

**REPORT TO:** PLANNING AND TRANSPORTATION COMMITTEE -  
21 MARCH 2005

**REPORT ON:** PERTH & KINROSS DRAFT WIND ENERGY POLICY AND  
PREFERRED AREAS

**REPORT BY:** DIRECTOR OF PLANNING AND TRANSPORTATION

**REPORT NO:** 139-2005

## **1 PURPOSE OF REPORT**

- 1.1 To advise Committee of the publication by Perth and Kinross Council of draft Wind Energy Policy and Preferred Areas guidance for wind energy developments.
- 1.2 To obtain approval of provisional representations submitted to Perth and Kinross Council by the Director of Planning and Transportation on behalf of Dundee City Council.

## **2 RECOMMENDATION**

- 2.1 It is recommended that the Committee:
  - i notes that formal representations and objections were invited by 11 February 2005 and that a provisional response has been issued to meet the consultation deadline;
  - ii approves the formal representations made by the Director of Planning and Transportation in consultation with the Convenor of Planning and Transportation Committee in relation to the absence of a sequential approach to the siting of wind energy developments within Perth and Kinross, the extent of the Strategically Sensitive Area and the potential policy implications for the siting of wind energy developments close to Dundee.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications as a result of this Report.

## **4 LOCAL AGENDA 21 IMPLICATIONS**

- 4.1 The proposed Policy and Preferred Areas guidance seeks to encourage wind energy schemes in locations least damaging to the environment and aviation interests. It particularly supports commercial wind energy schemes that help achieve the Executive's target for electricity generated from renewable sources, and community wind energy schemes that provide local electricity needs.

## **5 EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1 The Draft Guidance will supplement the strategic land use framework of the Perth and Kinross Structure Plan which seeks to ensure the equitable provision of facilities and services for all sectors of the community.

## 6 BACKGROUND

- 6.1 The approved Perth and Kinross Structure Plan became operational on 13 June 2003. In March 2004, the Council's Enterprise and Infrastructure Committee approved draft Wind Energy Policy Guidelines for consultation. These Guidelines included an aspirational target for the generating capacity for major wind farms in the Perth and Kinross area, as well as detailed policy guidance for assessing planning applications. The Council subsequently approved Revised Wind Energy Policy Guidelines in June 2004 as formal Supplementary Planning Guidance, and these were published in September 2004.
- 6.2 On 1 December 2004, the Council's Enterprise and Infrastructure Committee agreed to set aside an earlier decision to submit the revised Policy Guidelines as an Alteration to the Structure Plan, but still retain them as approved Supplementary Guidance. By identifying Preferred Areas and Broad Areas of Search to highlight the locations capable of accommodating wind farms without impacting on landscape character, and by allowing amenity issues to be assessed on a case by case basis, it was considered unnecessary to set an aspirational target to safeguard environmental concerns. In turn, the decision not to pursue the aspirational target for wind farms meant that the overall policy approach is consistent with national policy contained in National Planning Policy Guideline 6 (NPPG6) (Revised 2000) and the approved Structure Plan policy for renewable energy.
- 6.3 The latest consultation was received by the Director of Planning and Transportation on 14 January 2005. Perth and Kinross particularly wishes to consult on the Preferred Areas aspect of the Wind Energy Policy which emerged from the previous round of consultation. Once approved this will replace relevant parts of the Wind Energy Policy Guidelines which were approved in September 2004. Copies of the consultative draft 'Wind Energy Policy and Preferred Areas' and the approved 'Wind Energy Policy Guidelines' are available from the Member's Lounges or can be downloaded from [www.pkc.gov.uk/livinglearn/planning/index.htm](http://www.pkc.gov.uk/livinglearn/planning/index.htm)
- 6.4 A detailed examination of the proposed Wind Energy Policy and Preferred Areas in conjunction with the approved Wind Energy Guidelines has identified particular issues of concern, and the Director of Planning and Transportation has provisionally submitted formal representations to Perth and Kinross Council on behalf of Dundee City Council in order to meet the 11 February 2005 consultation deadline. The particular issues of concern are as follows:
- the absence of a sequential approach within Wind Energy Policies 1 and 2;
  - the extent of the Strategically Sensitive Area to the west of Dundee; and
  - the potential implications of the Wind Energy Policy for Dundee.

### Proposed Wind Energy Policies 1 and 2

- 6.5 The broad terms of Policy 1 are generally supported insofar as it looks favourably on schemes within Preferred Areas and Broad Areas of Search which meet criteria in the approved Policy Guidelines covering issues like landscape impact, visual amenity and cumulative impact. However, it would be preferable for Policy 1 to adopt a sequential approach whereby commercial wind farms (6 or more turbines) and commercial clusters (2-5 turbines) up to 120 metres from ground to blade tip are

specifically directed to a Preferred Area in the first instance, the Broad Area of Search thereafter, and only where these locations are unsuitable, a Strategically Sensitive Area. A sequential approach should also be taken within Wind Energy Policy 2.

