



APPLICATION FOR PLANNING PERMISSION 15/00365/DPP, ERECTION OF TWO WIND TURBINES (35.5M TIP HEIGHT), ON LAND AT SPRINGFIELD FARM, SPRINGFIELD ROAD, PENICUIK

Report by Head of Communities and Economy

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The application is for the erection of two turbines (each with a tip height of 35.5 metres) on land at Springfield Farm, Springfield Road, Penicuik. There have been 93 representations received; 88 objections and 5 in support. Consultation responses have been received from Edinburgh Airport, National Air Traffic Services, Ministry of Defence Safeguarding – Wind Energy, The Wildlife Information Centre and Howgate Community Council. The relevant development plan policies are RP1, RP7, NRG1 and NRG2 of the Midlothian Local Plan 2008 (MLP) and policy 10 of the Strategic Development Plan for South East Scotland. The recommendation is to refuse planning permission.**

2 LOCATION AND SITE DESCRIPTION

- 2.1** The application site forms part of a flat grazing field located 1.3km north east of Leadburn. There are linear woodland features along the south west and north east boundaries of the field; similar woodland features along sections of the north west and south east boundaries of the field. The farmhouse and farm buildings at Springfield Farm are 340m north east of the site. The farm buildings at the neighbouring farm, Rosemay Farm, are 730m south of the application site.
- 2.2** The dominant character of the surrounding landscape is that of a very flat raised bog area. Immediately north of the application site is the large expanse of Auchencorth Moss which is used as rough grazing. The established peat extraction area at Springfield Moss is located 390m east of the application site.

3 PROPOSAL

- 3.1** It is proposed to erect two turbines, each with a hub height of 24.5m and a tip height of 35.5m; each turbine has a rated capacity of 100kW. In typical conditions the turbines should generate an annual electrical output of 487.4 MegaWatt hours; equivalent to the power requirements

of 116 homes. The turbines will be located 210m apart at opposite sides of the field. The turbines will be sited on freestanding monopole towers. A 3.5m wide access track will be formed from the existing field entrance running to the base of the two turbines. The electricity generated will be fed into the National Grid via the existing overhead line which passes through the farm, to the north of the farmhouse. The connection to the grid will be via a control box which measures 2m wide, 1.2m high and 0.5m deep; the connection from the control box to the overhead line will be via underground cabling.

4 BACKGROUND

- 4.1 There is no relevant history for the application site; however the field in which the turbines are proposed to be located adjoins the site of the Auchencorth Moss wind farm proposal (06/00067/FUL). This application was for a commercial wind farm which initially proposed the erection of 18 turbines, each with a tip height of 100 metres; the application was refused. The applicant appealed the decision and following a public inquiry, that considered a reduced scheme of 14 turbines, the appeal was dismissed.
- 4.2 There have been 3 applications relating to wind turbines at the adjoining Rosemay Farm. The field that has been the subject of the applications adjoins the application field at Springfield. In November 2011 an application (11/00773/DPP) was submitted for the erection of two turbines with 35 metres tip heights. This application was withdrawn in December 2011 and an amended application (11/00817/DPP) for two turbines with 30 metres tip heights was submitted. Consent for the 30 metres turbines was issued in July 2012. The turbines have not been erected and an application (15/00468/DPP) for the renewal of the consent is currently pending consideration.
- 4.3 The application has been called to Planning Committee by Councillor Montgomery. The reasons for call in referred to the granting of consent for a turbine at land east of Loanstone Crossing; the application site is 5 kilometres north east of the application site at Springfield Farm. In December 2012 an application (13/00012/DPP) was submitted for the erection of a turbine with a 45.1 metres tip height; the application was withdrawn in April 2013. An application (13/00501/DPP) for the erection of a turbine with a 33.2 metres tip height was granted consent in September 2013. The approved turbine type was withdrawn from the market by the manufacturer and a further application (13/00902/DPP) for the erection of a turbine with a 35.2 metres tip height was submitted in December 2013. This application was granted consent at the Planning Committee meeting in February 2014. Subsequently an increase in tip height to 35.5 metres was approved by the case officer as a non-material variation.

