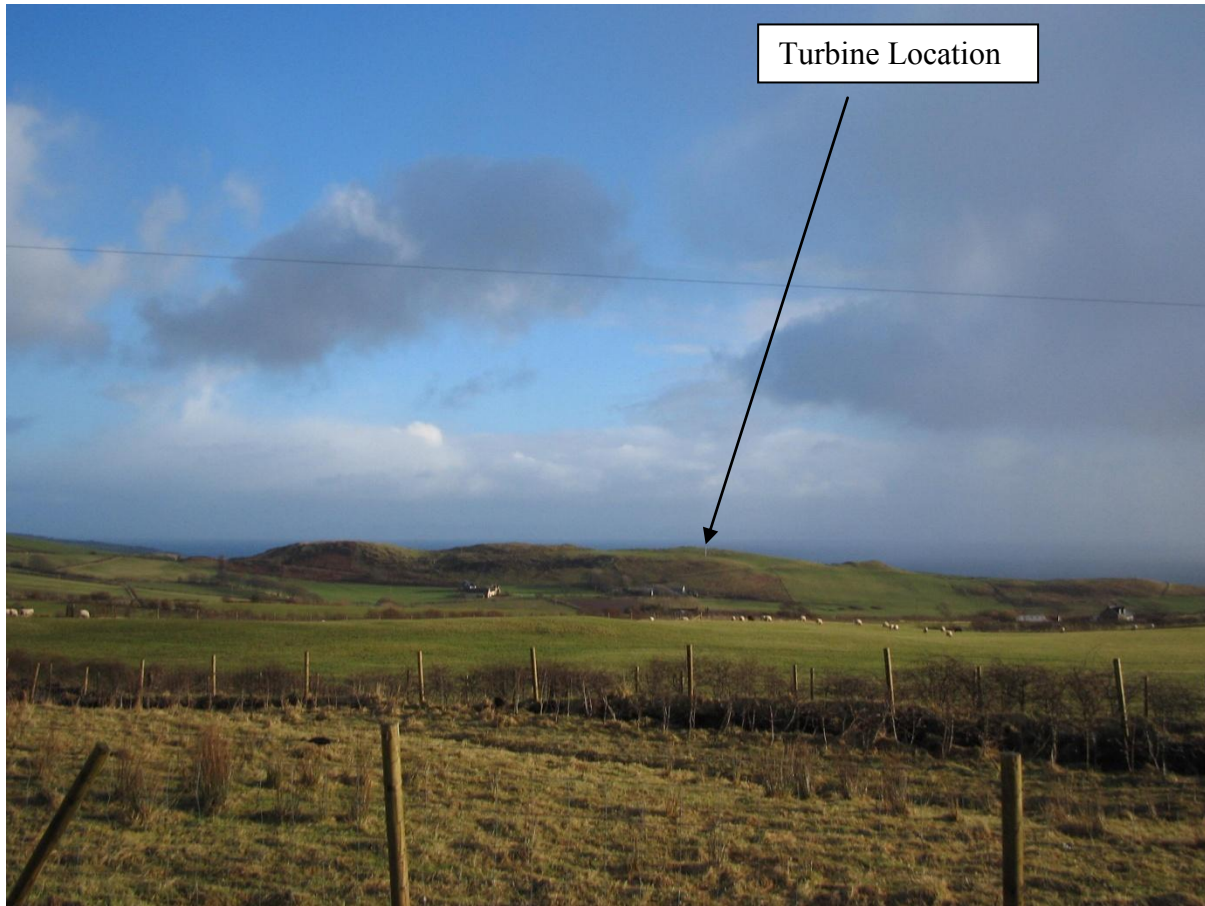
- 1.11 The planning authorities' report of handling states that the proposal is not clearly associated with existing farm steading or other rural buildings. In fact the turbine is located 110m from the agricultural sheds of Craigdhu. This distance is closer than other applications (e.g. Mr C Cook, application 12/00255/PP at 120m, and Mr A Barr's application 11/00408/PP at 320m) which were approved by North Ayrshire Council on Arran and therefore it does not constitute a viable or defensible reason for refusal.
- 1.12 The planning authorities' report of handling states that the proposal would not accord with the Ayrshire Supplementary Planning Guidance on Wind Farm Development. The policy in question states that development can be supported within 2km of a town or village provided the developer can demonstrate that the impacts are acceptable. A noise report was submitted with this application and it is acceptable to Environmental Health, and, as such, the developer has demonstrated that the impacts would be acceptable. The proposed site is greater than 10 times the turbines rotor blade diameter from the nearest dwelling and therefore shadow flicker will not be an issue. It is therefore considered that the proposal would accord with the Ayrshire SPG on windfarm development.
- 1.13 The local authority have mistakenly confused this application for a small scale single wind turbine with a 12.6m hub height with that of a wind farm, and have relied on this error in their report of handling. The council also mistakenly referred to the previous application as a wind farm in their statement to the local review body.
- 1.14 The local authority have relied on out of date policies to form the basis for their refusal. The Isle of Arran Local Plan was adopted on the 15th February 2005. It is noteworthy that there have been several major national policy changes in relation to renewable energy since this plan was adopted. Therefore, less weight should be given to the Isle of Arran local plan as it is largely out of date and predates national policy changes which have been amended to provide greater support for renewable energy initiatives.
- 1.15 The applicant has mitigated all of the planning authorities concerns, through the submission of a considerable amount of further information, addressing landscape and visual impact, heritage impact assessment and impact on the historic fort, and through the reduction in height of the proposed turbine to 18.2m in accordance with the planning authorities' request.
- 1.16 For the reasons given in this submission, the Applicant respectfully requests that the decision of North Ayrshire Council be overturned and ask kindly for the review body to grant planning permission for this much needed development.

View from Craigdhu Fort



Landscape and Visual Impact Assessment

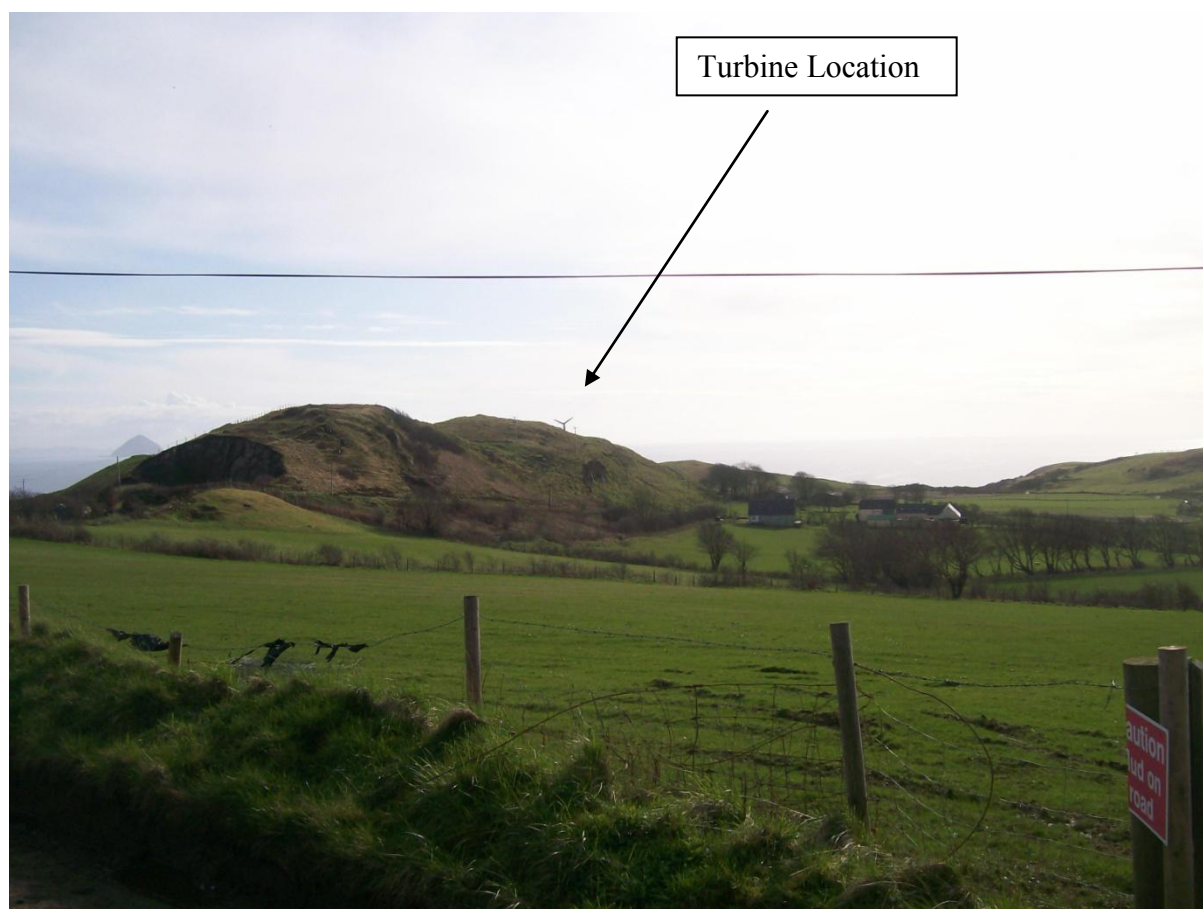
Viewpoint 1: View from C147 – North West of Site



Viewpoint No. 1

Viewpoint Number	Location	NG Coordinates	Receptor Sensitive Reason	Comment
1	View from C147 – North West of Site	East: 198599 North: 621422	To consider the Impact on key views from the C147.	The turbine is visible however the impact is negligible considering the wide open vista, the small scale nature of the turbine and significant back clothing available of 8.00 -10.00m approximately. East Bannan Long Cairn is not visible from this viewpoint.

Viewpoint 2: View from C147 – North of Site



Viewpoint no. 2

Viewpoint Number	Location	NG Coordinates	Receptor Sensitive Reason	Comment
2	View from C147 – North of Site	East: 199,883 North: 621,561	To consider the Impact on key views from the C147.	Turbine partly visible. Screening of 7.80m approximately is provided by the hill and the appropriate siting of the turbine in a hollow significantly reduces the height and visual impact of the turbine. Furthermore the hill summit is higher than the proposed development so it does not break the skyline from certain viewpoints. Craighdu Fort is not discernible from this viewpoint and therefore the proposed turbine will not have an adverse impact on the setting of Craighdu Fort, which is not visible from this view point.

Viewpoint 3: View from C147 – North East of Site



Viewpoint no. 3

Viewpoint Number	Location	NG Coordinates	Receptor Sensitive Reason	Comment
3	View from C147 – North East of Site	East: 201,075 North: 621,500	To consider the Impact on key views from the C147.	The turbine hub is fully screened from this viewpoint with only the blade tips visible. Considerable screening is provided by the undulating topography and the position of the hill that rises higher and away from the proposal. The appropriate siting and layout of the turbine contributes to the mitigation of the visual impact.

7.5.4.1 Predicted Visual Impacts – Nature of Impact

V P	Location	Description	Level of importance					Predicted impact			Nature of impact				Magnitude	Receptor Sensitivity	Significance
			I	N	R	D	L	A	N	B	ST	LT	R	IR			
1	View from C147 – North West of Site	The turbine is visible however the impact is negligible considering the wide open vista, the small scale nature of the turbine and significant back clothing available of 8.00 -10.00m approximately. East Bennan Long Cairn is not visible from this viewpoint.													L	ML	Low
2	View from C147 – North of Site	Turbine partly visible. Screening of 7.80m approximately is provided by the hill and the appropriate siting of the turbine in a hollow significantly reduces the height and visual impact of the turbine. Furthermore the hill summit is higher than the proposed development so it does not break the skyline from certain viewpoints. Craighdu Fort is not discernible from this viewpoint and therefore the proposed turbine will not have an adverse impact on the setting of Craighdu Fort, which is not visible from this view point.													ML	M	Med-Low
3	View from C147 – North East of Site	The turbine hub is fully screened from this viewpoint with only the blade tips visible. Considerable screening is provided by the undulating topography and the position of the hill that rises higher and away from the proposal. The appropriate siting and layout of the turbine contributes to the mitigation of the visual impact.													L	ML	Low

KEY:

Level of Importance I = International; N = National, R = Regional; D = District, L = Local

Predicted Impact A =Adverse; N = Neutral; B = Beneficial

Nature of impact ST= Short Term; LT = Long Term; R= Reversible; IR = Irreversible

Magnitude and sensitivity N = Negligible; VL = Very Low; L= Low; ML = Medium-Low; M=Medium; MH=Medium High; H = High; VH = Very High

7.5.4.2 Analysis

The landscape and visual impact assessment addresses the following;

- Magnitude of the impact having regard to the duration, and extent of any effect;
- The sensitivity of affected landscape and visual resource
- Significance of effects

The significance of visual impact on viewpoint no. 1 is determined as being low. The turbine will be visible however there is a significant degree of backclothing available by way of the hill at the rear of the site which will reduce the visual impact considerably. The significance of impact on viewpoint no. 2 is determined as being medium-low. The turbine will be partly visible; however the siting of the turbine in a hollow and the screening provided by the hill reduces the height and visual impact of the turbine. The significance of impact on viewpoint no. 3 is determined as being low. The turbine blades will be partly visible, the turbine hub is screened by the hill and the wide vista reduces the visual prominence of the blade tips of the turbine.

Essentially the temporary visual impacts of the development can be fully restored to their original view upon site decommissioning. On the basis of the above assessment on the landscape and visual effects of the proposed wind turbine, it is considered that the development can be readily absorbed into the host environment without any adverse impact.

Fortunately the area has significant existing screening due to the combination of topography and the scale of the absorbing landscape which help to absorb and assimilate the proposal into the existing landscape with minimal impact.



Appeal Statement

The information contained herein is the property Entrust Professional Services Ltd. The information contained within this document must be used with respect to its confidentiality or for the purpose for which it was specifically furnished.

Appeal Details

Proposal: Erection of 15kW wind turbine measuring 12.6m to hub and 18.2m to blade tip

Location: Craigdhu Farm, Shannochie, Brodick, Isle of Arran, KA27 8SH

North Ayrshire Council Planning Reference No: 12/00476/PP

Prepared by: Niall Byrne, Entrust Planning Consultants

Appellant: Robert Stewart

Preface

This appeal statement has been prepared by Entrust Planning Consultants on behalf of Robert Stewart (appellant) against North Ayrshire Council's refusal to grant planning permission for the erection of 1 No.15kW wind turbine measuring 12.6m to hub and 18.2m to blade tip

The Local Planning Authority application number is 12/00476/PP

Table of Contents

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1 Introduction

1.1: This Appeal Statement has been prepared by Entrust Planning Consultants on behalf of Robert Stewart of WR and R Stewart (the appellant) against North Ayrshire Council's refusal to grant planning permission for the erection of 1 No.15kW wind turbine measuring 12.6m to hub and 18.2m to blade tip. The Local Planning Authority application number is 12/00476/PP. North Ayrshire Council previously refused to grant planning permission for the erection of 1No. 20kW wind turbine measuring 15m to hub and 22m to blade tip at Craigdhu Farm, Shannochie, Brodick, Isle of Arran, KA27 8SH. The Local Planning Authority application reference number was 11/00767/PP. It should be noted that the applicant has reduced the height of the proposal in order to comply with the Landscape Capacity Study for Wind Farm Development in North Ayrshire – 2009.

2 Reasons for Refusal

2.1: The Council's stated reasons for refusal are:

1. 'That, the proposed development would not accord with Policies INF 8, BE 7, BE 8 and the Development Control Statement of the Isle of Arran Local Plan, the Ayrshire Supplementary Planning Guidance on Wind Farm Development and the Council's adopted Landscape Capacity Study for Wind Farm Development in North Ayrshire (Phase 2 Report) 2009, in that by reason of its height, design, appearance and isolated siting in open countryside on the seaward side of the C147 road, it would:

- (i) Intrude upon an area of relatively open countryside, detracting from its natural appearance and scenic quality, which would be detrimental to visual amenity;
- (ii) Detract from key views from the C147 to coastal and historically important features and interrupt key views from the coast road;
- (iii) Would have a significant adverse impact on the historic environment constituting an adverse impact on the setting of Craigdhu Fort; and
- (iv) Establish an undesirable precedent for further wind farm development in isolated locations, thereby detracting from the amenity and appearance of the countryside'.

2.2 Scope of this Statement

As required by the Town and Country Planning (Appeals) (Written Submission Procedure) (Scotland) Regulations 1990 and Code of Practice for Planning Appeals determined by written submissions (SEDD Circular 1/2000), this statement sets out full details of the appellant's grounds of appeal against the refusal. However we respectfully reserve the right to expand upon this statement and respond to the respective statements of the planning authority and third party where necessary.

The appeal includes a landscape and visual impact assessment, which analyses the visual impact of the proposal from various viewpoints and identifies the magnitude of change resulting from the proposal.

3 Planning Policy

Policy Document	Policy	Compliance
Isle of Arran Local Plan 2005	Policy INF 8 Renewable Energy	Compliance with this policy is demonstrated in Section 4.3 (Compliance with the Isle of Arran Local Plan 2005) under paragraph 4.3.1 (Policy INF 8: Renewable Energy).
	Policy BE7 Scheduled Ancient Monuments	Compliance with this policy is demonstrated in Section 4.3 (Compliance with the Isle of Arran Local Plan 2005) under paragraph 4.3.2 (Policy BE 7: Scheduled Ancient Monuments & Policy BE 8: Archaeological Sites).
	Policy BE8 Archaeological Sites	Compliance with this policy is demonstrated in Section 4.3 (Compliance with the Isle of Arran Local Plan 2005) under paragraph 4.3.2 (Policy BE 7: Scheduled Ancient Monuments & Policy BE 8: Archaeological Sites).
	Development Control Statement	Compliance with the development control statement is demonstrated in Section 4.3 (Compliance with the Isle of Arran Local Plan 2005) under paragraph 4.3.3 (Development Control Statement).
The Ayrshire Supplementary Planning Guidance on Wind Farm Development – 2009	Policy 28	Compliance with this policy is demonstrated in Section 4.4: Compliance with the Ayrshire Supplementary Planning Guidance on Wind Farm Development
Landscape Capacity Study for Wind Farm Development in North Ayrshire - 2009	Policy 5.32, 5.33, 5.36	Compliance with this policy is demonstrated in Section 4.5: Compliance with the Landscape Capacity Study for Wind Farm development in North Ayrshire

4 Grounds of Appeal

Consideration of the Proposal against the Reason for Refusal

4.1 The Council's stated reason for refusal is as follows:

1. *'That, the proposed development would not accord with Policies INF 8, BE 7, BE 8 and the Development Control Statement of the Isle of Arran Local Plan, the Ayrshire Supplementary Planning Guidance on Wind Farm Development and the Council's adopted Landscape Capacity Study for Wind Farm Development in North Ayrshire (Phase 2 Report) 2009, in that by reason of its height, design, appearance and isolated siting in open countryside on the seaward side of the C147 road, it would:*

1. *intrude upon an area of relatively open countryside, detracting from its natural appearance and scenic quality, which would be detrimental to visual amenity;*
2. *detract from key views from the C147 to coastal and historically important features and interrupt key views from the coast road;*
3. *would have a significant adverse impact on the historic environment constituting an adverse impact on the setting of Craighdu Fort; and*
4. *establish an undesirable precedent for further wind farm development in isolated locations, thereby detracting from the amenity and appearance of the countryside'.*

4.2 Response to Reason for Refusal and Analysis

The planning authorities' report of handling states that:

"The main determining issues are whether the proposal accords with the adopted Local Plan, specifically policies ENV 1, INF 8, ENV 7, BE 7, BE 8, and the Development Control Statement, and other material considerations, which in this case comprise the Ayrshire SPG on Wind Farm Development, the Landscape Capacity Study for Wind Farm Development in North Ayrshire and the supporting information submitted by the agent".

Response

The proposal is in compliance with the Isle of Arran Local Plan (Section 4.3: Compliance with the Isle of Arran Local Plan 2005). The development is appropriate in design and scale to its surroundings; it is demonstrated in the landscape and visual

impact assessment that there will be no significant adverse effect on the intrinsic landscape qualities of the area, and the proposal will not result in unacceptable intrusion, or have a significant adverse effect on the natural, cultural and built heritage of the area; as is demonstrated in Section 4.3.2 (Policy BE 7: Scheduled Ancient Monuments & Policy BE 8: Archaeological Sites).

The proposal complies with the Ayrshire Supplementary Planning Guidance on Wind Farm Development (**Section 4.4: Compliance with the Ayrshire Supplementary Planning Guidance on Wind Farm Development**). The evidence provided in this document, in combination with the landscape and visual impact assessment has demonstrated that the impacts are acceptable. The policy aims to restrict wind turbine development within 2 km of a town or village. In this case Viewpoint 3 demonstrates that the impact on the village of Kildonan will be neutral, as the turbine will not be visible from the village.

The proposal complies with the Landscape Capacity Study for Wind Farm Development in North Ayrshire. (**Section 4.5: Compliance with the Landscape Capacity Study for Wind Farm development in North Ayrshire**). The study has concluded that there is capacity for small scale turbines in the area. The landscape and visual impact assessment submitted with this appeal illustrates that the proposal would not have a significant adverse impact on key views from the C147 road, and would not interrupt key views to Pladda and Ailsa Craig.

The turbine setting is in a hollow on the hill, allowing approximately two and a half metres (2.5m) of the tower to be blocked from the view from the Kilmory/Shannochie side of the C147 and the turbine would also be back-clothed to a degree from views from the south by the hills to the north of its location at Creag Dhubh hill. Therefore the proposal will not detract from the natural appearance and scenic quality of the area and would not be detrimental to visual amenity.

4.3 Compliance with the Isle of Arran Local Plan 2005

With regard to the Isle of Arran Local Plan 2005 the planning authority contend that the proposed development would not accord with the following policies:

- Policy INF 8: Renewable Energy:
- Policy BE 7: Scheduled Ancient Monuments
- Policy BE 8: Archaeological Sites
- Development Control Statement

7.3.1 Policy INF 8: Renewable Energy

The planning authorities' report of handling states that the proposal would conflict with criteria (a), (b) and (c) of Policy INF 8,

"With regard to the Policy INF 8, it is considered that the siting of the turbine on undeveloped land on the seaward side of the C147 would introduce a prominent development into an area of relatively open countryside. It is therefore considered that the proposal would conflict with criteria (a), (b) and (c) of Policy INF 8, in that it would be inappropriate in design and scale to its surroundings, and it would have an adverse effect on the intrinsic landscape qualities and natural heritage of the area".

Response

In response to, in part, the statement that the site *"would intrude upon an area of relatively open countryside detracting from its natural appearance and scenic quality, which would be detrimental to visual amenity"*, the appeal is accompanied by a landscape and visual impact assessment which analyses the visual impact of the proposal on the landscape. The assessment concludes that whilst the turbines will be visible from parts of the surrounding area, the actual visual impact will be minimal, due to the wide vistas, backclothing and available screening from topography.

The proposal will not impact on the natural appearance of the open countryside, as the combination of distance, land-use and topography enables a high degree of absorption of the structure into the landscape.

Scottish National Heritage (SNH) is obliged to respond to planning applications such as this proposal. SNH is a statutory advisor to Scottish Ministers and planning authorities on natural heritage matters and is a statutory consultee within environmental assessment processes.

SNH has not objected to the proposal and it can be concluded that they deem the impact to be negligible on the nearby Site of Special Scientific Interest (SSSI) and Arran Moors Special Protection Area (SPA).

Therefore Scottish Natural Heritage does not concur with the local planning authority and it does in fact deem the impact on the natural appearance and scenic quality to be acceptable in terms of visual impact.

4.3.2 Policy BE 7: Scheduled Ancient Monuments & Policy BE 8: Archaeological Sites

The planning authority's report of handling states that the proposal would be contrary to policies BE7 and BE8 of the Isle of Arran Local Plan 2005 as it states that:

"With regard to Policies BE 7 and BE 8 that relate to Scheduled Ancient Monuments and Archaeological Sites, there are a number of sites of archaeological interest in the locality; of particular importance are the scheduled monuments Craighdu Fort

and East Bennan Long Cairn, along with six other archaeological trigger sites in the locality. Historic Scotland and West of Scotland Archaeology Service advise that the proposal is too close to the fort and would be visually intrusive in views to and from the north of Craigdhu Fort and as such would constitute an adverse impact on its setting."

The planning authorities reason for refusal, (refusal number 3) in relation to this issue states:

(iii) it would have a significant adverse impact on the historic environment constituting an adverse impact on the setting of Craigdhu Fort.

Response

Historic Scotland

In response to the non compliance of the application with Policies BE 7 and BE8, no formal objection has been submitted by Historic Scotland (HS). Note that during preliminary discussions Mr R Stewart (appellant) requested that the planning officer meet with a representative from HS as suggested by HS representative Mr J Malcolm, Senior Heritage Management Officer. HS would only visit with the Planning Officer but this proved to be unworkable as the two parties could not coordinate a visit. It should also be noted that no representative from HS has visited the site for this application. There are numerous contradictions and discrepancies between the conclusions of HS and WoSAS. Indeed WoSAS disagree with HS on points such as the setting and whether this was primarily a defensive site.

Historic Fort

The report of handling argues that the proposal would constitute an adverse impact on the setting of Craigdhu Fort; however the site's characteristics appear to have been ignored in this case. The physical remains of Craigdhu Fort are not in fact visible from the C147 road and in fact must be viewed at close proximity in order to recognise the remains as a fort.

Visitors to Craigdhu Fort access the location via the sloping road between Creag Dhubh hill and the existing farm sheds. Due to this access route, walkers are past the proposed turbine site before they are able to see the fort. Natural topography of the area minimises impact on approach to the fort from the turbine. In order to see the turbine site with the fort in the foreground, visitors would have to cross over the fort and boundary fence to the brae face, for a north facing view. The fort can only be fully appreciated by looking at it towards the south and south east. Viewpoint No.2 in the Landscape and Visual Impact Assessment demonstrates that the remains of Craigdhu Fort are not discernible from the C147 and that the proposed turbine would not constitute an adverse impact on the setting of Craigdhu Fort.

As a result of the careful siting of the turbine in relation to the views of the fort, the location of the wind turbine will not have a significant adverse impact on the archaeological heritage of the site.

