

PE1469/A

**Submission to Scottish Parliament Public Petitions Committee
by Graham Lang, Chair, Scotland Against Spin**

Committee date of 16th April 2013

I am grateful to the committee for the opportunity to make a submission in support of Petition PE1469

In planning applications the area within the site boundary is the area on which the planning fee is calculated. The smaller the footprint the lower the fee.

The following diagram from a recent application in Fife shows the location of the turbine site and access track in red. The blue line is the boundary of the land in the ownership of the farmer who is the applicant.

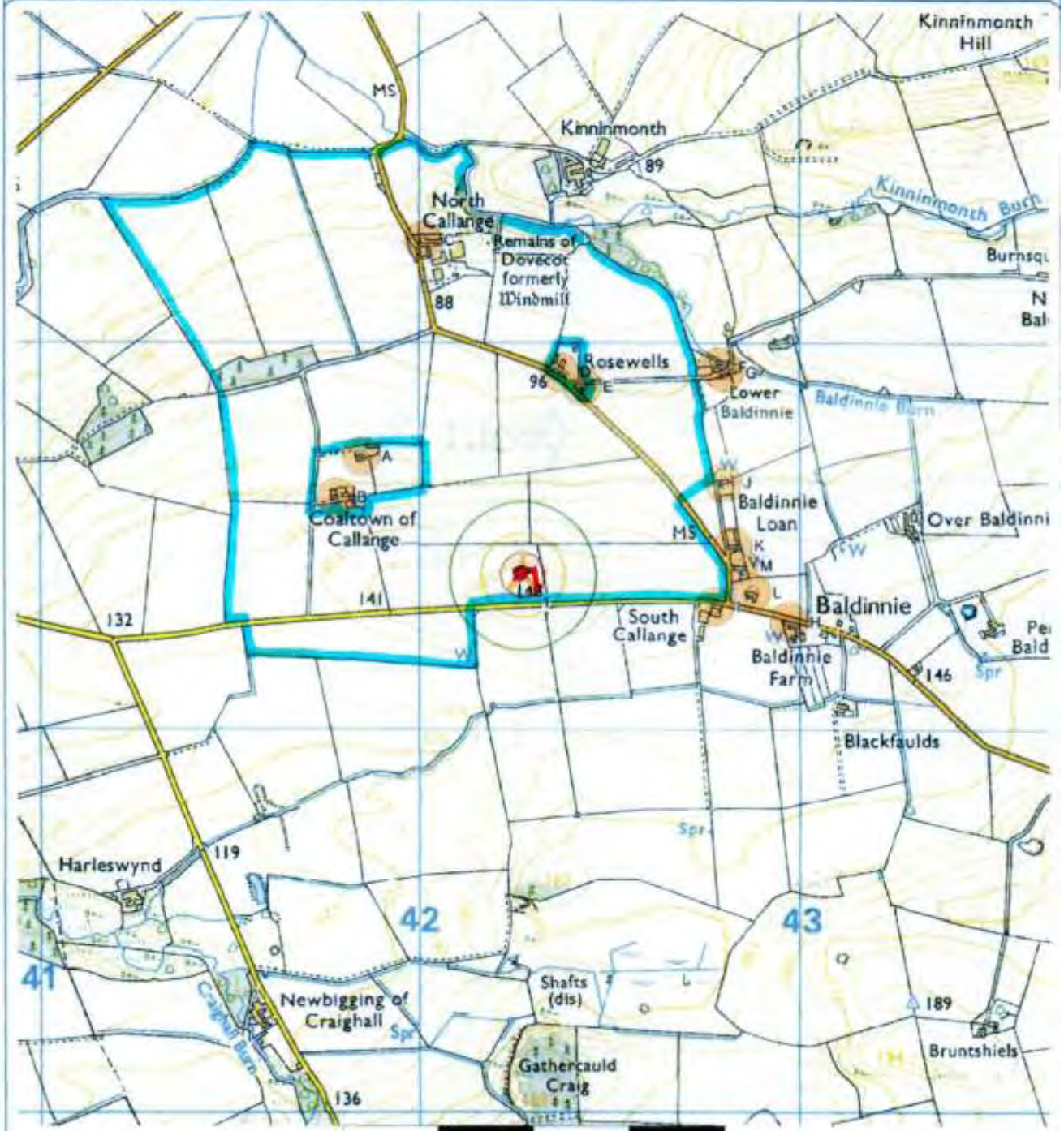
Adam Waldie

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Calculated
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DECIBEL - Map 4.0 m/s

Calculation: ACSA



Map: , Print scale 1:15,000, Map center British National Grid (AIRY) East: 342,366 North: 711,401
Noise calculation model: ISO 9613-2 United Kingdom. Wind speed: 4.0 m/s

- New WTG
 - Noise sensitive area
- Height above sea level from active line object
- 35.0 dB(A)
 - 40.0 dB(A)
 - 45.0 dB(A)
 - 50.0 dB(A)
 - 55.0 dB(A)

The nearest properties at Coaltown of Callange, Rosemount, Rosewells, South Callange and some properties in Baldinnie are circa 500 metres from the turbine site.