5 CONSULTATIONS

- 5.1 **Edinburgh Airport** has advised that the proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. They, therefore, have no objection to this proposal.
- 5.2 **National Air Traffic Services (NATS)** (En Route) Public Limited Company ("NERL") have advised that the proposed development has been examined from a technical safeguarding aspect and does not conflict with safeguarding criteria. Accordingly, NERL has no safeguarding objection to the proposal.
- 5.3 **Ministry of Defence Safeguarding – Wind Energy (MOD)** has advised that the proposed development has been assessed for the potential for the turbines to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations. The MOD has no objection to the proposal.
- 5.4 The Council's **Biodiversity** consultee has assessed the application's impact on designated biodiversity sites in the immediate area and advises that the proposal will not affect any of the identified sites. The application was accompanied by an ecological assessment that included an assessment of the proposal's impact on bats; the consultant has confirmed that the impact on bats has been fully considered and that no further information is required.
- 5.5 **Howgate Community Council** note that a number of local residents have expressed concern in relation to the proposal. The concerns are that the proposal is contrary to the recommendations of the Midlothian Landscape Capacity Studies of 2007 and 2014; that the turbines would be visually intrusive and would adversely affect the special scenic qualities of the designated area; that the turbines would be visible from the A701 which is a tourist gateway from the south; and that the turbines would create a precedent for further development.

6 REPRESENTATIONS

- 6.1 The application has received 88 objections. 64 of the objections are either in the form of a standard letter or email using the text of the letter; the reasons for objection are as follows:
- The proposal will damage Midlothian's landscape and its natural environment and is therefore contrary to the Midlothian Local Plan and Midlothian's adopted Landscape Capacity Study.
 - The MLP protects the setting of the Pentland Hills Regional Park.
 - This proposal is adjacent to the Auchencorth Moss wind farm proposal which two Government Reporters rejected at appeal.
 - This area is a candidate as a Special Landscape Area under the proposed Midlothian Local Development Plan.

- The new Landscape Capacity Study 2014 steers the Council away from this area. It will break the landscape and will create a precedent.
- Unique wildlife will be threatened contrary to MLP policies RP13 and 14. Bat studies for the Auchencorth and Mount Lothian wind farm applications have confirmed the presence of bats in the area including the rare noctule bat. Springfield Farm and nearby Rosemay are both listed as 'High' for bat roosting sites.
- Midlothian's important tourism industry is threatened. It will be visible from the Pentland Hills Regional Park, tourist routes, tourist accommodation and providers.

6.2 Other points raised in objections are the impact on the visual character and amenity of the area; that local wind speed is poor; and that sufficient wind farms have been consented across Scotland to more than meet current targets for renewable energy.

6.3 The application has received 5 comments in support of the proposal. Three of the comments offer no specific reason for supporting the proposal. One of the comments supports the proposal because it will produce economic benefit from land of little economic value. The fifth comment supports the proposal on the basis of their limited visual impact and their contribution to meeting targets relating to reducing carbon dioxide emissions.

7 PLANNING POLICY

7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Plan, adopted in December 2008. The following policies are relevant to the proposal:

Midlothian Local Plan 2008

7.2 Policy **RP1 Protection of the Countryside** advises that Development in the countryside will only be permitted if it is essential for the furtherance of agriculture, or other uses appropriate to the countryside. Development complying with the terms of Policy NRG2 will also be permitted.

7.3 Policy **RP7 Landscape Character** which advises that development will not be permitted where it may adversely affect the quality of the local landscape. Provision should be made to maintain local diversity and distinctiveness of landscape character and enhance landscape characteristics where improvement is required.

7.4 Policy **NRG1 Renewable Energy Projects** sets out a range of criteria that renewable energy projects, including wind energy projects, will be assessed against. The criteria seek to ensure that projects are sited to minimise their impact on: landscape character, areas protected by

statutory heritage/biodiversity designations and the amenity of local residents. The cumulative landscape and/ or visual impact of such proposals will be taken into consideration when assessing individual planning applications. Reference should be made to the guidance provided on siting, design and location in the report Landscape Capacity Study for Wind Turbine Development in Midlothian (2007) and good practice set out in the Annex to PAN 45 (2006).