- 6.6 This would help reduce the risk of Preferred Areas not being developed, and thus avoid the situation highlighted in Policy 2 where investment in commercial wind energy schemes is unnecessarily deflected away from Preferred Areas to the Areas of Search and Strategically Sensitive Areas.

#### Extent of Proposed Strategically Sensitive Area

- 6.7 Land to the west of Dundee, and further west again, land along the south side of the A90 road corridor is identified as a Strategically Sensitive Area (SSA). This is supported by Dundee City Council. However, it is important that the boundary of the SSA is extended to include the Instrument Approach Zone for Dundee Airport. Virtually any wind energy development on or south of the Sidlaws between Dundee and Perth and as far as Invergowrie Bay, other than perhaps a domestic turbine, would be highly sensitive for aviation reasons. Even if the turbines themselves did not prove to be an obstacle, it is likely that the rotation of blades through the Instrument Approach radio emissions would cause major problems.

#### Potential Implications for Dundee

- 6.8 Where the landscape impact of a wind energy development is determined to be slight or not significant, but the visual impact is of intermediate impact, Wind Energy Policy 2 and approved Guidelines 1 and 2 would not necessarily rule out for example a community cluster within 0.6 km of the western edge of Dundee, or a commercial cluster within 2.4 km, based on a minimum distance threshold from settlements of '20 times the ground to blade tip' measurement.
- 6.9 Guideline 3 which establishes a minimum 40km distance between wind energy schemes that are not determined to have slight or insignificant cumulative landscape and visual impacts, might make it more difficult for any additional wind energy developments to obtain consent on the eastern edge of Perth. This strengthens the need for a sequential approach within Wind Energy Policies 1 and 2.

#### Way Forward

- 6.10 A copy of the provisional response sent to Perth and Kinross Council is attached as Appendix 1 to this Report. Committee is respectfully requested to approve the terms of the various representations detailed in Appendix 1 and remit the Director of Planning and Transportation to submit these to Perth and Kinross Council.

## **7 CONSULTATIONS**

- 7.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Assistant Chief Executive (Community Planning), the Director of Economic Development, the Director of Leisure and Arts, plus the Heads of Waste Management and Environmental Health & Trading Standards have been consulted and are in agreement with the contents of this Report.

**8 BACKGROUND PAPERS**

Wind Energy Policy and 'Preferred' Areas and Supplementary Background Report, Perth and Kinross Council, January 2005.

Wind Energy Policy Guidelines, Perth and Kinross, June 2004.

Mike Galloway  
Director of Planning & Transportation

Ian Mudie  
Head of Planning

IGSM/LAD/ES

25 February 2005

Dundee City Council  
Tayside House  
Dundee

## APPENDIX 1

Mr Roland Bean  
Head of Forward Planning  
Perth & Kinross Council  
Planning and Transportation  
Pullar House  
35 Kinnoull Street  
Perth PH1 5GD

If calling please ask for **Mrs Duncan**

Our Ref    MPG/LAD/KM    LP22  
Your Ref    S2/7  
Date        4 February 2005

Dear Roland

**Perth and Kinross Wind Energy Policy - Preferred Areas**

Thank you for your letter dated 11 January 2005. I note your Council's decision not to submit its Wind Energy Policy and Guidelines as an Alteration to the Structure Plan, but to retain them as Supplementary Guidance. I welcome the opportunity to now comment on the 'Preferred Areas' and associated locational guidance which emerged from the previous round of consultation. I understand that this will replace locational guidance approved in September 2004 and will sit alongside detailed policy guidelines to form the Supplementary Guidance.

On behalf of Dundee City Council, I wish to provisionally submit the following representations which will go forward to the Planning and Transportation Committee for approval on 21 March 2005.

General Policy Approach

- 1 Dundee City Council (DCC) supports the broad principles of the draft guidance which, in the period to 2010, encourages the following types of wind energy schemes in locations least damaging to the environment and aviation interests:
  - commercial wind energy schemes that help achieve the Executive's target for electricity generated from renewable sources; and
  - community wind energy schemes that provide local electricity needs.

Wind Energy Policy 1

- 2 Whilst DCC generally supports the intention to look favourably on schemes within 'Preferred Areas' and 'Broad Areas of Search' which meet criteria in the Supplementary Policy Guidelines on issues such as landscape impact, visual amenity, cumulative impact etc, it would be preferable for Wind Energy Policy 1 to adopt a sequential approach. Commercial wind farms (defined as 6 or more turbines up to 120m from ground to blade tip) and commercial clusters (2-5 turbines up to 120m from ground to blade tip) should be specifically directed to a 'Preferred Area' in the first instance, the 'Broad Area of Search' thereafter, and only where these locations are unsuitable, a 'Strategically Sensitive Area'.

- 3 A sequential approach would help reduce the risk of Preferred Areas not being developed, and thus avoid the situation highlighted in Policy 2 whereby investment in commercial wind energy schemes is unnecessarily deflected away from Preferred Areas to the Areas of Search and Strategically Sensitive Areas.

