

Report

Report to:	Planning Committee
Date of Meeting:	13 March 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application No	CL/17/0235
Planning Proposal:	Erection of 17 Wind Turbines (149.9m Maximum Height to Tip), New Access Tracks, Crane Hardstandings, Temporary Construction Compound, Substation Including Control Building and Battery Storage, One Permanent Met Mast, Two Temporary Power Performance Masts and Other Associated Infrastructure

1 Summary Application Information

- Application Type : Electricity Notification
- Applicant : Harryburn Wind Farm Limited
- Location : Harryburn, near Elvanfoot and Leadhills

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) That the Scottish Ministers are informed that South Lanarkshire Council objects to the Harryburn Wind Farm application under Section 36 of The Electricity Act 1989 for the reasons stated in this report.

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to deal with the notification.
- (2) The Planning Committee should note that a Planning Authority objection to a Section 36 application under The Electricity Act 1989 will cause a Public Local Inquiry to be held as the objection is within the time limit.

3 Other Information

- ◆ Applicant's Agent: SLR Consulting Limited
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **National Planning Framework 3 (NPF3)**
Scottish Planning Policy (SPP)
Specific Advice Sheet Onshore Wind Turbines

Clydeplan (July 2017)
Policy 10 Onshore Wind

**South Lanarkshire Local Development Plan
(adopted 2015) (SLLDP)**
Policy 2: Climate Change

Policy 3: Green Belt and Rural Areas
Policy 15: Natural and Historic Environment
Policy 17: Water Environment and Flooding
Policy 19: Renewable Energy

Supplementary Guidance

Renewable Energy
Sustainable Development and Climate Change
Natural and Historic Environment
Green Belt and Rural Area

◆ Representation(s):

▶	225	Objection Letters
▶	12	Support Letters
▶	0	Comments letters

◆ Consultation(s):

Countryside & Greenspace

Roads & Transportation Services (Flood Risk Management Section)

West of Scotland Archaeology Service

Roads & Transportation Services (Traffic and Transportation Section)

Environmental Services

Crawford & Elvanfoot Community Council

Leadhills Community Council

Wanlockhead Village Council

Scottish Borders Council

Dumfries and Galloway Council

RSPB Scotland

Scottish Water

National Air Traffic Services Ltd

Defence Estate Organisation (Ministry of Defence) (MOD)

Glasgow Airport

Glasgow Prestwick Airport

British Telecom (BT)

National Grid

S.E.P.A. (West Region)

Transport Scotland

Visit Scotland

Historic Environment Scotland (HES)

Scottish Natural Heritage

Joint Radio Company

Marine Scotland Science Freshwater Laboratory (MSS-FL)

Health and Safety Executive

Peat Landslide Hazard and Risk Assessment (AM Geomorphology)

District Salmon Fishery Scotland

Civil Aviation Authority

Crown Estate

Mountaineering Council of Scotland

Clyde Fisheries Management Trust

The Coal Authority

Scottish Rights of Way Society

Network Rail

British Horse Society

Forestry Commission

Scottish Wildlife Trust

The Southern Upland Partnership

Scottish Ambulance Service

Planning Application Report

1 Application Site

- 1.1 The application site is located within South Lanarkshire and extends from Elvanfoot towards Leadhills where the main infrastructure and wind turbines will be located. The application site extends south of Elvanfoot following the River Clyde and Glenochar Burn. The proposals in the southern area of the application site include habitat management and peatland restoration areas and the application site itself is located approximately 50 metres to the north and east of the settlement of Elvanfoot. The M74/A74(M) motorway and the A702 are located to the east of the site boundary and a high voltage overhead line (OHL) with accompanying pylons crosses the north eastern part of the site. Access to the site is proposed from the A702.
- 1.2 The site area extends to approximately 994 hectares (ha) and the land is managed for agricultural purposes and for grouse shooting. The proposed development is located within the Southern Uplands Landscape Character Type (LCT) and the western area of the proposed development is located within Leadhills and Lowther Hills Special Landscape Area (SLA). The proposed wind farm infrastructure and wind turbines are located approximately 600m and 1.8km respectively to the north of Elvanfoot. The proposed wind turbines are located approximately 1.9km south-west of Crawford, 2.6km to the north-east of Leadhills, 3.8km to the south-west of Abington and 5.7km to the south-east of Crawfordjohn.
- 1.3 The proposed development is for a generating station of more than 50 mega watts (MW) which requires consent under Section 36 of the Electricity Act 1989 and will be decided by the Scottish Ministers. South Lanarkshire Council has therefore been consulted as the relevant Planning Authority.

2 Proposal(s)

- 2.1 Harryburn Wind Farm Limited (HWFL) is owned by Innogy Renewables UK Limited. Under the terms of Section 36 of The Electricity Act 1989, HWFL are seeking consent from the Scottish Ministers for the erection of 17 wind turbines which will have a maximum tip height of 149.9m. It is anticipated that the proposed development would have a total installed capacity of between 54.4 MW and 69.7MW.
The proposed development includes:-
 - 17 wind turbines with foundations (approximately 18.5m diameter at each wind turbine)
 - 17 crane hardstandings (approximately 25m x 45m adjacent to each wind turbine)
 - 17 external transformers (6.25m (length) x 4m (width) x 3.6m (height))
 - Approximately 16km of new on site access track (approximately 5m wide) and associated drainage
 - A substation compound and control building and battery storage and connection to the SP Elvanfoot 275/33kV substation
 - Underground cabling along access tracks to connect turbines and the electrical substation
 - Two watercourse crossings
 - A temporary construction compound area of approximately 40m x 100m
 - An access bell mouth to the site from the A702 for construction and operational traffic
 - A permanent meteorological mast (up to 95m in height) and two power performance masts as required.

- 2.2 It is anticipated that the development would take up to 24 months to construct including a winter shut down period. The site would operate for a further 30 years at which point decommissioning would take place in accordance with legislative requirements at that time, unless further consent is granted. The site would be reinstated in accordance with a decommissioning and reinstatement plan that will be approved by the relevant authority and in agreement with the relevant consultees prior to decommissioning.
- 2.3 It is proposed the wind farm development would require a connection to the Transmission Grid Network at the existing SP Elvanfoot 275/33kV substation via underground cables. The existing Elvanfoot substation is close to the B7040 and surrounded by the application site but not included within it. The proposal is to build the substation directly adjacent to the existing Elvanfoot substation. The grid connection to be used for wind farm developments and the detailed specification is usually subject to ongoing discussions with SP Energy Networks and requires a separate grid application process, under Section 37 of The Electricity Act 1989. In this case the proposed application boundary surrounds the existing Elvanfoot substation and since the grid connection cable would be wholly underground and within the site boundary, it is included within this proposed development under Section 36 of The Electricity Act 1989.
- 2.4 During the construction period the following traffic will require to access the site:
- Staff transport, either cars or staff minibuses
 - Construction equipment and materials, deliveries of machinery and supplies such as cement; and
 - Abnormal loads consisting of the wind turbine sections and also a heavy lift crane.
- It is proposed abnormal loads and general access to the development would be from an access on A702. The route to site would be via M74/A74(M) leaving at Junction 14 on to the A702 travelling south to site.
- 2.5 The highest level of HGV trips would occur in the earlier months of the construction period when the access tracks are being constructed. The maximum level of two-way traffic would be 172 HGV movements per day in month 2 and 170 HGV movements per day in months 4 to 8. Over the 18 month construction period HGV traffic arising from the site would amount to an average of 75 movements per day. On the days when the turbine foundations are poured the additional traffic associated with this activity would amount to 70 HGV movements per day. Light vehicle trips which include vans and cars are anticipated to equate to 25 vehicle trips per day (50 two way movements).
- 2.6 The application is supported by a full Environmental Impact Assessment and a Planning Statement, Pre-Application Consultation and Engagement Report, Socio-economic Statement dated April 2017 and Supplementary Information (SI) dated January 2018, which seeks to address concerns raised by statutory consultees. The SI covers topics in relation to ornithology, noise, contaminated land, peat, hydrogeology and hydrology and traffic and transportation. The SI was advertised in the local and national newspapers on 16 January 2018 for Edinburgh Gazette and 17 January 2018 for Carlisle Gazette.