East Bennan Long Cairn

The location of the long cairn is approximately 450 metres from the proposed site for the turbine. It also lies approximately 28 metres lower in elevation than the highest point between the turbine site and the long cairn. This would reduce the visual impact of the turbine to the site. It should be noted that the best location to view the long cairn is looking south towards Bennan Head or from the east looking from the Struey Water. Viewpoint No.1 in the landscape and visual impact assessment demonstrates that East Bennan Long Cairn is not discernible from the C147. On this basis the location of the wind turbine does not have a significant adverse impact on the natural heritage of the site. It should also be noted that no comment by Historic Scotland was made on the position of the turbine to this location.

Archaeological trigger sites

The North Ayrshire Council Report of Handling made reference to other archaeological trigger sites within the area. No mention of these locations or impact on these sites was made by Historic Scotland in relation to the turbine. The Heritage Impact Assessment accompanying the application shows the position and a brief description of these sites and it should be noted that the turbine would only be visible from one of these trigger sites. It should also be noted that due to their general condition, with agricultural and other processes being undertaken on these sites, little evidence of their existence is present on the surface of the ground.

Six of the locations recorded are locations of finds of artefacts or settlements that have subsequently been removed over time and as a result have no remaining visible structure above ground. Of the remaining ten sites only four would be able to see the turbine partially from their location, see Heritage Impact Assessment.

It should therefore be concluded that the siting of the wind turbine would not adversely affect the site or setting of a scheduled ancient monument as outlined in Policy BE 7 Scheduled Ancient Monuments. It should also be concluded that the siting of the wind turbine would not significantly affect sites of archaeological significance, including industrial archaeological locations as outlined in Policy BE 8 Archaeological Sites.

In conclusion there is no evidence to suggest that the presence of the wind turbine would adversely affect the setting of any important archaeological features in this area. The landscape and visual impact assessment submitted demonstrates that there will be no adverse impact on any archaeological features in the area.

4.3.3 Development Control Statement

The planning authority's report of handling states that the proposal would not accord with the development control statement contained in the Isle of Arran Local Plan 2005. It states that;

*"The relevant criteria of the Development Control Statement of the adopted local plan are the siting, design and external appearance of the proposed development and its impact on the amenity and landscape character.
For the reasons mentioned above, the proposal would not accord with the relevant Development Control Statement criteria in that the siting, design and appearance of the turbine would intrude upon an area of relatively open countryside which would detract from visual amenity and the landscape character of the area and the setting of Craighdu Fort".*

Response

The siting, design and external appearance of the turbine have been carefully considered in order to mitigate the impacts on amenity and landscape character. The turbine has been sited in a hollow, a small scale turbine was chosen and the turbine benefits from both screening from the undulating topography and backclothing from the nearby hill, depending on the viewpoint. The council's definition of "an area of relatively open countryside" is unclear. The photomontage report submitted with this appeal demonstrates that there will be minimal impact on visual amenity, the landscape character of the area or the setting of Craighdu Fort. The benefits of the proposal far outweigh the possible negative impacts.

4.3.4 Other Relevant Policy

Policy ENV 3: Farm Diversification

Proposals for farm diversification shall accord with the Local Plan provided that the development:

- (a) would protect or enhance the viability of the agricultural unit; and
- (b) shall not have a significant adverse effect on the character, amenity and biodiversity value of the locality.

Development proposals should take account of the Council's approved Design Guidance.

The proposal contributes to farm diversification and to the sustainable economic growth of rural areas.

4.4 Compliance with the Ayrshire Supplementary Planning Guidance on Wind Farm Development

The planning authorities' report of handling states that the proposal would not accord with the Ayrshire Supplementary Planning Guidance on Wind Farm Development. It states that;

"In terms of the Ayrshire SPG, the wind turbine would be located within 700 metres of residential properties and the settlement of Kildonan is situated within 2km of the application site. It is therefore considered that the proposal would not accord with the Ayrshire SPG on wind farm development".

The specific policy in question states:

"Development will not generally be supported within 2km of a town and village or within either 700 metres or a distance of 10 times the turbines rotor blade diameter (whichever is the greater) from an individual dwelling, work place or community facility unless the developer can demonstrate the impacts are acceptable".

4.4.1 Response

It is important to highlight that the policy is stating that development can be supported within 2km of a town or village provided the developer can demonstrate that the impacts are acceptable. A noise report was submitted with this application and it is acceptable to Environmental Health, and, as such, the developer has demonstrated that the impacts would be acceptable. The proposed site is greater than 10 times the turbines rotor blade diameter from the nearest dwelling and therefore shadow flicker will not be an issue. It is therefore considered that the proposal would accord with the Ayrshire SPG on windfarm development.

The proposed site discussed in this appeal is within 2km of Kildonan however the stated findings of this appeal, in combination with the landscape and visual impact assessment attached, demonstrate that the impacts are not detrimental to the residential amenity of the area and the proposal should be acceptable. The turbine will not be visible from the nearest village of Kildonan as demonstrated by Viewpoint No.3 in the landscape and visual impact assessment. Therefore there will be no impact on the village and the proposal can be seen to be in compliance with the Ayrshire Supplementary Planning Guidance on Wind Farm Development.

A precedent has been set which contravenes this policy. This was for the erection of 1No. 20kW wind turbine, 27m to blade tip and inverter house (application reference 11/00408/PP) at Corriecravie Muir House, Slidery, Brodick, Isle of Arran KA27 8PE.It

should be noted that the application site is within 2km of the village of Corriecravie. Therefore, a precedent has been set which contravenes the Ayrshire Supplementary Planning Guidance on Wind Farm. Application ref 12/00255/PP - C Cook, is a further example of a contravention of this policy as it also lies within 2km of the village of Slidery.

It is also important to note that a noise report has been submitted with this application and environmental health had no objection to the proposal. It is therefore reasonable to assume that noise impact is not an issue on the neighbouring property that is judged to be within 700m of the proposed wind turbine. Given the scale and distance to the nearest residential properties, the development is unlikely to have any significant adverse effect by reason of noise

In summary, a precedent has been set which supports the proposal and this document demonstrates that the impacts are acceptable. The landscape and visual impact assessment (Viewpoint 3) accompanying this appeal demonstrates that the visual impacts are acceptable, and the noise report submitted with the original application demonstrates that there will be no negative noise impacts on nearby dwellings.

Notwithstanding the points stated above, the following issues are relevant to the proposals compliance with Ayrshire's Supplementary Planning Guidance on Wind Farm Development.

4.4.2 Distance to Kildonan

The settlement of Kildonan is stated in the report to be within 2km of the turbine site. The settlement of Kildonan is defined by a village envelope which stretches beyond the village core into the rural hinterland. The measured distance from the western edge of the village envelope to the proposed site is 1,850m approximately.

In the planning authority's report of handling, reference is made to non compliance with policy 28 of the Ayrshire Supplementary Planning Guidance on Wind Farm Development and it is stated the proposal would not accord with the Ayrshire SPG on wind farm development based on this non compliance.

Policy 28 – Communities of the Ayrshire Supplementary Planning Guidance on Wind Farm Development – 2009 states:

"Wind farms have the potential to create significant long term adverse impacts on the amenity of an area or health, well being and quality of life of people living or working nearby. Visually, within 2km, wind turbines are a prominent feature in an open landscape".

It should be noted that the policy identifies wind farms and does not specifically address single small scale wind turbines which the proposal relates to.

Policy 28 also states:

"Development will not generally be supported within 2km of a town and village or within either 700 metres or a distance of 10 times the turbines rotor blade diameter (whichever is the greater) from an individual dwelling, work place or community facility unless the developer can demonstrate the impacts are acceptable".

Whilst the development is technically within 2km of the village envelope of Kildonan, a common sense application of this policy would identify that the village envelope stretches far beyond the village core and therefore a more sensible definition of the extents of the village would put the distance between the proposed site and the village at 2.2km. To Kildonan hotel, a centre point of the village the distance is 3.3km. The first property at which any part of this turbine would be visible is 2.2km. The first 4 properties closest to the site would not be able to see the turbine, given their location relative to the cliff face.

Notwithstanding this point, it is argued that the proposal is still in compliance with the policy, as the photomontage report (Viewpoint no. 3) accompanying this appeal demonstrates that the impacts on the village are acceptable. Viewpoint no. 3 illustrates the view from the direction of Kildonan village to the proposed site. The visual impact is minimal, with only the blade tip of the turbine visible. The wide vista contributes to the absorption of the turbine and hence the visual impact is reduced. From Kildonan village itself the turbine will not be visible due to the undulating topography and intervening distance.

4.4.3 Neighbouring Properties

The report states that there is "a dwelling at Craigdhu in close proximity to the proposed turbine (approximately 210m) that is rented out as holiday accommodation". The property is within the ownership of the applicant, and the proposal will not impact negatively on the property in terms of noise or shadow flicker. It should be noted that Environmental Health had no objections in regards to the noise report, see consultation responses.

4.4.4 Summary

The proposal is fully in compliance with the Ayrshire Supplementary Planning Guidance on Wind Farm Development. The proposal is located within 2km of the nearest village; however the appeal document in combination with the landscape and visual impact assessment demonstrates that the impacts are acceptable

4.5 Compliance with the Landscape Capacity Study for Wind Farm development in North Ayrshire

The planning authorities' report of handling states that the proposal does not comply with the terms of the Landscape Capacity Study for Wind Farm development in North Ayrshire.

"The Council's approved Landscape Capacity Study acknowledges that there is limited capacity for small scale wind turbine development in areas such as the coast lands at Kildonan. It stresses however that the Island at present has no wind farm development and given its landscape integrity, the perception of Arran as being "unspoilt" and "different" is emphasised by its island situation".

It should be noted that the proposal is for a small scale single wind turbine and not a wind farm and since this study was written there have been approvals for similar scale turbines on the island.

The Landscape Capacity Study acknowledges that there is limited capacity for small scale wind turbine development in the "Coastal Fringe with Agriculture" landscape character area (LCA). The proposed site is located within this character area.

"There was found to be limited capacity for smaller turbines (20m max height) sited within the 'Coastal Fringe with Agriculture' character type on Arran".

Given that the study has concluded that there is capacity for small scale turbines in this area, and the site specific advantages of the site (sited in a hollow, screening from topography, backclothing), and the proposals compliance with the recommended height criteria, it can be concluded that the site is one of the most suitable sites for wind turbine development within this landscape character area.

The following table records the key findings on sensitivity within Arran:

Table 7.2: Summary of sensitivity within Arran

Landscape character areas	Sensitivity	Capacity
Raised Beach Coast	High	None
Coastal Headland	High	None
Rugged Granitic Uplands	High	None
Coastal Lowland Moor	High	None
Coastal Fringe with Agriculture	Med-high	Limited
Rocky Volcanic Island	High	None
Rugged Moorland Hills/Valleys with Forestry	Medium	Some

The table illustrates that only 2 landscape character areas within Arran have any capacity for wind turbine development. Therefore it can be concluded that if wind turbines are to be accommodated on Arran in order to comply with national

renewable energy targets, the coastal fringe with agriculture landscape character area is one of the most suitable areas on the island.

Therefore it can be deduced that the proposed site is one of the most suitable sites for wind turbine development on the island of Arran.

4.5.1 Perception of Arran as “unspoilt” and “different”

The Landscape Capacity Study used the words “unspoilt” and “different” (Paragraph 7.10, p.49) to describe perceptions of Arran’s landscape. These are subjective descriptions and ought not to be used to justify a decision such as this. Since the study was published there have been approvals for small scale wind turbines on the island, and therefore it would be disingenuous to rely on this statement for a refusal reason.

The refusal of planning permission stated;

“that by reason of its height, design, appearance and isolated sitting in open countryside on the seaward side of the C147 road, it would: (i) intrude upon an area of relatively open countryside, detracting from its natural appearance and scenic quality which would be detrimental to visual amenity”.

Response

This statement fails to take into account the close proximity of agricultural buildings to the foreground of any view from Bennan, see Heritage Impact Assessment, Image 2, and it’s greatly reduced visual impact from Kildonan, see Heritage Impact Assessment, Image 1. The screening afforded by the nearby hill and topography would seem to contradict the definition of the site as being “in open countryside” The proposed small scale turbine will not significantly detract from the natural appearance and scenic quality of the area as demonstrated by the landscape and visual impact assessment attached.

4.5.2 Relationship to Existing Farm Steading

The Report of Handling states that *“It is considered that the proposal does not comply with the terms of the Landscape Capacity Study as the proposal is not clearly associated with the existing farm steading or other rural buildings”.*

It is unclear how the planning authority has arrived at the conclusion stated above, i.e. that the proposal does not relate to an existing farm steading, as the turbine is situated 110 metres from the agricultural buildings and will provide electricity to the Craigdhu Farm house and to the national electricity grid. This policy is again contravened in a similar application which was

approved, C Cook - 12/00255/PP where the turbine is located 120m from the farm steading. This demonstrates a lack of consistency and double standards in the council's decision making.

No definition is provided within the Landscape Capacity Study, phase two report as to what constitutes an association or relationship with a farm steading as far as distance or scale.

Precedent

It should also be noted that within the Report of Handling for application reference 11/00408/PP for the erection of a 20kW wind turbine, 27m to blade tip and inverter house at Corriecravie Muir House, the council state within consultations and representations paragraph 1, p.3 that;

"At a meeting in March 2011, attended by many locals, it was agreed that all present were in favour of renewable energy in the form of wind power as long as they were small and associated with a house or farm steading which this is."

The North Ayrshire Council report further details the distance of this house, Corriecravie Muir House within its Description paragraph, page 1 as

"The application site is situated approximately 320 metres to the south-east of Corriecravie Muir House, Slidery and is approximately 1.4 km to the north of the C147 road."

In the precedent outlined above, the wind turbine site is 320m away from the farmstead. It can therefore be concluded that as the wind turbine proposed at Craigdhu Farm is only 210m from the farm house, it must be viewed, in light of the precedent above, as being associated with the farm house, or farm steading, which is recorded above as being 110m from the proposed turbine site. This conclusion is drawn from the statement above as outlined in the Report of Handling for application 11/00408/PP.

It should also be noted that no inverter house is required on the turbine site due to its nearby location to the farm buildings.

4.5.3 Impact on Key Views

North Ayrshire Council's report of handling states that the turbine will detract from key views from the C147 to coastal and historically important features and interrupt key views from the coast road. The council states that

"The turbine would be situated on the seaward side of the C147 road, which would have a significant adverse impact on key views from the C147 road to coastal and historically important features and would interrupt key views to Pladda and Ailsa Craig".

The local authority have not provided any methodology to demonstrate how they arrived at the conclusion that the proposal would have a significant adverse impact on key views. The Landscape Institute and the Institute of Environmental Management and Assessment (IEMA) publish the Guidelines for Landscape and Visual Impact Assessment (GLVIA), now recognised as the established guidance on good practice in carrying out landscape and visual impact assessment of developments. The landscape and visual impact assessment, carried out in line with this guidance provides a methodology and an evidence based assessment which justifies the grant of planning permission. The assessment submitted with this appeal illustrates that the proposal would not have a significant adverse impact on key views from the C147 road, and would not interrupt key views to Pladda and Ailsa Craig.

4.5.4 Impact on Pladda and Ailsa Craig

Within the report Landscape Capacity Study for Wind Farms Development in North Ayrshire, Phase Two Report, viewpoints are used to assess the impact of turbines on the local landscape.

The viewpoints selected included;

- Principal Assessment Point "High Kildonan" approximate Easting 203366 Northing 621762 (Fig No: 4) approximate height 131m, **Appendix 1**, Image 1.
- Viewpoint No. 3 A814 East Bennan Easting 198670 Northing 621431 (Fig No: 5b), approximate height 150m, **Appendix 1** Image 2.

The proposed turbine would be uniquely sited on this part of Arran's south coast, because although it is on the seaward side of the C147 it would not obscure any key views to Pladda or Ailsa Craig from any of the above key viewpoints or other points on the A814, now designated C147.

It should also be noted that the site would not interrupt any views of the foreshore from the C147 at this point as the foreshore cannot be seen because Creag Dhubh hill obscures views of both Pladda and the foreshore, see image 1, Heritage Impact Assessment.

Any views of the location from the coasts of Kintyre and Ayrshire would be seen at a considerable distance (between 20km and 30km) and due to the scale of the turbine would arguably present an insignificant impact from these distances.

4.5.5 Visual Prominence and Impact on Visual Amenity

The planning authorities' report of handling states that the proposal *"would be visually prominent and detrimental to visual amenity"*.

It is the opinion of the author that the landscape and visual impact assessment has demonstrated that whilst the turbine would be visible from points along the C147, it would not be detrimental to visual amenity as the careful siting techniques employed and considerable topographical advantages of the site help to absorb the impact of the turbine. Nevertheless it is important to distinguish between the impact of the development and the magnitude of this impact and whether the magnitude is sufficient to warrant a refusal of planning permission.

A change to the outlook from a property is not a sufficient material consideration to prompt a refusal of permission. Indeed, even a fundamental change in outlook is not necessarily unacceptable. No individual has the right to a particular view but there comes a point when, by virtue of the proximity, size and scale of a given development, a residential property would be rendered so unattractive a place to live that planning permission should be refused.

The test of what would be unacceptably unattractive should be an objective test. In this case, there would be no effects on the visual component of residential amenity which would be so unacceptable as to become a matter of public interest, reasonably capable of justifying refusal of planning permission, whether in the case of any individual dwelling, groups of dwellings or settlements. It is therefore reasoned that the impact on visual amenity will be minimal.

Given the various combinations of distance, partial screening by landform, and the very wide vistas available from most houses in this area, there is no case where the proposed turbine would be so visually dominant as to be overbearing. On that basis it can be concluded that the development would not be significantly detrimental to the visual amenity of the area. Whilst the wind turbine would impact minimally on the landscape character of the site, it would not significantly detract from the attractive views from the C147 road to coastal and historically important features.

4.5.6 Mitigation of Impacts on Key Views

The planning authorities' reasons for refusal, (refusal number 1 & 2) in relation to this issue state that:

"(i) it would intrude upon an area of relatively open countryside, detracting from its natural appearance and scenic quality, which would be detrimental to visual amenity;

(ii) detract from key views from the C147 to coastal and historically important features and interrupt key views from the coast road; "

Response

The turbine setting is in a hollow on the hill, allowing approximately two and a half metres (2.5m) of the tower to be blocked from the view from the Kilmory/Shannochie side of the C147. The view from the Kildonan side would be obstructed by part of the Creag Dhubh hill which would reduce the visible impact of the turbine by approximately 10-12 metres.

The turbine would also be back-clothed to a degree from views from the south by the hills to the north of its location, Creag Dhubh hill, (height 140 metres approximately) and Torr a' Bheannain (259metres) to the north of the C147 and therefore will be less visible from other key view locations particularly High Kildonan and East Bennan, see Heritage Impact Assessment, due to its unique geographic position.

The Landscape capacity study has categorised varying development typologies for wind turbines down to a size of 15-30m high (Paragraph 2.11, p.10), the report makes a recommendation for the limit of turbines on the Coastal Fringes with Agriculture, due to landscape sensitivity, to be a height of 20m to blade tip (paragraph 5.33, p.39).

The proposal complies with this height restriction. Its unique geographic position also reduces the visible height of the turbine as viewed from the C147 by between 2.5m and 12m depending on the viewpoint location.

The above information and evidence provided demonstrates that the location of the wind turbine in relation to the key view features of Ailsa Craig and Pladda, taking into account the landscape character of the area would not have a significant adverse impact on these key views. This specific location, with its key surrounding geographic features assists in reducing the visible height of the turbine to the surrounding C147.

The proposed site also benefits from a back-clothed effect from distant hills, when viewed from the south, making the turbine in its proposed location a development that is appropriate in design and scale to its surroundings.

4.5.7 Turbine Height

The concrete foundation is to be dropped into the ground a minimum of 200mm thus reducing further the visual height impact. This would aid reinstatement of the site on decommissioning of the turbine, in order for it to be reverted to improved pasture.

There are currently 18 certified turbines (Microgeneration Certification Scheme (MCS) Product Type, 2010). Apart from the C&F Turbine applied for, there are no turbines with an equal output which would suit the site or conditions e.g. survival wind speed and ease of erection on site (removing the need for roads to be built).

The C&F turbine applied for can be hydraulically raised and lowered at the site with the minimum of equipment and no access requirement for heavy plant during servicing or maintenance operations.

In terms of height it is worth noting that a similar application at Corriecravie Muir House, Sliddery, Brodick, Isle of Arran KA27 8PE has been granted planning permission and is located in an adjacent character area, "rugged moorland hills and valleys with forestry". The proposed turbine location is close to the border of the "coastal fringe with agriculture" landscape character area. The report of handling for the application states;

"A 27 metre high turbine is unlikely to be significantly obtrusive and would therefore not have a significant adverse impact on the amenity of the area".

4.6 Establishing an Undesirable Precedent

The planning authorities reason for refusal, (refusal number 4) in relation to this issue states:

"and (iv) establish an undesirable precedent for further wind farm development in isolated locations, thereby detracting from the amenity and appearance of the countryside".

Response

It should be noted that the proposal is for 1 small scale wind turbine and should not be confused with a wind farm. It has been demonstrated by the landscape and visual impact assessment that the proposal will not negatively detract from the amenity and appearance of the countryside.

A precedent for wind turbine development has already been set by the council in granting planning permission for the following application on the Isle of Arran, Ref 11/00408/PP:

Proposal: Erection of 20kW wind turbine, 27m to blade tip and inverter house

Location: Corriecravie Muir House, Sliddery, Brodick, Isle Of Arran KA27 8PE

There are several contradictions between the report of handling for Corriecravie Muir House and in the report for this proposal; *"With regard to Policy INF 8, due to the isolated setting of the wind turbine, it is considered that the design, appearance and height of the wind turbine are appropriate in terms of the open nature of the countryside". (Pg 6, 11/00408/PP).*

Attention is drawn to the Report of Handling, (erection of 20kW wind turbine, 27m to blade tip and inverter house), the council state within paragraph 2, in response to concern that the development would result in an undesirable precedent for further wind turbines, the following:

"Regarding the point raised with the undesirable precedent, each application is dealt with on its merits and the granting of one wind turbine does not guarantee that a separate application would be approved", (Report of Handling 11/00408/PP paragraph 2, p4).

This is in direct contradiction to the refusal reasons for Cragidhu Farm as the refusal reason states it "would establish an undesirable precedent for further wind farm development in isolated locations".

The above statement should therefore be applied to all applicants in a fair and equitable manner resulting in the application for this wind turbine being considered using the same approach as outlined above, taking into account its unique geographic position which reduces its impact on the surrounding countryside in relation to its height as detailed above. Therefore the refusal reason is without grounds as each application should be dealt with on its own merits.

4.7 Rural Diversification

This application support sustainable economic growth in rural areas and adheres to Scottish Planning Policy on rural development and PAN 73 - Rural Diversification. It should also be noted that in restricting development in "isolated locations", the planning authority is failing to adhere to Scottish Planning Policy on rural development and PAN 73 - Rural Diversification.

Scottish Planning Policy on rural development states:

"The planning system has a significant role in supporting sustainable economic growth in rural areas. By taking a positive approach to new development, planning authorities can help to create the right conditions for rural businesses and communities to flourish. The aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality".

PAN 73 - Rural Diversification states that;

"The Scottish Ministers are committed to supporting rural life, rural communities and the rural economy. This includes promoting sustainable development in rural areas".

It goes on to state that;

"24. Rural diversification helps make our rural areas more sustainable. It allows individuals to continue to live in rural areas, close to their places of work, without needing to commute to towns or cities. In some cases businesses can be brought closer to their suppliers and markets. Successful diversification also attracts new skills and new people to rural areas benefiting existing businesses and helping to retain essential services, sustaining local communities and maintaining their quality of life. In fragile areas this influx of new businesses and new people may make the difference between decline and growth. As well as supporting the rural economy, diversification can help bring brownfield sites or otherwise redundant buildings back into use, and deliver environmental enhancements or much needed community benefits".

The application promotes sustainable development in rural areas and supports the local economy.

4.8 Precedent for Wind Turbines in Isolated Locations

Directorate for Planning and Environmental Appeals- Precedent

A precedent already exists for wind turbines in isolated locations, DPEA appeal reference PPA-410-2000, (**detailed in Chapter 8 – Other material considerations**). This application can be seen as comparable in terms of an isolated location in an island setting similar to the appeal proposal. The application was refused by Comhairle nan Eilean Siar and subsequently appealed to the Directorate for Planning and Environmental Appeals and approved. It can be argued therefore that a precedent was established in this case for wind farm development in isolated locations.

The refusal reason does not accord with Scottish planning policy on rural development and PAN 73 – rural diversification. These policies are even more relevant because of the isolation of the location. Income generated in rural economies possesses excellent multiplier effects and is more likely to be recycled into the local economy, rather than a commercial wind farm which would have no benefit to the immediate area.

4.9 Economic Benefit

The planning authorities' report of handling states that;

"While there may be some minor economic benefit from the development, on balance, it is considered that it would not outweigh the negative impact on the landscape that would occur should planning permission be granted"

The conclusion by the planning authority that the economic benefit will be minor is at best questionable.

Wind speed calculations have been taken from three independent websites; these include the Department of Energy and Climate change site (Wind Speed Database. 2012) and (RenewableUK, 2010).

These confirmed wind speeds of 7.5 – 8.5 metres per second. The projected production figures at an average wind speed of 7.5m/s are in the region of 63,750kWh per year according to the manufacturer's specifications detailed in the C&F Green Energy documentation.

This would result in an annual combined income/saving offset of £19,253 per year. This would be a substantial economic benefit to Craigdhu Farm and WR & R Stewart. It would also contribute to farm diversification and sustainable economic growth in rural areas. There are numerous multiplier effects including benefit to rural businesses and the knock on effect of strengthening rural areas and reversing rural population decline.

The National Farmers Union Scotland (NFUS) Magazine (Scottish Farming Leader) February 2012 recognised that there should be a trade off between the potential landscape impact and the economic return of the turbine.

4.10 Impact on Tourism

The impact on tourism is another important concern which needs to be assessed. Craigdhu farm has had tourists coming to it for in excess of 45 years to self catering accommodation and latterly to two purpose built holiday homes (3 and 4 star Scottish Tourist Board accreditation). The farm and the business relies heavily on these holiday homes as an additional sources of income and would not jeopardise this if they felt that the siting of a wind turbine at the selected location would impact adversely on this important revenue stream.

WR & R Stewart rely on this as part of their own business income and recognise the importance it plays on the Arran local economy as a whole.

It is considered that the impact on tourism will be negligible. The judgement of any potential impact to tourism will be a subjective one. In this instance, due to the size and scale of this turbine and that the fact that the development would solely relate to a single turbine, it is considered that it would not have a significant adverse impact on tourism. Furthermore, there would not be a significant negative impact with the development in terms of a cumulative impact.