- 7.5 Policy **NRG2 Individual Wind Turbines And Micro-generation** The Council will support individual wind turbines and other micro-generation technologies for localised power requirements provided they are located to minimise any potential adverse impact on the local environment, residential amenity, landscape and/or any settlement in close proximity. The cumulative landscape and/ or visual impact of such proposals will be taken into consideration when assessing individual planning applications. Reference should be made to the guidance provided on siting, design and location in the report Landscape Capacity Study for Wind Turbine Development in Midlothian (2007) and good practice set out in the Annex to PAN 45 (2006).

Midlothian Local Development Plan Proposed Plan 2014

- 7.6 The **Proposed Midlothian Local Development Plan 2014 (MLDP)** was published in May 2015 with the period to make representations expiring 26 June 2015. Over 800 representations have been received and are currently being processed and considered with a view to report back to Members in the Autumn 2015 with a subsequent examination by a Scottish Government Reporter anticipated to be winter 2015/16. The following policies in the proposed plan are material considerations:
- 7.7 Policy **RD 1 Development in the Countryside** advises that Development in the countryside will only be permitted if it is essential for the furtherance of agriculture, or other uses appropriate to the countryside. Development complying with the terms of Policy NRG2 will also be permitted.
- 7.8 Policy **ENV 6 Special Landscape Areas (SLA)** states that development within SLAs will only be permitted where they incorporate high standards of siting and design and where they will not have a significant adverse effect on the special landscape qualities of the area.
- 7.9 Policy **NRG 2 Wind Energy** states that renewable energy proposals will be assessed against criteria relating to the impact on the character and amenity of the surrounding area. Proposals for turbines over 30m in height should take account of the spatial framework for wind farms.

SEsplan

- 7.10 The Strategic Development Plan for South East Scotland, **Policy 10, Sustainable Energy Technologies**, advises that the Strategic Development Plan seeks to promote sustainable energy sources. In

order to achieve this, local development plans will set a framework for the encouragement of renewable energy proposals that aims to contribute towards achieving national targets for electricity and heat, taking into account relevant economic, social, environmental and transport considerations, to facilitate more decentralised patterns of energy generation and supply and to take account of the potential for developing heat networks. Consideration of location, landscape, environmental quality and community impacts will be required for onshore developments.

National Policy

- 7.11 A further material consideration is the relevant provisions of Scottish Government's **Scottish Planning Policy** (SPP). The SPP requires Planning Authorities to set out a spatial framework, within the development plan, identifying areas that are likely to be most appropriate for onshore wind farms. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales.

Landscape Capacity Study for Wind Turbine Developments

- 7.12 Also material to the determination of the application is the **Landscape Capacity Study for Wind Turbine development in Midlothian** (originally approved by Midlothian Council in February 2007; a revised edition of the Study was approved by Midlothian Council in October 2014) which is the approved non-statutory policy for assessing wind farm development in Midlothian. The key objective of the study is to provide strategic guidance on the capacity of the Midlothian landscape to accommodate wind turbine development together with associated infrastructure. The study identifies areas where turbines could be located causing least visual intrusion and impact on landscape character and where such development would be unacceptable in terms of potential landscape and visual impact.
- 7.13 It takes a strategic view that provides guidance on capacity related to landscape character areas, which includes consideration of visibility and cumulative landscape and visual sensitivities. The study does not consider other environmental constraints to wind farm development (e.g. nature conservation or archaeology), but provides information on landscape and visual issues only, contributing to a wider examination of constraints and opportunities for wind energy development within Midlothian.
- 7.14 The report assessed the sensitivity of 12 landscape character areas within Midlothian to a range of different wind turbine development scenarios, using a number of key landscape and visual criteria in the assessment. The twelve areas were; North Esk and Lower South Esk; Upper South Esk/Tyne Water; Mayfield/Tranent Ridge; Musselburgh/Prestonpans Fringe; Agricultural Plain;

Rosewell/Carrington Spur; North Lammermuir Platform; Moorland Fringes; Lowland Moorlands (includes Auchencorth Moss); Plateau Grassland; Moorfoot Hills; and the Pentland Hills.