3 Background

3.1 National Policy

- 3.1.1 Scottish Energy Strategy (SES) and Onshore Wind Policy Statement were published in December 2017 following consultation during 2017. The SES sets out a vision for the future energy system in Scotland through to 2050. It sets out the priorities for an

integrated system-wide approach that considers the use and supply of energy for heat, power and transport and its strategic priorities are:

- Energy efficiency (buildings)
- Energy efficiency (industrial)
- Renewable and low carbon solutions (includes onshore wind)
- Innovative local energy systems
- System security and flexibility
- Oil and Gas Industry Strengths

The SES states that provisional statistics show 54% of Scotland's electricity needs are being met from renewable in 2016, with major new capacity due to connect to the system in coming years. The strategy sets out two new targets for the Scottish energy system by 2030 – (1) the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources; (2) an increase by 30% in the productivity of energy uses across the Scottish economy. The strategy provides a long term vision to guide energy policy decisions to tackle the challenges of decarbonising heat and transport in order to meet Scotland's long term energy and climate change targets.

- 3.1.2 The Onshore Wind Policy Statement (OWPS) published in December 2017 reaffirms the vital role for onshore wind in meeting Scotland's energy targets. The statement sets out the Scottish Government's position for the ongoing need for more onshore wind development and capacity in locations across Scotland where it can be accommodated (page 7, section 4). The Scottish Government acknowledges the way in which wind turbine technology and design is evolving and fully supports the delivery of large wind turbines in landscapes judged to be capable of accommodating them without significant adverse impacts (page 9, section 25).
- 3.1.3 National Planning Framework 3 (NPF3) June 2014 sets out the long term vision for the development of Scotland and is the spatial expression of the Scottish Government's Economic Strategy, that has a focus on supporting sustainable economic growth which respects the quality of the environment, place and life in Scotland and the transition to a low carbon economy. The framework sets out strategic outcomes aimed at supporting the vision – a successful, sustainable place, a low carbon place, a natural, resilient place and a connected place. NPF 3 also notes in paragraph 3.8 "We want to meet at least 30% of overall energy demand from renewables by 2020 – this includes generating the equivalent of at least 100% of gross electricity consumption from renewables, with an interim target of 50% by 2015". Provisional statistics show that Scotland has met 2015 50% interim target.
- 3.1.4 Scottish Planning Policy (SPP) June 2014 aligns itself with NPF3 and one of its policy principles states that there will be "a presumption in favour of development that contributes to sustainable development" (page 9). At paragraph 28 SPP states that "the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost." SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, and landscape and visual impacts (paragraph 169).

3.1.5 Scottish Government's Specific Advice Sheet for Onshore wind turbines was last modified on 28 May 2014, and provides information and best practice on renewable energy developments. It also gives advice on areas for planning authorities to focus upon, technical information, and typical planning considerations to be taken into account in determining planning applications for onshore wind turbines.

3.1.6 All national policy and advice is considered in detail in section 6 of this report.

3.2 Development Plan Status

3.2.1 The proposed development requires to be considered against the Clydeplan Strategic Development Plan (Clydeplan), Policy 10 Onshore Energy. It states that 'in order to support onshore wind farms, local development plans should finalise the detailed spatial framework for onshore wind for their areas in accordance with SPP, confirming which scale of development it relates to and the separation distances around settlements. Local development plans should also set out the considerations which will apply to proposals for wind energy development, including landscape capacity and impacts on communities and natural heritage. Proposals should accord with the spatial framework set out in Diagram 6 and finalised in local development plans.'

3.2.2 The South Lanarkshire Local Development Plan (SLLDP) was adopted on 29 June 2015 and contains the following policies against which the proposal should be assessed:

- Policy 2: Climate Change
- Policy 3: Green Belt and Rural Areas
- Policy 15: Natural and Historic Environment
- Policy 17: Water Environment and Flooding
- Policy 19: Renewable Energy

3.2.3 The SLLDP Supplementary Guidance (SG): Renewable Energy was approved in March 2016 and its accompanying technical reports, including Landscape Capacity Study for Wind Energy 2016 are material considerations in deciding planning applications. The following SG Renewable Energy policies are relevant to the determination of this application:

- Policy RE1 Spatial framework for wind energy
- Policy RE2 Renewable energy developments

SG supports the policies in the SLLDP and provides further guidance. In addition to the SG Renewable Energy, the following SG's are relevant in the assessment of the proposed development.

- SG Sustainable development and climate change
- SG Green Belt and rural area
- SG Natural and historic environment

3.2.4 South Lanarkshire Council prepared consultative draft on Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance in September 2017. This guidance is an addendum to the Landscape Capacity Study for Wind Energy 2016 and includes guidance on an additional category of wind turbine size ranging from 150 metres – 200 metres. The addendum takes into account the impacts of taller turbines which are 150m to 200m in height and provides relevant siting and design guidance for these turbines.

3.2.5 All of these policies are examined in detail in section 6 of this report.

3.3 **Planning Background**

3.3.1 The scoping report in June 2016 proposed up to 27 turbines with a maximum height, to blade tip, of up to 150m. The Council's comments on the scoping report informed the applicant of the development plan policies, supplementary guidance and the Council's strategic approach to wind farm development and the landscape capacity study for South Lanarkshire. The final proposed wind farm layout (149.9m maximum height to tip) has been subject to design iterations and refinements, by the applicant, which aim to balance environmental and technical issues, whilst still allowing an economically viable wind energy scheme to be developed. Eight turbines were removed from the proposed scheme following the scoping consultation. The eight turbines that were removed were located in a cluster south of the B7040 within the range of hills from White Law to Watchman Hill. The proposed turbines within the application are located approximately 3.8km from the nearest operational Clyde Wind Farm turbines which are located to the east on the other side of the M74 motorway. Clyde Wind Farm was granted consent by the Scottish Ministers in July 2008 and started exporting electricity in June 2011. It is one of the UK's biggest single consented wind farm development with 152 turbines (125m height to tip), divided into three sections (north, central and south). An extension to Clyde Wind Farm of 54 turbines (125.5m and 142m height to tip) was granted in 2014 and became operational in 2017. The Clyde Extension Wind Farm is located approximately 9km to the east of the proposed turbines.

3.3.2 The Environmental Impact Assessment (EIA) process has been undertaken, and the findings of the technical environmental studies have been used to inform the design of the project. As the application is made under Section 36 of The Electricity Act 1989 the statutory pre-application requirements do not apply. However, in accordance with good practice the applicant has undertaken a programme of pre-application consultation. The applicant's community and stakeholder engagement began in September 2015 and is continuing through the application process. Public exhibitions were held by the applicant where details of the proposed development were displayed for public viewing and comment. A total of two public exhibitions were held on 14 September 2016 at Crawford Hall and 15 September 2016 at Leadhills Hall. The public exhibitions were advertised in the local paper and a newsletter was also sent to all properties within 5km of the site prior to the exhibition. Over the two exhibitions 108 people attended and a total of 48 feedback forms were received. The full details of the community engagement are set out in the Pre-Application Consultation and Engagement Report April 2017. Whilst pre-application consultation is not statutorily required under Section 36 applications, it is considered that this has been undertaken in an appropriate and satisfactory manner.

3.3.3 In terms of background information, in addition to the proposed Harryburn Wind Farm application, an application for a 35 turbine wind farm known as North Lowther Energy Initiative (NLEI) was submitted in June 2017 under Section 36 of The Electricity Act 1989. The proposed NLEI is located within the Queensberry Estate in Dumfries and Galloway, approximately 2km west, north-west of Leadhills and Wanlockhead, 5km south of Crawfordjohn and 2km north-east of Sanquhar. The proposed application boundary abuts the South Lanarkshire boundary. The proposed North Lowther Wind Farm comprises the erection of 35 wind turbines (149m maximum height to tip), and associated infrastructure. The proposed route for construction traffic and abnormal loads will be within South Lanarkshire along the M74, the B7078 and the B740 to the access points located within Dumfries and Galloway. North Lowther Wind Farm requires consent under Section 36 of The Electricity Act 1989 and will be decided by the Scottish Ministers. South Lanarkshire Council has therefore been consulted as the

neighboring Planning Authority. The consultation process is underway and the applicant's have notified the Energy Consents Unit of their intention to submitted supplementary information in response to issues raised during the consultation process. Following review of the information, the proposed North Lowther Wind Farm will be assessed and reported to a future Planning Committee.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Flood Risk Management Section)** – no objection subject to conditions requiring a Flood Risk/Drainage Assessment, Sustainable Drainage System serving the application site, compliance with the Council's Design Criteria, and completion of the necessary forms and provision of the required information, to the Council's satisfaction, prior to commencement on site.

