
**SUPPLEMENTARY PLANNING GUIDANCE
LANDSCAPE AND VISUAL GUIDANCE FOR SINGLE AND GROUPS OF 2 or 3
WIND TURBINES IN BERWICKSHIRE**

Report by Head of Planning and Regulatory Services

PLANNING AND BUILDING STANDARDS COMMITTEE

9 December 2013

1 PURPOSE AND SUMMARY

- 1.1 **This report proposes that the Committee approves the Supplementary Planning Guidance (SPG) entitled “Landscape and Visual Guidance for Single and Groups of 2 or 3 Wind Turbines in Berwickshire”.**
- 1.2 The purpose of this SPG is to inform both spatial planning and provide guidance for single and groups of 2 or 3 wind turbine developments within Berwickshire in the Scottish Borders. The SPG provides detailed guidance for a range of users as to what scale of turbines may be appropriate within each Landscape Character Type (LCT) and where these could be located within them. The recommendations and guidance on capacity for each LCT take into consideration matters including the number of turbines and their respective heights already approved within the vicinity, cumulative impact issues and the characteristics of each LCT. Ultimately it identifies the potential capacity of the landscape to accommodate turbines either as multiple single features or multiple small groups and states the maximum height of turbine which could be acceptable within each LCT.
- 1.3 The SPG also gives detailed design guidance with examples of good and bad practices for considering proposals for smaller scale wind turbine developments. This refers to micro-small turbines (12m – 20m to blade tip), small wind turbines (20m – 35m to blade tip) and small–medium wind turbines (35m – 50m to blade tip). If an applicant wishes to submit a proposal for a turbine(s) which exceeds the stated height limit identified within the relevant LCT, it will be the duty of the applicant to submit detailed information, assessment and mitigation measures in an effort to show their proposal could be accepted. As future turbines are approved some cumulative impact issues to be addressed may require to be updated. Consequently the SPG will be updated annually to take cognisance of this.
- 1.4 This SPG relates solely to landscape and visual issues relating to turbines, and in all cases, the Planning Authority will continue to consider other material factors in the assessment of any planning application.
- 1.5 Following the approval of the draft SPG by the Planning and Building Standards Committee on 1st April 2013 the document has been subject to a 12 week public consultation. A summary of all comments received and the Council’s responses to the issues raised can be viewed within Appendix B and the final

version of the proposed SPG incorporating any required amendments following the public consultation is included within Appendix A.

2 RECOMMENDATIONS

2.1 I recommend that the Planning and Building Standards Committee

1 - Approves the SPG on Landscape and Visual Guidance for Single and Groups of 2 or 3 Wind Turbines in Berwickshire in Appendix A and agree to its use as a material consideration in determining planning applications.

2 – Agrees delegated approval to the Head of Planning and Regulatory Services to approve an annual update of the SPG which takes cognisance of any cumulative impact issues resulting from any future turbine approvals.

3 BACKGROUND

- 3.1 Scottish Borders Council has been proactive regarding the national thrust for supporting renewable energy and in the case of wind power has approved many proposals within what are considered to be appropriate locations. The Council also has a duty to protect the scenic Scottish Borders landscapes and has refused proposals where it was considered they would have an adverse impact on the environment. Consequently, decision making on planning applications must strike a balance between these often conflicting objectives. Addressing this balance is compounded by the continued increase in the number of proposals for wind turbines being submitted within the Scottish Borders.
- 3.2 In line with national planning policy requirements Scottish Borders Council approved SPG on Wind Energy for the Scottish Borders in May 2011. Although that SPG gives some design guidance for smaller scale turbine proposals and the spatial strategy areas of search are also of relevance for smaller scale proposals, the thrust of the SPG was more geared towards larger scale proposals of 20MW or more. Whilst that SPG guidance is of use it does not specifically address an emerging trend regarding the increasing number of proposals being submitted for single and groups of 2 or 3 turbines.
- 3.3 Berwickshire is under pressure from these types of proposals, particularly in relation to farm holdings. It has a range of sensitive landscape types. This includes the coastal landscape on the extreme north east, the upland areas of the Lammermuir Hills and the lower merse area which is characterised by low lying open land. The majority of single and small groups proposals are often within lower lying farmland and smaller scale landscapes which are often quite open and visible by nature. The high number of application proposals means the resultant cumulative impact of these turbines also requires careful consideration.
- 3.4 As there is no detailed specific advice for small scale turbines, the decision making process for determining these types of proposals is time consuming for planning officers particularly in relation to siting and design matters and cumulative impact. It was therefore considered vital that detailed guidance needed to be produced. Consequently it was initially agreed that the guidance should be drawn up as a Technical Advice Note for use primarily by the Department's Development Management officers and Landscape Architect officers. It was envisaged that the approach to the guidance formation would

be replicable and therefore would set a template for its transfer to other areas within the Scottish Borders should it be required.