4.11 Reference to Planning Application 11/00421/PP

Reference is made to planning application 11/00421/PP as part of North Ayrshire Council's report of handling. It is unclear as to why this was included in the report of handling as it is based on an entirely and distinctly different location, with much greater visual impact. The report of handling references a refusal for planning permission of 6 turbines close to the proposed

development. As this proposal is for a single small scale turbine and not wind farm scale it can be seen to be a more acceptable proposal in terms of visual impact than the refused development of 6 turbines.

The above application was based on 2 groups of 3 turbines, a development more akin to a commercial wind farm. This is a vastly different proposal than that of Craighdu Farm for the siting of one small scale turbine. It therefore should have no bearing on this application.

4.12 Conclusion

The proposed site for this single wind turbine is unique for this area of Arran as no key views are obscured, due to topography, the considerable distances involved from the site to neighbours and to the C147 from where the site may be viewed. These details, together with the partial screening of the turbine by natural topography minimising any slight height issues ensures that no precedent could be set with the granting of this planning application.

The presence of Craighdu Fort nearby or the East Bannan Long Cairn should not preclude the planning permission, as Craighdu Fort and East Bannan Long Cairn will remain long after the decommissioning of the turbine. There has also been no formal objection to the siting of the turbine - only a recommendation to review its location by Historic Scotland.

Given the size of the turbine, its design and distance to the public road, surrounding geographic features that reduce its height perception, it should be considered that it would not have a significant adverse impact on the landscape qualities of the area and would not have a significant adverse impact on the natural, cultural and built heritage of the area. There would also be no significant impact on the amenity of the area.

It would therefore be in compliance with Policies Plan INF 8, BE7, BE8 and the Development Control Statement of the Isle of Arran Local Plan, the Ayrshire Supplementary Planning Guidance on Wind Farm Development and the Council's adopted Landscape Capacity Study for Wind Farm Development in North Ayrshire (Phase 2 Report) 2009.

The applicant has also confirmed that the turbine would supply the needs of the dwelling house at Craighdu Farm, thus enhancing the direct economic benefit to WR & R Stewart along with a reduction in the carbon footprint of the business.

While it is acknowledged that the relevant provisions of the Isle of Arran local plan and North Ayrshire policy, (in particular those policies referred to in the reasons for refusal), are determining issues in this appeal it is clear there are material considerations that justify departing from those provisions in this case.

The planning authority fails to highlight other material considerations as being among the main determining issues for this proposal. In this case there are material considerations that justify departing from the provisions of the adopted local plan, including UK and Scottish Government energy policies, national planning policies and advice, and the benefits of the proposal in terms of a reduction in carbon emissions and in supporting sustainable economic growth in rural areas.

Scottish government renewable energy policy and targets are a material consideration, and there is a clear commitment from the Scottish Government to support renewable energy developments as set out in Scottish Planning Policy. The current target (amended) is for 100% of Scotland's electricity to be generated from renewable sources by 2020. This is a material consideration of significant weight in support of the proposal, which would clearly contribute to meeting that target.

It is considered that the proposed development would not result in the setting of any precedence.

5. Other Material Considerations

5.1 Wind projects on farms also have the benefit of protecting employment in existing farm businesses facing uncertainty over market returns and support payments.

5.2: Farm businesses are particularly effective at recycling income into the local economy and thereby supporting local rural employment. It can be assumed that a substantial portion of the savings made from the utilisation of this technology by the farm will be spent or invested in the locality.

5.3: Precedents can be found for appeals granted by the Directorate for Planning and Environmental Appeals against similar refusal reasons to those given by North Ayrshire council, namely the impact on scenic views and establishing a precedent for further wind farm development in isolated locations.

Precedent 1:

DPEA Case Reference	Planning Authority	Site Address & Case Description	Decision
PPA-270-431	Highland Council	HILL OF STROUPSTER, AUCKENGILL, WICK, CAITHNESS. ERECTION OF 12 WIND TURBINES, ACCESS TRACKS, 2 TEMPORARY CONSTRUCTION AREAS & REFURBISHMENT OF OLD STEADING.	Appeal Allowed

This application was refused by the Highland Council as it was contrary to policies relating to impact on scenic views amongst others. It was appealed and subsequently approved by the Directorate for Planning and Environmental Appeals.

Precedent 2:

DPEA Case Reference	Planning Authority	Site Address & Case Description	Decision
PPA-410-2000	Comhairle nan Eilean Siar	7 BORNISH, ISLE OF SOUTH UIST, OUTER HEBRIDES, 1 NO. 20kw, 1 NO. 15kw, 1 NO. 10kw & 1 NO. 5kw WIND TURBINES, 4 NO. 15m ANEMOMETER & 1 NO. 5m METEOROLOGICAL MASTS	Appeal Allowed

This application can be seen as comparable in terms of an isolated location in an island setting similar to the appeal proposal. The application was refused by Comhairle nan Eilean Siar and subsequently appealed to the Directorate for Planning and Environmental Appeals and approved. It can be argued therefore that a precedent was established in this case for wind farm development in isolated locations

6.0 Summary

- 6.1 The proposed development is consistent with and contributes to the implementation of national policy objectives in particular government objectives for 100% of Scotland's electricity to be generated from renewable sources by 2020
- 6.2 The proposal is in compliance with the Isle of Arran Local Plan, 2005, the Ayrshire Supplementary Planning Guidance on Wind Farm Development, 2009 and the Landscape Capacity Study for Wind Farm Development in North Ayrshire, 2009.
- 6.3 The landscape and visual impact assessment submitted with this application and appeal demonstrates that the proposal would not detract from the natural appearance and scenic quality of the area and would not be detrimental to visual amenity.
- 6.4 The photomontage report submitted demonstrates that the proposal will not detract from key views from the C147 to coastal and historically important features and will not interrupt key views from the coast road. Viewpoint 2 demonstrates that the proposal would not have an adverse impact on the setting of Craigdhu Fort.
- 6.5 The proposal would not establish an undesirable precedent for wind farm development in isolated locations as each application is dealt with on its merits and the granting of one wind turbine does not guarantee that a separate application would be approved. (Report of Handling – App: 11/00408/PP Paragraph 2 Page 4).
- 6.6 There are only 2 landscape character areas within Arran which have any capacity for wind turbine development. The proposed site falls within one of these character areas. Therefore it can be concluded that if wind turbines are to be accommodated on Arran in order to comply with national renewable energy targets, the coastal fringe with agriculture landscape character area is one of the most suitable areas on the island. Therefore it can be deduced that the proposed site is one of the most suitable sites for wind turbine development on the island of Arran.
- 6.7 There are currently 18 certified turbines (Microgeneration Certification Scheme (MCS) Product Type, 2010). Apart from the C&F Turbine applied for, there are no turbines with an equal output which would suit the site or conditions e.g. wind speed and ease of erection on site (removing the need for roads to be built).
- 6.8 The Applicant has chosen to locate the proposed 18.2m turbine in a hollow, thereby reducing the visual height of the proposed turbine to 15.7m. The chosen site takes advantage of existing screening and backclothing, reducing the visual impact of the proposed turbine further.

7.0 Conclusion

7.1: Scottish Government renewable energy policy and targets are a material consideration, and there is a clear commitment from the Scottish Government to support renewable energy developments as set out in SPP. The current target (amended) is for 100% of Scotland's electricity to be generated from renewable sources by 2020. This is a material consideration of significant weight in support of the proposal, which would clearly contribute to meeting that target. It is noted that Scottish Planning Policy also states that planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed.

7.2: Given the various combinations of distance, partial screening by landform, and the very wide vistas available from most houses in this area, there is no case where the proposed turbine would be so visually dominant as to be over-bearing. On that basis it can be concluded that the development would not be significantly detrimental to the amenity of people living nearby in terms of its visual impact.

7.3: Given the size of the turbine, its design and distance to the public road, it is considered that it would not have a significant adverse impact on the landscape qualities of the area and would not have a significant adverse impact on the natural, cultural and built heritage of the area.

7.4: The appellant considers that the appeal proposal for one wind turbine at Craigdhu Farm supports the main aims of the Scottish Climate Change Programme and is wholly consistent with the Scottish Planning Policy and guidance.

7.5: The development is compliant with Scottish Government policy to address carbon neutral homes and tackling fuel poverty, rural diversification and attempts to redress the depopulation of rural areas

7.6: The proposed development itself contributes towards the implementation of national policy objectives regarding the target of generating the equivalent of 100% of Scotland's gross annual electricity consumption from renewable sources by 2020.

7.7: It is also the appellant's opinion that it has been shown that the appeal proposal is fundamentally in accordance with Isle of Arran local plan policies on renewable energy. Indeed, where limited breaches of adopted development plan policy have been identified by the planning authority, the appeal submission has endeavoured to demonstrate that these policies are overly restrictive and out of date as they predate more recent national planning policy initiatives on renewable energy. The weight to be attached to the full suite of facilitative other material considerations is such that planning permission should be granted in any event.

7.8: All the energy produced from the turbine will be used to provide power to the farm activities. Any surplus may be redirected to the national grid. The power requirements for the applicant's farm per annum are substantial. The turbine will allow for a sustainable supply of power to the farm all year round.

7.9: The Scottish Government recognises that farm diversification is a means for farmers to widen and strengthen the economic base of their businesses and contribute to a more diversified rural economy. Local Authorities have a key role to play in supporting attempts at diversification. This proposal strongly adheres to this policy and contributes to sustainable economic growth in rural areas.

7.10: A comprehensive understanding of the site and setting and clear identification of important receptors helped mitigate the visual impact of the proposal on key viewpoints

7.11: For the reasons given in this submission, the Applicant respectfully requests that the decision of North Ayrshire Council be overturned and ask for the review body to grant planning permission for this much needed development proposal.

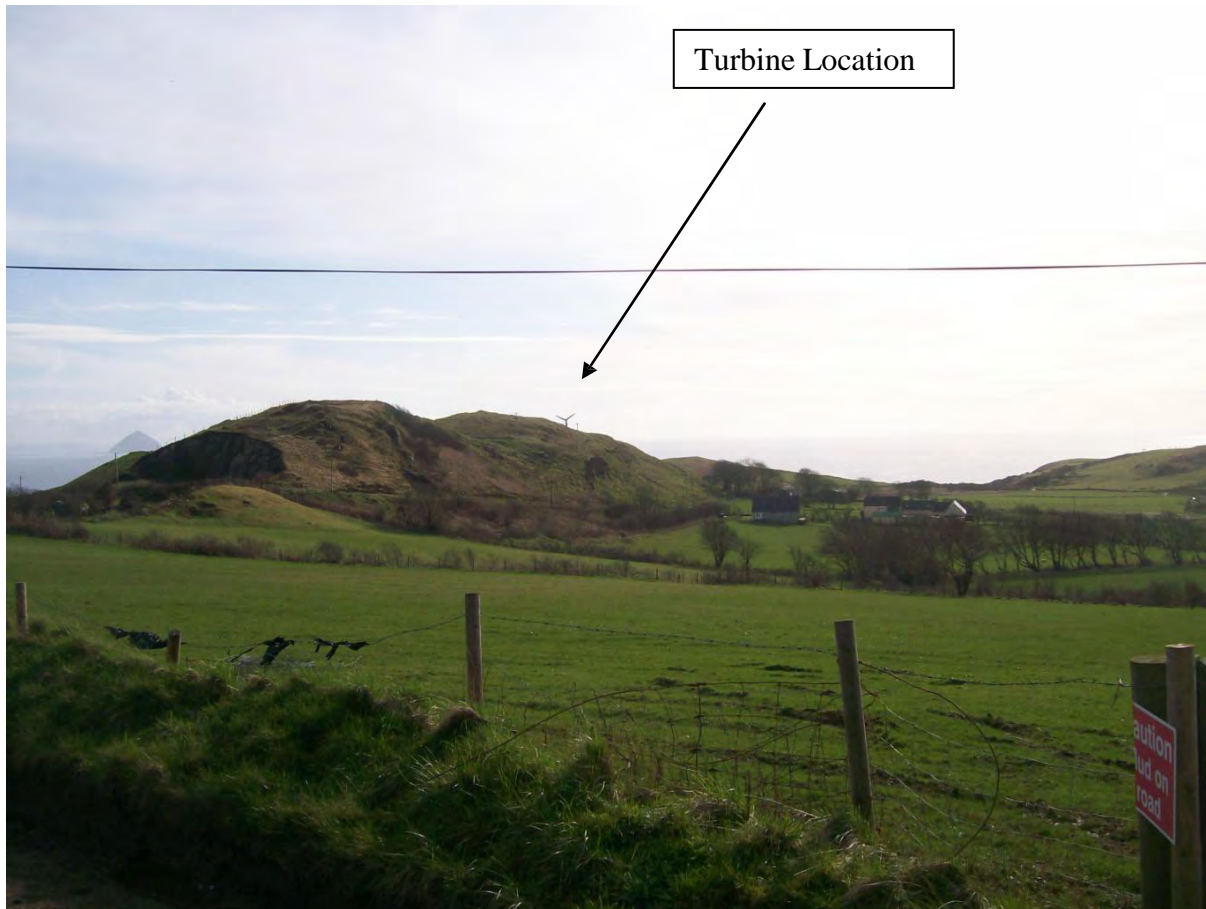
Landscape and Visual Impact Assessment

Viewpoint 1: View from C147 – North West of Site



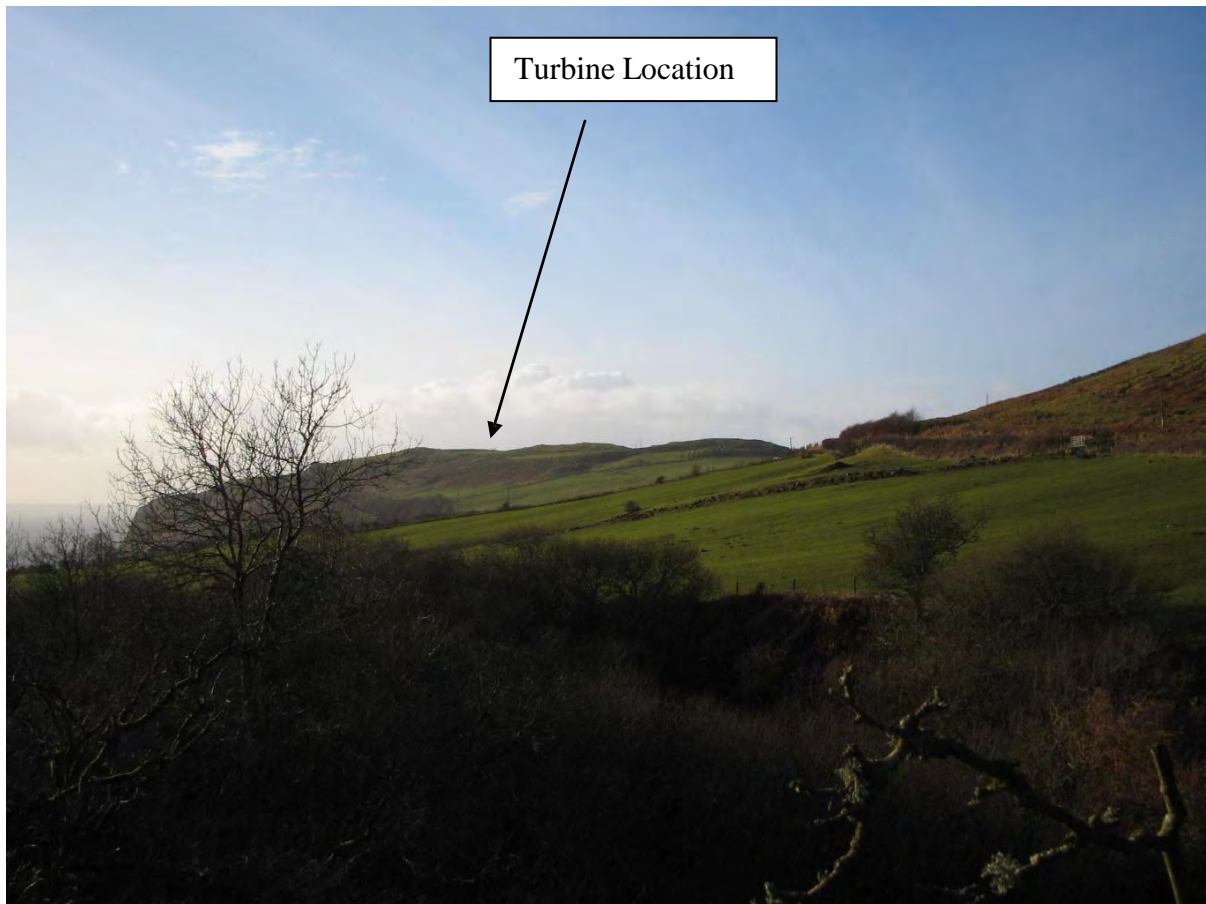
Viewpoint No. 1

Viewpoint Number	Location	NG Coordinates	Receptor Sensitive Reason	Comment
1	View from C147 – North West of Site	East: 198599 North: 621422	To consider the Impact on key views from the C147.	The turbine is visible however the impact is negligible considering the wide open vista, the small scale nature of the turbine and significant back clothing available of 8.00 -10.00m approximately. East Bennan Long Cairn is not visible from this viewpoint.



Viewpoint no. 2

Viewpoint Number	Location	NG Coordinates	Receptor Sensitive Reason	Comment
2	View from C147 – North of Site	East: 199,883 North: 621,561	To consider the Impact on key views from the C147.	Turbine partly visible. Screening of 7.80m approximately is provided by the hill and the appropriate siting of the turbine in a hollow significantly reduces the height and visual impact of the turbine. Furthermore the hill summit is higher than the proposed development so it does not break the skyline from certain viewpoints. Craighdu Fort is not discernible from this viewpoint and therefore the proposed turbine will not have an adverse impact on the setting of Craighdu Fort, which is not visible from this view point.



Viewpoint no. 3

Viewpoint Number	Location	NG Coordinates	Receptor Sensitive Reason	Comment
3	View from C147 – North East of Site	East: 201,075 North: 621,500	To consider the Impact on key views from the C147.	The turbine hub is fully screened from this viewpoint with only the blade tips visible. Considerable screening is provided by the undulating topography and the position of the hill that rises higher and away from the proposal. The appropriate siting and layout of the turbine contributes to the mitigation of the visual impact.

7.5.4.1 Predicted Visual Impacts – Nature of Impact

V P	Location	Description	Level of importance					Predicted impact			Nature of impact				Magnitude	Receptor Sensitivity	Significance
			I	N	R	D	L	A	N	B	ST	LT	R	IR			
1	View from C147 – North West of Site	The turbine is visible however the impact is negligible considering the wide open vista, the small scale nature of the turbine and significant back clothing available of 8.00 -10.00m approximately. East Bennan Long Cairn is not visible from this viewpoint.													L	ML	Low
2	View from C147 – North of Site	Turbine partly visible. Screening of 7.80m approximately is provided by the hill and the appropriate siting of the turbine in a hollow significantly reduces the height and visual impact of the turbine. Furthermore the hill summit is higher than the proposed development so it does not break the skyline from certain viewpoints. Craigdhu Fort is not discernible from this viewpoint and therefore the proposed turbine will not have an adverse impact on the setting of Craigdhu Fort, which is not visible from this view point.													ML	M	Med-Low
3	View from C147 – North East of Site	The turbine hub is fully screened from this viewpoint with only the blade tips visible. Considerable screening is provided by the undulating topography and the position of the hill that rises higher and away from the proposal. The appropriate siting and layout of the turbine contributes to the mitigation of the visual impact.													L	ML	Low

KEY:

Level of Importance I = International; N = National, R = Regional; D = District, L = Local

Predicted Impact A =Adverse; N = Neutral; B = Beneficial

Nature of impact ST= Short Term; LT = Long Term; R= Reversible; IR = Irreversible

Magnitude and sensitivity N = Negligible; VL = Very Low; L= Low; ML = Medium-Low; M=Medium; MH=Medium High; H = High; VH = Very High

The landscape and visual impact assessment addresses the following;

- Magnitude of the impact having regard to the duration, and extent of any effect;
- The sensitivity of affected landscape and visual resource
- Significance of effects

The significance of visual impact on viewpoint no. 1 is determined as being low. The turbine will be visible however there is a significant degree of backclothing available by way of the hill at the rear of the site which will reduce the visual impact considerably. The significance of impact on viewpoint no. 2 is determined as being medium-low. The turbine will be partly visible; however the siting of the turbine in a hollow and the screening provided by the hill reduces the height and visual impact of the turbine. The significance of impact on viewpoint no. 3 is determined as being low. The turbine blades will be partly visible, the turbine hub is screened by the hill and the wide vista reduces the visual prominence of the blade tips of the turbine.

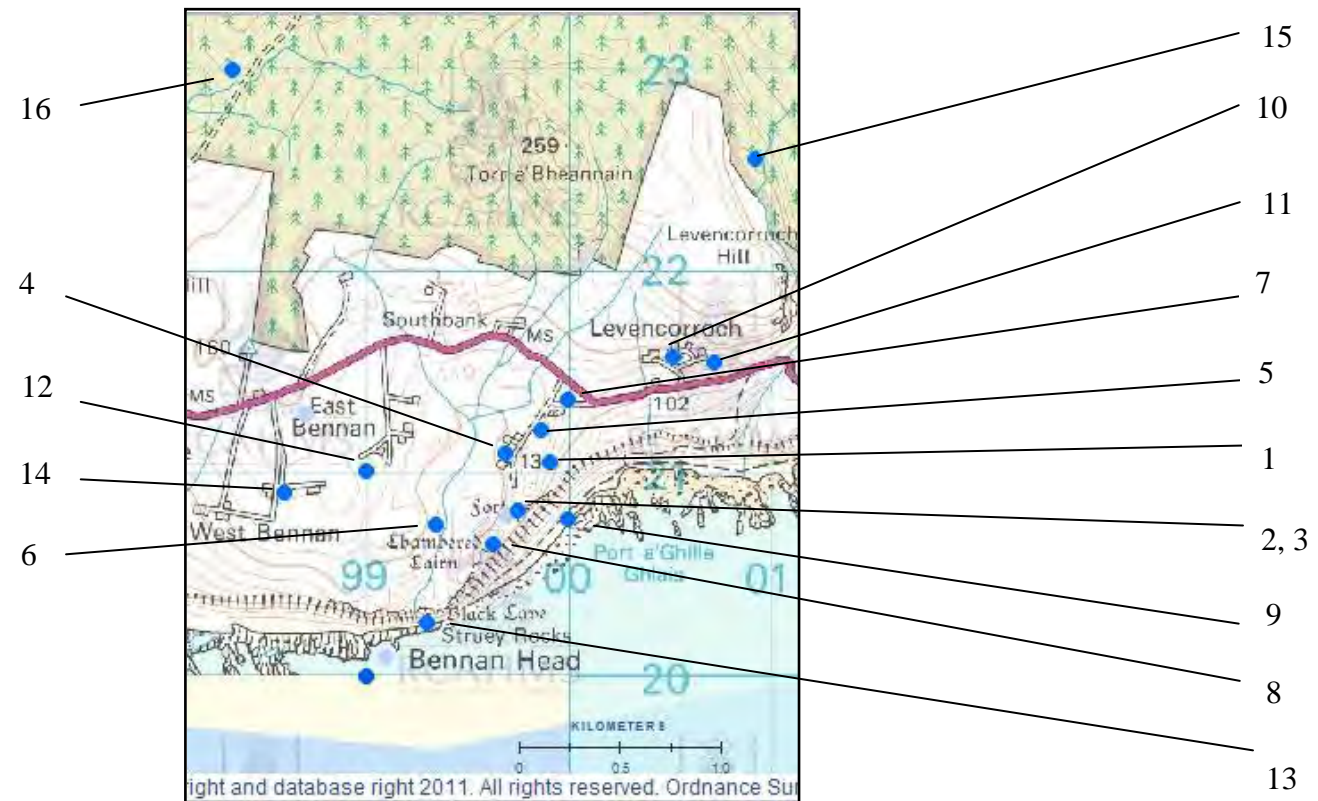
Essentially the temporary visual impacts of the development can be fully restored to their original view upon site decommissioning. On the basis of the above assessment on the landscape and visual effects of the proposed wind turbine, it is considered that the development can be readily absorbed into the host environment without any adverse impact.

Fortunately the area has significant existing screening due to the combination of topography and the scale of the absorbing landscape which help to absorb and assimilate the proposal into the existing landscape with minimal impact.

APPENDIX 7 – Heritage/ Key Views Impact Assessment

Ancient Monuments and Artefact Locations, Bennan, Isle of Arran

Royal Commission on the Ancient and Historical Monuments of Scotland



No.	Site Number	Site Name	Site Type	Location with reference to turbine
1	NR92SE 43	Arran, Creag Dhubh	Rig and Furrow	Part & fully shielded by Creag Dhubh Hill from turbine
2	NR92SE 3	Arran, Craigdhu Alternative(s) Craig Dhu	Fort	Turbine to north north east of Fort with best views of fort obtained by looking South & South East
3	NR92SE 5	Craigdhu, Arran	Flat Axehead(s) (Bronze), Hoard	See above (no visible sign remains of this location on ground surface)
4	NR92SE 29	Craigdhu, Arran	Township	12m below and to the north of the turbine (site not discernible due to agricultural use)
5	NR9SE 45	Arran, Creag Dhubh	Fort (Possible)	Partly shielded by Creag Dhubh Hill
6	NR92SE 4	Arran, East Bannan Alternative(s) Craigdhu	Chambered Cairn	Situate 450m south west of the turbine site and approximately 28m below the turbine
7	NS02SW 14	Levencorroch, Arran, 'Caibeal Mhuineal'	Burial Ground Chapel	Fully shielded by Creag Dhubh Hill from turbine (site not discernible due to agricultural and other use)
8	NR92SE 44	Arran, Creagdhu	Rig and Furrow	A block of rig, oriented roughly from NW to SE, turbine site NNE of this location limited impact due to best viewing angle NW to SE of rig and furrow
9	NS02SW 51	Port à Ghille Ghlais	Harbour	Fully shielded by Creag Dhubh Hill from turbine
10	NS02SW 48	Levencorroch, Arran	Township	Part shielded by Creag Dhubh Hill from turbine (site not discernible due to agricultural and other use)
11	NS02SW 13	Levencorroch	Stone Setting	Part shielded by Creag Dhubh Hill from turbine
12	NR92SE 31	Leglany, Arran	Building	A single unroofed building is depicted on the 1st edition of the OS 6-inch map (Buteshire {Island of Arran} 1869, sheet cclix), but it is not shown on the current edition of the OS 1:10000 map (1981). Information from RCAHMS (AKK) 22 October 1998. (no visible sign remains of this location on ground surface)

No.	Site Number	Site Name	Site Type	Location with reference to turbine
13	NR92SE 9	Black Cave, Bennan, Arran Alternative(s) Monster Cave	Cave, unidentified flint(s) (flint)	Fully shielded from turbine site by Bennan Head(no visible sign remains of this location on ground surface)
14	NR92SE 28	West Bennan, Arran	Township	Turbine not visible due to geographic position of site (no visible sign remains of this location on ground surface)
15	NS02SW 27	Levenorroch, Arran	Farmstead	Fully shielded by Levenorroch Hill from turbine, difficult accessibility due to surrounding forestry
16	NR92SE 24	Smuraig, Arran	Farmstead,Kiln	No visibility of turbine due to hill, Torr à Bheannain

Information form Historic Scotland

No.	Index Number	Site Name	Site Type	Location with reference to turbine
2	5691	Craigdhu, fort 380m S of, Arran	Fort	Turbine to north, north east of Fort with best views of fort obtained by looking South & South East

The above information has been obtained from the Historic Scotland website. Full details accessed

http://data.historic-scotland.gov.uk/pls/htmlldb/f?p=2300:35:2610221189050576::NO::P35_SELECTED_MONUMENT:5691 [accessed 5-2-12]

View from Principal Assessment Point "High Kildonan" C147 (A814) – Image 1



Image No: 1 Turbine visible to a height of approximately 10.979 to 8.979m at blade tips. Distance from view point to turbine location three and a half kilometres (3.5km) approximately

View from Key Point East Brennan C147 (A814) – Image 2



Image No: 2 Note Pladda not in picture and visibility of farm buildings in foreground of turbine location.