Response: Noted. The requirements of Roads and Transportation Services – Flood Risk Management Section can be incorporated into the recommended planning conditions and if the Scottish Ministers are to grant consent these planning conditions require to be attached.

- 4.2 **Roads and Transportation Services (Traffic and Transportation)** – no objection subject to conditions. Initial comments were raised with the applicant in relation to traffic management, abnormal loads, bridges and structure issues. Following the submission of Supplementary Information in January 2018, Traffic and Transportation has no objection to the proposed development subject to conditions requiring a Traffic Management Plan, Travel Plan, vehicle parking on site, signage, a wheel wash facility, visibility splay, safety audit, Abnormal Loads Route Assessment and a section 96 legal agreement being entered into. It is noted that the applicant has not demonstrated control over the land required to deliver the necessary visibility splay. The proposed Abnormal Load Access Route (Figure 2 of Supplementary Information Appendix 1 Abnormal Load access Route Report March 2017) crosses one South Lanarkshire Council (SLC) structure, Collinsburn Culvert, on the A702 just south of the roundabout at J14 of the A74(M). On the basis that the abnormal loads are to cross SLC structures, their structural integrity and strength require to be verified by undertaking the required assessments which can be secured through conditions. It is also noted that the abnormal load route crosses Elvanfoot Railway Bridge which is owned and maintained by Network Rail. The applicant requires to liaise with Network Rail in order to gain approval for the use of this structure for turbine and other abnormal load deliveries.

Response: If the Scottish Ministers are to grant consent, the requirements of Roads and Transportation Services require to be incorporated into planning conditions and the applicant requires to enter into a section 96 legal agreement.

- 4.3 **Environmental Services** – no objection subject to conditions. Environmental Services reviewed the Noise Assessment and raised concerns over its content. In addition to noise issues, Environmental Services raised concerns relating to pollution contamination, dust, private water supplies and, hydrogeology and hydrology. The applicant submitted Supplementary Information in January 2018 in response to points raised by the Council's Environmental Services. On review of this information Environmental Services concluded that they would be satisfied with fixed limit of 37db or background +5dB for noise levels. Environmental Services recommended conditions in relation to operational noise levels (including cumulative noise), construction noise levels, complaint investigation, dust mitigation, contaminated land, private water supplies and hydrogeology and hydrology.

Response: Noted. If planning consent is granted appropriate conditions require to be imposed to control operational noise of the wind farm and control construction noise to ensure the works are conducted in a way that minimises noise, pollution

contamination, dust, private water supplies and hydrogeology and hydrology to meet the requirements of Environmental Services.

4.4 **Countryside and Greenspace (C&G)** – following consideration of the Landscape and Visual Impact Assessment section of the ES it is considered that the proposed wind farm development will result in the following landscape and related impacts.

- Significant adverse impacts on the unique and 'remote' landscape characteristics of the area which includes the Southern Uplands Landscape Character Type (LCT); Lowther Hills West of Clyde/Daer; Upper Glen Landscape Character Area (LCA's) of Glengonnar and Elvan Water's LCA and the Broad Valley Uplands between Elvanfoot and Abington
- Significant adverse effects on key, tourism and cultural heritage assets of Leadhills and The Lowther Hills Special Landscape Area including the Southern Upland Way long distance route; the Glasgow to Carlisle National Cycle Route No 74; associated access networks and hill top recreational destinations; the conservation village of Leadhills, and its various protected industrial archaeological features.
- Impacts on a number of individual local residential properties and all or parts of several rural settlements.
- Significant cumulative and coalescent -effects on many of the same visual and landscape receptors referred to above due to the impacts of combined and sequential views associated with the existing and adjacent Clyde wind farm, and potentially with the proposed North Lowther wind farm.

C&G share the opinion expressed in the conclusions section of the Ironside Farrar 'Harryburn Wind Farm EIA Audit of Landscape and Visual Impact Assessment' November 2017. This states that due to the location and scale of the proposed development, these impacts are likely to be extensive in extent and substantial in magnitude. In terms of impacts on ecology C&G also raised the following concerns:

- Impact on upland mosaic ecosystem, a substantial element of which is peatland habitat, along with other habitats which are identified on the Scottish Biodiversity List.
- There is loss of additional Scottish Biodiversity List habitats which is considered important at a South Lanarkshire scale
- Potential effect on notable species including otter, hare, hen harrier, curlew, golden plover – risk of disturbance/displacement/mortality
- The "Checking report for peat landslide hazard and risk assessment" notes several concerns regarding the assessment; due to the steep slopes with peat which make it especially important that this report is accurate. One point raised is that the coverage of peat depth data is incomplete (ES section 2.4.2)
- Turbines situated on mire/bog habitat (T2, T5, T7, T11, T16 & T17 appear to be right on the edge) along with substantial lengths of access track
- Track between T7 and T8 bisects an area of particularly deep peat – impact on habitat and hydrology
- Many turbines and infrastructure are situated in areas of potentially moderate (and some high) groundwater dependency – risk of significant damage with potential downstream impact
- The ecological report scopes out American signal crayfish, however the Clyde River Foundation report states that "North American signal crayfish are very common in the main stem of the River Clyde in the vicinity of the proposed development area."
- To mitigate potential impacts on biodiversity over the proposed wind farm's lifetime it should be a condition of any future consent that a Habitat Management Plan (HMP) is prepared for the restoration of peatland habitats. The HMP should be overseen by a Habitat Management Group (HMG) including the Council, and if they wish to participate, SNH and RSPB.

Response: Noted. The cumulative landscape and visual impact is assessed at paragraphs 6.4.16 – 6.4.20 and 6.4.44 – 6.4.53 below. The effects on ecology,

protected species, water, soils and peat are assessed at paragraphs 6.4.5, 6.4.9, 6.4.21, 6.4.29 – 6.4.31, 6.4.35. If the Scottish Ministers are to grant consent planning conditions require to be attached relating to the HMP and mitigation measures set out in the ES and SI.

- 4.5 **Transport Scotland** – term consultants, Trunk Road and Bus Operations (TS-TRBO) on behalf of Transport Scotland has no objection subject to conditions covering approval of a Construction Traffic Management Plan, approval of any additional signing or temporary traffic control measures deemed necessary during the delivery period of the wind turbine construction materials.

Response: Noted. If the Scottish Ministers are to grant consent the requirements of Transport Scotland require to be incorporated into planning conditions.

- 4.6 **Glasgow Prestwick Airport** – the proposal has been examined from an aerodrome safeguarding perspective and does not cause any safeguarding issues for the airport.

Response: Noted.

- 4.7 **Glasgow Airport** – the proposal is located outwith the radar consultation zone for Glasgow Airport and on this basis have no comments to make.

Response: Noted.

- 4.8 **National Air Traffic Services Ltd (NERL Safeguarding)** – objects to the proposal as the proposed development has been examined from a technical and operational safeguarding aspect and conflicts with NATS (En Route) Plc's safeguarding criteria.

Response: Noted. If the Scottish Ministers are to grant consent a technical solution requires be identified and agreed with NATS (En Route) Plc prior to consent being granted. Therefore conditions would require to be attached to the consent.

- 4.9 **Defence Estate Organisation (MOD)** – no objection. In the interests of air safety the MOD requests that the perimeter turbines are fitted with aviation lighting and if consent is granted MOD requires to be advised of construction information prior to commencement on site.

Response: Noted. If the Scottish Ministers are to grant consent the requirements of MOD require to be incorporated into conditions attached to the consent.

