

Minute

Planning Committee

Friday, 31 August 2018, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Owen Tierney, Alexander G Cowie, Norman R Craigie, Robin W Crichton, David Dawson, Barbara Foulkes, John A R Scott, Graham L Sinclair, Magnus O Thomson, Duncan A Tullock and Kevin F Woodbridge.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Roddy Mackay, Head of Planning, Development and Regulatory Services.
- Jamie Macvie, Planning Manager (Development Management).
- Stuart West, Planning Manager (Development and Marine Planning).
- Peter Trodden, Solicitor.
- Paul Turner, Environmental Health Officer.

Observing

- Gavin Barr, Executive Director of Development and Infrastructure.
- Shona Croy, Strategic Advisor Renewables and Connectivity.
- Kirsty Groundwater, Press Officer.

Apology

- Councillor Stephen Sankey.

Declarations of Interest

- Councillor Norman R Craigie – Items 1 and 2.
- Councillor Duncan A Tullock – Item 1.

Chair

- Councillor Owen Tierney.

1. Planning Application 16/580/TPPMAJ

Proposed Erection of Four Wind Turbines, Meteorological Mast, Substation and Associated Infrastructure at Costa Head, Swannay

Councillor Norman R Craigie declared a non-financial interest in this item, in that he had publicly stated his opinion in respect of wind turbines generally during his election campaign, and left the meeting at this point.

As Councillor Magnus O Thomson had not taken part in the site visit relating to this application, in terms of Standing Order 31, he was not present during discussion thereof.

Councillor Duncan A Tullock declared a non-financial interest in this item, in that he had publicly stated his opinion in respect of this application during his election campaign, and was not present during discussion thereof.

The following parties were present during consideration of this item:

- Representing the applicant, Costa Head Wind Farm Limited:
 - Lizzie Foot.
 - Tom Campbell.
 - David Bell.
 - Colin Innes.
 - Ian Johnstone.
 - Steve Percival.
 - Roz McLennan.
 - Mike Craven.
 - Jenny Hazzard.
- Objectors:
 - Jason Schofield.
 - Rob Hill.
 - Bea Ayling, representing the Royal Society for the Protection of Birds.
 - John Crossley, representing Orkney Field Club.
 - Saibvonn Schofield.
 - Carl Mulpeter.
 - James Leitch.
 - Michelle Hill.
 - Sarah Wilkins.
 - Ian Wilkins.
 - John Leask, representing Philippe Avril.
 - Stuart Gray.

- Josephine Jones.
- Andy McGill.
- Norma Marwick.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Planning Manager (Development Management), the Committee:

Noted:

1.1. That letters of objection relating to the application for planning permission in respect of the proposal to erect four wind turbines, a meteorological mast, a substation and associated infrastructure at Costa Head, Swannay, had been received from those persons listed in Appendix 2 to the report by the Executive Director of Development and Infrastructure.

1.2. That, due to the complex and contentious nature of the application, in terms of the Scheme of Administration, the Executive Director of Development and Infrastructure, in consultation with the Chair and Vice Chair of the Planning Committee, deemed that a site visit be arranged prior to the meeting of the Committee to determine the application.

1.3. That the site visit, referred to at paragraph 1.2 above, had taken place at 09:30 on 12 June 2018.

After hearing representations from Jason Schofield, Rob Hill, Bea Ayling (representing the Royal Society for the Protection of Birds), John Crossley (representing Orkney Field Club), Saibvonn Schofield, Carl Mulpeter, James Leitch, Michelle Hill, Sarah Wilkins, Ian Wilkins, John Leask (representing Philippe Avril), Stuart Gray, Josephine Jones, Andy McGill and Norma Marwick, objectors; and after hearing representations from Lizzie Foot, Tom Campbell, David Bell and Colin Innes, representing the applicant, Costa Head Wind Farm Limited; Councillor Owen Tierney, seconded by Councillor Robin W Crichton, moved that the application for planning permission in respect of the proposal for the erection of four wind turbines, a meteorological mast, a substation and associated infrastructure at Costa Head, Swannay, be refused as, in their opinion:

(1) The scale, location, siting and design of the proposed development would have an unacceptable adverse impact on the quality of life and amenity of residents of properties located closest to the development.

(2) The scale, location, siting and design of the proposed development would have a significant adverse impact and cumulative impact on the landscape character of the area, being located within the "Coastal Hills and Heath" landscape type which was identified as having a low underlying capacity for wind turbines.

(3) The scale, location, siting and design of the proposed development would have a significant adverse visual impact in its own right and cumulatively with other wind turbine developments.

(4) The scale, location, siting and design of the proposed development would have a significant adverse impact and cumulative impact on the visual amenity of the area, which was a clifftop and coastal location.