Turbine visible to a height of approximately 16.279 metres
Distance from view point to turbine location 1.2km approximately

22nd August 2012

SCHEDULE MONUMENT CRAIGDHU FORT
INDEX NO. 5691

This document contains observations which lend support to the submitted planning appeal for 1no. 15kw wind turbine in relation to the proposal's setting in the context of the scheduled Monument at Craigdhu Fort.

Detailed observations and conclusions within this correspondence have been augmented and strengthened by the inclusion of photographic evidence which should be viewed in conjunction with the written observations. The information enclosed along with the photographic information gives a more accurate reflection of the fort's setting and the ?impact made by the turbine to the fort.

The following observations have been made from a position on top of the fort, with the position North being Magnetic North, the turbine location sitting North of the fort's location and at a distance of approximately 140 metres.

Fort General Setting

Craigdhu Fort is a natural feature that has been augmented by earth banks. The fort is situated on the cliff edge with open views to the surrounding countryside, see photograph 1 and 3.

The cliff edge runs from the East through to the South and South West falling approximately 100 metres to the foreshore. No high ground therefore can be found in this position due to the cliff edge and subsequent drop to the foreshore to the South, see photograph number 2. High ground with a proximity to the fort is found to the North and North East from its location, photograph 4.

The fort is set within geography which provides protection to it, to fully appreciate these

geographic features these are best viewed looking from the fort's immediate area to the East, North East, South East to the fort and from the fort looking North West, West and South West photographs 4 and 5.

The South West, West and North West are dominated by open countryside sloping towards Bennan Head and the valley following the Struey Water which lies some 380 metres to the West of the fort, see photograph 3 and towards West Bennan.

The high ground to the North consists of a small narrow outcrop on Creag Dhubh Hill before falling steeply into the valley below. This area is approximately 5 metres higher at its highest point than the fort top, see photograph 7. This area is some distance from the fort and given the topography and distance the geographic features places a lesser role is depicting the fort's setting, see photograph 1.

The area to the North East is the only prominent high feature adjacent to the fort at a height of approximately 136 metres at its highest point. This is broken by a ditch-like defensive feature as it falls towards the fort and the cliff edge, see photograph 4, the defensive feature being visible in the foreground, circled.

It can be seen from the photographs enclosed that it is clear at no point could the fort be considered to be "hemmed in by high ground" to the North or South.

Views to and from the Fort

The views from the North would remain largely unchanged as the result of the turbine's location. This is due to the proximity of the turbine to the valley edge and distance from the fort, approximately 140 metres. As you travel further North any views of the fort are obstructed by Creag-Dhubh Hill.

Given that the setting of the fort is largely defined by views over the sea Photographs 5 & 6 and the open countryside to the South West and West, at no point could you consider it to be hemmed in by higher ground see photograph 1 and photograph 3.

Higher ground to the North East detracts from the views looking to the North, which is the turbine location. The open geographic setting of the fort together with the prominent vista of the

fort from the North, North West, West and South West demonstrates that the turbine situated to the North would have a limited impact on the fort setting. When this Northerly view is combined with the hill to the North East the impact of the turbine is again reduced, see photographs 7 and 7a. Views of the fort are first gained by persons approaching by way of the track to the rear of the farm buildings, Creag-Dhubh (part of) provides screening to those on foot to the turbine, which is situated to the rear and to the left of the photograph, see photograph 8.

Historic Setting

Although the turbine will be visible from views looking Northerly from the fort no key views that show fort 'structure' are interrupted by its position nor is any significant understanding of the fort position compromised. Views looking from the North are limited due to the surrounding geography of the site and views of the fort structure are screened by this terrain to a significant degree when approaching the turbine from this direction, photograph 9. It should be noted that the majority of people who visit the fort do so by means of the track, photograph 8. Thus, due to its position the turbine is not a dominant feature on the approach to the monument and does not detract from the dominance of the fort within its setting.

The proposed turbine being 140 metres to the North of the fort ensures that the fort is not dominated by the turbine position. Nor would the ability to appreciate the fort's elevated position in the landscape be affected when looking at wider views from the fort, photograph 3.

Although the fort location is prominent when viewed from a distance due to its position on the prominent rocky outcrop these views of the fort site do not display significant geographic features of the fort to allow clear interpretation of the remaining fort 'defensive' structure which are earth embankments.

The impact of the turbine should therefore be considered as low to medium on the forts position when viewed in relation to the distance from which its structure can be seen and taking into consideration that key views are not interrupted.

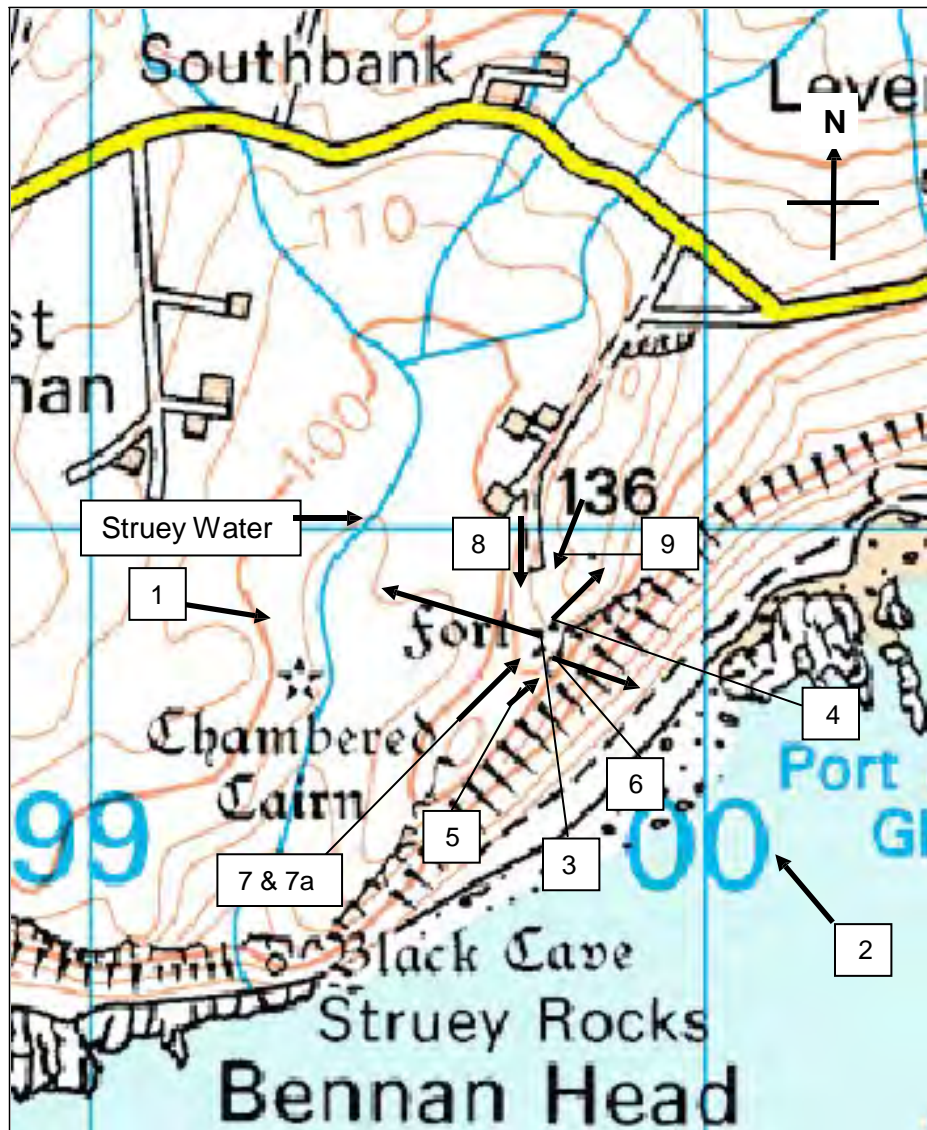
A Landscape and Visual Impact Assessment accompanies this application. Effectively, this assessment as an objective process removes opinion from the exercise and quantifies the effect of the development. Given the small scale nature of the proposed development, combined with its lack of prominence adopted as primary mitigation, the overall impact of the proposed

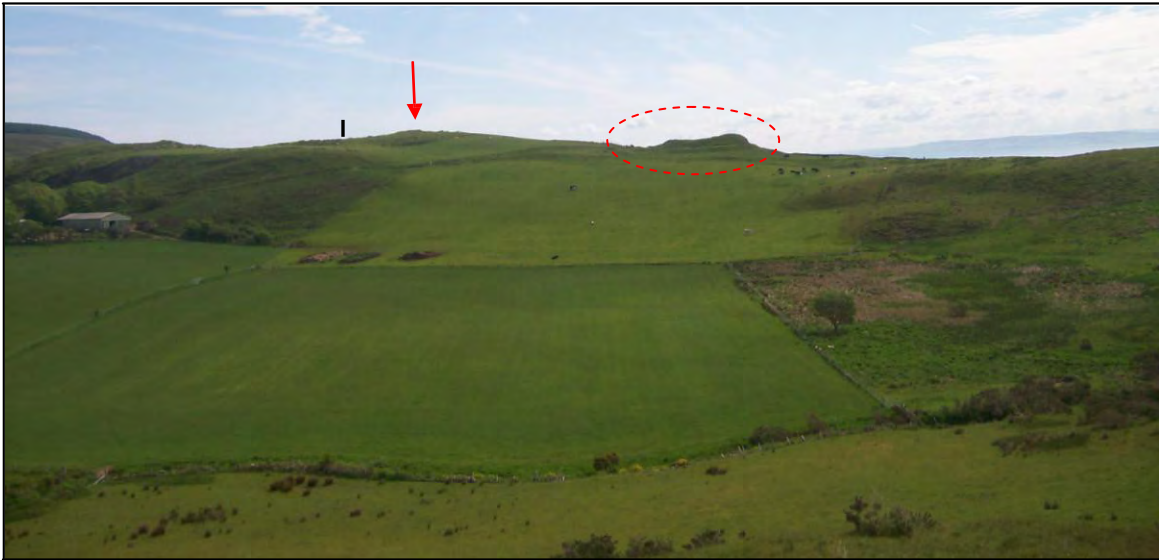
development is assessed as being medium to low. The proposal would be a temporary structure on the landscape and the above assessment has shown that it will not cause significant adverse effect on the Scheduled Monument. Given the wider environmental benefits of the application, when assessed against its medium to low visual impacts, there is no reason why a single small scale turbine such as that proposed here cannot be deemed acceptable.

Photographs of Craigdhu Fort

Index No. 5691

Photograph Positions and direction of View





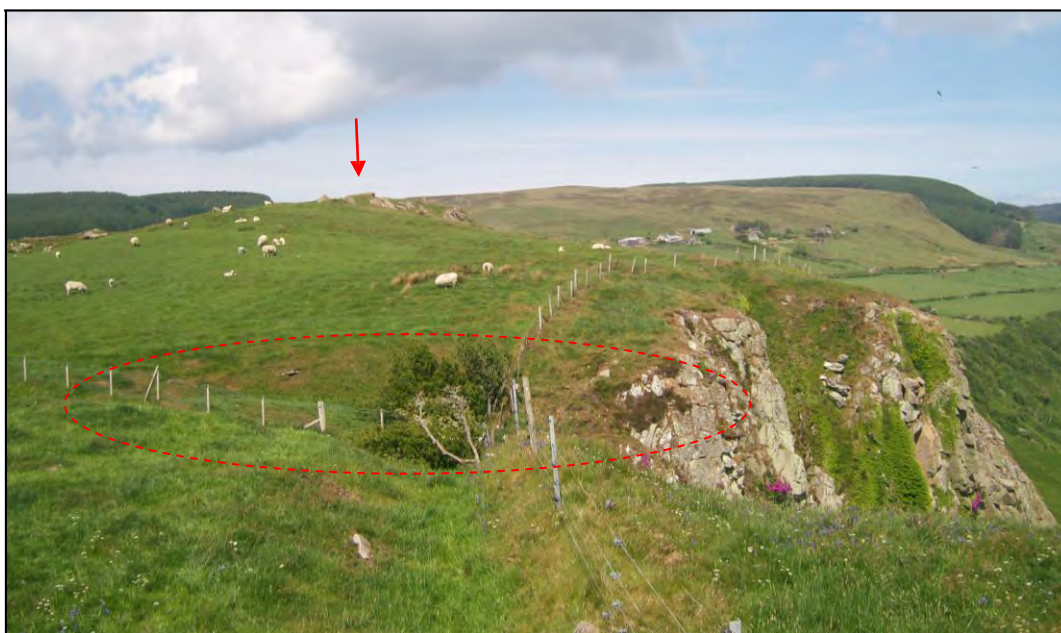
Photograph 1 View of fort (circled) looking towards the East and at the West side of the fort situated on the cliff edge, note open aspect of the fort position
Approximate position of the turbine shown, not to scale (Note high ground arrowed in red)



Photograph 2 View of fort (circled) from coast looking North West
Approximate position of the turbine shown, not to scale



Photograph 3 showing view to open country side looking to the West of the fort position, line of Struey Water indicated by red line



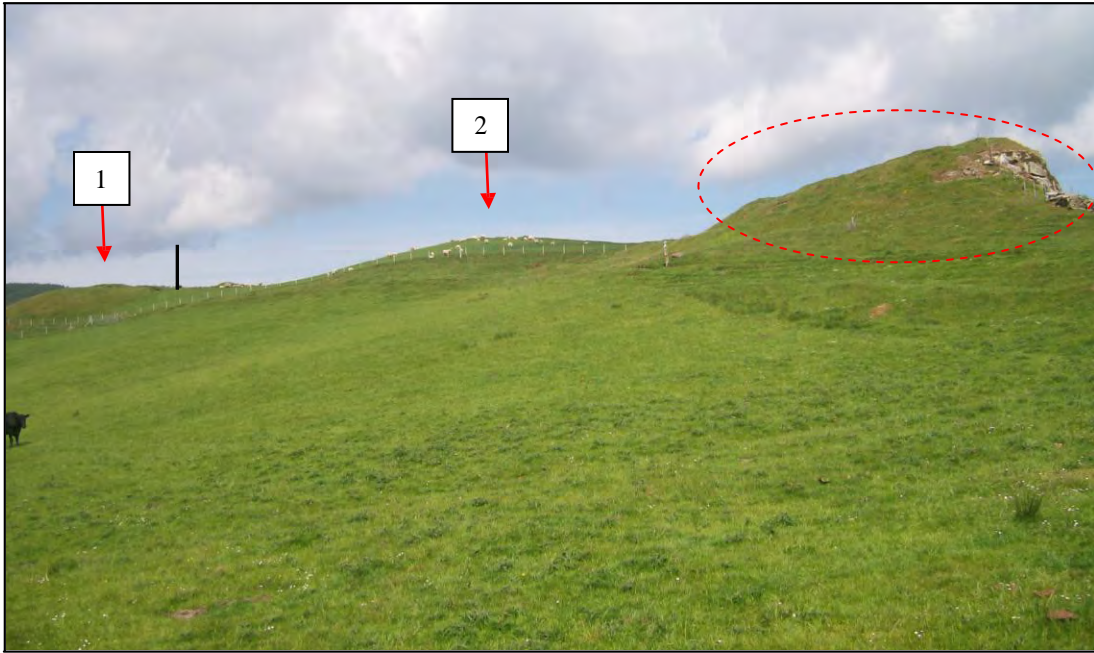
Photograph 4 High ground to North East of turbine location height 136m (arrowed in red). Note gully in foreground running down to brae face (circled)



Photograph 5 Looking North East from a Southerly position to seaward side of fort, note steep drop in foreground into gully (Direction of gully indicated by red line)



Photograph 6 From top of fort looking East East South towards Pladda



Photograph 7 Looking North East towards fort (Circled), little evidence of fort embankment is visible from this angle and geographic position. Note turbine location (black line), not to scale
 Red arrow 1 indicates high ground to the West of the turbine which is approximately 5 metres higher than fort top. Red arrow 2 indicates ground 136 metres at highest point



Photograph 7a



Photograph 8 View of fort from access track looking South note visual evidence of fort embankment to the West side of the fort, (outline mimicked by red line)



Photograph 9 View of fort (arrowed in red) looking South from turbine location, note high ground to the left of the picture and ground rising to the right and rising ground to the foreground of fort

Project:

Craigdhu

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planning for renewables

21/08/2012 16:23/2.7.490

VISUAL - Main result**Calculation: Craigdhu Farm****WTG siting**

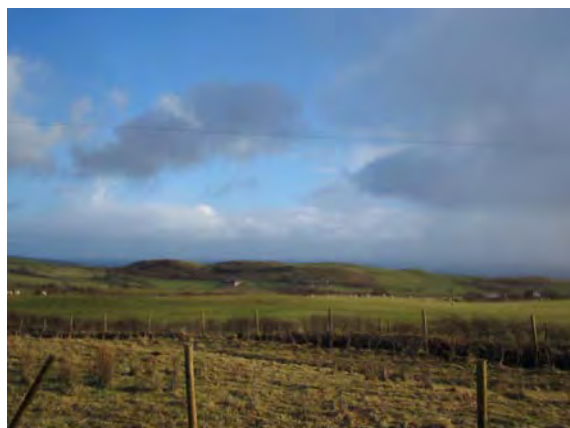
	WTG type		Type-generator	Power, rated [kW]	Rotor diameter [m]	Hub height [m]	Distance to camera		
	Valid	Manufact.					A	B	C
1 New	No	C&F	CF15-15	15	11.1	12.6	1,246	610	1,422



New WTG

Scale 1:40,000
Camera

A East Bennan



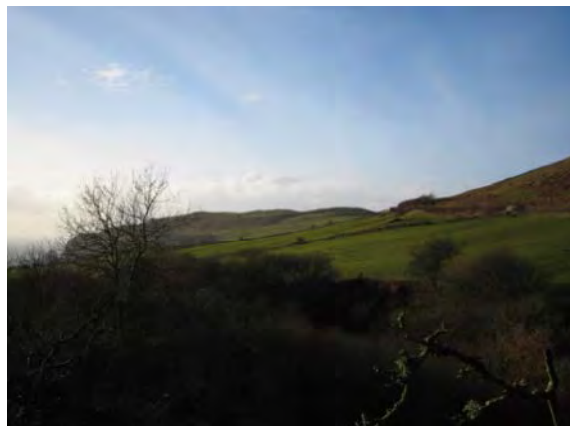
BN (ARY) (Normal) East North Z Clouds Clear sky (08) Landscape picture file: 2502 x 1944 pixels
 Eye point 198,598 621,422 150.5 Visibility Normal C:\Users\Jule\Dropbox\BAK\Shots\Mathers\180 Craigdhu Farm\APPEAL\Planning info\applicants info and photos\Location 1.JPG
 Target point 199,333 621,191 150.9 Sun Normal Lens: 35 mm Film: 35x26 mm
 Photo dir: 126° Wind dir: 0°

B C147- North of Site



BN (ARY) (Normal) East North Z Clouds Clear sky (08) Landscape picture file: 3072 x 2304 pixels
 Eye point 199,889 621,581 152.2 Visibility Normal C:\Users\Jule\Dropbox\BAK\Shots\Mathers\180 Craigdhu Farm\APPEAL\Planning info\applicants info and photos\Photos\B.JPG
 Target point 199,756 621,051 114.5 Sun Normal Lens: 35 mm Film: 35x26 mm
 Photo dir: 126° Wind dir: 0°

C C147 - North East of Site



BN (ARY) (Normal) East North Z Clouds Clear sky (08) Landscape picture file: 2502 x 1944 pixels
 Eye point 201,075 621,500 89.8 Visibility Normal C:\Users\Jule\Dropbox\BAK\Shots\Mathers\180 Craigdhu Farm\APPEAL\Planning info\applicants info and photos\Location 6.JPG
 Target point 199,835 621,119 116.8 Sun Normal Lens: 35 mm Film: 35x26 mm
 Photo dir: 251° Wind dir: 22°

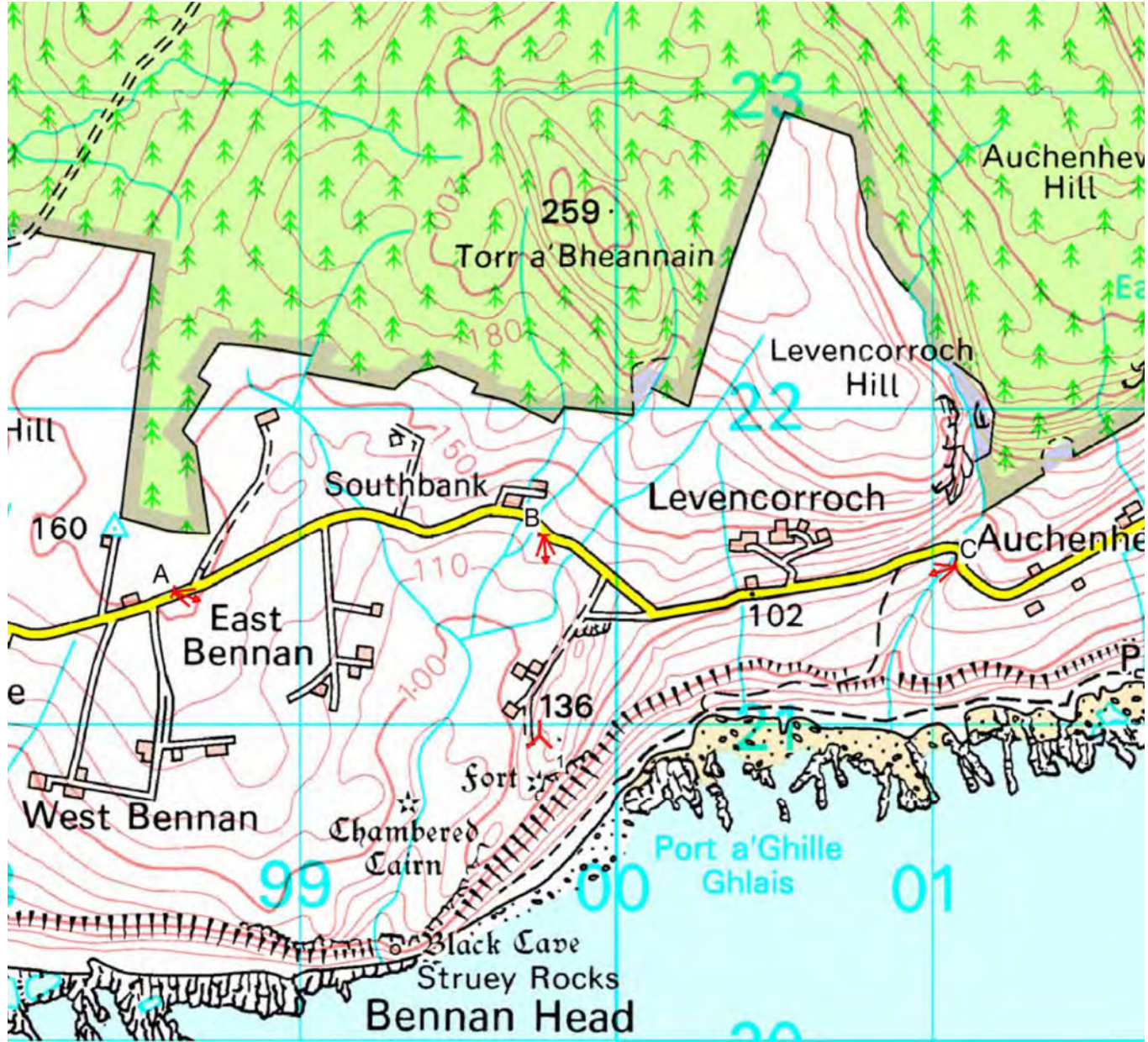
Project:
Craigdhu

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16/03/2012 16:48/2.7.490

VISUAL - Map

Calculation: Craigdhu Farm



Map: Craigdhu Farm , Print scale 1:20,000, Map center British National Grid (AIRY) East: 199,914 North: 621,277

New WTG Camera



Project: WTGs: 1
Craigdhu

Recommended observation distance: 22 cm

Photo exposed: 22/01/2012 14:14:00

Lens: 39 mm Film: 35x26 mm Pixels: 2592x1944

Eye point: British National Grid (AIRY) East: 198,599 North: 621,422

Wind direction: 0° Direction of photo: 106°

Camera: East Bennan

Photo: C:\Users\Julie\Dropbox\BAK\Sites\Mathers\180 Craigdhu Farm\APPEAL\Planning info\applicants info and photos\Location 1.JPG

Created by:
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Project: WTGs: 1
Craigdhu