- 7.15 The capacity for wind turbine development within character areas was appraised and general guidance given on the siting and design of wind turbine developments. Cumulative landscape and visual effects were considered in the sensitivity assessment for those wind farms already consented or operational close to the district boundary. Each character zone was given a sensitivity assessment which looked at; the scale of the zone; its landform and shape; settlement pattern; industry and infrastructure; landscape pattern; landscape context; landscape composition; degree of modification; key views from the area; and general visibility of the area.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The representations and consultation responses received are material considerations.
- 8.2 A principal consideration in the assessment of this application is the Landscape Capacity Study (MLCS), originally approved by Council in February 2007 with the revised edition being approved by Council in October 2014. The landscape character areas considered in both the 2007 and 2014 versions of the MLCS are the same. The 2014 version takes account of the greater variety of turbines that are now available on the market and provides a more detailed assessment of sensitivity, reflecting the different types of turbines available. The assessments of the capacity for development in specific landscape areas are broadly the same in both versions of the MLCS; however the assessments in the 2014 version are more concisely worded. The 2014 revised document is therefore a fully up to date basis for the assessment of planning applications.
- 8.3 The application site lies on the boundary of two character areas, the Moorland Fringes and the Lowland Moorland. The Moorland Fringes are an area of undulating farmland and fragmented moorland situated between the Pentland and Moorfoot Hills. The landscape is characterised by rolling landforms and scattered groupings of buildings. The area benefits from many views of the Pentlands and Moorfoots; these views are emphasised by the contrast between the undulating landscape of the Moorland Fringes and the obvious verticality of the two ranges of hills.
- 8.4 Large turbines of 80m plus in height would diminish the verticality of the ranges of hills and as such the MLCS identifies no capacity for such development in the Moorland Fringes. The MLCS identifies a very

limited capacity for turbines between 50m and 80m within the Moorland Fringes. The proposed turbines are both 35.5m in height and for the purposes of the MLCS they would be considered to be Typology C (turbines between 30m and 50m in height). The MLCS notes that such turbines would have less of a dominating effect on smaller scale features in the landscape such as buildings and would also minimise effects on views to the Pentland and Moorfoot Hills from roads and settlements within the landscape character area.

- 8.5 The Lowland Moorland area comprises two separate areas of open and expansive moorland; one at Auchencorth and one to the East of Gladhouse Reservoir. The area is distinctly open and expansive in character; the comparative absence of tree cover and settlement creates a horizontal emphasis to the landscape. This distinct horizontal emphasis is further emphasised at Auchencorth by the fact that the Pentlands and Moorfoots provide a distinct vertical termination to many of the views from and across the area. The MLCS identifies no scope to accommodate wind energy developments of greater than 30m in height. It is also noted that turbines of up to 30m in height would also interrupt the simple and open character of the moorlands and should only be located at the transition of the area with the Moorland Fringes. In such transitional areas turbines could be associated with smaller scale features in the landscape.
- 8.6 While the Moorland Fringes character area offers some scope for development of the proposed scale the Lowland Moorland area offers no scope for development of this scale. Both versions of the MLCS include small scale maps (1:125,000) to indicate the boundaries of the areas. A very literal reading of the maps in relation to the proposed location of the turbines raises the possibility of one of the turbines being in the Moorland Fringes area and one being in the Lowland Moorland; given that there are no features within the field that would make this difference apparent on the ground a decision must be reached as to which landscape characteristics best identify the application site.
- 8.7 The farmhouse building at Springfield dates from the mid to late 19th Century and the established field pattern on the farm is of a similar age. The application site forms part of an area with an obvious history of settlement and with a number of small scale features in the landscape, such as the farm buildings and the tree belts demarcating field edges. These characteristics are suggestive of the Moorland Fringes landscape.
- 8.8 Conversely, the application site and the surrounding fields, moorland and peatland areas are characterised by their distinct lack of relief and a very obvious horizontality. When seen in the context of the Pentlands and Moorfoots, and the undulating landscapes that border them, the application site and its immediate surroundings appear as noticeably flat expanses with a distinctly different character from the surrounding area. The flat and expansive character is emphasised by the fact that

that roads that bound the area, and provide emblematic views of Auchencorth Moss and the Pentlands, are raised above the level of the application site and its surrounding area. On balance the flat and expansive character indicative of the Lowland Moorland area is the dominant characteristic of the area and any turbine application should be considered on this basis.