3.5 A Technical Advice Note was consequently produced by external consultants to address this. Since its production the Advice Note proved most useful to planning officers and operated well in practice during an initial trial period since its production. However, in order that it was given full weighting to be a material consideration within the decision making process it was considered the Note should be given the elevated status to become formal Supplementary Planning Guidance.

3.6 The Technical Advice Note was put into an SPG format and in summary comprised of the following component parts :

- Reference to national and local policy context
- Confirmation of the baseline landscape character of Berwickshire
- Summary of the methodology adopted for the study and the development typologies considered in the sensitivity assessment
- Sensitivity criteria used in the assessment
- Cumulative issues and overall capacity assessment
- Detailed guidance for the siting of smaller turbines
- Key findings and recommendations, including a spatial strategy / map

The SPG was approved by the Planning and Building Standards Committee in April 2013 and put out for a 12 week public consultation. The committee also agreed that the guidance should be used as a material consideration in the interim.

4 **CONSULTATION**

4.1 During the public consultation responses were received by 16no parties covering a range of issues which can be viewed in Appendix B along with Council responses to the points raised and proposed consequent changes to the draft SPG where appropriate. Comments received included :

- a general support to the purpose and format of the SPG
- the SPG will prove a useful guide in practice
- the SPG should not place specific height restriction within LCT's but should allow planning applications to address and mitigate identified landscape constraints
- some individual responses raised issues regarding the SPGs suggested maximum height of turbines in certain LCT's as this may prejudice pending turbine applications they have submitted or are about to submit
- the SPG format and methodology should be used for a similar study for other parts of the Scottish Borders

4.2 Following consideration of the responses along with some and other issues raised, some amendments have been made to the draft SPG identified in Appendix A including the following :

- The title of the SPG to be confirmed as “Landscape and Visual Guidance for Single and Groups of 2 or 3 Wind Turbines in Berwickshire”
- A text update regarding approved turbines since the initial document was prepared up until the end of September 2013 and any consequent cumulative impacts these may have which require addressing
- Due to recent approvals of turbines in the vicinity of Landscape Character Type 19a – Coastal Farmland, Cockburnspath the suggested maximum height for turbines has been reduced from 50m to 35m
- Confirmation of the relationship between this SPG and other Council wind energy related documents
- Update of policy to include reference to new Strategic Development Plan renewable energy policy
- Confirmation of where newly designated Special Landscape Areas are within Berwickshire

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

Risk of not providing guidance

- (a) The lack of guidance would cause uncertainty to developers and the public and be a barrier to effective decision making by the Council in an area of the Borders where there is major cumulative impact pressure from small scale turbine proposals. The lack of specific guidance on this could result in ad hoc and inconsistent decision making.
- (b) Failure to produce this SPG would reflect badly on the Council’s commitment to improving performance of decision making and to give improved guidance to applicants and others users.
- (c) There is a risk that in failing to produce this SPG, the Council will lose the opportunity to provide development management officers with an improved and clearer guidance on smaller scale wind turbine related issues and considerations in Berwickshire which should improve application processing times.
- (d) If the guidance is retained in its current form as a Technical Advice Note, essentially for internal use only, it will carry minimal weight within the decision making process.

Risk of producing guidance

- (a) There are no perceived risks related to the adoption of the guidance by the Council.

5.3 **Equalities**

- (a) An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

5.4 **Acting Sustainably**

(a) **Economic Growth**

In supporting wind turbines as a means of renewable energy in appropriate locations within Berwickshire, the SPG will assist in promoting building a strong, stable and sustainable economy which provides prosperity and opportunities for all.

(b) **Social Cohesion**

The draft SPG and support of renewable energy will help to meet the diverse needs of people in the local communities.

(c) **Protection of the environment**

In accordance with the Environmental Assessment (Scotland) Act 2005 a screening assessment of the SPG has been undertaken in order to identify whether there will be potentially significant environmental effects. The screening exercise was undertaken using the criteria specified in Schedule 2 of the Act and no significant environmental issues were found.

5.5 **Carbon Management**

- (a) The SPG supports wind turbines to maximise the efficient use of energy and resources and recognises turbines in their contribution towards the promotion and use of renewable energy.

5.6 **Rural Proofing**

- (a) It is anticipated there will be a positive impact on the rural area from the proposals contained in this mini planning brief.

5.7 **Changes to Scheme of Administration or Scheme of Delegation**

- (a) There are no changes to be made.

6 CONSULTATION

- 6.1 Consultation on this report has been undertaken including with the Clerk to the Council, the Head of Audit and Risk, the Head of Corporate Governance and the Chief Financial Officer. Their comments have been incorporated into this report where appropriate.

Approved by

Head of Planning and Regulatory Services.....

Signature

Author(s)

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Background Papers: N/A

Previous Minute Reference: N/A

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