Recommended observation distance: 20 cm

Photo exposed: 17/03/2012 14:57:00

Lens: 35 mm Film: 35x26 mm Pixels: 3072x2304

Eye point: British National Grid (AIRY) East: 199,883 North: 621,561

Wind direction: 0° Direction of photo: 199°

Camera: C147- North of Site

Photo: C:\Users\Julie\Dropbox\BAK\Sites\Mathers\180 Craigdhu Farm\APPEAL\Planning info\applicants info and photos\photos\Photo5b.JPG

Created by:

Entrust

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Proposed Turbine
Location - Blade
Tip Visible

Project: WTGs: 1
Craigdhu

Recommended observation distance: 22 cm

Photo exposed: 22/01/2012 14:22:00

Lens: 39 mm Film: 35x26 mm Pixels: 2592x1944

Eye point: British National Grid (AIRY) East: 201,075 North: 621,500

Wind direction: 22° Direction of photo: 251°

Camera: C147 - North East of Site

Photo: C:\Users\Julie\Dropbox\BAK\Sites\Mathers\180 Craigdhu Farm\APPEAL\Planning info\applicants info and photos\Location 6.JPG

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Project:

Craigdhu Farm

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VISUAL - Main result**Calculation: Photomontage Report****WTG siting**

		WTG type		Type-generator	Power, rated [kW]	Rotor diameter [m]	Hub height [m]	Distance to camera	
Valid	Manufact.							A	
1	New	No	C&F	CF15-15	15	11.1	12.6	[m]	177



New WTG

Scale 1:4,000
Camera

A View from Fort



BN (AIRY) (Normal)	East	North	Z	Clouds	:Clear sky (0/8)	Landscape picture file: 3072 x 2304 pixels
Eye point	199,744	620,788	95.1	Visibility	:Normal	second new fort 003 (1).JPG
Target point	199,763	620,917	117.4	Sun	:Normal	Lens: 35 mm Film: 35x26 mm
Photo dir.	6°			Wind dir.	:0°	

Project:

Craigdhu Farm

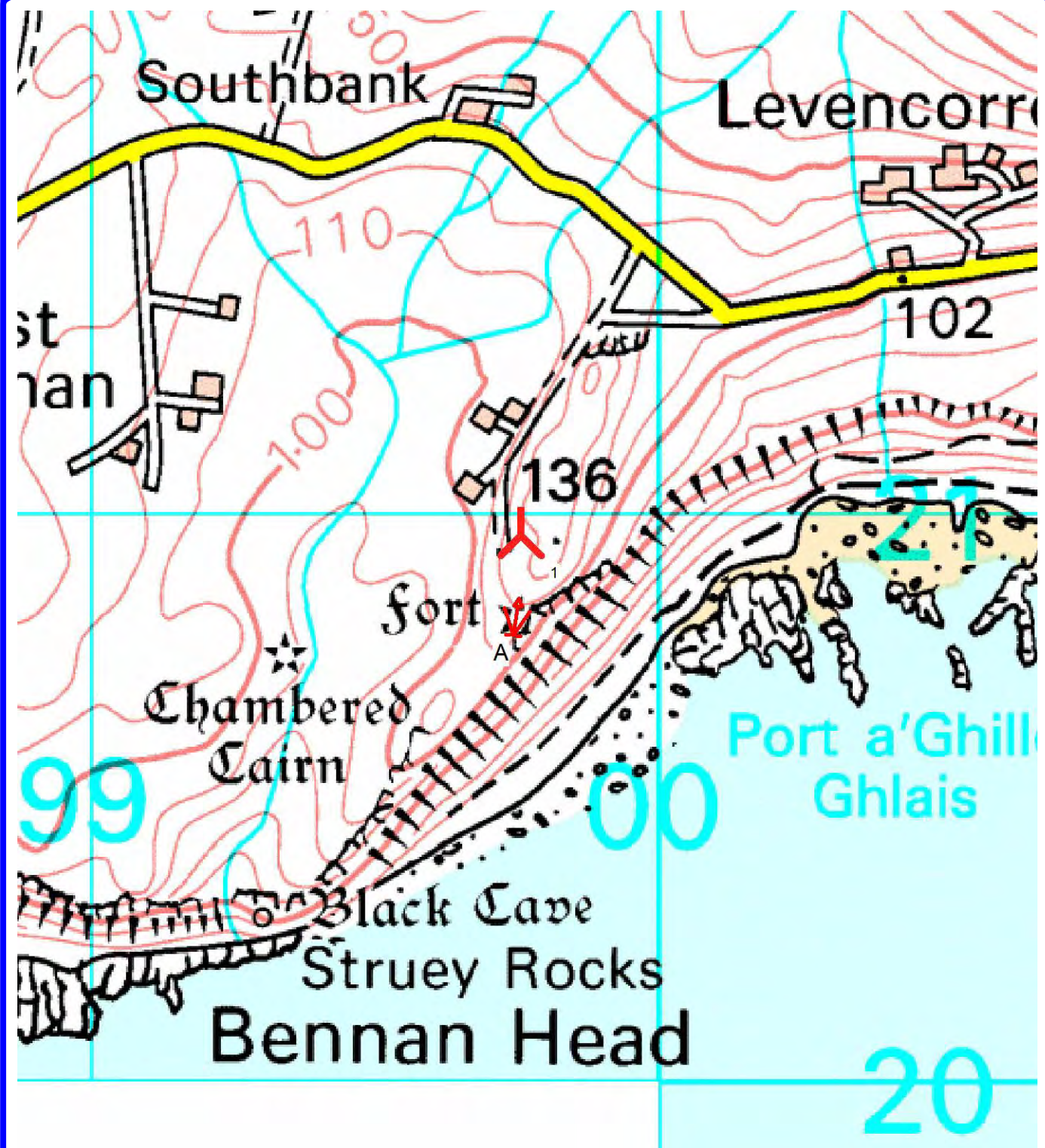
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27/09/2012 11:49/2.8.552

VISUAL - Map**Calculation:** Photomontage Report

0 100 200 300 400 m

Map: craigdhu farm , Print scale 1:10,000, Map center BN (AIRY) (Normal) East: 199,751 North: 620,876

人 New WTG

人 Camera



Project:
Craigdhu Farm

	Valid	Manufact.	Type-generator	Power, rated [kW]	Rotor diameter [m]	Hub height [m]	Distance [m]
1 New	No	C&F	CF15-15	15	11.1	12.6	177

Recommended observation distance: 20 cm

Photo exposed: 27/04/2007 15:33:01
Lens: 35 mm Film: 35x26 mm Pixels: 3072x2304
Eye point: BN (AIRY) (Normal) East: 199,744 North: 620,788
Wind direction: 0° Direction of photo: 6°
Camera: View from Fort
Photo: C:\...\Planning\new photos\second new fort 003 (1).JPG

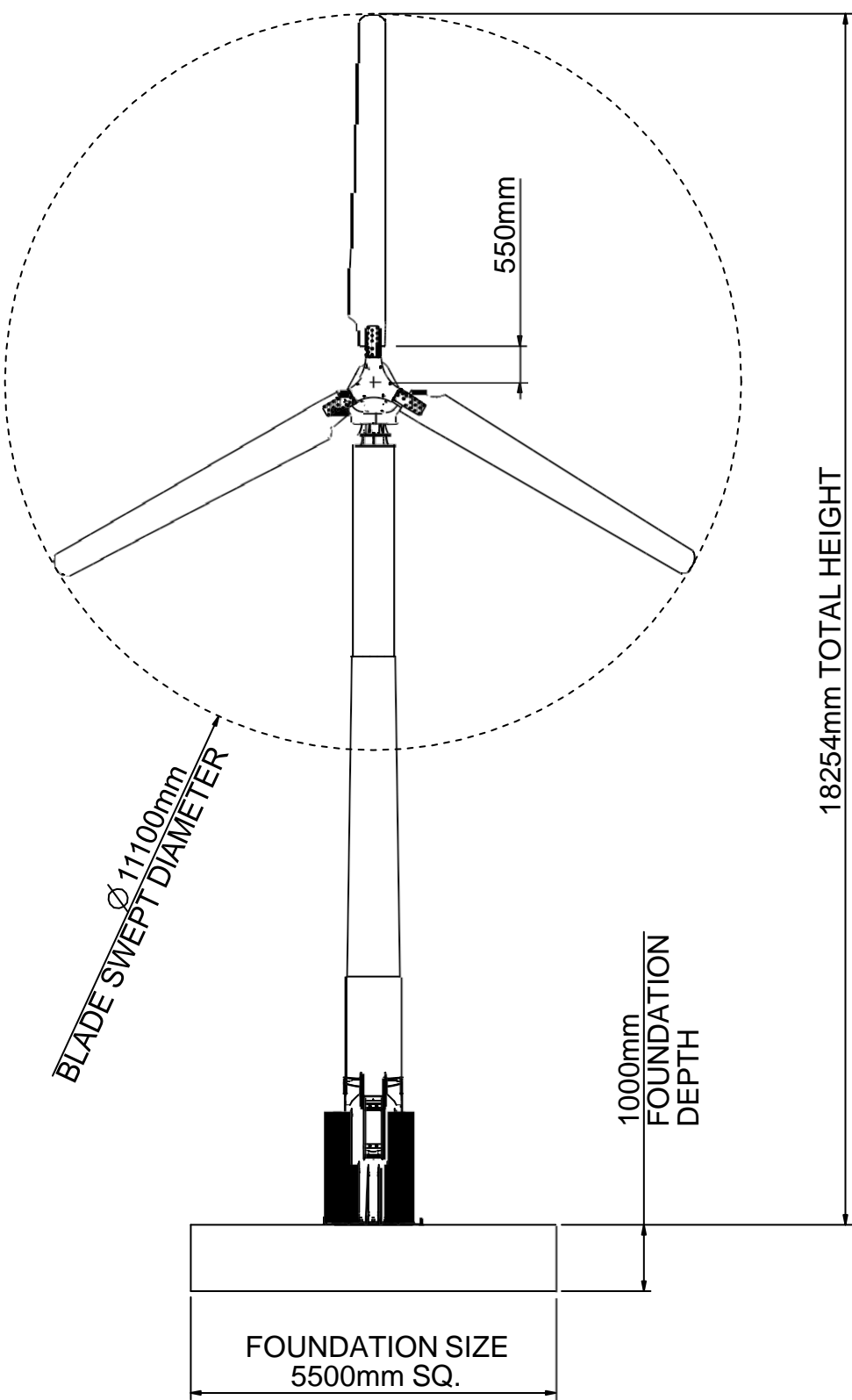
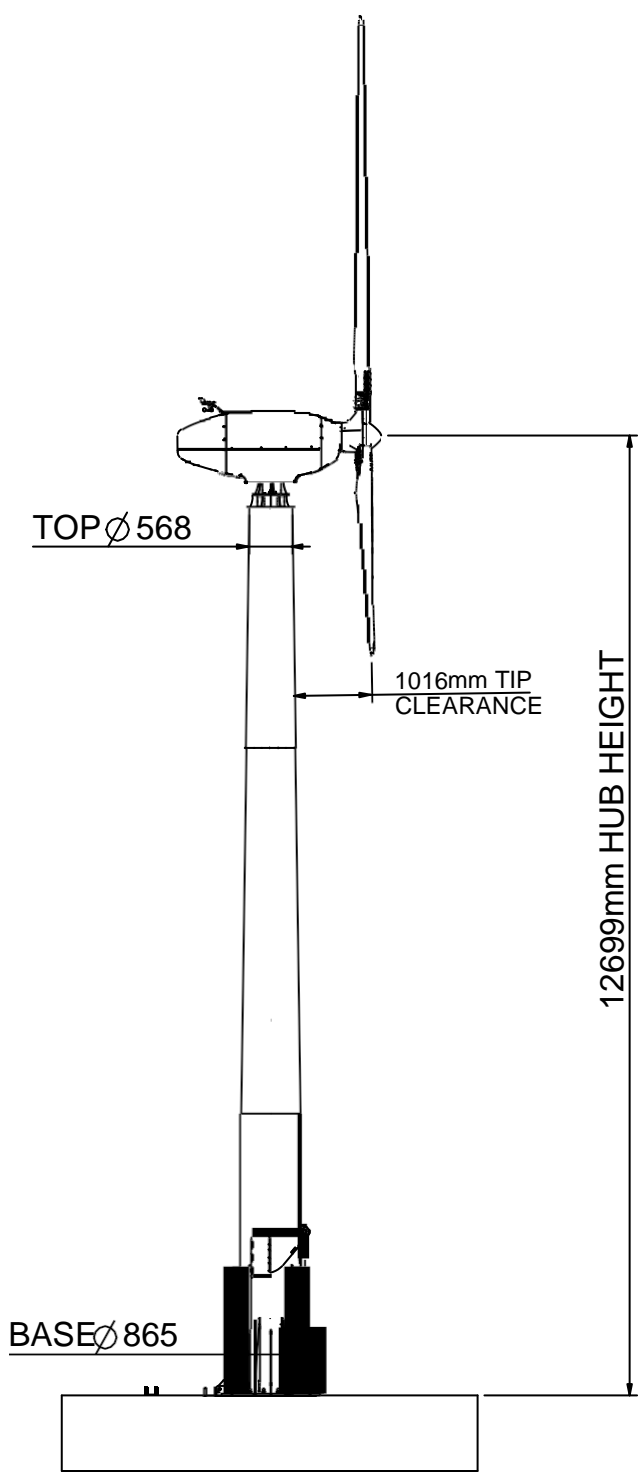
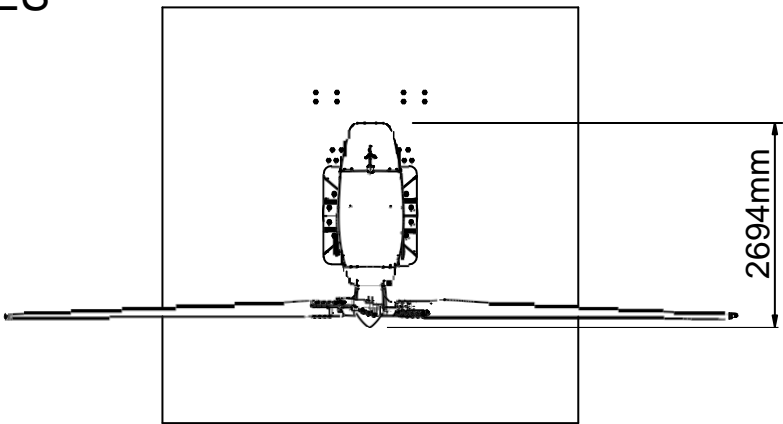
Created by:
Entrust
Daresbury Innovation Centre Keckwick Lane
GB-DARESBURY WA4 4FS







OVERALL DIMENSIONS FOR CF15 TURBINE:
15kW GENERATOR / 12m MAST / 5m BLADES



C&F Green-Energy		CF15 All Dimensions in mm	
DESCRIPTION: OVERALLS / PLANNING		QTY PER UNIT:	-
MATERIAL: Mast: S275 Galv		SCALE:	1:100
DRAWN: C O'Neill	PAINT: -		DWG SIZE: A3
CHECKED: -	FINISH: -		DRAWING CONFORMS TO ANSI Y32.18-1994
DATE: 16-Feb-11	SHEET: 1 OF 1	THIS DRAWING CONTAINS PROPRIETARY INFORMATION OF C&F GREEN ENERGY IT IS SUBMITTED TO YOU IN CONFIDENCE AND TRUST AND IS TO BE USED ONLY FOR THE PURPOSES FOR WHICH IT WAS SUBMITTED. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF C&F GREEN ENERGY.	

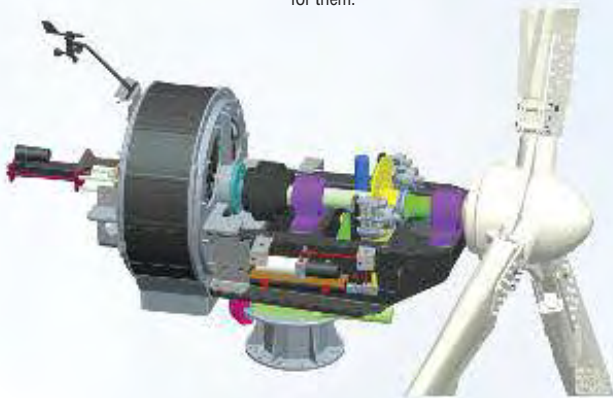
CF50e, CF75 and CF100

- Common Platform
- Active Pitch with Constant Speed Regulator
- Active Yaw
- Enhanced Generator Technology
- Independently Powered Blade Pitch Motors
- Superior Quality, Longevity and Performance



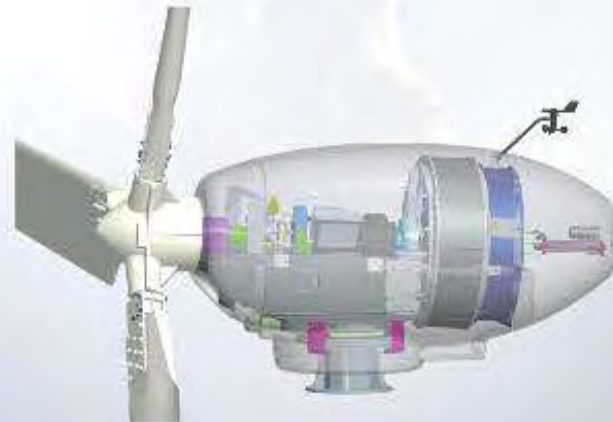
Controller/GSM

C&F have developed their own microprocessor to control their range of turbines. The microprocessor is GSM enabled, allowing the machine to be remotely monitored and controlled over the internet or even by mobile phone. This facility allows us to monitor your turbine 24 x 7 at our monitoring / data centre, ensuring that your turbine is operating to its full potential at all times. This provides the customer with peace of mind that their investment is continuously working for them.



Connection Options (Grid Tie or Off Grid Connections)

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



Carbon Credits

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

C&F
Green Energy

Cashla, Athenry, Co. Galway, Ireland.
Tel: +353 91 790 868
Email: info@cfgreenenergy.com
Web: www.cfgreenenergy.com

C&F GROUP
Global Contract Manufacturers

C&F Green Energy is part of the globally renowned Irish owned C&F Group. C&F was first established in 1989 in Galway, Ireland and now employs over 1,500 people in 7 sites worldwide. With manufacturing locations in Ireland, Germany, the UK, The Czech Republic, the Philippines and China, C&F is a global company with a local face.

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

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

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

Our commitment to customer service and our confidence in our products are evident in the fact that all customer contracts will be directly with C&F Green Energy and all warranties will be carried by C&F Green Energy. This includes the market leading warranty that is available for 10 years. As founder and CEO of the C&F Group, I am determined to make C&F Green Energy the world's leading wind turbine manufacturer. We build the best turbines in the world.

Mark J. ...
CEO C&F Green Energy

USA IRELAND UK GERMANY CZECH REP CHINA PHILIPPINES



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

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

C&F
Green Energy



**The Best Wind
Turbines in the
World**

Blade Pitch Control
(Pitch Actuator)

The blades are automatically controlled to optimise aerodynamic performance under different operating conditions. Bigger blades give more power but demand a more sophisticated control mechanism. C&F have developed mega watt turbine control technology, giving us optimal control over each model. This enables power production at the lowest wind speed, as well as at the highest wind speeds. The overall result is the most efficient small and medium turbines available in the world today.

Yaw Actuator, Wind Vane Cup Anemometer

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

Mechanical Brake

All C&F turbines employ a hydraulic rotor brake system.

Multiple calipers are used on the CF15 to CF100 range. The braking system is designed to gently bring the turbine to a halt. Critically, the braking system is based on a failsafe operation principle, such that if grid power is lost, the brake automatically engages.

Blades

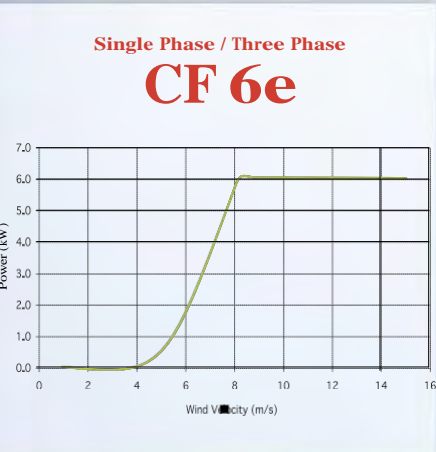
The structural design of the blades has been optimised for performance, strength and durability. Blade construction of the 6-20kW range is a polyurethane foam core, wrapped in glass fibre, and infused with vinyl ester. Blades in the 50e-100kW range are glass fibre reinforced epoxy for ultimate fatigue strength and performance. All blades conform to IEC 61400-2.

Mast

All C&F turbines employ a monopole tower which can withstand hurricane force winds. The turbine is erected using a hydraulic ram, which facilitates ease of installation and service. The CF50e, CF75, and CF100 turbines are erected by a crane.



Specification Sheet	
Rotor Diameter	8 m
Hub Height	15m / 20 m
Max. Power	6 kW
An. Yield @ 5 m/s	17,000 kWh
Rated Wind Speed	8.0 m/s
Min active wind speed	1.2 m/s
Cut out wind speed	30m/s
Annual Carbon Saving	8 - 14 Tonnes
Noise @ 5 m/s at 60m	42 dBA
Max RPM	220 rpm
Method of Installation	Hydraulic Tilt Installation
GSM Controlled as Standard	



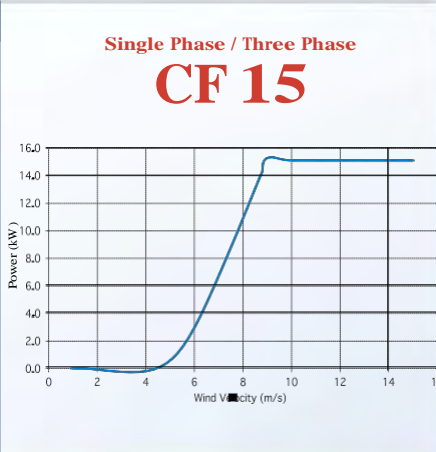
Specification Sheet	
Rotor Diameter	9 m
Hub Height	15m / 20m
Max. Power	11 kW
An. Yield @ 5 m/s	24,000 kWh
Rated Wind Speed	9.0 m/s
Min active wind speed	1.2 m/s
Cut out wind speed	30m/s
Annual Carbon Saving	14 - 19 Tonnes
Noise @ 5 m/s at 60m	42 dBA
Max RPM	220 rpm
Method of Installation	Hydraulic Tilt Installation
GSM Controlled as Standard	



Specification Sheet	
Rotor Diameter	9 m
Hub Height	15m / 20m
Max. Power	12kW or 2 x 6kW
An. Yield @ 5 m/s	24,500 kWh
Rated Wind Speed	9.5 m/s
Min active wind speed	1.2 m/s
Cut out wind speed	30m/s
Annual Carbon Saving	14 - 19 Tonnes
Noise @ 5 m/s at 60m	43 dBA
Max RPM	220 rpm
Method of Installation	Hydraulic Tilt Installation
GSM Controlled as Standard	



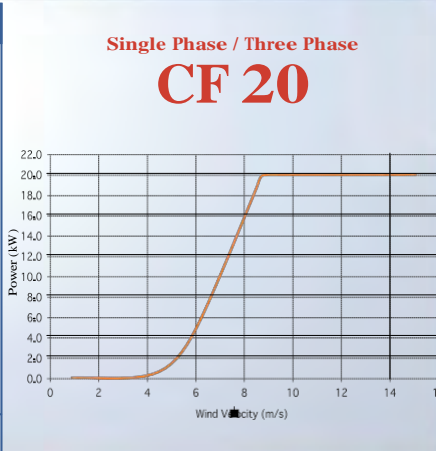
Specification Sheet	
Rotor Diameter	11.1 m
Hub Height	15m / 20m
Max. Power	15 kW
An. Yield @ 5 m/s	34,000 kWh
Rated Wind Speed	9.0 m/s
Min active wind speed	1.5 m/s
Cut out wind speed	30m/s
Annual Carbon Saving	19 - 23 Tonnes
Noise @ 5 m/s at 60m	34 dBA
Max RPM	90 rpm
Method of Installation	Hydraulic Tilt Installation
GSM Controlled as Standard	



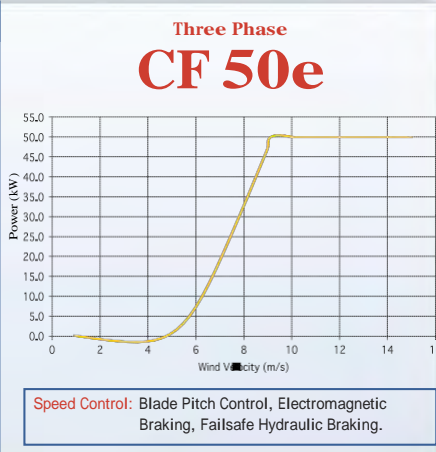
Specification Sheet	
Rotor Diameter	13.1 m
Hub Height	20 m
Max. Power	15 kW
An. Yield @ 5 m/s	43,400 kWh
Rated Wind Speed	8.0 m/s
Min active wind speed	1.5 m/s
Cut out wind speed	30m/s
Annual Carbon Saving	24 - 28 Tonnes
Noise @ 5 m/s at 60m	35 dBA
Max RPM	90 rpm
Method of Installation	Hydraulic Tilt Installation
GSM Controlled as Standard	



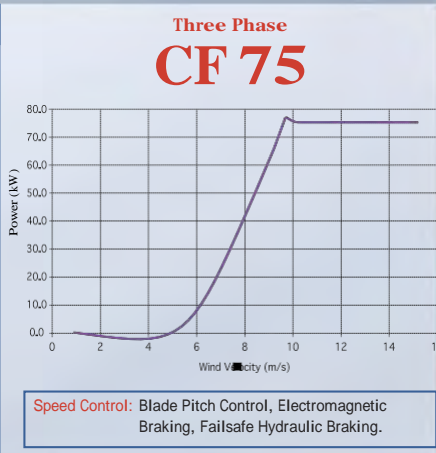
Specification Sheet	
Rotor Diameter	13.1 m
Hub Height	20 m
Max. Power	20 kW
An. Yield @ 5 m/s	47,500 kWh
Rated Wind Speed	9.0 m/s
Min active wind speed	1.5 m/s
Cut out wind speed	30m/s
Annual Carbon Saving	26 - 30 Tonnes
Noise @ 5 m/s at 60m	35 dBA
Max RPM	90 rpm
Method of Installation	Hydraulic Tilt Installation
GSM Controlled as Standard	



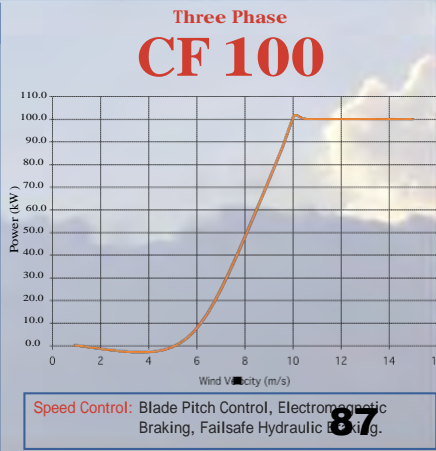
Specification Sheet	
Rotor Diameter	20m
Hub Height	25m / 30m / 35m
Max. Power	50kW
An. Yield @ 5 m/s	117,250 kWh
Rated Wind Speed	9m/s
Min active wind speed	2.2m/s
Cut out wind speed	30m/s
Annual Carbon Saving	70-80 Tonnes
Noise @ 5 m/s at 60m	37dBA
Max RPM	50rpm
Method of Installation	Crane
GSM Controlled as Standard	



Specification Sheet	
Rotor Diameter	22m
Hub Height	30m / 35m
Max. Power	75kW
An. Yield @ 5 m/s	149,000 kWh
Rated Wind Speed	9.5m/s
Min active wind speed	2.5m/s
Cut out wind speed	30m/s
Annual Carbon Saving	90-100 Tonnes
Noise @ 5 m/s at 60m	37dBA
Max RPM	50rpm
Method of Installation	Crane
GSM Controlled as Standard	



Specification Sheet	
Rotor Diameter	24m
Hub Height	30m / 35m
Max. Power	100kW
An. Yield @ 5 m/s	182,000 kWh
Rated Wind Speed	10m/s
Min active wind speed	3m/s
Cut out wind speed	30m/s
Annual Carbon Saving	105-120 Tonnes
Noise @ 5 m/s at 60m	36dBA
Max RPM	45rpm
Method of Installation	Crane
GSM Controlled as Standard	





Acoustic Report

Fire enclosure testing
Envelope design review
Acoustics

Air sealing
Thermographic surveying
Equipment supply

Summary of Acoustic Measurements

CF15 -15m mast

C&F Facility, Co. Galway

28th Jan 2011

Report Version 1.0

Prepared for: C&F
Green Energy

Assessed by:
Martyn Bailey MSc MIOA



Introduction

The following report is based upon measurements taken by C&F Green Energy. The measurements have been assessed by Stroma technology Ltd and comply with the requirements of BS EN 61400 ñ 11: 2003.