- 4.10 **Scottish Environmental Protection Agency (SEPA)** – originally objected on the grounds of lack of information in relation to the historic mine workings. Further information was received from the applicant's agent SLR Consulting in October 2017 which included a revised version of Figure 11.5 Historic Mining Areas compared to the proposed site layout. The main areas of concern with regards to historic mining are tracks between T11 and T9, and T12 and T15. SLR Consulting indicated that no further detailing of the tracks is practical at this time as micro siting is likely to be required. Further mining investigation is proposed to be undertaken pre-construction, in order to address risk and modify the track or remediate past workings - if necessary. Following review of the submitted information SEPA removed their objection subject to a condition being attached to any future consent to require future site investigation in 'at risk' mining areas in advance of construction. SEPA also requested that the findings of the site investigations include the details of any necessary mitigation measures required to minimise impacts arising from the works to be submitted for approval to the Planning Authority in consultation with SEPA. SEPA has no objection subject to conditions requiring the above and a Construction Environmental Management Plan (CEMP) which includes recommendations set out in Groundwater Dependent Terrestrial Ecosystems (GWDTE) Assessment (Technical Appendix 13.1), Peat Management Plan (PMP), Habitat Management Plan, Water Quality Monitoring and Private Water Supplies. These documents require to be submitted prior to development commencing on site and approved by the Planning

Authority in consultation with SEPA. SEPA's response also notes that there is a requirement of 50m for micro siting and would expect that any proposed micro siting reflects the environmental constraints as set out in the ES. In addition SEPA provides advice on flood risk, the Water Environment (Controlled Activities) (Scotland) Regulations 2011, water environment, dewatering and abstraction and decommissioning/repowering.

Response: Noted. If the Scottish Ministers are to grant consent the requirements of SEPA require to be incorporated into planning conditions.

- 4.11 **Scottish Natural Heritage (SNH)** – object to the proposed development due to significant adverse landscape and visual impacts on a key part of the Lowther Hills, which makes an important contribution to the distinctiveness and identity of Scotland's landscapes. SNH consider that the proposal would adversely affect the distinctive landscape character and visual amenity of the Lowther Hills, including impacts on the setting of Leadhills village and on key approach routes into the core of the hills. Given the prominence of the proposal and sensitivity of this area, SNH consider it unlikely that the significant landscape and visual impacts could be avoided or adequately reduced or mitigated. SNH also provide advice on strategic development pattern, M74 corridor and the North Lowther Energy Initiative (NLEI) wind farm development located near Wanlockhead in Dumfries and Galloway and which is also the subject of a current Section 36 application. The NLEI proposal is located approximately 4km from the proposed development.

In addition SNH provide advice on other natural heritage interests. They state that when combined with their knowledge of the natural heritage interests in the area the ES generally contains sufficient information to enable them to advise on the impacts on the natural heritage. However SNH considered there was insufficient information available in the ES to support the assessment of cumulative impacts for some bird species. The applicant therefore provided further information to SNH on 18 August 2017 (formally submitted by Supplementary Information in January 2018). The additional information addresses the concerns raised in relation to birds and has enabled SNH to provide consultation advice. SNH advised that the proposal is likely to have some adverse impacts on the natural heritage in terms of birds, bats and peat, though through appropriate mitigation measures being implemented the impacts on the natural heritage can be reduced.

SNH recommend the full range of mitigation and enhancement measures identified in the ES are implemented, subject to the below additional/ enhanced measures to reduce the impacts on the natural heritage:

- Additional mitigation for Hen harrier
- Additional mitigation for Short eared owl
- A revised Habitat Management Plan to include more appropriate areas that can be used to restore areas similar to, and in proximity to, those areas which will be lost and damaged from the wind farm development.
- A requirement to prepare a decommissioning and restoration plan

Response: Noted. The ecology, ornithology, landscape, visual and cumulative impacts are considered further in section 6 of this report. If the Scottish Ministers are to grant consent the mitigation measures to minimise the natural heritage impacts require to be incorporated into planning conditions. It is noted that SNH consider it unlikely that the significant landscape and visual impacts could be avoided or adequately reduced or mitigated and have objected to the proposal on this basis.

- 4.12 **Historic Environment Scotland (HES)** – no objection. HES state in their response that their remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories. HES consider that the proposals do not raise historic environment issues of national significance and therefore do not object. However, HES state that their decision not to object should

not be taken as support for the proposals. HES advise the application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance. HES note that no direct impacts to any nationally important designated historic environment assets are predicted. HES state the proposals would have a moderate adverse effect on the setting of five scheduled monuments. However, HES do not consider that the integrity of the setting of these monuments would be significantly adversely impacted and no issues of national importance are raised.

Response: Noted. The effects on the historic environment are assessed below at section 6.

- 4.13 **Peat Landslide Hazard and Risk Assessment (AM Geomorphology)** – the Energy Consents Unit commissioned AM Geomorphology to technically assess and provide comment on the Peat Landslide Hazard and Risk Assessment (PLHRA) submitted with the application. They initially noted that the report did not present a sufficiently robust assessment of peat instability hazard and risk at the site and points of clarification or revision were required. Subsequently, SLR Consulting on behalf of the applicant submitted supplementary information and this was reviewed by AM Geomorphology. They consider that the information provided satisfies the outstanding issues.

Response: Noted. If the Scottish Ministers are to grant consent conditions can be attached in accordance with the mitigation measures set out in the PLHRA.

- 4.14 **RSPB Scotland** – object to the proposed development due to the potential for the proposed wind farm to lead to collision, disturbance and displacement impacts on breeding hen harriers, which are Annex 1 species of the Birds Directive (209/147/EC). RSPB consider that two turbines in particular are located extremely close to breeding sites of Hen Harriers and strongly recommend that these turbines are removed from the proposed design. RSPB also consider that significant cumulative impacts are also predicted for hen harrier and on golden plover and curlew. RSPB consider that the proposed wind farm is likely to displace a high density of breeding waders across the site including species of conservation concern. It is welcomed by RPSB that a draft Habitat Management Plan has been submitted however they do not believe the measures contained within it are sufficient to off-set the issues described above. The RSPB consultation response sets out a number of measures that could be included in the HMP in order to reduce the impacts of the proposed development. If the Scottish Ministers are minded to grant the application RSPB request conditions to secure the following:

- implementation of a programme of post construction bird monitoring
- the establishment of a Habitat Management Group of which RSPB should be a member
- the submission of a finalised HMP for the approval of the planning authority in consultation with RSPB a minimum of 3 months prior to the date of the commencement of development. Commissioning of the turbines not to occur until such approval has been obtained and the applicant has demonstrated that they have the ability to control management over any area for mitigation. The HMP should operate for the full lifespan of the wind farm including decommissioning.
- Annual reports on the monitoring/surveillance results
- Breeding Bird Protection Plan
- Delivery of HMP secured through a Section 75 agreement

Response: It is noted that supplementary information was submitted by the applicant in January 2018 in which the applicant notes the position of RSPB and states it will respond in due course. At the time of writing this report the applicant has not removed any turbines or provided further clarification on the matters raised in the RSPB response dated 20 September 2018. The assessment of the proposed development

on ornithology is set out at section 6. If the Scottish Ministers are to grant consent the requirements of RSPB need to be incorporated into planning conditions.

- 4.15 **West of Scotland Archaeology Service (WOSAS)** – object on the basis that the proposed development will have an unacceptable detrimental effect on the setting of many recorded archaeological sites. WOSAS consider there are direct issues with the proposals located within a landscape with a high background density of recorded sites and finds that are mostly prehistoric in date. WOSAS raise concerns with the study in terms of the altitude limit that was applied and also note there is a potential issue over the habitat management works as this will take place at the lower elevations where there is potential for buried remains to be at its highest elevations. In terms of indirect issues WOSAS disagree with the methodology used to assess setting effects on significant archaeological sites recorded in the area (i.e. scheduled monuments and non-statutory register sites). WOSAS explain that the assessment has been done on the basis that setting may or may not affect the significance of the sites concerned and if the proposed changes to the setting affect the significance of the sites; rather than simply assessing the current setting of a site and then the proposed setting and giving a view on that change as being detrimental to the setting compared to the baseline, or otherwise. WOSAS disagree with some of the assessments of individual sites and believe that the impact may be greater than that stated in the ES. WOSAS consider that even without taking issue with the opinions of the authors, the ES makes it clear that five Schedule Monuments and nine non-statutory register sites (NSR) will suffer detrimental setting effects of sufficient magnitude (moderate) to be significant in EIA terms. On this basis WOSAS advise that the application should be refused. WOSAS go on to say that if the proposed development does receive consent then a planning condition should be attached requiring a programme of archaeological works in accordance with a written scheme of investigation to be submitted to and approved by the Planning Authority in consultation with WOSAS. WOSAS consider the direct issues can be mitigated by the imposition of a planning condition but that the indirect issues cannot be mitigated other than by refusing the current proposals.