- 8.9 The proposed height of 35.5m is clearly in excess of the very limited capacity identified in the MLCS. While it is acknowledged that it could be argued that the turbines are “only” 5.5m taller than the suggested maximum height in the Landscape Capacity Study the suggested typology was decided upon following significant study of the overall landscape capacity of Midlothian as a whole; seemingly small incremental increases could undermine the overall effectiveness of the Study. It is worth noting that a 5.5m increase compared to 30m represents an 18.3% increase in height.
- 8.10 The turbines would appear as distinct vertical features in a characteristically horizontal landscape and would disrupt the expansive panoramas that frame views of the Pentland Hills. The turbines would be clearly visible above the trees in the area and would be significantly taller than the relatively low lying farm buildings at Springfield and Rosemay. The location of turbines of this scale at this location would have a significant adverse effect on the special landscape qualities of the area and would undermine the effective implementation of policy ENV6 (Special Landscape Areas) of the Midlothian Local Development Plan prior to its adoption.
- 8.11 A key characteristic of the Auchencorth Moss area is the scattered nature of settlement spread around the fringes of the moor. While it is often possible to differentiate a number of different farms or housing groups within any one view, the sense of separation provided by the flat landscape and lack of distinct landscape features means that farms and housing groups appear as very distinct separate features. Development in the spaces between farms and housing groups has the potential to diminish the sense of separation.
- 8.12 The majority of the objections make particular reference to the turbines’ possible impact on Noctule bats. The most widely accepted current guidance in relation to the impact of onshore wind turbines on bat populations is Natural England’s Technical Information Note TIN051 the third edition of which was published in March 2014. TIN051 recommends that turbine blade tips are situated at least 50m from any habitat features or structures suitable for roosts. The proposed turbine locations provide 50m blade tip separation from any adjacent trees. Noctule bats are a comparatively rare species of bat in the Midlothian area and they have been identified in the Auchencorth Moss area, however Noctule bats are characterised by their high level foraging and are not considered to be at particular threat in relation to turbines of 35m in height. As is noted above the Council’s Biodiversity consultee has considered the supporting information submitted and is satisfied

that the turbine's possible impact on bats has been adequately considered. For the sake of clarity it should be noted that the proposal falls below Scottish Natural Heritage's (SNH) threshold for consultation and therefore SNH were not consulted on the proposal.

9 RECOMMENDATION

9.1 That planning permission be refused for the following reasons

1. *The height and location of the turbines will be out of scale and character with the surrounding area and the turbines will therefore have a significant detrimental impact on the Midlothian landscape. The proposal is therefore contrary to policies RP7, NRG1 and NRG2 of the adopted Midlothian Local Plan.*
2. *The height of the turbines is contrary to the recommendations of Landscape Capacity Study for Wind Turbine Development in Midlothian, adopted by Midlothian Council as a non-statutory guideline in October 2014. The proposal is therefore contrary to policies NRG1 and NRG2 of the adopted Midlothian Local Plan.*
3. *The height and location of the turbines would have a significant adverse effect on the special landscape qualities of the area and would undermine the effective implementation of policy ENV6 of the proposed Midlothian Local Development Plan.*

Ian Johnson
Head of Communities and Economy

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Application No:	15/00365/DPP
Applicant:	Springfield Energy Ltd, Springfield Farm, Springfield Road, Penicuik, EH26 8PR
Agent:	Alex Schlicke, XSCH Ltd, Eccle 4 Infirmary Street, Edinburgh, EH1 1LZ
Validation Date:	5 th May 2015
Contact Person:	Graeme King
Tel No:	0131 271 3332
Background Papers:	None