Test Details

Wind Turbine Model: CF15
Max Output: 15KW
Rotor Diameter: 10.8m
Mast Height: 15m
Location: C&F Test Facility, Galway
Date of tests: 26th January
SLM: Larson Davis 824 with narrow band module

Test Setup

All acoustic measurements were conducted in accordance with IEC 61400-11:2002. The BWEA have also published a standard that addresses wind turbine noise assessment and the acoustic measurement technique is largely based on the IEC standard. The output data are presented in the format requested by the BWEA standard since this is typically most appropriate for planning purposes in the UK.

The microphone is located downwind at ground level facing the turbine at a distance of 20.4m which is the mast height plus the rotor radius. The microphone is placed on a piece of plywood and covered with a hemispherical wind shield. Acoustic and wind data are recorded while the wind turbine is active and also when shut down so that background noise can be assessed.

Acoustic measurements were taken as 1 minute Leq A-weighted readings. All measurements were recorded with 1/3 octave definition.

Wind velocity was measured using an anemometer on a 15m pole.

Results

As specified in the BWEA standard, the 1/3 octave acoustic levels for all measurements were analysed to identify any tonal contribution. In this respect, no tonal content was present.

Several key metrics are required by the BWEA standard.
These are:

Key BWEA Metrics	
Sound Power at 8m/s	86.4 dBA
Sound Power vs Velocity slope	3.15 dBA / (m/s)
Sound Pressure at 8m/s	
Distance 25m	50.5 dBA
Distance 60m	42.9 dBA

In Figure 1, the acoustic data is presented as a function of nacelle height wind speed. Data are presented for both the background noise and the combined turbine & background noise cases. A linear regression is performed on both sets of data.

In Figure 2, the A-weighted sound pressure level of the wind turbine is adjusted to account for background noise and presented as a function of velocity.

In Figure 3, the A-weighted sound power level is presented as a function of wind speed.

In Figure 4, a contour plot shows the relationship of sound pressure to wind speed and distance. The distance here is measured from the centre of the mast. The data for this plot is derived from an interpolation where spherical propagation is assumed.

Finally, on the last page of the report, the above data are presented in the recommended BWEA format. The stated power level and field plot have been adjusted to account for an uncertainty penalty of 1.5dBA.

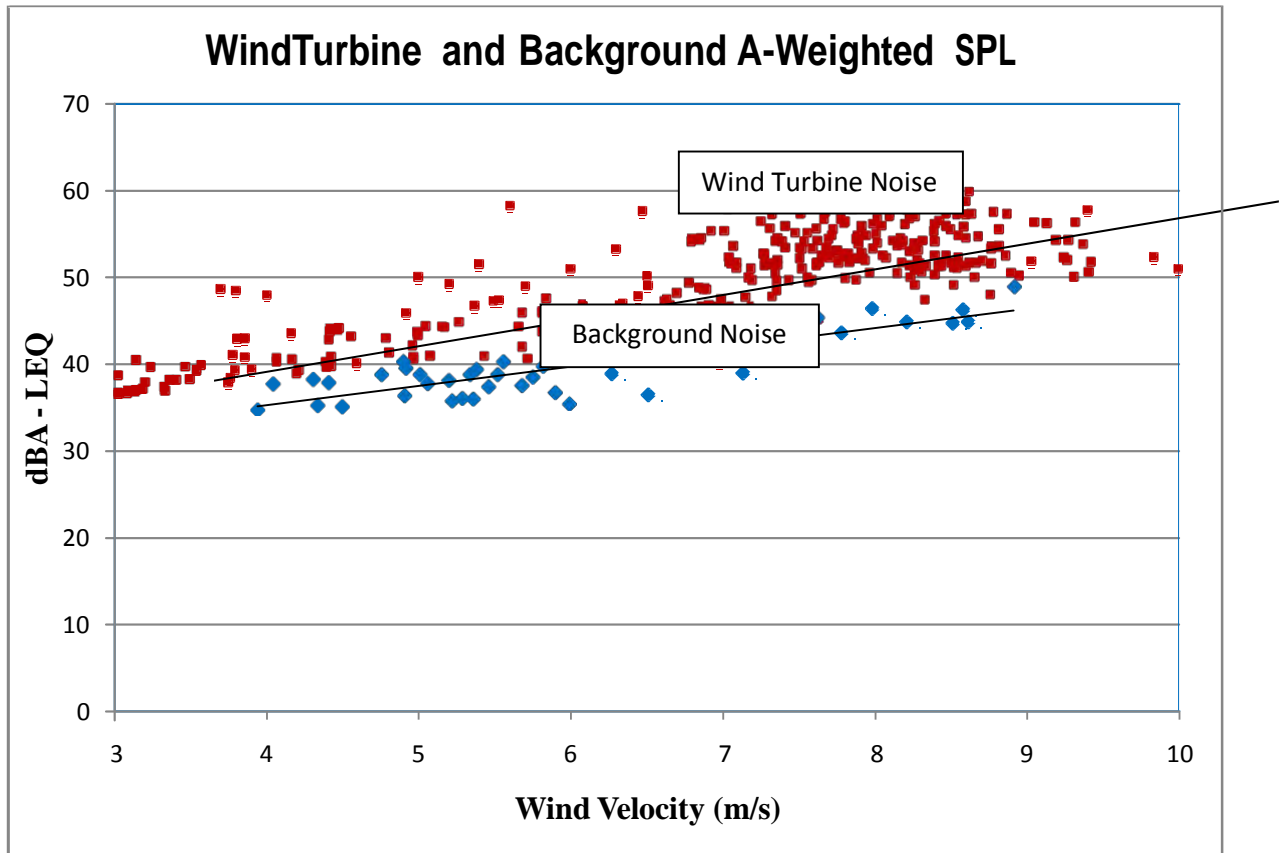


Figure 1: Wind turbine and background noise data as a function of nacelle height wind velocity.

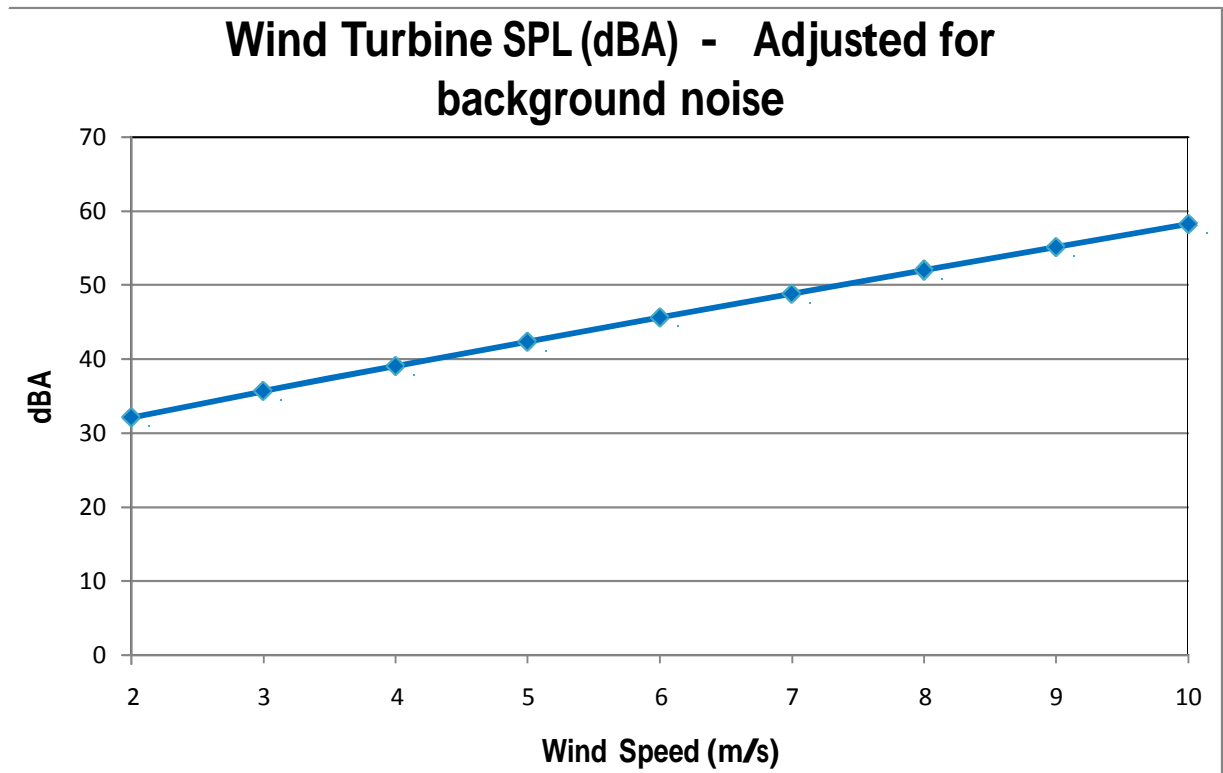


Figure 2: A-Weighted Sound Pressure Level as a function of nacelle height wind velocity.

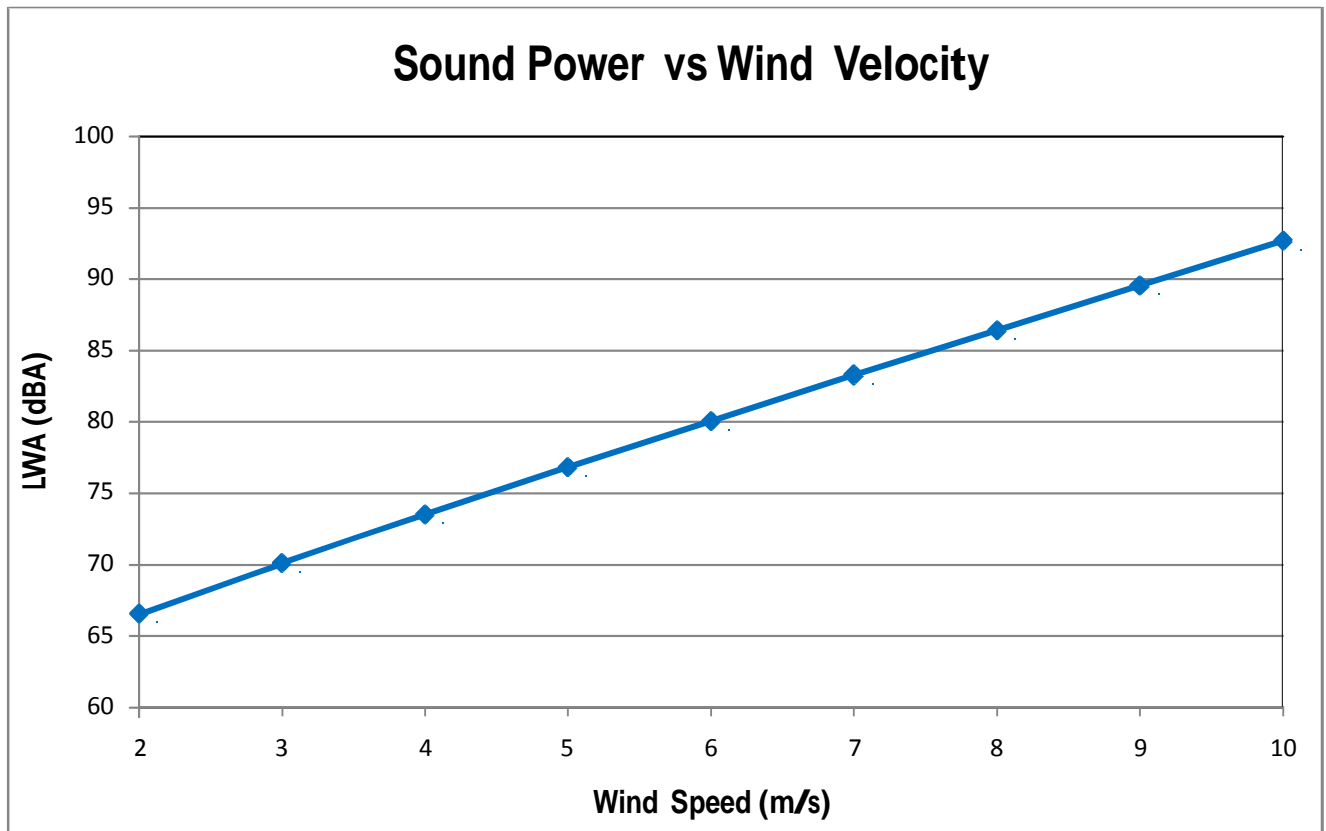


Figure 3: A-Weighted Sound Power Level as a function of nacelle height wind velocity.

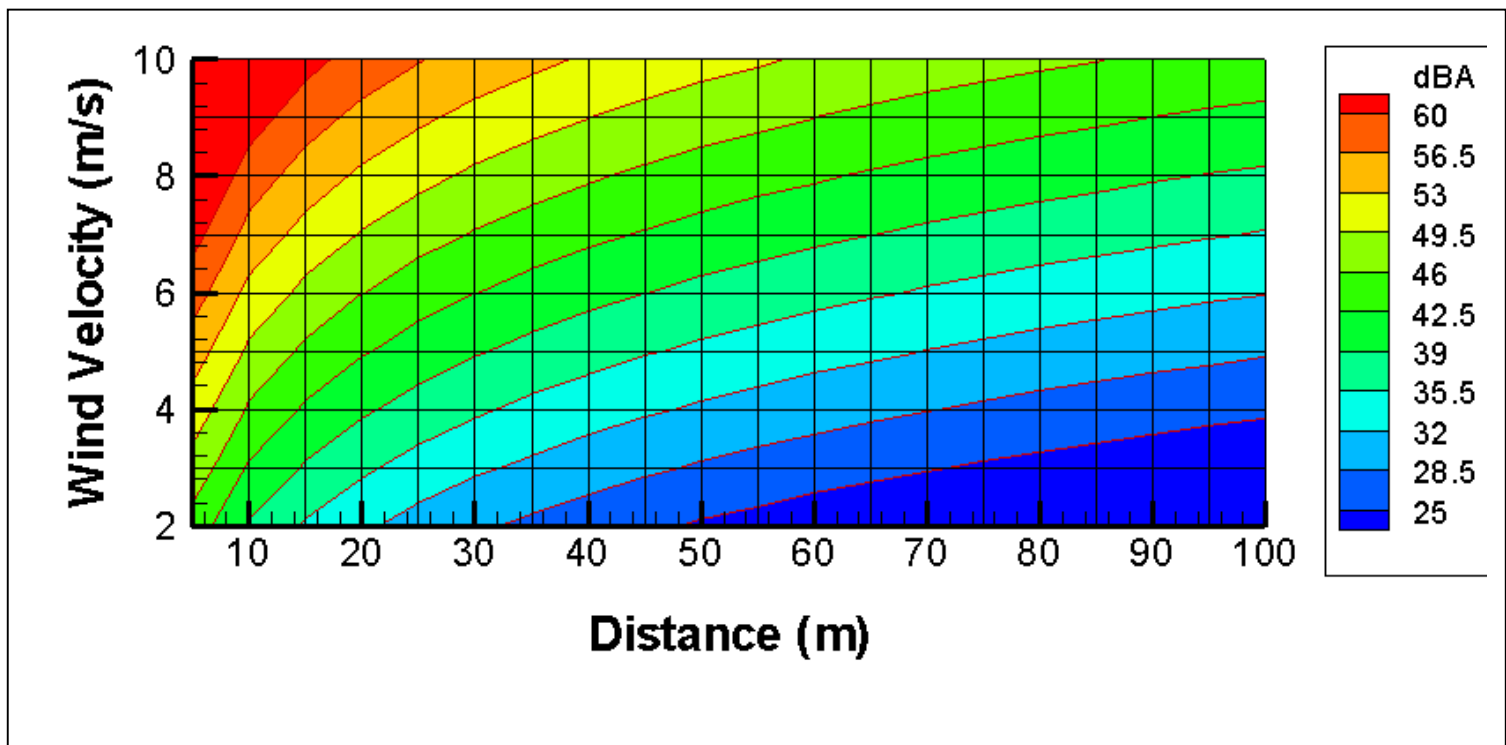
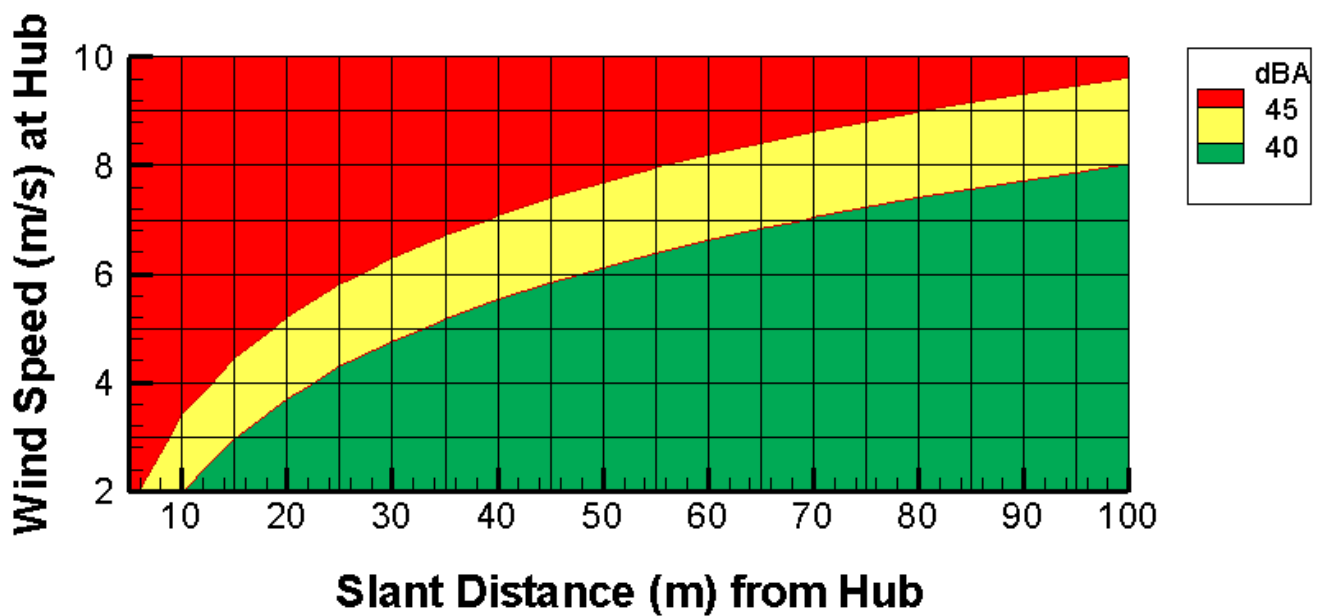


Figure 4: A-Weighted Sound Pressure Level as a function of wind velocity and distance from turbine.

Acoustic Noise Levels

Turbine Make:	C&F Green Energy	Model	CF15	
NOISE EMISSION LEVEL			NOISE PENALTY	
Sound Power L _{Wd,8m/s}	87.9 dB(A)	Noise Slope (dB/m/s)	3.1	NO



C&F Test Site, Galway

Issued by Stroma Technology
February 2011



HISTORIC SCOTLAND
ALBA AOSMHOR

Sent by email

Development Management
North Ayrshire Council
Cunninghame House
IRVINE
KA12 8EE

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Switchboard: 0131 668 8600

Our ref: AMH/5691/10
Our Case ID: 201206759
Your ref: 12/00476/PP

1 February 2013

Dear Sirs

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2008**
**Planning Application No 12/00476/PP: Craigdhu Farm, Shannochie, Brodick, Isle
of Arran**

Thank you for your Notice of Review dated 22 January which we received on 23 January.

We have reviewed our position regarding this application and can confirm that we are content with that outlined in our previous correspondence (dated 30 April, 31 May and 11 September 2012 – copies are included for your convenience) and have nothing further to add at this stage.

We would be happy to attend a site meeting or provide any further advice should that be helpful to the Local Review Body.

If you require any further information, please contact John Malcolm

Yours faithfully

John Raven
Team Leader (Monuments): West

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Martin McKeown
Committee Services
North Ayrshire Council
Cunninghame House
Irvine
KA12 8EE

Switchboard: 0131 668 8600

Our ref: AMH/2087/1/1

30 April 2012

Dear Mr McKeown

Planning application 11-00767-PP
Craigdhu Farm, Shannochie, Isle of Arran

Craigdhu, fort 380m S of, Arran (SM 5691)

Thank you for your letter of 18 April regarding the above planning application, which we received on 23 April.

We have no additional information to offer regarding the application, and I would refer you to our letter of 30 November 2011 (copy enclosed). We still believe that the proposal would have an adverse impact on the setting of the fort. However, we consider that these impacts could be mitigated by relocating the turbine northwards of its proposed position. We have previously indicated to the applicant that a relocation of c.100m northwards would mitigate this impact.

I hope that the above has been helpful to you. Please contact me if I can provide any further advice.

Yours sincerely

John Malcolm

Senior designations officer, North of Scotland



HISTORIC SCOTLAND
ALBA AOSMHOR

Mr Robert Stewart
Craigdhu Farm
East Bennan
Shannochie
Isle of Arran
KA27 8SH
Via email

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Switchboard: 0131 668 8600

Our ref: AMH/5691/10
Our Case ID: 201201481
Your ref:

31 May 2012

Dear Mr Stewart

**Planning application for a single turbine at Craigdhu Farm
Craigdhu, fort 380m S of – scheduled monument no. 5691**

Thank you for discussing the forthcoming Local Review Body (LRB) assessment of your planning application with me on 29 May, and for your subsequent email that evening. For information, that email mentions an earlier email of 29 May which I do not appear to have received.

I have reviewed the Entrust document with colleagues, and I appreciate that it has required significant effort on your behalf. I understand from this document and your email that because of issues regarding the preferred location of the turbine, it has been decided that no relocation of the turbine would be possible.

Section 7.3.2 of the Entrust document deals with views to and from the fort from the C147 road and the vicinity of the fort itself. It indicates that there will be no impact on the fort because it is not visible from the road, and that the monument can only be appreciated in views to the south and south east. These viewpoints reflect concerns regarding Landscape and Visual Assessment criteria, but are not important elements in the monument's setting. The Entrust document does not assess the likely impact of the proposed turbine on views northwards from the fort itself nor does it consider what importance these views have in terms of the monument, specifically in relation to the issue of setting. Further information on setting can be found in our Managing Change in the Historic Environment Guidance (<http://www.historic-scotland.gov.uk/setting-2.pdf>).

Our assessment of the monument's setting and the likely impacts of this proposed development and its impacts was based on the processes outlined in the above Guidance and is outlined in our letter to North Ayrshire Council of 30 November 2011. In summary it notes that the setting of the fort is defined by views to the sea, and the immediate landscape. Views to and from the north and south are important in contributing to the understanding and appreciation of the site. The turbine would have an adverse impact on these important views and therefore in terms of setting. We did



not object but recommended that mitigation by moving the turbine further north or northeast is explored.

I note that the Entrust document also contains copies of the letters sent by Mr Kenneth J Gibson MSP following discussions with you at his constituency surgery. He appears to suggest that Historic Scotland have refused to visit the site either prior to or after we were consulted on the initial planning application. The local authority has to balance a number of planning issues additional to the setting of scheduled monuments. We have repeatedly offered to attend a site meeting with the planning officer. At no stage have we declined to make a site visit.

If the Local Review Body decides on 20 June that they wish to make a site inspection and they would like us to attend, we would be willing to send a representative to discuss the issues on site. To facilitate this, I am copying North Ayrshire Council's Committee Services Manager into this letter.

I hope that the above clarifies our position, and that you and the Local Review Body find this helpful. If we can provide any more detail, please get in touch with my colleague John Raven as I am on leave for much of June.

Yours faithfully

John Malcolm

Senior Heritage Management Officer, West of Scotland

cc. Martyn McKeown, North Ayrshire Council (via email)



HISTORIC SCOTLAND
ALBA AOSMHOR

Sent by e-mail

Development Management
North Ayrshire Council
Cunninghame House
IRVINE
KA12 8EE

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Switchboard: 0131 668 8600

Our ref: AMH/5691/10
Our Case ID: 201203483
Your ref: 12/00476/PP

11 September 2012

Dear Sirs

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2008**
**Erection of 15kW wind turbine measuring 12m to hub and 18.2m to blade tip,
Craigdhu Farm, Shannochie, Brodick, Isle Of Arran**

Thank you for your consultation dated 29 August which we received on the same date.