Response: Noted. The impacts on the cultural heritage are assessed below at section 6. If the Scottish Ministers are to grant consent the requirements of WOSAS require to be incorporated into planning conditions.

- 4.16 **Visit Scotland** – no objection. However any potential detrimental impact – visually, environmentally and economically – of the proposed development on tourism should be identified and considered in full.

Response: Noted. The effect on tourism is assessed at section 6.4.63 below.

- 4.17 **Scottish Water** – no objection subject to conditions. The proposed development area is not within a Drinking Water Protected Area (DWPA) and should not pose a risk to the public water supply. Two of Scotland's most strategic pipes run through the site. Scottish Water required that all detailed design proposals relating to the protection of Scottish Water's assets be submitted to the Asset Impact Team for review and written acceptance. Works should not take place on-site without prior written acceptance from Scottish Water.

Response: Noted. If the Scottish Ministers are to grant consent the requirements of Scottish Water require to be incorporated into planning conditions.

- 4.18 **Joint Radio Company** – no issues with respect to radio link infrastructure operated by Scottish Power and Scottish Gas Networks.

Response: Noted.

- 4.19 **BT** – no objection, the proposal should not cause interference to BT's current and presently planned radio networks.

Response: Noted.

- 4.20 **Marine Scotland Science Freshwater Laboratory (MSS-FL)** – no objection. It is noted that the proposed development area is drained by tributaries of the River Clyde and the Elvan Water and Glengonnar Water, both sub-catchments of the River Clyde. MSS-FL highlight the national importance of two species, salmon and trout which should be considered throughout the development, particularly as the River Clyde is considered to be a recovering river for salmonoid stocks. MSS-FL welcome the proposed mitigation measures including the buffer zone of 50m around all watercourses and construction activities, the use of floating roads where peat deposits exceed depths of 1m, and the use of sustainable drainage systems within the proposed drainage scheme. In addition to the potential impacts on water quality and fish populations from the proposed development, MSS-FL raise concerns regarding the potential impacts associated with previous mining activities on fish populations. In particular within and downstream of the area where T9, T11, T12, T13, T15 associated access tracks and watercourse crossing are proposed to be located. MSS-FL welcome the water quality monitoring proposed and set out requirements for the baseline monitoring. They suggest an integrated monitoring programme and appointment of Ecological Clerk of Works (ECoW). They also note that careful attention should be given to the prevention of the spread of the North American Signal Crayfish which poses a threat to salmonoid populations and the native freshwater biodiversity.

Response: Noted. If the Scottish Ministers are to grant consent the requirements of MSS-FL require to be incorporated into planning conditions.

- 4.21 **The Coal Authority** – no objection. The Coal Authority has reviewed the proposals and confirmed that the proposed development would be located outside of the defined coalfield. Accordingly the Coal Authority has no comments or observations to make on this development.

Response: Noted.

- 4.22 **Scottish Rights of Way and Access Society (Scotways)** – no comment. Scotways have insufficient capacity to be able to submit comments at this time.

Response: Noted.

- 4.23 **Dumfries and Galloway Council** – at the time of writing this report Dumfries and Galloway Council Planning Authority have indicated that they intend to report their recommendation to their committee on 8 March 2018.

Response: Noted. On this basis, a verbal update will be presented to Planning Committee on Dumfries and Galloway Council's decision on this matter.

- 4.24 **Scottish Borders Council (SBC)** – no objection. SBC are satisfied that the proposed development is sufficiently distant from the Scottish Borders administrative area that there are negligible effects on landscape and no other impacts of significance upon the Borders area.

Response: Noted.

- 4.25 **Crawford and Elvanfoot Community Council** – object to the proposed development. The issues raised in their objection cover the following topics:

- Cumulative effects
- Clyde Valley and its tourist route
- Safe distances from settlements
- Community benefit
- Extension to the Clyde Walkway
- Contaminated ground
- Psychological effect on the community

- Incremental extensions to wind farms to make them even larger
- Impact on settlements

In addition they raise concerns over the poor engagement by the applicant with the Community Council, and comment that the benefits of the proposal stated by the applicant, are not solely available to the community most affected by this proposal.

Response: Noted. The issues and topics raised in the objection statement are taken into account in assessment of the proposed development against national and local planning policy set out in section 6 of this report. In terms of good practice the applicant should engage meaningfully with the community. However community engagement and benefits are not material considerations that can be taken into account in the assessment of the proposed development. A number of similar issues raised are also covered in representations at section 5 below.

4.26 **Leadhills Community Council** – Leadhills Community Council submitted a detailed statement of objection to Harryburn Wind Farm. The issues raised in their objection cover the following topics:

- Background to the application and need for public inquiry
- Scottish Government energy and planning policies and local planning policy
- Landscape
- Ornithology
- Ecology
- Cultural Heritage
- Geology and peat
- Hydrogeology and hydrology
- Shadow flicker
- Adverse weather conditions
- Socio-economics

Response: Noted. The issues and topics raised in the objection statement are taken into account in assessment of the proposed development against national and local planning policy set out in section 6 of this report. A number of the issues raised are also raised in representations at section 5 below.

4.27 **Network Rail** – no objection. Network Rail considers that it will have no impact on railway infrastructure and therefore have no comments/objections to this application.

Response: Noted. However South Lanarkshire Council Bridges and Structures highlight that Network Rail may wish to review the capacity of the Elvanfoot Railway Bridge to carry the abnormal loads. Should Scottish Ministers grant planning consent this matter should be controlled by planning condition.

4.28 **Health and Safety Executive (HSE)** – HSE do not wish to be consulted on wind turbines and wind farms developments in the vicinity of other major hazard sites and major hazard pipelines as they will not lead to a material increase on the number of people in the vicinity of the major hazard.

Response: Noted.

4.29 **National Grid** – object. Nation Grid have placed a holding objection and express an interest in further consultation while the impact on their assets is being assessed. National Grid have two high pressure pipelines running through the boundary of the site. Further assessment is needed to ascertain whether the integrity of their assets will be affected. In respect of their existing infrastructure, National Grid will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus.

Response: Noted. Further investigation into this matter is required to ensure protection of National Grid infrastructure.

4.30 **Wanlockhead Village Council (WVC)** – object. Wanlockhead is located approximately 4km from the proposed development. Wanlockhead Village Council takes the view that the Lowther Hills are a special place which shape the identity of their local communities. WVC consider that its landscape and environmental qualities require protecting. WVC raise the following concerns and object on the basis of the following matters:

- Background to the application and need for public inquiry
- Scottish Government energy and planning policies and local planning policy
- Landscape
- Ornithology
- Ecology
- Cultural Heritage
- Geology and peat
- Hydrogeology and hydrology
- Shadow flicker
- Adverse weather conditions
- Socio-economics

Response: Noted. The issues and topics raised in the objection are taken into account in assessment of the proposed development against national and local planning policy set out in section 6 of this report. A number of the issues raised are also raised in representations at section 5 below.

4.31 The following consultees provided no response to the proposed development:

District Salmon Fishery Scotland
Civil Aviation Authority
The Crown Estate
Mountaineering Council of Scotland
Clyde Fisheries Management Trust
British Horse Society
Forestry Commission
Scottish Wildlife Trust
The Southern Upland Partnership
Scottish Ambulance Service

5 Representation(s)

5.1 The application has been advertised in accordance with the EIA regulations with adverts being placed in local and national newspapers. The application was available for inspection at SLC offices, Montrose House, Hamilton and the application could also be viewed at Crawford Community Hall, Leadhills Community Hall, Abington Hall, Wanlockhead Inn and the Scottish Government Library in Edinburgh. The application was also available online via South Lanarkshire Council's website and Scottish Government Energy Consents Unit's website.

