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Outer Hebrides Local Development Plan Consultation Draft: Draft Supplementary Guidance for Wind Energy **COMMENTS FORM**

Guidance on Submitting Comments

When making a representation the following should be taken into account:

- Once you have made a submission there is no automatic opportunity for parties to expand on their representations at a later date;
- We cannot accept responses which do not have a name and address attached;
- We will publish a summary of representations received and therefore **representations cannot be treated as confidential**;
- Comments will be accepted up until **5 pm on Friday 20th November 2015**.

The Comhairle would particular welcome your comments on the proposed definition of a 'wind farm':

Definition of a 'wind farm': It is understandable that this new guidance will use number and size of turbines to guide how a scheme will be dealt with by the planning process, rather than the KW or MW range that previous guidance used. This is presumably because visual and landscape impacts are often a very significant factor in the acceptability of a scheme and therefore in the decision-making. So the Trust thinks this is a sensible way to consider schemes.

However, it is difficult to see why the "definition" selected is used. (It would be more helpful to describe this as "a description of what the CnES regard as a large wind development" rather than a "definition". Grammatically, a definition of a "wind farm" is generally a group of turbines and it is a vague term. What is required for clarity and usefulness here, and what seems to be intended, is a division of what the CnES regards as a physically large wind project and a small project.

Using only two categories – a) less than or b) more than two turbines of 70 metres high seems to be too much of a blunt instrument.

How would an application for three turbines 70 metres high be treated? There may well be scope within national planning guidelines for this later example to be processed differently from a much larger application for, say, twenty-five turbines, 70 metres high.

Would an application for one turbine of 140metres be treated as a minor application?

Would any number of turbines of 69 metres height count as a minor application?

A related problem is that the guidance then discounts any consideration within the spatial approach of developments of less than two turbines 70 metres high, except with regard to radar. However, for example, two turbines of 69 turbines in absolutely the most sensitive Western Isles landscape might well have more of an adverse impact than ten turbines of the same size in a contained and less sensitive landscape.

Therefore, the Trust feels that this "definition" and screening approach probably needs another sub-division and certainly needs greater clarity. Perhaps, it would be worth revisiting the definition proposed by the Comhairle officials. It may be that a slightly more flexible approach, allowing for planning officers' assessment, could be incorporated.

Please detail any other comment below (Continue overleaf as necessary):

Comment:

The John Muir Trust welcomes the opportunity - now and as a response to the Call for Issues for the Local Development Plan - to take part in revising the SGWED.

Wild Land Areas –The Trust is pleased to see that the Comhairle has correctly included the Wild Land Areas (WLAs) map in Maps 1 and 2 of the Spatial Guidance. The WLAs are clearly identified as Areas of Constraint, as described in SPP2 paragraph 166 Table 1, Group 2. This complies with the requirements of paragraph 200 of the Scottish Planning Policy.

Cumulative impacts - The SGWED correctly identifies the need for careful assessment of landscape or visual cumulative impacts, on a case by case basis for each individual development.

Planning Obligations - The inclusion of a requirement for a decommissioning statement at the time of application, and for an update of this prior to cessation of generation, is necessary and clearly identified in the draft.

The draft correctly highlights the need for Section 75 agreements including “*Land restoration during and after completion of the development phase and at any time when any part of the development is modified or becomes redundant and the taking out of a reinstatement bond to ensure acceptable restoration*”.

It is particularly important that the arrangements for such a bond are adequate to ensure that the money ring-fenced for re-instatement would be sufficient, at the date that it is to happen. Moreover, the liability for restoration must be legally applicable to any subsequent companies which may take over the asset.

Correction required in wording of draft -

Where the draft states

“*POLICY 19: ENERGY RESOURCES National Planning Framework 2*”, it should say National Planning Framework 3. This mistake occurs elsewhere and needs corrected throughout the document. Also, where Scottish Planning Policy is referred to, it should say Scottish Planning Policy 2. This will provide clarity when NPF3 and SPP2 have been reviewed again, before the SGWED is revisited.

For further information on the Outer Hebrides Local Development Plan please visit our website: www.cne-siar.gov.uk/planningservice/localdevplan.asp or contact the Development Plan team on 01851 822690 or 01870 604990 or email localdevplan@cne-siar.gov.uk

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Thank You

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