Table 1 - Scale of Development

- 4 There appears to be no maximum hub height or maximum blade diameter specified for single community turbines in Table 1. This has implications in terms of interpreting Guideline 2 - Visual Impact which establishes distance thresholds based on a '20 times ground to blade tip' calculation. This anomaly needs to be addressed so that single community turbines can be suitably regulated under Guideline 2.

Diagram 1

- 5 I note that Diagram 1 identifies land to the west of Dundee and, further west again, land along the south side of the A90 road corridor as a 'Strategically Sensitive Area' (SSA). This is supported by Dundee City Council. However, having spoken with Gordon Fleming of the Council's Economic Development Department, it is important that the boundary of the Strategically Sensitive Area is extended to include the Instrument Approach Zone for Dundee Airport. Virtually any wind energy development on or south of the Sidlaws between Dundee and Perth, and as far as Invergowrie Bay, would be highly sensitive for aviation reasons. Even if the turbines themselves did not prove to be an obstacle, it is very likely that the rotation of blades through the Instrument Approach radio emissions would cause major problems.

Wind Energy Policy 2

- 6 Reference in Wind Energy Policy 2 to 'Table 2' should read 'Table 1'.

Guideline 1 - Landscape Impact

- 7 The last sentence of emboldened text on page 11 should read "..... that the landscape impact....." and the first bullet point under 'Design Measures' should read "Siting in relation to other wind farms or clusters".

Policy 2, Guideline 1 - Landscape Impact and Guideline 2 - Visual Impact

- 8 The table at the end of Guideline 1 entitled 'Evaluation of Level of Significance for Landscape Impacts' identifies 4 levels of impact (ie substantial; moderate; slight; and no significant impact). Policy 2 establishes that within the SSA, wind energy developments will normally be limited to community schemes which demonstrate that they will be in locations which do not damage landscape character, visual amenity or habitats; will not have an unacceptable cumulative impact; and would be consistent with the Council's detailed Policy Guidelines. If "locations which do not damage" in Policy 2 is interpreted in the detailed Supplementary Guidelines as locations which do not have "a substantial or moderate adverse impact" the Guidelines seem to introduce an intermediate category of impact that sits somewhere between 'substantial or moderate' and 'slight or not significant'. For example, Guideline 1 establishes a distance threshold for schemes that do not have a substantial or moderate adverse landscape impact, but are not determined to have a slight or insignificant impact. This issue needs further explanation and should be reflected in the evaluation tables that accompany Guidelines 1 and 2.
- 9 There appears to be chance, therefore, of a commercial cluster, community cluster, single (non domestic) or domestic scheme obtaining planning consent in a SSA under the terms of Policy 2 where it is demonstrated that they are in locations which do not damage landscape character, visual amenity, habitats. However, under the terms of Guideline 1 these will, in all likelihood, be required to be at least 5km from settlements where the landscape impact has not

been determined to be slight or insignificant. It is noted that a less onerous minimum distance from settlements (equivalent to at least 20 times the 'height to blade tip' measurement) would be applied under Guideline 2 where the visual impact has not been determined to be slight or nor significant.

#### Guideline 3 - Cumulative Landscape and Visual Impacts

- 10 The Council supports the broad intentions of Guideline 3 to avoid unacceptable significant cumulative visual and landscape impacts both within and outwith Perth & Kinross. It is noted that wind energy schemes within the SSA which demonstrate that they have slight or insignificant cumulative landscape and visual impact may be acceptable under the terms of this Guideline. The intention to ensure that commercial or community wind energy schemes are not located within 40km of each other to avoid unnecessary cumulative impact seems appropriate.

#### Potential Implications for Dundee

- 11 Where the **landscape impact** is slight or not significant, but the **visual impact** is of intermediate impact, Policy 2 and Guidelines 1 and 2 would not necessarily rule out, for example, a community cluster within 0.6km of the western edge of Dundee, or a commercial cluster within 2.4km (ie based on the '20 times the ground to blade tip' calculation). A single community turbine could also obtain planning permission. However, Guideline 3 might make it more difficult for any additional wind energy developments to obtain consent on the eastern edge of Perth using the 40km ruling. This set of circumstances strengthens the need for a sequential approach within Wind Energy Policies 1 and 2.

#### Guideline 8 - Aviation Interests

- 12 Dundee City Council supports the intentions of this Guideline to ensure the safe use of airports and aerodromes/airfields and protect aviation interests. This would be reinforced by extending the Strategically Sensitive Area to include the Dundee Airport Instrument Approach Zone. On a more minor point, there appears to be a typographical error in the wording of the Guideline objective.

These provisional comments have been transposed onto the form for objections and representations, and as requested, a separate form has been used for each subject. I will write to confirm the outcome of the March Planning and Transportation Committee Report.

In the meantime, if you have any queries regarding the contents of this letter, please contact Lesley Duncan on 01382 433361. For specific advice regarding Dundee Airport, please contact Gordon Fleming on 01382 434346.

Yours sincerely

Mike Galloway  
Director of Planning & Transportation

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Copies to • Director of Economic Development - FAO Gordon Fleming • Policy and Strategy - FAO Lesley Duncan