5.2 225 letters of objection and 12 letters of support have been received during the consultation process. In summary the objections relate to the following main issues:

(a) Cumulative landscape and visual impact:

- concerns raised regarding the cumulative impact of existing and consented turbines and the vast number that are operational, consented and at application stage in this area
- Significant landscape and visual impact on the special landscape characteristics of the Lowther Hills
- local communities have a strong appreciation of the character and merits of the Lowther Hills and value the surrounding moorlands which contribute enormously to a sense of place

- Consider it is important to recognise that many of the residents of Leadhills (and nearby Wanlockhead) have come to live here for the qualities of the landscape and the local environment
- the landscape of the Lowther Hills contributes enormously to the identity of Leadhills and Wanlockhead and makes these communities special
- wild land qualities
- the visualisations represent the likely appearance of the proposed development at particular locations though in reality many receptors will be driving, walking or cycling and therefore will experience dynamic, sequential views of the development
- there are already a significant number of turbines within a 20 km radius and the cumulative impact of these developments is becoming oppressive and is destroying a key local asset

Response: Cumulative landscape and visual impact is assessed at paragraphs 6.4.44 - 6.4.57 below. The wild land qualities are taken into account in the assessment below in relation to the Special Landscape Area qualities (paragraph 6.4.16 – 6.4.20).

(b) Impact on residential amenity, dog walkers, hill walkers and cyclists – concerns raised regarding the significant and dominating visual and landscape impact of the scheme.

Response: Impact on landscape, visual and residential amenity is assessed at paragraphs 6.4.44 – 6.4.57 below. The assessment on tourism, recreation and core paths is set out at paragraphs 6.4.23 and 6.4.61.

(c) Impact on landscape designations, effect on Special Landscape Area (SLA).

Response: Impact on the SLA is assessed at paragraph 6.4.16 – 6.4.20.

(d) Impact on Historic Garden and Designed Landscape, Listed Buildings and archaeological structures. Leadhills and Wanlockhead are the two highest villages in Scotland and owe their very existence to the mineral wealth found in the north Lowther Hills. Residents are very proud of the heritage of which the landscape forms an important component.

Response: This is assessed at paragraphs 6.4.7 – 6.4.8 and 6.4.14 – 6.4.15.

(e) Ecology and Ornithology impact – cumulative effect on a variety of wildlife, birds, raptors, bats and protected species. Do not agree that the SPA has no potential for significant effects and consider the cumulative impact of the proposals on bird life has not been properly assessed. Birds are not just found in protected areas but in adjacent areas which provide suitable habitat conditions to support their particular requirements. All the schedule 1 bird species for which the Muirkirk and North Lowther SPA is designated are found in the proposed wind farm application area and the surrounding moorlands. Significant impacts on biodiversity are not confined to the application site but also the surrounding area and the effects should be considered in the context of the larger environmental and landscape context.

Response: Ornithological and ecological effects are assessed at paragraphs 6.4.5, 6.4.9 and 6.4.24 – 6.4.27 below. SNH and RSPB have provided consultation responses and are summarised at paragraphs 4.11 and 4.14 respectively. These are taken into account in the assessment at section 6 below.

(f) Noise and Shadow Flicker, Health – concerns raised regarding the impact from the wind turbines in relation to noise, low frequency sound and shadow flicker.

Response: The health impacts of wind turbines are not a material consideration in the assessment of planning applications and are not identified in SPP as a

factor to be taken into consideration when assessing wind farm proposals. However shadow flicker and noise are listed as considerations for energy development proposals and these are assessed at paragraphs 6.4.58 – 6.4.59. Infrasound or low frequency noise is not a material consideration in the assessment of planning applications and is not identified in SPP as a factor to be taken into consideration when assessing wind farm proposals.

- (g) Traffic and transportation impact – concerns raised regarding the impact on the local road network due to increased traffic and the nature of the roads.**

Response: This is assessed at paragraph 6.4.66.

- (h) Economic and renewable energy targets, efficiency of turbines, compensation for living near turbines and impact on property values.**

Response: The Scottish Government has set a target of 100% renewable energy by 2020. Scottish Planning Policy encourages planning authorities to support the development of wind farms in locations where the technology can operate efficiently, and environmental and cumulative impacts can be satisfactorily addressed. The Scottish Government's current target is to meet the equivalent of 100% of Scotland's electricity demand from renewables by 2020. There are no compensatory measures in place for properties near wind turbines. The issues raised with regards to reduced property values are not considered to be material planning considerations. This is not therefore assessed against development policy.

- (i) A Public Inquiry** should be held to consider both the proposed development at Harryburn and the proposed wind farm at North Lowther, near Wanlockhead (North Lowther Energy Initiative (NLEI)) together. Consider that a Public Inquiry would give the local communities an opportunity to make their voice heard and for the issues to be examined in an open and transparent manner.

Response: This is a matter for Scottish Government to determine.

- (j) Scottish Government Energy Policy** - support the promotion of generating electricity from renewable energy sources though object to the burgeoning over-dependence on wind power as a method of generating electricity and the local adverse environmental consequences of constructing large numbers of massive turbines in areas of high landscape and ecological value. The proposed development is unnecessary and does not justify the adverse environmental impact which the development would have

Response: In line with Scottish Government policy, South Lanarkshire Council supports the use of renewable energy located in areas that are acceptable in terms of the effects on the environment and communities. The South Lanarkshire Local Development Plan and Supplementary Guidance on Renewable Energy set out the considerations to be taken into account in the assessment of renewable energy development. This assessment is set out in section 6 below. Matters in relation to the content and nature of Scottish Government policy and the acceptability of other forms of renewable energy are for the Scottish Government to consider and not a relevant matter in the assessment of the proposed development.

- (k) Carbon rich soil and peat deposits** - concerns regarding the significant areas of the proposed development site being overlain by carbon rich soil and peat deposits. This is a category 2 designation, Area of Significant Protection within Table 1 of SPP 2014.

Response: Impact on carbon rich soil and peat has been assessed at section 6.4.21 and 6.4.38.

5.3 The main points of support are summarised below:

- a) **Community benefit** - The proposed development will provide community benefit which can help improve services, upkeep existing services and increase local employment.

Response: Socio, economic and community benefit considerations are assessed at paragraph 6.4.40 and 6.4.75 below.

- b) **Local employment** - the proposed development will provide jobs and create local employment opportunities for both local and national businesses.

Response: The socio and economic considerations of the proposed development are assessed at paragraph 6.4.40.

- c) **Renewable energy targets** - The proposed development will contribute to Scottish Government renewable energy targets and national support for wind energy projects.

Response: The Scottish Government's renewable energy targets are taken into account in the assessment below at section 6.

- d) **Suitable location** - The proposed development is in a suitable location for wind farm development. It is located within Southern Upland Landscape Character Type which is assessed in the South Lanarkshire Landscape Capacity Study as one of five landscape types with the 'highest underlying landscape capacity for wind energy development'. The proposal is in close proximity and compatible with Clyde Wind Farm and Clyde Extension wind farm.

Response: The suitability of the landscape and its location is assessed against the relevant policy and guidance at paragraphs 6.4.16 to 6.4.20 and 6.4.44 – 6.4.57. It is also noted that national planning policy is referred to at paragraph 6.2 and taken into account in the overall assessment. The assessment is concluded at paragraph 6.5.

- e) **Leadhills Estate and Harryburn Wind Farm** –The Estate has submitted a document outlining the vision for the Leadhills Estate. In summary the document states that the finance from the proposed wind farm development would enable the following to be delivered:

- Creation of a visitor centre and café facilities to interpret and present the history of the area; The location offers a combination of proximity to junction 14 on the M74, Glenochar Bastle House remains and other historic sites, the river Clyde, the promoted Clyde Walkway and wider current and potential walking networks; there are also opportunities to form a hub for other outdoor activities (gold panning, bird watching) - working in partnership with local businesses, all of which would act as an immediate draw from the motorway to the area of the Lowther Hills.
- In conjunction with local community groups and users, develop formal access routes with appropriate infrastructure and information. This will include the implementation of formalised "loop" to Leadhills Village from the Southern Upland Way and formal, waymarked village path network around Leadhills village.
- Work with South Lanarkshire Council and Leadhills and Elvanfoot villages on their aspirations to improve links between the Southern Upland Way, Leadhills and the Clyde Walkway, and between Leadhills and Elvanfoot.
- Promotion of the Glenfranka (Leadhills) Reservoir for informal recreation in conjunction with Leadhills Angling Club, linking with the path network around Leadhills village and the Southern Upland Way link.

- Working with individuals on new business proposals as facilitator and potential provider of sites and infrastructure, for example the development of the Lowther Hills Ski Club facility.
- Supporting local tourist attractions to develop their offers and facilities.
- Improving interpretation of accessible roadside mining history.