Scottish Planning Series Circular 4 2009 Development Planning Procedures states that neighbouring land is identified as:

'An area or plot or land which, or part of which, is conterminous with, or within 20 metres of the boundary of the land for which the development is proposed'

As you will see from the plan above many neighbouring properties are within 20 metres of the boundary of the farm but because the measurement is taken from the site boundary no neighbour notification is required.

We consider that unfair and unreasonable.

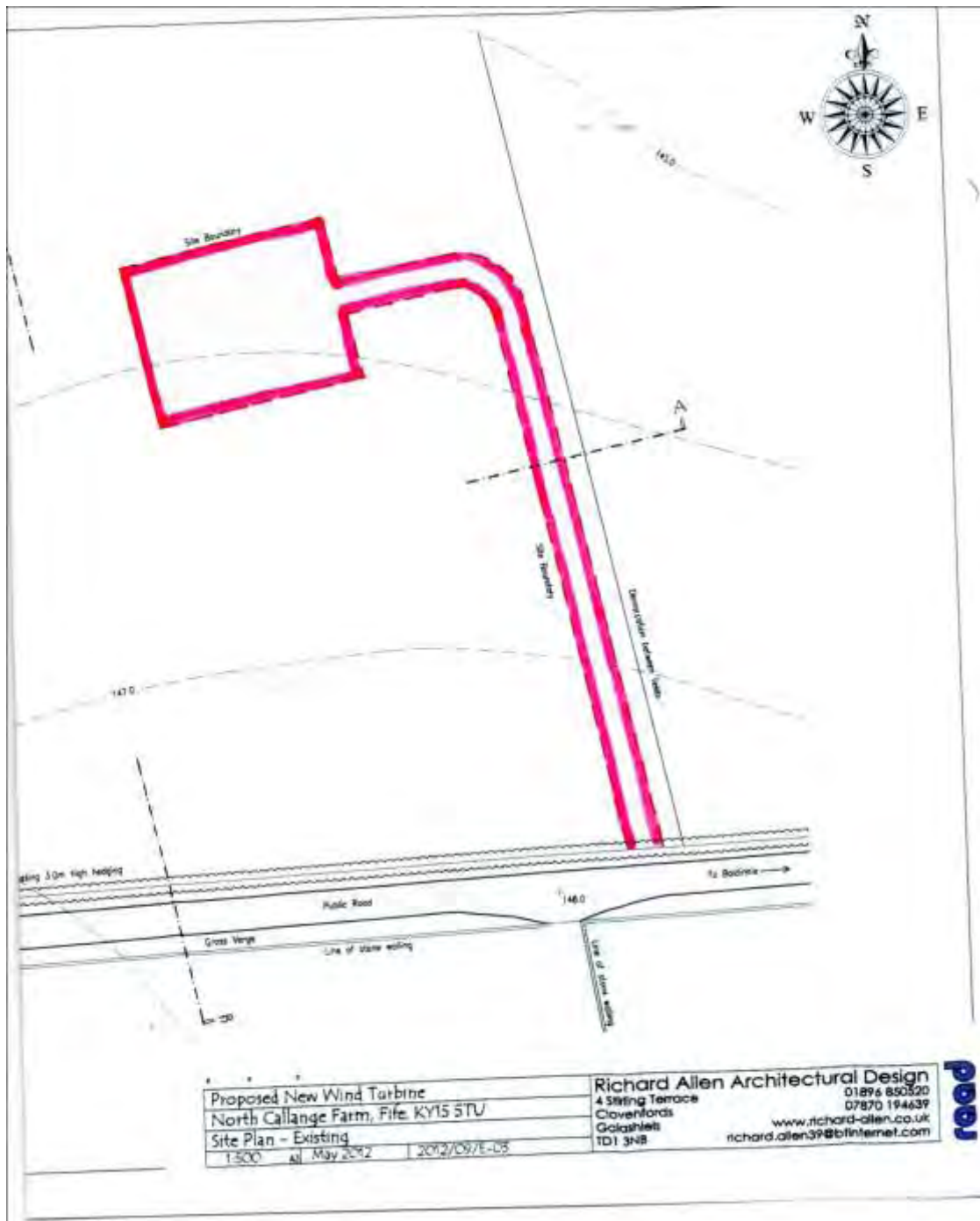
An extract from Paragraph 4.16 states

The boundary of the land for which development is proposed falls to be determined in the circumstances of the case, but need not be the property boundary. For example, in the case of farms or estates where a building is being erected in one part of the farm or estate it is not the whole farm or estate that is being developed so it would not make sense to use the boundary of said farm or estate as the boundary of the land for which development is proposed. In the case of a specific site for the purposes of a supermarket, industrial or business premises, then the boundary of that specific site will normally be the boundary of the land for which development is proposed. With most private houses in urban areas for example it will probably be the property boundary. In practice this boundary will normally be the red line on the application location plans.