Historic Scotland does not wish to raise a formal objection to the proposal. However, we believe that the proposed development would adversely impact on the setting of ***Craigdhu, fort 380m S of, Arran (Index no 5691)*** and recommend that your authority consider how best to mitigate this impact.

This application closely resembles that of a previous consultation (Planning No 11/00767/PP) for a turbine in the same location. The reduction in the height of the turbine by just less than four metres is unlikely to significantly reduce the potential impacts on this monument's setting. The comments outlined in our response, dated 30 November 2011, therefore remain unaffected by this amendment. Historic Scotland continues to strongly recommend that any possibility to relocate to the turbine further to the north or northeast of the monument be fully explored.

The Heritage Impact Assessment, submitted in support of this application, raises a number of issues. We have outlined a response to some of these in the appendix to this letter should your Council find it helpful.

If you would like further information, or would like a site meeting to discuss potential mitigation, please do not hesitate to contact me.

Yours faithfully

JOHN MALCOLM

Senior Heritage Management Officer, Monuments West



INVESTOR IN PEOPLE



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www.historic-scotland.gov.uk



APPENDIX – COMMENTS ON THE HERITAGE IMPACT ASSESSMENT

We agree with the conclusion reached in page 2 of the Heritage Impact Assessment (HIA) that views to and from the sea to the east and the lower ground to the west are the primary elements in the setting of the fort, and that views to and from the north and south are subsidiary elements in this setting. The landscape and visual impact assessment (LVIA) indicates (p11) that the proposed turbine would not impact on the setting of the fort because the fort is not visible from the C147. We do not agree with the conclusion that there would be no impact on the setting of the monument, as views to the fort from the C147 do not form part of the setting of the monument.

The HIA indicates (p2) that 'at no point could the fort be considered to be "hemmed in" by higher ground to the north or south.' The assessment demonstrates that the ground c.200m to the southwest of the site is at the same level as the outer ramparts of the fort, with intervening lower ground. We recognise that this means that the fort is not overlooked from the south.

Photographs 1 and 4 HIA show that the area of higher ground to the north is within c.140m of the fort, and is approximately 5m higher than the fort top. It is noted that in views to the fort from further to the north than the turbine location, the fort is concealed by this higher ground. Therefore, it appears as if the fort is indeed overlooked by higher ground to the north. This is an important subsidiary element in the setting of the monument, because it shows that the fort is not purely a defensive feature, but was designed to be visually impressive in views towards it from the west and east.

Photograph 1 suggests that the turbine would be clearly visible in views to the fort from the west, with the turbine hub and a substantial part of the pylon penetrating the skyline to the left (north) of the fort. Photographs 7 and 7a show that the turbine would also be visible to the left (north-northwest) of the monument when the fort is viewed from the southwest. This would represent a substantial vertical built element in views to and from the monument, and has the potential to adversely impact on both the primary and subsidiary elements of the setting outlined above.

We recognise that the turbine height has been reduced from 22m to 18.2m at the blade tip. However, the proximity of the proposed turbine to the fort has not been altered. We believe that relocating the proposed turbine location further away from and north or northeast of the fort would mitigate the potential setting impact.

REPORT OF HANDLING



Reference No:	12/00476/PP
Proposal:	Erection of 15kW wind turbine measuring 12.6m to hub and 18.2m to blade tip
Location:	Craigdhu Farm, Shannochie, Brodick, Isle Of Arran KA27 8SH
Local Plan Allocation:	Countryside/Rural Community
Policies:	POLICY ENV1POLICY INF8POLICY ENV7POLICY BE7POLICY BE8Development Control Statement
Consultations:	Yes
Neighbour Notification:	None Required
Advert:	Not Advertised
Previous Applications:	11/00767/PP for Erection of 20kW wind turbine measuring 15m to hub and 22m to blade tip was Refused on 16.01.2012 94/00429/PP for Conversion of outbuildings to form two dwellings was Approved subject to Conditions on 04.03.1994

Appeal History Of Site:

12/00005/LRB for Erection of 20kW wind turbine measuring 15m to hub and 22m to blade tip was LRBDIS on 13.09.2012

Description

Planning permission is being sought for the erection of a wind turbine at Craigdhu Farm, Shannochie. The wind turbine would be situated approximately 210 metres to the south-east of the farmhouse, which is located on the south side of the C147 at East Bennan. The site is surrounded by agricultural land and the shore is situated to the south. The site is currently used for grazing and is elevated above the C147 road close to the top of a hill. There are agricultural buildings in association with Craigdhu Farm, located approximately 100 metres to the north-west of the application site.

The nearest residential property (excluding those under the ownership of Craigdhu Farm) is Balegra Farm, approximately 600 metres to the north-west of the site. There is, however a property within the ownership of Craigdhu Farm, that is rented out as a holiday cottage. The site is within 200 metres of the South Coast of Arran SSSI and is within close proximity to the Arran Moor's SPA/SSSI.

The turbine would have a hub height of 12.6 metres, with a height to blade tip of 18.2 metres with an installed capacity of 15kW. The blade length would be 5 metres and the blade swept diameter would be 11.1 metres.

Supporting information has been submitted, which comprises a design and access statement, noise report, manufacturer's brochure, landscape and visual impact assessment, historic fort impact assessment, heritage/key views impact assessment and photomontage report/photos.

Planning permission (reference N/11/00767/PP) was refused on 16th January 2012 for the erection of one wind turbine (22 metres high to blade tip) at Craigdhu Farm and a subsequent Review was dismissed on the 13th September 2012.

On 12/08/11 planning permission was refused for the erection of six wind turbines with maximum height of 19.25m to blade tip at Auchenhew Farm Access Road, Kildonan some 500m to the north-east of the site (Ref no. 11/00421/PP) on the grounds that the development was contrary to Policy INF 8 and the Development Control Statement of the Isle of Arran Local Plan, the Ayrshire Supplementary Planning Guidance on Wind Farm Development and the Council's adopted Landscape Capacity Study for Wind Farm Development in North Ayrshire.

The only change with the submission of this revised proposal is the reduction in height of the wind turbine by approximately 4 metres. Discussions have taken place with the agent during the planning process, advising on a more appropriate location for the proposed turbine, however the applicant has requested that the application is determined in its current form as he cannot find a solution that would be viable within his land ownership.

The application site is located within an area of countryside as identified within the Isle of Arran Local Plan and is unaffected by any site specific policies or proposals therein. Policy ENV 1 of the adopted Local Plan relates to Development in the Countryside and states that development for renewable energy resources should be considered under Policy INF 8.

Policy INF 8 states that proposals for the development of wind farms, biomass, energy from waste and any other renewable energy developments within Sensitive Landscape Character Areas shall not accord with the Local Plan. Elsewhere proposals for renewable energy development shall accord with the Local Plan subject to the proposal satisfying the following criteria:

- (a) the development is appropriate in design and scale to its surroundings;
- (b) where it can be demonstrated that there is no significant adverse effect on the intrinsic landscape qualities of the area;
- (c) the proposal shall not result in unacceptable intrusion, or have a significant adverse effect on the natural, cultural and built heritage of the area;

(d) any significant adverse effect on telecommunications, transmitting or receiving systems or radar systems can be effectively overcome;

(e) the proposal can be satisfactorily connected to the national grid without causing negative environmental impact; and

(f) when considered in association with existing sites formally engaged in the Environmental Assessment process or sites with planning permission, there are no negative impacts due to the cumulative impact of development proposals.

The Council will require that unused apparatus be removed within six months of it becoming redundant and the site shall be restored.

There are a number of sites of archaeological interest in the locality of the site, with a scheduled fort (Craighdu Fort) approximately 140 metres distant; East Bennan Long Cairn is approximately 450 metres from the site and there are other archaeological trigger sites in the locality. The application therefore requires to be assessed against Policies BE 7 (Scheduled Ancient Monuments) and BE 8 (Archaeological Sites) of the adopted Local Plan which aim to protect such sites from development that would have an adverse impact on them.

The Ayrshire Supplementary Planning Guidance (SPG) on Windfarm Development was approved by the Council as an addendum to the Ayrshire Joint Structure Plan Technical Report on renewables for use in the assessment of windfarm applications. It is applicable to all windfarm development inclusive of single turbines. It states that development will not generally be supported within 2km of a town and village or within 700 metres or a distance of 10 times the turbine rotor blade diameter whichever is the greater from an individual dwelling, workplace or community facility unless the developer can demonstrate the impacts are acceptable. The development will not be supported in locations which are known to have adverse impacts on aviation/radar.

The Council's approved Landscape Capacity Study for Wind Farm Development in North Ayrshire (Phase 2 Report) 2009 provides greater refinement at the local level to the above Ayrshire Supplementary Planning Guidance. The proposal is located within the landscape character type "Coastal Fringe with Agriculture" which is identified as having medium to high overall sensitivity to windfarm development. The study recognises the fact that smaller turbines (20 metres maximum height) could be accommodated in parts of this character area where the scale of the coastal edge is increased, for example in the south-west of the Island, and is less strongly patterned with hedgerows, woodlands and policy plantings. Single or very small clusters (up to 3) turbines should be associated with farmsteads or other large scale buildings and sited away from key views from the A841 to coastal and historically important features. The study also emphasises the importance of avoiding interruption of key views to Pladda and Ailsa Craig from the coast road.

Policy ENV7 (Nature Conservation) is relevant given the site's close proximity to the South Coast of Arran SSSI and Arran Moor's SPA/SSSI (designated for hen harrier species).

The proposal would also require to be assessed against the Development Control Statement of the adopted Local Plan, which states that the development should have regard to the amenity of the surrounding area with respect to siting, design and privacy etc.

Consultations and Representations

No neighbour notification was required and the application was not required to be advertised. No objections/representations have been received.

Consultations:

Scottish Natural Heritage - no objection.

Arran Community Council - no objection.

Civil Aviation Authority - no comment.

National Air Traffic Services - no objection.

BAA Aerodrome Safeguarding - no comment.

Ministry of Defence - no response.

Prestwick Airport - no objection.

Environmental Health - no objections subject to conditions. The wind farm noise emission level, when assessed at nearby noise sensitive premises shall not exceed 35dB LA90, 10min or shall be no more than 5dB (A) above background LA90, 10min; whichever is greater. Wind speeds up to and including 10 ms⁻¹ when measured at 10m above ground level should be considered. In reckoning the background noise level, the noise generated by any other existing windfarm shall be left out of account. When assessed at any noise sensitive premises the operation of the wind turbines shall not result in any audible tones. At the request of North Ayrshire Council as Planning Authority, the applicant or future operator of the wind turbine shall measure the level of noise emission from the wind turbine in line with an agreed methodology. The presence of any significant unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Environmental Health Service of North Ayrshire Council. Thereafter, a suitable investigation strategy, agreed with the Environmental Health Service of North Ayrshire Council, shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site. Conditions should also be imposed regarding permitted operating times for noisy construction works and disruption to any private water supplies.

Response: noted. Planning conditions could be imposed.

Historic Scotland - no objection, however the proposed development would adversely impact on the setting of Craighdu Fort and recommends that the Planning Authority considers how best to mitigate this impact. The reduction in the height of this turbine by less than 4 metres is unlikely to significantly reduce the potential impacts on this monument's setting. It is recommended (as previously advised) that any possibility to relocate the turbine further to the north or north-east of the monument is fully explored. The Heritage Impact Assessment raises a number of issues. These issues are discussed in the analysis.

Response: noted.

West of Scotland Archaeology Service - the proposed turbine is too close to the fort and visually intrusive both from views out of the fort looking north and from views into the fort from East and West where the turbine is also sky-lined and highly visible. The proposal would add an unacceptable modern element to the existing setting of the site and would therefore be detrimental to its setting. This will form a detrimental impact on the current setting of the Scheduled Ancient Monument (SAM) as it will introduce a partially back-dropped, partially sky-lined, moving, modern, highly visual element to the existing significant views to and from the site.

The reduction in height of the turbine is welcomed and if the turbine could also be moved further away from the fort, off the hill and more out of sight, closer to the existing steading and painted dark to mitigate the back-dropping effect of a light colour against green fields etc, this could be an acceptable proposal. As it stands, the application should be refused in order to protect the existing setting of the Scheduled Ancient Monument (SAM).

Response: noted.

Analysis

Section 37 (2) of the Town and Country Planning (Scotland) Act 1997 states, in dealing with an application for planning permission, that the Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. Section 25 of the Act states that where in making any determination under the Planning Acts regard is to be had to the Development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The main determining issues are whether the proposal accords with the adopted Local Plan, specifically Policies ENV 1, INF 8, ENV 7, BE 7, BE 8, and the Development Control Statement, and other material considerations, which in this case comprise the Ayrshire SPG on Wind Farm Development, the Landscape Capacity Study for Wind Farm Development in North Ayrshire and the supporting information submitted by the agent.

Policy ENV 1 of the adopted Local Plan relates to Development in the Countryside and states that development for renewable energy resources should be considered under Policy INF 8.

With regard to the Policy INF 8, it is considered that the siting of the turbine on undeveloped land on the seaward side of the C147 would introduce a prominent development into an area of relatively open countryside. It is therefore considered that the proposal would conflict with criteria (a), (b) and (c) of Policy INF 8, in that it would be inappropriate in design and scale to its surroundings, and it would have an adverse effect on the intrinsic landscape qualities and natural heritage of the area.

With regard to Policy ENV 7 (Nature Conservation), the site would be in close proximity to the South Coast of Arran SSSI and Arran Moors SPA/SSSI. SNH has assessed the potential impacts on the features of interest and have advised that there is little risk of any damage to the site.

With regard to Policies BE 7 and BE 8 that relate to Scheduled Ancient Monuments and Archaeological Sites, there are a number of sites of archaeological interest in the locality; of particular importance are the scheduled monuments Craighdu Fort and East Bennan Long Cairn, along with six other archaeological trigger sites in the locality. Historic Scotland and West of Scotland Archaeology Service advise that the proposal is too close to the fort and would be visually intrusive in views to and from the north of Craighdu Fort and as such would constitute an adverse impact on its setting. It would add an unacceptable modern element to the setting of the site and would be detrimental to its setting. Historic Scotland considers that the reduction in the height of the turbine by 4 metres is unlikely to significantly reduce the potential impacts on the setting of the monument.

Historic Scotland advise that a number of issues have been raised within the Heritage Impact Assessment, submitted in support of this application. Historic Scotland do not agree with the agent's conclusion that there would be no impact on the setting of the monument, as in the opinion of the agent, views to the fort from the C147 do not form part of the setting of the monument.

Historic Scotland notes rather that in views to the fort from further to the north than the turbine location, the fort is concealed by higher ground. Therefore, the fort is overlooked by higher ground to the north. This is an important subsidiary element in the setting of the monument, as it shows that the fort is not purely a defensive feature, but was designed to be visually impressive in views towards it from the west and east.

Historic Scotland further note that photographs show that the turbine would also be visible to the north/north-west of the monument when the fort is viewed from the south-west. Historic Scotland consider that this would represent a substantial vertical built element in views to and from the monument, and has the potential to adversely impact on both the primary and subsidiary elements of the setting outlined above. For these reasons, it is therefore considered that the proposal would be contrary to Policies BE 7 and BE 8 of the adopted Local Plan.

The relevant criteria of the Development Control Statement of the adopted Local Plan are the siting, design and external appearance of the proposed development and its impact on amenity and landscape character.

For the reasons mentioned above, the proposal would not accord with the relevant Development Control Statement criteria in that the siting, design and appearance of the turbine would intrude upon an area of relatively open countryside which would detract from visual amenity and the landscape character of the area and the setting of Craigdhu Fort.

In terms of the Ayrshire SPG, the wind turbine would be located within 700 metres of residential properties and the settlement of Kildonan is situated within 2km of the application site (as identified within the adopted Local Plan). It is therefore considered that the proposal would not accord with the Ayrshire SPG on wind farm development.

The Council's approved Landscape Capacity Study acknowledges that there is limited capacity for small scale wind turbine development in areas such as the coast lands at Kildonan. It stresses however that the Island at present has no wind farm development and given its landscape integrity, the perception of Arran as being "unspoilt" and "different" is emphasised by its island situation.

It is considered that the proposal does not comply with the terms of the Landscape Capacity Study as the proposal is not clearly associated with the existing farm steading or other rural building(s). There is also a dwelling at Craigdhu in close proximity to the proposed turbine (approximately 210 metres) that is rented out as holiday accommodation, in addition to other properties at Balegra Farm and Meadowside that are within 700 metres of the site.

The turbine would be situated on the seaward side of the C147 road, which would have a significant adverse impact on key views from the C147 road to coastal and historically important features and would interrupt key views to Pladda and Ailsa Craig. The turbine would be highly visible from the C147 road due to the siting of the turbine on top of the hill and would therefore form a distinct unnatural feature in the countryside between the C147 and the foreshore. It would be visually prominent and detrimental to visual amenity. It is acknowledged that the wind turbine has been reduced in height, however its siting has not been altered. While there may be some economic benefit from the development, on balance, it is considered that it would not outweigh the negative impact on the landscape that would occur should planning permission be granted.

The Council's Landscape Consultant has advised that while a 20 metre high wind turbine could be accommodated in this landscape, the location of this proposal is inappropriate and it should be sited on lower hill slopes so that it does not break the skyline of the small ridge and should also be set further inland, back from both the fort and the sensitive coastal edge. Lower slopes closer to the farm buildings offer opportunities to minimise landscape and visual intrusion and the ridge would also offer a backdrop of rising slopes which would also help reduce impacts in views from the west.

Discussions have taken place with the agent, advising on a more appropriate location for the proposed turbine; however the applicant has requested that the application is determined in its current form.

Accordingly, it is considered that the proposal does not accord with Policies BE 7, BE 8, INF 8 and the Development Control Statement of the adopted Local Plan and would conflict with the Ayrshire SPG and the Council's Adopted Landscape Capacity Study on wind farm development. It is therefore considered that planning permission should be refused.

Decision

Refused

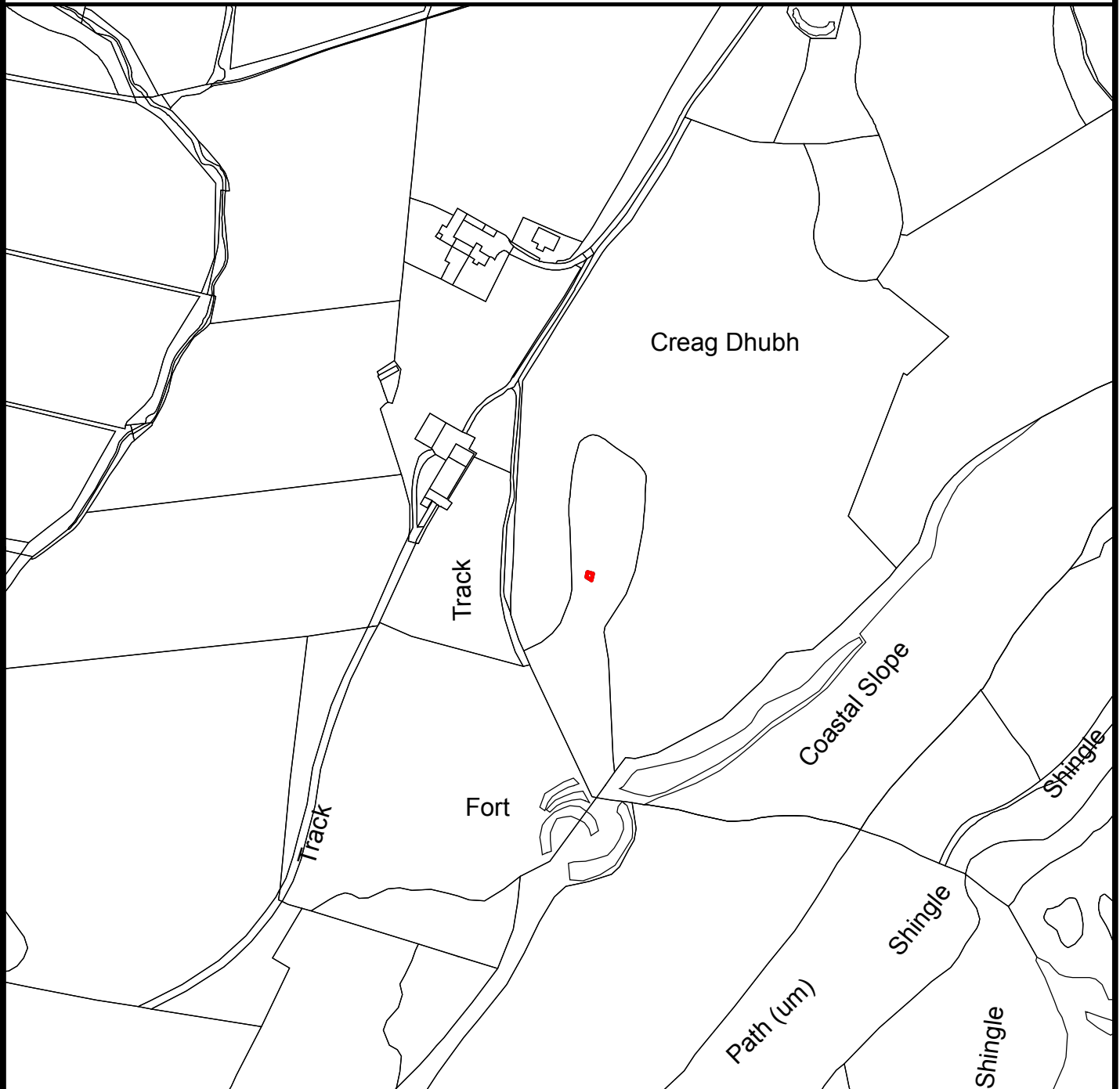
Case Officer - Ms Julie Hanna

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Location Plan		
Proposed Elevations		
Location Plan	001	
Block Plan / Site Plan	001	

Local Review Body

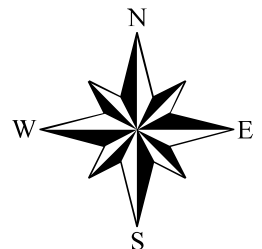
12/00476/PP



NORTH AYRSHIRE
COUNCIL

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Not To Scale





IAN T. MACKAY : Solicitor to the Council (Corporate Services)

No N/12/00476/PP

(Original Application No. N/000046802-001)

REFUSAL OF PLANNING PERMISSION

Type of Application: Local Application

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997,
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2008

To : Mr Robert Stewart
c/o Entrust Fao Niall Byrne
Daresbury Innovation Centre
Keckwick Lane
Daresbury
Cheshire
WA4 4FS

With reference to your application received on 29 August 2012 for planning permission under the above mentioned Acts and Orders for :-

Erection of 15kW wind turbine measuring 12.6m to hub and 18.2m to blade tip

at Craigdhu Farm
Shannochie
Brodick
Isle Of Arran
KA27 8SH

North Ayrshire Council in exercise of their powers under the above-mentioned Acts and Orders hereby refuse planning permission on the following grounds :-

1. That, the proposed development would not accord with: (a) Policies INF 8, BE 7, BE 8 and the Development Control Statement of the Isle of Arran Local Plan; (b) the Ayrshire Supplementary Planning Guidance on Wind Farm Development; and (c) the Council's adopted Landscape Capacity Study for Wind Farm Development in North Ayrshire (Phase 2 Report) 2009, in that by reason of its location, height, design, appearance and isolated siting in open countryside on the seaward side of the C147 road, it would : (i) intrude upon an area of relatively open countryside, detracting from its natural appearance and scenic quality, which would be detrimental to visual amenity; (ii) detract from key views from the C147 to coastal and historically important features and interrupt key views from the coast road; (iii) would have a significant adverse impact on the historic environment constituting an adverse impact on the setting of Craig Fort; and (iv) establish an undesirable precedent for further wind farm development in isolated locations, thereby detracting from the amenity and appearance of the countryside.

Dated this : 5 December 2012

.....
for the North Ayrshire Council

(See accompanying notes)



**NORTH AYRSHIRE
COUNCIL**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2008 – REGULATION 28

IAN T. MACKAY : Solicitor to the Council (Corporate Services)

FORM 2

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Committee Services, Chief Executive's Department, Cunninghame House, Irvine, North Ayrshire, KA12 8EE.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

NORTH AYRSHIRE COUNCIL

Agenda Item 4

13 March 2013

Local Review Body

Subject: Notice of Review: 12/00498/PP: Alterations to
hipped roof to form a gable roof and formation of
balcony to front: 26 North Crescent Road,
Ardrossan

Purpose: To submit, for the consideration of the Local Review
Body, a Notice of Review by the applicant in respect
of a planning application refused by officers under
delegated powers.

Recommendation: That the Local Review Body considers the Notice.

1. Introduction

- 1.1 The Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, provides for certain categories of planning application for "local" developments to be determined by appointed officers under delegated powers. Where such an application is refused, granted subject to conditions or not determined within the prescribed period of 2 months, the applicant may submit a Notice of Review to require the Planning Authority to review the case. Notices of Review in relation to refusals must be submitted within 3 months of the date of the Decision Notice.

2. Current Position

- 2.1 A Notice of Review has been submitted in respect of Planning Application 12/00498/PP for alterations to hipped roof to form a gable roof and formation of balcony to front at 26 North Crescent Road, Ardrossan.
- 2.2 The application was refused by officers for the reasons detailed in the Decision Notice at Appendix 4.
- 2.3 The following related documents are set out in the appendices to this report:-

Appendix 1 - Notice of Review documentation;
Appendix 2 - Report of Handling;
Appendix 3 - Location Plan; and
Appendix 4 - Decision Notice.

3. Proposals

- 3.1 The Local Review Body is invited to consider the Notice of Review.

4. Implications

Financial Implications

- 4.1 None arising from this report.

Human Resource Implications

- 4.2 None arising from this report.

Legal Implications

- 4.3 The Notice of Review requires to be considered in terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

Equality Implications

- 4.4 None arising from this report.

Environmental Implications

- 4.5 None arising from this report.

Implications for Key Priorities

- 4.6 None arising from this report.

5. Consultations

- 5.1 There were no representations or statutory consultee responses in respect of this planning application and as such no consultations were required.

6. Conclusion

- 6.1 The Local Review Body is invited to consider the Notice of Review, including any further procedures which may be required prior to determination.