Response: Community benefit is not considered to be a material planning consideration. However reference to the community benefit outlined by the applicant is summarised at paragraph 6.4.75. There has been no submission as part of the application for the proposed development that secures the implementation of the projects listed above.

- 5.3 These letters have been copied and are available for inspection on the Scottish Government Energy Consent Unit website. These representations are taken into account in the overall assessment of the proposed development in section 6 below.

6 Assessment and Conclusions

- 6.1 Any proposal to construct or operate a power generation scheme with a capacity in excess of 50 megawatts requires Scottish Ministers consent under Section 36 of the Electricity Act 1989. Schedule 9 of the Act places on the applicant a duty to “have regard to the desirability of preserving the natural beauty of the countryside, of conserving flora, fauna and geological and physiological features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest”. In addition, the proposal is required to give consideration to National Planning Framework 3, Scottish Planning Policy, Planning Advice Notes, the relevant planning authority’s Development Plans and any relevant supplementary guidance. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. This proposal is for the erection of 17 wind turbines (149.9m maximum height to tip) with associated infrastructure including an access bell mouth to the site, access tracks, hardstandings, substation, control building, battery storage, underground cabling, watercourse crossings, permanent anemometer mast and two temporary construction compounds. The main issues in determining the application are the proposals compliance with national planning policy and guidance; its compliance with the Development Plan, and the proposed development’s implications in terms of landscape and visual impact, cumulative impact, impact on the water environment, aviation and defence, ecology, ornithology, residential amenity and communities and traffic and road safety.

6.2 National Planning Policy and Guidance

- 6.2.1 In relation to planning policy guidance, the proposal can be assessed as follows:

- 6.2.2 NPF 3 notes in paragraph 3.8 “We want to meet at least 30% of overall energy demand from renewables by 2020 – this includes generating the equivalent of at least 100% of gross electricity consumption from renewables, with an interim target of 50% by 2015”. SPP Policy Principles (page 9) state that there will be “a presumption in favour of development that contributes to sustainable development.” At paragraph 28 SPP states that “the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.” The SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, and landscape and visual impacts (paragraph 169). SPP also requires planning authorities to prepare supplementary guidance and set out a spatial framework for

onshore wind farm developments. The considerations set out in SPP at paragraph 169 and the Council's approved SG Renewable Energy 2016 are assessed at section 6.4 below.

- 6.2.3 The approach to the preparation of Spatial Frameworks is set out in SPP Table 1. It is considered appropriate to assess the proposal against this approach. Table 1 categorises areas into groups and each group is taken in turn below (further detailed assessment is provided under the SLLDP below).
- 6.2.4 In Group 1 areas, National Parks and National Scenic Areas, wind farms will not be acceptable. The proposed development is not located within a National Park or National Scenic Area.
- 6.2.5 Group 2 is used to identify areas of significant protection. This includes areas described as 'community separation for consideration of visual impact' and SPP indicates that this represents an area not exceeding 2km around settlements. This distance, however, is to be determined by the planning authority based on landform and other features which restrict views out from the settlement. The proposed wind farm infrastructure and wind turbines are located approximately 600m and 1.8km respectively to the north of Elvanfoot. The proposed wind turbines are located approximately 1.9km south-west of Crawford and 2.6km to the north-east of Leadhills. Visual impact, including the impact on settlements, is assessed at Section 6.4 below. Other nationally important mapped environmental interests are included in Group 2 which includes areas of wild land and carbon rich soils, deep peat and priority peatland habitat. These are assessed below at paragraph 6.4.35. National and international designations are also included in Group 2 and are assessed below at paragraph 6.4.5 – 6.4.9.
- 6.2.6 Group 3, identifies 'areas with potential for wind farm development'. These are described as locations in which the acceptability of wind farms is subject to detailed consideration against criteria, and SPP sets out 19 considerations to be taken into account when assessing wind farm developments. These include landscape and visual impact, cumulative impact, net economic impact and contribution of the development to renewable energy generation targets. These considerations are fully assessed below at sections 6.3 and 6.4, and of the 19 considerations set out in SPP the following elements of the proposed development are considered not to be assessed favourably against the provisions of SPP. These include:
- Landscape and visual impacts
 - Cumulative impacts
 - Impacts on communities and individual dwellings
 - Impacts on the historic environment
 - Impacts on tourism and recreation
- 6.2.7 Furthermore paragraph 170 of SPP states that "Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities." Taking into account the above it is considered that the proposed development does not accord with SPP.
- 6.2.8 The Scottish Government Specific Advice Sheet – Onshore Wind Turbines – was last modified 28 May 2014 and describes typical planning considerations to be assessed when determining applications for onshore wind turbines. The advice covers the consideration and assessment of: landscape, wildlife, habitats, ecosystems, biodiversity, communities, aviation and defence matters, historic environment, road

traffic, cumulative impacts, good practice during construction and decommissioning. The Environmental Statement (ES) and Supplementary Information (SI) submitted as part of the application covers the impacts listed above and this has been taken into consideration in the assessment of the development against the Development Plan at sections 6.3, 6.4 and 6.5 below.

6.3 Strategic Development Plan

6.3.1 Clydeplan onshore wind spatial framework is aligned to increasing energy efficiency and reducing carbon emissions, Diagram 6 identifies areas within the city region that are likely to be most appropriate for onshore wind farm development. The methodology used in devising the Onshore Wind Spatial Framework is set out in Part Two of Background Report 10 Low and Zero Carbon Generating Technologies. At section 15.10 the background report acknowledges that wind turbine development is likely to be acceptable subject to detailed consideration against local policy criteria and that potential wind farm development should not be viewed in isolation. It goes on to state that developers and interested parties must refer to any local guidance made available by the local planning authority including local development plans and supplementary guidance, and landscape capacity studies. Policy 10 Onshore Energy requires proposals to accord with local development plans. With regard to this proposal it is noted that the site is located within the Areas with Potential for Wind Farm Development identified in Diagram 6 of Clydeplan. The proposed development by its nature contributes to developing low carbon energy, however it is considered that this is at the expense of its adverse significant visual, landscape and cumulative impact, adverse significant effects on historic environment and potential adverse significant on protected species as assessed below in Section 6 below. Consequently it is considered that the proposal does not accord with Policy 10 of Clydeplan, and is subject to consideration against the terms of the SLLDP. This is dealt with in the following section.

6.4 Adopted South Lanarkshire Local Development Plan 2015

6.4.1 In the Adopted South Lanarkshire Local Development Plan (SLLDP) 2015 there are five policies and associated supplementary guidance relevant to this proposal. These relate to climate change, the rural area, natural and historic environment, water environment and renewable energy. The SLLDP's overall strategic vision is 'to promote the continued growth and regeneration of South Lanarkshire by seeking sustainable economic and social development within a low carbon economy whilst protecting and enhancing the environment.'

6.4.2 Policy 2: Climate change, seeks to minimise and mitigate against the effects of climate change and requires development proposals to be assessed against a number of criteria. The criteria relevant to this proposal are (iii) utilising renewable energy sources, and (vii) having no significant adverse impacts on the water and soils environment and biodiversity (including Natura 2000 sites and protected species). The policy also requires proposals to accord with appropriate supplementary guidance; SG Sustainable Development and Climate Change. The effects on water and soils are assessed at paragraphs 6.4.21, 6.4.29 – 6.4.31, 6.4.35 below. The impacts on Natura 2000 sites and protected species are assessed at paragraphs 6.4.5 and 6.4.24 – 6.4.27 below. Utilising renewable energy sources the proposed development can provide a total installed capacity of between 54.4 MW and 69.7MW. Taking into account the above and assessments at the relevant paragraphs on the above matters as a result of the potential adverse significant impacts on protected bird species, it is considered that the proposal does not comply with Policy 2 and the advice in the SG Sustainable Development and Climate Change.