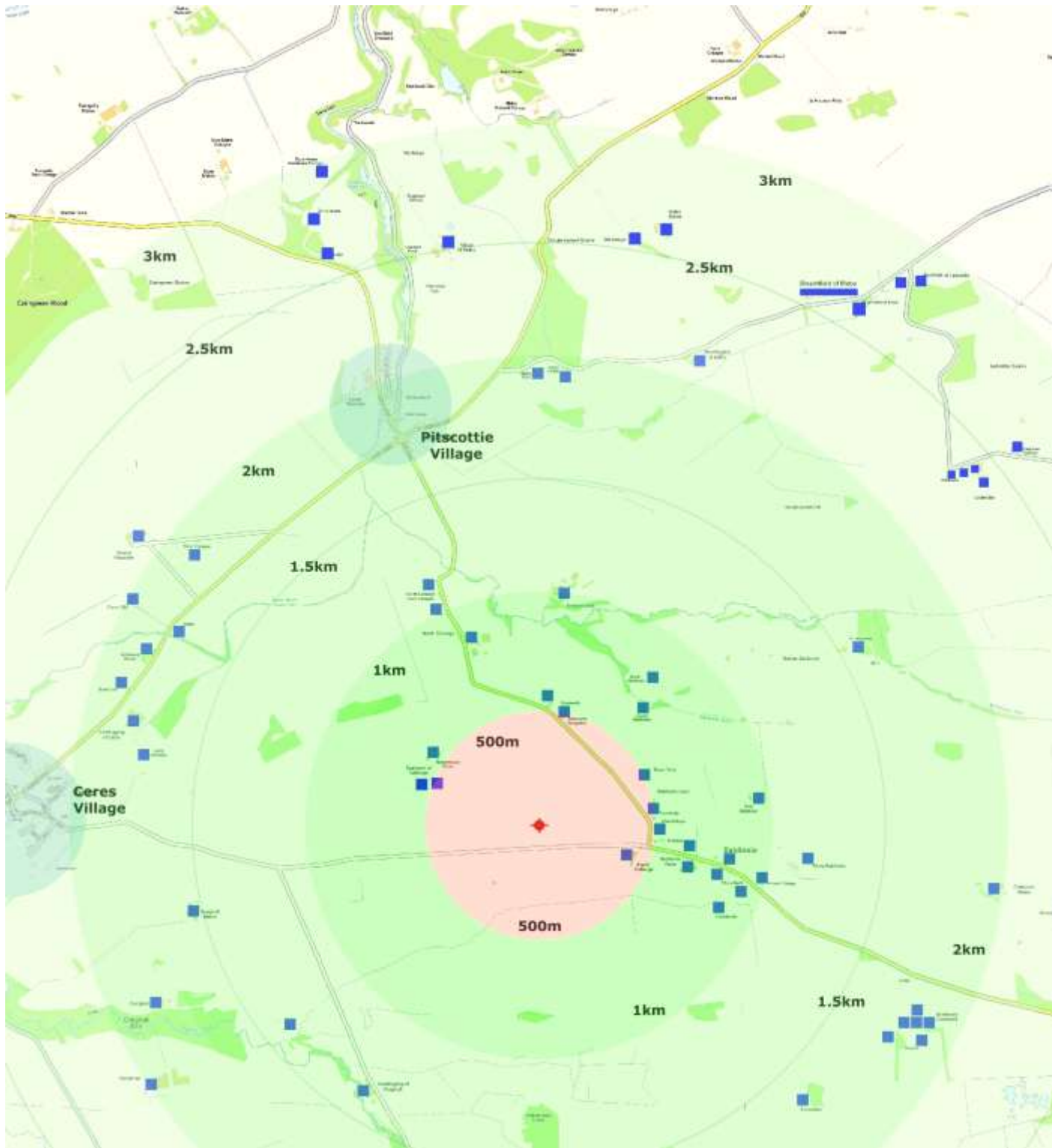
While the sentence in red seems reasonable it refers only to "a building" and we do not believe that when it was written there was any consideration given to the development of wind turbines and the wide ranging impact on visual amenity that they have. This leaves many people with a potential interest in a proposal that would have an impact on their amenity between the devil and the deep blue sea.

Not just sense but common sense dictates that there should be criteria to address this so that neighbours are not excluded from the process because they are not aware of an application. That is only reasonable.

This diagram shows the site boundary in red in a larger scale and no properties are within 20 metres of the boundary so no neighbours require to be notified



This plan shows the number of properties that could have an interest in engaging in the planning process but rely on reading about the application in the public notices of the local paper or learning about it in some other way.



The planning process benefits from public engagement which helps officials prepare good reports and councillors make good decisions.

As things stand with wind turbine applications and the current neighbour notification criteria many people are being denied what is effectively a right to engage.

Our proposal would be very simple to administer and the costs affordable.

This would encourage greater transparency by the applicant who may indeed wish to pre-consult neighbours and avoid the bitter acrimony that the present system invariably leads to so it would be to the benefit of all parties.

At present where wind turbines are proposed the present neighbour notification criteria is not fit for purpose.

Graham Lang

9th April 2013