ELMA MURRAY
Chief Executive

Reference :

For further information please contact Diane McCaw, Committee Services Officer on 01294 324133

Background Papers

Planning Application 12/00469/PP and related documentation is available to view on-line at www.north-ayrshire.gov.uk or by contacting the above officer.

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name JAMES & LORRAINE HOYLAND

Address 26 NORTH CRESCENT ROAD
ALDROSSAN

Postcode KA22 8NA.

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name BLUCE BOYD PLANNING SOLUTIONS

Address 'ELLERSLEIGH'
CASTLEHILL ROAD
KILMACOLM

Postcode PA13 4EL

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be
through this representative: ☒

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail?

☒ ☐

Planning authority

NORTH Ayrshire COUNCIL

Planning authority's application reference number

12/00498/PP

Site address

26 NORTH CRESCENT ROAD
ALDROSSAN KA22 8NA

Description of proposed
development

ALTERATIONS TO HIPPED ROOF TO FORM A
GABLE ROOF AND FORMATION OF BALCONY TO FRONT

Date of application

18/9/2012

Date of decision (if any)

16/11/2012

Note. This notice must be served on the planning authority within three months of the date of the decision
notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

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

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

1. Further written submissions ☐
2. One or more hearing sessions ☒
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

TO CLARIFY THE WIDE VARIETY OF HOUSE FRONT
DESIGNS EXISTING IN THE AREA

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

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

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE ATTACHED GROUNDS OF NOTICE OF REVIEW

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

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

GROUND'S OF NOTICE OF REVIEW
INCLUDING PRODUCTIONS 1-4.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

I the ~~applicant~~ agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Date

12 / 2 / 2013



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

GROUND'S OF NOTICE OF REVIEW

**SUBMISSION AGAINST REFUSAL OF PLANNING PERMISSION BY
NORTH AYRSHIRE COUNCIL FOR ALTERATIONS TO HIPPED ROOF TO
FORM A GABLE ROOF AND FORMATION OF BALCONY TO FRONT OF
PROPERTY AT 26 NORTH CRESCENT ROAD ARDROSSAN**

REF: N/12/00498/PP

FEBRUARY 2013

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

GROUND OF NOTICE OF REVIEW

SUBMISSION AGAINST REFUSAL OF PLANNING PERMISSION BY NORTH AYRSHIRE COUNCIL FOR ALTERATIONS TO HIPPED ROOF TO FORM A GABLE ROOF AND FORMATION OF BALCONY TO FRONT OF PROPERTY AT 26 NORTH CRESCENT ROAD ARDROSSAN

REF: N/12/00498/PP

1.0 BACKGROUND

- 1.1 The Planning Application submitted to the Council in September 2012 was accompanied by a Supporting Statement addressing the changes proposed for the roof profile

Production 1 - Supporting Statement

- 1.2 On 16 November 2012 a Notice of Refusal of Planning Permission was issued by North Ayrshire Council indicating that the Planning Application had been refused on the following grounds:

That the proposed extension would not accord with the criterion a) of the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding the Isle of Arran) in that it would be out of keeping with, and unsympathetic to, the character and appearance of the surrounding area.

- 1.3 The manner in which the Planning Application was dealt with by the planning officials, leading to the refusal of planning permission, is detailed in the Report of Handling on the application. A copy of this Report is attached.

Production 2 - Report of Handling

2.0 GROUNDS OF REVIEW

- 2.1 Section 37(2) of the Town and Country Planning (Scotland) Act 1997 provides that in determining an application regard shall be had to the development plan so far as material to the application and to any material considerations. Section 25(1) provides that the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.

- 2.2 In reaching a decision to refuse planning permission the planning officials have indicated that the proposal is not in accord with the provisions of criterion a) of the Development Control Statement in that, in their opinion, the proposal is out of keeping and unsympathetic to the character and appearance of the surrounding area.
- 2.3 In reaching a decision to refuse planning permission it is submitted that the planning officials have considered the application in an extremely narrow and blinkered manner, and completely ignored the large variety of house designs which currently exist in this part of Ardrossan, including many examples of similar roof designs.
- 2.4 It is submitted that the design of the proposed alteration to the roof is completely in keeping with the character and appearance of the surrounding area, which is in fact characterised by a variety of house front designs, all of which add to the appearance and variety of this part of Ardrossan.

3.0 OBJECTIVE ANALYSIS OF PROPOSAL

- 3.1 The proposal involves the creation of a new roof for the property which would have an altered roof design facing onto the street.
- 3.2 At the present time the two upper floor rooms of the property are very small and restricted by the cam ceilings of the hipped roof. Additionally, the staircase leading up to the upper floors is extremely narrow and steep and does not meet current Building Control standards. The proposed alterations to the upper floor will provide two bedrooms with a greater floor area and additionally provide a set of stairs to the upper floor which will meet current standards and enable access to the upper floors of the house by the older members of the family.
- 3.3 The planning application was subject to the normal neighbour notification procedure and additionally was advertised in the local press. As a result of the neighbour notifications and press advertisement not one letter of objection was received by the planning department.
- 3.4 This clearly demonstrates that no one in the local community had any issues with the proposed design of the roof alteration and in fact the local community is clearly unconcerned in regard to the proposed alteration to the roof.
- 3.5 In the Report of Handling on the application the planning officials, in deciding to refuse planning permission, confirm that they have only considered this application on the basis of the design of the properties adjacent to it and have not considered the variety of house designs and frontages in the wider local area.
- 3.6 This area of Ardrossan is characterised by a variety of frontage designs, including many which present a very similar appearance to that proposed for the property at 26 North Crescent Road.

- 3.7 The application site is not contained within a Conservation Area and there are no policies within the Local Plan which specify the design of roofs which are acceptable in Ardrossan. It is clear from an analysis of the various housing design frontages in the area that there is no set pattern of roof designs nor frontages.
- 3.8 Why is it considered that the proposal would be out of keeping with and unsympathetic to the character and appearance of the surrounding area? Do the planning officers also consider that the existing properties at, 17A North Crescent Road, 1 North Crescent Avenue, Park Lane, 1 Harvey Street, 93 Eglinton Road, 2 Stanley Avenue, 10 Stanley Drive and 11 Seafield Drive are all out of keeping with the character of the area?
- 3.9 It appears that the decision taken by the planning officials to refuse planning permission has been made on the basis that there should be no changes to the frontage design along a short section of North Crescent Road. This completely ignores the fact that there are numerous examples of differing designs elsewhere in the immediate area which are perfectly acceptable. The examples outlined above, and illustrated in Production 3, clearly show that similar frontages do nothing other than enhance the streetscape and appearance of the area and certainly do not detract from the visual amenity of the area.
- 3.10 Most planning officials welcome variety of house types and designs within developments to avoid the monotony of having all of the houses looking the same. Why are different standards being applied in this case?
- 3.11 The various photographs attached to this submission, Production 3, demonstrate that there exists a number of properties in the area which have similar frontage and roof designs and which, in fact, clearly add to the character and amenity of the area.

Production 3 - Similar Frontage Designs

- 3.12 Variety in design and appearance of properties adds to the street scene in any area and it is, in fact, the regimented sameness of appearance of house frontages which detracts from the character and appearance of the area. It is unfortunate therefore, on this occasion, that the planning officials have chosen to refuse permission for this proposal which would do nothing other than improve the appearance of the area by providing an interesting and pleasant frontage design onto the street scene.
- 3.13 The appearance of the proposed frontage to the property has been superimposed on photographs of the street scene and these are attached as Production 4 of this submission. These photomontages demonstrate that although the style of the roof is altered from the original, the design provides an attractive frontage which sits well with the adjacent properties and certainly does not detract from the character and appearance of the area.

Production 4 - The Proposal

- 3.14 Prior to the submission of their planning application Mr and Mrs Hoyland, spent a considerable amount of time in discussions with their architect in regard to the most suitable and visually most acceptable way of altering the roof line of the existing property. A number of differing designs were examined and considered before settling on the most appropriate design which was submitted for planning permission. As outlined above the submitted drawings reflect the height, scale and design of other properties in the area and the reasons used to justify the refusal of planning permission are completely unrealistic, bearing in mind the similar frontages elsewhere in the surrounding area.

4.0 CONCLUSIONS

- 4.1 In reaching their decision to refuse planning permission the officials have considered the application in an extremely narrow manner and ignored the wide variety of house frontages in this part of Ardrossan.
- 4.2 The site is not contained within a Conservation Area nor are there any planning policies which stipulate that the frontages of properties along this short section of North Crescent Road have all to look the same.
- 4.3 Indeed it is normal planning practice to request developers to provide a variety of house styles and frontages along road frontages to avoid a uniform street scene and introduce diversity.
- 4.4 The refusal of planning permission is preventing a local family from upgrading their property by providing a stairway up to the upper floors, which conforms to the current Building Regulations.
- 4.5 The new roof proposed is a bespoke design, prepared by a local architect, to provide a gabled roof which is completely in keeping with the scale and character of the properties in the surrounding area.
- 4.6 No objections to the proposed design of the roof alterations have been submitted to the Planning Authority, albeit that the application was the subject of the normal neighbour notification procedure and was additionally advertised in the local press. This clearly indicates that there is no local concern in regard to the alterations proposed.
- 4.7 For all of the reasons detailed above, it is requested that the Local Review Body overturn the decision of the planning officials and grant planning permission for the alterations to the existing hipped roof to form a gable roof and formation of balcony to the front at 26 North Crescent Road, Ardrossan.

Production 1- Supporting Statement

Proposed Re development of 26 North Crescent Road Ardrossan

A pre application consultation has been sought from North Ayrshire Council who expressed some concern in respect of the change of the roof profile from hipped to a gabled.

This report has been prepared to address this in detail, in respect of both the immediate neighbours and in as to how the proposals blend into the wider area

Setting

26 North Crescent Road has immediate neighbours to each side and to the rear but looks onto open ground and Ardrossan North Shore at the front.



North Crescent Road

Context

There are a number of roads in the immediate vicinity of a similar character. The predominant house type in the area is detached, single storey with a hipped roof, often with a dormer window and a developed roof space and has painted roughcast walls and a red or grey smooth tile or slate roof.



Predominant house type

However, there is also significant diversity within in the immediate area, with two storey and single storey gabled villas interspersed between the predominant house type, both in North Crescent Road and in the adjacent roads.



Diversity in North Crescent Road



Substantial gabled single storey house



Gabled single storey house

Size and Scale

26 North Crescent Road has a footprint of approximately 81m². Neighbour number 27 has a footprint of 113m², including an attached garage, and neighbour no 25 has a footprint of 161m². Both neighbours present greater frontages to the road but number 25 in particular presents a frontage almost 1.5 times that of number 26. It also has raised eaves and ridge height and a large dormer compared to number 26. However, the properties still sit well as a group.



25, 26 and 27 North Crescent Road

Proposals

The proposals are to retain the existing footprint of the property, together with the existing eaves height, but to gable the house both front and rear, to allow for a compliant staircase to be fitted to the re developed roof space, and to maximise views to Arran. The external materials would be painted roughcast and smooth red slate roof, similar to neighbouring properties and in keeping with the local area. The roof pitch to the side of the house would remain as existing.



Existing view along North Crescent Road



Proposed View along North Crescent Road

Although the roof style of the group is varied, it still blends well as a cohesive group, when viewed from the road. The eaves height remains as existing and the dominant property is still number 25.



Existing View from North Shore



Proposed View from North Shore

We do not consider that the change in the roof profile significantly, or detrimentally, impacts either of the immediate neighbours, North Crescent Road or the wider area. Whilst the roof profile is no longer of the dominant type found in the area, it is of a type that already exists successfully and will not change the overall character, unity or quality of the area.

Production 2 - Report of Handling

REPORT OF HANDLING



NORTH AYRSHIRE
COUNCIL

Reference No:	12/00498/PP
Proposal:	Alterations to hipped roof to form a gable roof and formation of a balcony to front
Location:	26 North Crescent Road, Ardrossan, Ayrshire, KA22 8NA
Local Plan Allocation:	Residential
Policies:	Development Control Statement
Consultations:	None Undertaken
Neighbour Notification:	Neighbour Notification carried out on 18.09.2012 Neighbour Notification expired on 09.10.2012
Advert:	Regulation 20 (1) Advert Published on:- 26.09.2012 Expired on:- 17.10.2012
Previous Applications:	98/00030/PP for Erection of garage was Approved with no Conditions on 23.07.1998

Appeal History Of Site:

Description

This application relates to a detached, one-and-a-half storey dwellinghouse situated towards the northern end of North Crescent Road, Ardrossan.

The property is bounded by residential properties of similar scale on each side and to the rear, and its front elevation faces over the foreshore to the Firth of Clyde.

The existing dwellinghouse is of generally rectangular floor plan with a pitched and hipped slate roof incorporating a box type dormer on the front elevation.

It is proposed to alter the existing hipped roof to form a dual pitched roof with front and rear gables. The roof pitch of each side hip would be retained resulting in the ridge of the new roof being some 0.6 metres higher than the existing ridge. The upper level of the proposed front gable would have the gable wall recessed some 1 metre into the roofspace and would incorporate two glazed French doors opening onto a single integral balcony extending over the full width of the gable and which would be bounded by a 1.1 metre high glazed screen. The rear gable elevation would comprise two small obscure glazed windows and a tall narrow vertical window of a stairway landing. The new gable walls would be white painted roughcast to

match the existing walls of the house and the proposed roof covering would be a brown/red smooth concrete tile which would be similar in colour to the existing Rosemary plain tiles.

The application site lies within a residentially allocated area in the Adopted Local Plan and the proposal requires to be considered against the relevant criteria of the Development Control Statement of the Local Plan which in this case are considered to be (a) Siting, Design and External Appearance, and (b) Amenity.

Consultations and Representations

The statutory neighbour notification procedure was carried out and the application was also advertised in the local press on 26th September 2012 for neighbour notification purposes.

No representations were received as a result of the above publicity exercise.

No consultations were carried out.

Analysis

This application is for the alteration of a hipped roof to a dual pitched roof with built up gable ends, with the front gable incorporating an integral balcony.

The main determining issue of this application is the consideration of the proposal against criteria (a) and (b) of the Development Control Statement of the Local Plan.

The proposed development is considered to be acceptable in relation to criterion (b) Amenity. The only outlook from the amended upper floor design of the house would be to the rear and front of the property. Two small windows of obscure glazing serving bathrooms and a tall narrow window serving a mid-point landing of an internal staircase would be formed on the rear elevation but given their distance of some 17 metres from the rear boundary of the site they are not considered to adversely impact on the privacy or amenity of neighbouring properties. The proposed alterations on the upper level on the front elevation face directly towards the foreshore and similarly would not result in any loss of privacy to neighbouring properties.

In relation to criterion (a) however, the application premises is one of seven detached and one semi-detached block of houses in a row at the northern end of North Crescent Road, all of which are generally of similar design and scale being of single or one and a half storey dwellinghouses with hipped roofs. While it is acknowledged that in terms of the overall length of the street, there are a variety of house designs and scales, it is considered that there is a clear division in character between the northern and southern ends of the street and that the proposed introduction of a gabled roof in the northern section would be out of keeping with adjacent properties and detract from the visual amenity of this section of the street.

In support of the proposal the applicant submitted a 'design report' to justify the proposed design. The design report highlights a significant diversity in house design in the immediate area however while this statement is correct in general terms, as previously stated, it is considered that the applicants house together with the other eight adjacent houses extending over a continuous length of some 160 metres of the northern extremity of the street, form a grouping with clear visual design

characteristics. The design report also highlight examples of existing houses of similar designs to the one proposed however some of these examples are on different streets or a considerable distance from the application site and not considered to be relevant comparisons eg Seafield Drive some 270 metres distant.

It is considered therefore that the proposed development would be detrimental to the visual amenity of the area in that it would result in a design which would be out of keeping with, and unsympathetic to, the character and appearance of the surrounding area.

In view of the above, it is considered that the proposal would not accord with Criterion (a) of the Development Control Statement of the adopted Local Plan and accordingly planning permission should be refused.

Decision

Refused

Case Officer - Mr Gordon Craig

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Block Plan / Site Plan	010 REV A	
Existing Floor Plans	101 REV A	
Existing Elevations	102 REV A	
Proposed Floor Plans	151 REV C	
Proposed Elevations	152 REV A	

Production 3 - Similar Frontage Designs

PROPERTY AT 17A NORTH CRESCENT ROAD



PROPERTY AT 1 NORTH CRESCENT AVENUE



PROPERTY AT 7A PARK LANE



OTHER PROPERTIES ON PARK LANE



PROPERTY AT 82 EGLINTON ROAD



PROPERTY AT 93 EGLINTON ROAD



PROPERTY AT 2 STANLEY AVENUE



PROPERTY AT 10 STANLEY DRIVE



PROPERTY AT 11 SEAFIELD DRIVE



PROPERTY AT 1 HARVEY STREET



Production 4 - The Proposal

PHOTOMONTAGES ILLUSTRATING NEW HOUSE FRONTAGE



REPORT OF HANDLING



Reference No:	12/00498/PP
Proposal:	Alterations to hipped roof to form a gable roof and formation of a balcony to front
Location:	26 North Crescent Road, Ardrossan, Ayrshire, KA22 8NA
Local Plan Allocation:	Residential
Policies:	Development Control Statement
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Description

This application relates to a detached, one-and-a-half storey dwellinghouse situated towards the northern end of North Crescent Road, Ardrossan.

The property is bounded by residential properties of similar scale on each side and to the rear, and its front elevation faces over the foreshore to the Firth of Clyde.

The existing dwellinghouse is of generally rectangular floor plan with a pitched and hipped slate roof incorporating a box type dormer on the front elevation.

It is proposed to alter the existing hipped roof to form a dual pitched roof with front and rear gables. The roof pitch of each side hip would be retained resulting in the ridge of the new roof being some 0.6 metres higher than the existing ridge. The upper level of the proposed front gable would have the gable wall recessed some 1 metre into the roofspace and would incorporate two glazed French doors opening onto a single integral balcony extending over the full width of the gable and which would be bounded by a 1.1 metre high glazed screen. The rear gable elevation would comprise two small obscure glazed windows and a tall narrow vertical window of a stairway landing. The new gable walls would be white painted roughcast to

match the existing walls of the house and the proposed roof covering would be a brown/red smooth concrete tile which would be similar in colour to the existing Rosemary plain tiles.

The application site lies within a residentially allocated area in the Adopted Local Plan and the proposal requires to be considered against the relevant criteria of the Development Control Statement of the Local Plan which in this case are considered to be (a) Siting, Design and External Appearance, and (b) Amenity.

Consultations and Representations

The statutory neighbour notification procedure was carried out and the application was also advertised in the local press on 26th September 2012 for neighbour notification purposes.

No representations were received as a result of the above publicity exercise.

No consultations were carried out.

Analysis

This application is for the alteration of a hipped roof to a dual pitched roof with built up gable ends, with the front gable incorporating an integral balcony.

The main determining issue of this application is the consideration of the proposal against criteria (a) and (b) of the Development Control Statement of the Local Plan.

The proposed development is considered to be acceptable in relation to criterion (b) Amenity. The only outlook from the amended upper floor design of the house would be to the rear and front of the property. Two small windows of obscure glazing serving bathrooms and a tall narrow window serving a mid-point landing of an internal staircase would be formed on the rear elevation but given their distance of some 17 metres from the rear boundary of the site they are not considered to adversely impact on the privacy or amenity of neighbouring properties. The proposed alterations on the upper level on the front elevation face directly towards the foreshore and similarly would not result in any loss of privacy to neighbouring properties.

In relation to criterion (a) however, the application premises is one of seven detached and one semi-detached block of houses in a row at the northern end of North Crescent Road, all of which are generally of similar design and scale being of single or one and a half storey dwellinghouses with hipped roofs. While it is acknowledged that in terms of the overall length of the street, there are a variety of house designs and scales, it is considered that there is a clear division in character between the northern and southern ends of the street and that the proposed introduction of a gabled roof in the northern section would be out of keeping with adjacent properties and detract from the visual amenity of this section of the street.

In support of the proposal the applicant submitted a 'design report' to justify the proposed design. The design report highlights a significant diversity in house design in the immediate area however while this statement is correct in general terms, as previously stated, it is considered that the applicants house together with the other eight adjacent houses extending over a continuous length of some 160 metres of the northern extremity of the street, form a grouping with clear visual design

characteristics. The design report also highlight examples of existing houses of similar designs to the one proposed however some of these examples are on different streets or a considerable distance from the application site and not considered to be relevant comparisons eg Seafield Drive some 270 metres distant.

It is considered therefore that the proposed development would be detrimental to the visual amenity of the area in that it would result in a design which would be out of keeping with, and unsympathetic to, the character and appearance of the surrounding area.

In view of the above, it is considered that the proposal would not accord with Criterion (a) of the Development Control Statement of the adopted Local Plan and accordingly planning permission should be refused.

Decision

Refused

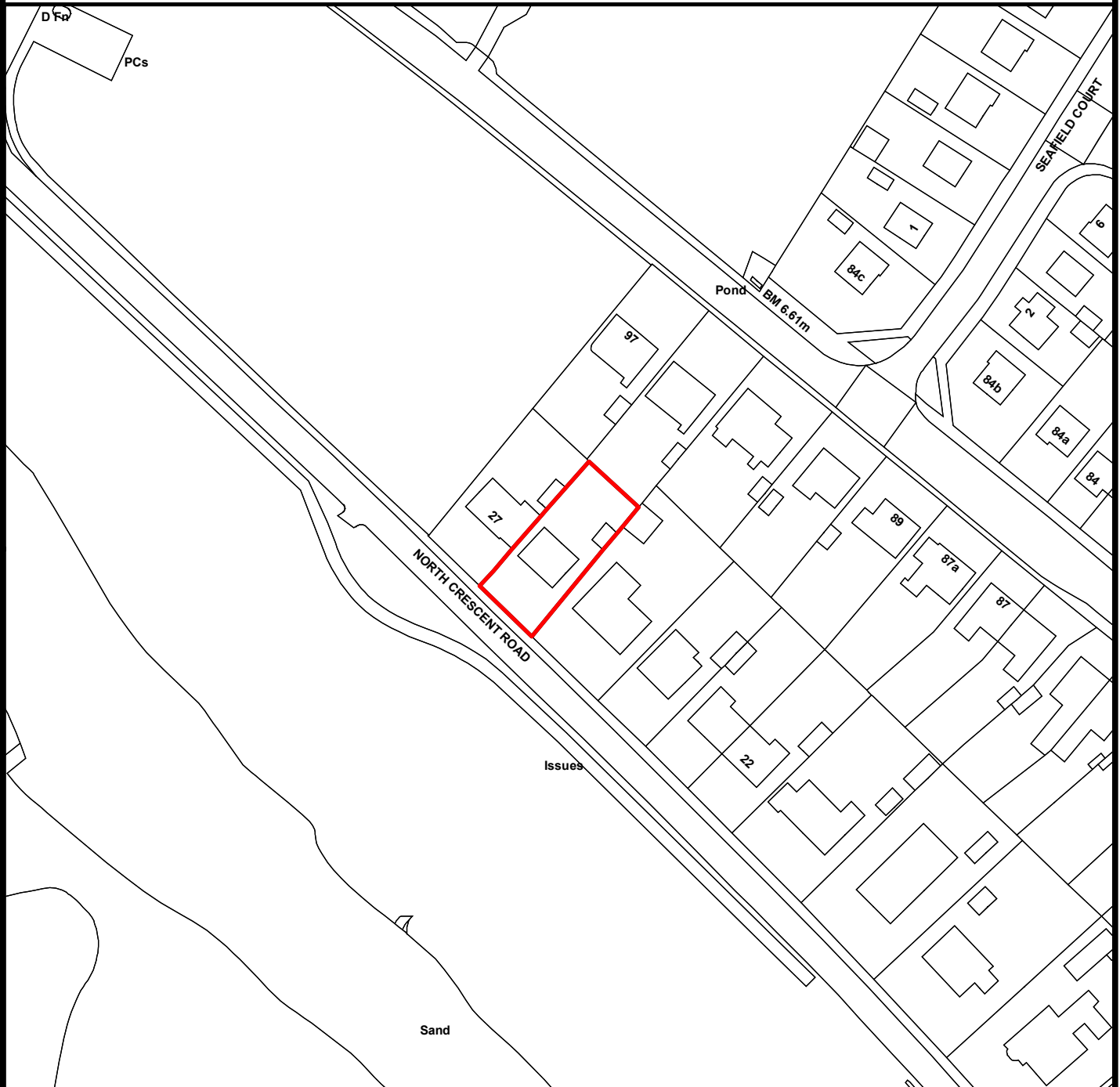
Case Officer - Mr Gordon Craig

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Block Plan / Site Plan	010 REV A	
Existing Floor Plans	101 REV A	
Existing Elevations	102 REV A	
Proposed Floor Plans	151 REV C	
Proposed Elevations	152 REV A	

Local Review Body

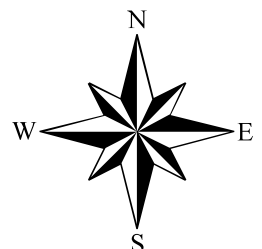
12/00498/PP - 26 North Crescent Road, Ardrossan



NORTH AYRSHIRE
COUNCIL

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Not To Scale





IAN T. MACKAY : Solicitor to the Council (Corporate Services)

No N/12/00498/PP

REFUSAL OF PLANNING PERMISSION

Type of Application: Local Application

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997,
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2008

To : James & Lorraine Hoyland
c/o Cooper Architects Ltd
14C Meadowfoot Road
West Kilbride
Ayrshire
KA23 9BX

With reference to your application received on 18 September 2012 for planning permission under the above mentioned Acts and Orders for :-

Alterations to hipped roof to form a gable roof and formation of a balcony to front

at 26 North Crescent Road
Ardrossan
Ayrshire
KA22 8NA

North Ayrshire Council in exercise of their powers under the above-mentioned Acts and Orders hereby refuse planning permission on the following grounds :-

1. That the proposed extension would not accord with criterion a) of the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding the Isle of Arran) in that it would be out of keeping with, and unsympathetic to, the character and appearance of the surrounding area.

Dated this : 16 November 2012

.....
for the North Ayrshire Council

(See accompanying notes)



**NORTH AYRSHIRE
COUNCIL**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2008 – REGULATION 28

IAN T. MACKAY : Solicitor to the Council (Corporate Services)

FORM 2

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Committee Services, Chief Executive's Department, Cunninghame House, Irvine, North Ayrshire, KA12 8EE.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.