And, accordingly, the proposed development was contrary to the following:

- The Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development, parts (i), (ii), (iv), (ix) and (x).
 - Policy 2 – Design, section (ii).
 - Policy 7 – Energy, section D – Onshore Wind Energy Development, parts (i.a) and (i.b).
 - Policy 9 – Natural Heritage and Landscape, section G – Landscape, parts (i) and (ii).
 - Policy 12 – Coastal Development, section A – Criteria for All Coastal Development, part (i).
- Supplementary Guidance – Energy:
 - Development Criterion 1 – Communities and Amenity.
 - Development Criterion 2 – Landscape and Visual Impact.
- Landscape Capacity Assessment for Wind Energy in Orkney.

Councillor Graham L Sinclair, seconded by Councillor John A R Scott, moved an amendment that planning permission be granted in respect of the proposal for the erection of four wind turbines, a meteorological mast, a substation and associated infrastructure at Costa Head, Swannay, subject to conditions as proposed by officers.

On a vote being taken 2 members voted for the amendment and 6 for the motion, and the Committee:

Resolved, in terms of delegated powers:

1.4. That the application for planning permission in respect of the proposal to erect four wind turbines, a meteorological mast, a substation and associated infrastructure at Costa Head, Swannay, be refused.

1.5. That the Committee's reasons for refusing planning permission against the recommendation of the Executive Director of Development and Infrastructure were that, in the Committee's opinion:

- The scale, location, siting and design of the proposed development would have an unacceptable adverse impact on the quality of life and amenity of residents of properties located closest to the development.
- The scale, location, siting and design of the proposed development would have a significant adverse impact and cumulative impact on the landscape character of the area, being located within the "Coastal Hills and Heath" landscape type which was identified as having a low underlying capacity for wind turbines.
- The scale, location, siting and design of the proposed development would have a significant adverse visual impact in its own right and cumulatively with other wind turbine developments.

- The scale, location, siting and design of the proposed development would have a significant adverse impact and cumulative impact on the visual amenity of the area, which was a clifftop and coastal location.

And, accordingly, the proposed development was contrary to the following:

- The Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development, parts (i), (ii), (iv), (ix) and (x).
 - Policy 2 – Design, section (ii).
 - Policy 7 – Energy, section D – Onshore Wind Energy Development, parts (i.a) and (i.b).
 - Policy 9 – Natural Heritage and Landscape, section G – Landscape, parts (i) and (ii).
 - Policy 12 – Coastal Development, section A – Criteria for All Coastal Development, part (i).
- Supplementary Guidance – Energy:
 - Development Criterion 1 – Communities and Amenity.
 - Development Criterion 2 – Landscape and Visual Impact.
- Landscape Capacity Assessment for Wind Energy in Orkney.

2. Planning Application 17/083/TPPMAJ

Proposed Erection of Five Wind Turbines, Meteorological Mast, Substation and Associated Infrastructure at Hesta Head, South Ronaldsay

Councillor Norman R Craigie declared a non-financial interest in this item, in that he had publicly stated his opinion in respect of wind turbines generally during his election campaign, and had left the meeting prior to consideration of Item 1 above.

The following parties were present during consideration of this item:

- Representing the applicant, Hesta Head Wind Farm Limited:
 - Lizzie Foot.
 - Tom Campbell.
 - David Bell.
 - Colin Innes.
 - Ian Johnstone.
 - Steve Percival.
 - Roz McLennan.
 - Mike Craven.
 - Jenny Hazzard.
 - Steve Mack.

- Objectors:
 - Steve Sankey.
 - Bea Ayling, representing the Royal Society for the Protection of Birds.
 - Dennis Ellis.
 - Colin Smith, also representing Rognvald Seatter.
 - John Crossley, representing Orkney Field Club.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Planning Manager (Development Management), the Committee:

Noted:

2.1. That letters of objection relating to the application for planning permission in respect of the proposal to erect five wind turbines, a meteorological mast, a substation and associated infrastructure at Hesta Head, South Ronaldsay, had been received from those persons listed in Appendix 2 to the report by the Executive Director of Development and Infrastructure.

2.2. That, due to the complex and contentious nature of the application, in terms of the Scheme of Administration, the Executive Director of Development and Infrastructure, in consultation with the Chair and Vice Chair of the Planning Committee, deemed that a site visit be arranged prior to the meeting of the Committee to determine the application.

2.3. That the site visit, referred to at paragraph 2.2 above, had taken place at 14:30 on 12 June 2018.

After hearing representations from Steve Sankey, Bea Ayling (representing the Royal Society for the Protection of Birds), Dennis Ellis, Colin Smith (also representing Rognvald Seatter) and John Crossley (representing Orkney Field Club), objectors; and after hearing representations from Lizzie Foot, Tom Campbell, David Bell, Steve Percival and Colin Innes, representing the applicant, Hesta Head Wind Farm Limited; on the motion of Councillor Robin W Crichton, seconded by Councillor Barbara Foulkes, the Committee:

Resolved, in terms of delegated powers:

2.4. That the application for planning permission in respect of the proposal to erect five wind turbines, a meteorological mast, a substation and associated infrastructure at Hesta Head, South Ronaldsay, be refused for the reasons set out in Appendix 1 to this Minute.

3. Conclusion of Meeting

At 15:55 the Chair declared the meeting concluded.

Signed: Owen Tierney.