6.4.3 Policy 3: Green Belt and rural area, this states that the Green Belt and rural area functions primarily for agricultural, forestry, recreation and other uses appropriate for

the countryside. The proposal is located within the rural area. SG Green Belt and rural area lists in Appendix 2 renewable energy as an appropriate use within this area. However, Policy GBRA1 'Economy/ business related developments', in the SG Green Belt and rural area, requires the proposal to accord with the following criteria:

- a specific locational need
- no adverse impact on biodiversity, including Natura 2000 sites and protected species or features which make a significant contribution to the cultural and historic landscape value of the area
- respect existing landscape form with new buildings and structures being designed to complement and enhance the surrounding landscape
- respect the residential and countryside amenity of the area in terms of visual impact

While wind farms can only be developed where there is a significant wind resource, other criteria in the above policy also require to be met. The impacts on Natura 2000 sites and protected species are assessed at paragraphs 6.4.5 and 6.4.24 – 6.4.27, and the effect on cultural and historic assets is assessed at paragraph 6.4.7 - 6.4.8 and 6.4.14 – 6.4.15, they are considered not to be acceptable. For the reasons set out at paragraphs 6.4.16 to 6.4.20 and 6.4.41 to 6.4.53, the landscape and visual impact is not considered acceptable. Consequently, while the proposed development is a suitable use in the rural area and will generate environmental benefits through producing renewable energy, in terms of its significant adverse landscape and visual effects, and environmental effects on the cultural heritage environment and protected species, it is considered that the proposal does not comply with Policy 3 of the SLLDP and Policy GBRA 1 of SG Green Belt and rural area.

6.4.4 Policy 15: Natural and historic environment assesses all development proposals in terms of their effect on the character and amenity of the natural and built environment. Policy 15 seeks to protect important natural and historic sites and features, as listed in Table 6.1 of the SLLDP, from adverse impacts resulting from development, including cumulative impacts. Each of the natural and historic environment designations are assessed in turn below.

6.4.5 Policy 15 states that in Category 1 areas, development which could affect Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) (Natura 2000 sites) will only be permitted where an appropriate assessment of the proposal demonstrates that it will not adversely affect the integrity of the site following the implementation of any mitigation measures. The application site is not located within a designated area. The Muirkirk and North Lowther Uplands SPA is located approximately 6km to the west of the proposed development and the qualifying interests are its breeding populations of golden plover, hen harrier, merlin, peregrine, and short-eared owl, along with its non-breeding (wintering) population of hen harriers. Chapter 8 Ornithology of the ES points out that SNH stated that it is unlikely that the proposal will have a significant effect on the qualifying interests of the Muirkirk and North Lowther Uplands SPA either directly or indirectly and that an appropriate assessment is therefore not required. The Red Moss SAC is located approximately 5.5km north west of the proposed development and is designated for its active raised bog habitats. The River Tweed SAC is located approximately 8.5km east of the proposed development and its qualifying features are: Atlantic salmon, brook lamprey, river lamprey, sea lamprey, otter and rivers with floating vegetation, dominated by water crowfoot. The ES at Chapter 9 states that these sites have been scoped out of the assessment due to there being no potential for significant effects due to distance and/or lack of hydrological connection or other pathway for effects between the SACs and the proposed development. This approach was agreed with SNH during scoping consultation. On this basis it is considered that the proposal complies with Policy 15 Category 1.

6.4.6 Policy 15 states that in Category 2 areas, development will be permitted where the objectives of the designation and the overall integrity of the area can be shown not to be compromised following the implementation of any mitigation measures. Any significant adverse effects must be clearly outweighed by social or economic benefits of national importance. The Category 2 national designations are considered in turn below taking account of the policies and guidance provided in the SG on the Natural and Historic Environment.

6.4.7 SG Natural and historic environment contains a number of policies on the historic environment covering category 2 national designations (Category A listed buildings and their setting fall within this designation) and includes the following policies that require to be considered:

- Policy NHE 2 – Scheduled Monuments and their setting which states that developments which have an adverse effect on scheduled monuments or their settings shall not be permitted unless there are exceptional circumstances.
- Policy NHE 3 – Listed buildings requires that development affecting a listed building or its setting must seek to prevent unnecessary loss or damage to its historic structure and not diminish its interest.
- Policy NHE 4 – Gardens and designed landscapes aims to protect the quality and historic integrity of designed landscapes and avoid damage to their special character.
- Policy NHE 5 – Historic battlefields requires development to take cognisance of the battlefield and demonstrate how the development will protect, conserve or, where appropriate, enhance the key landscape characteristics and special qualities of the site.

There are no World Heritage Sites, A listed buildings, Inventory Gardens and Designed Landscapes (GDL) or inventoried battlefields within the application site. There are no inventoried battlefields within the study area. The assessment on Cultural Heritage is contained with Chapter 10 and Technical Appendix 10.1 of the ES. The Inner Study Area is the application site around the proposed development including the wind turbines and infrastructure, and there is also the Inner Study Area 2km buffer, both shown on Figure 10.1. There are a total of six Scheduled Monuments within the application site. Two of the Scheduled Monuments are within the Inner Study Area; Collins burn enclosure SM4527/ SLR No 22 and North Shortcleuch platform settlement SM4296/ SLR No 31. The ES concludes that these Scheduled Monuments will suffer detrimental setting effects of sufficient magnitude (moderate) which is significant in EIA terms. There are a further four Scheduled Monuments within the application site boundary to the south of the Elvan Water. This area includes Scheduled Monuments: the Glengeith settlement, bastle house and field system (SM4798); Air Cleuch cairns 1300m south of Glengeith (SM4641); Crookedstane platform settlement (SM4646); and the Glenochar Burn, bastle house, post-medieval settlement and field system (SM5385). Scheduled Monuments Stoneyburn platform settlement (SM4486), Stonyburn Cairns (SM4515) (Inner Study Area) and Kirkton Fort (SM2614) are assessed within the ES as Scheduled Monuments will suffer detrimental setting effects of sufficient magnitude (moderate) which is significant in EIA terms. The Middle Study Area (Figure 10.2) comprising land from the Inner Study Area up to 5km from the proposed turbines has been assessed in the ES. There are 35 Scheduled Monuments and one A Listed Building, Scot's Mining Company House, within the Middle Study Area. In addition, the Scot's Mining Company House is also a Garden and Designed Landscape. The Outer Study Area extends from the Middle Study Area to 10km from the proposed turbines (Figure 10.2). Within the Outer Study Area, there are 25 Scheduled Monuments and one A Listed Building, Wanlockhead Library.

- 6.4.8 Taking account of the above and having considered the views of HES and WOSAS, set out in paragraphs 4.12 and 4.15 respectively, and the scale, nature and location of the proposed development it is considered that the impact of the proposed development on the Scheduled Monuments would lead to unacceptable adverse effects on the historic environment, and these significant effects are not outweighed by social or economic benefits of national importance. On the basis of the above assessment it is considered that the proposal does not comply with SG Natural and Historic Environment Policy NHE 2.
- 6.4.9 Other policies within SG Natural and Historic Environment that relate to category 2 national designations are Policies NHE 9, NHE 10 and NHE 11. Policy NHE 9 states that development which affects a Site of Special Scientific Interest (SSSI)/National Nature Reserve will only be permitted where an appraisal has demonstrated a) the objectives of designation and the overall integrity of the area will not be compromised; or b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. There are six SSSI's located approximately between 5.5 - 10km from the proposed development. The ES at Chapter 9 states that these sites have been scoped out of the assessment due to there being no potential for significant effects due to distance and/or lack of hydrological connection or other pathway for effects between the SSSIs and the proposed development. This approach was agreed with SNH during scoping consultation. On this basis it is considered that the proposed development complies with SG Natural and Historic Environment Policy NHE 9.
- 6.4.10 Policy NHE 10 requires the protection of prime agricultural land and also land of lesser quality that is locally important. The application site does not contain any prime agricultural land as identified in the SLLDP Strategy Map, therefore Policy NHE 10 is not relevant.
- 6.4.11 Policy NHE 11 states that development proposals that involve the loss or fragmentation of areas of ancient semi-natural woodland (categories 1a and 2a on SNH Ancient Woodlands Inventory) will only be supported where any significant adverse effects are clearly outweighed by social or economic benefits of national importance. The proposal will not result in loss or fragmentation of areas of ancient semi-natural woodland identified in the SLLDP Strategy Map. On the basis of the above assessment it is considered that the proposed development complies with SG Natural and Historic Environment Policy NHE 11.
- 6.4.12 SG Natural and Historic Environment contains guidance on the water environment under category 2 national designations and refers to Policy 17 of the SLLDP. Therefore the impact of the proposed development on the water environment has been assessed in terms of Policy 17 at paragraph 6.4.29 – 6.4.31 below. Given the assessment, it is considered that subject to mitigation measures the proposal complies with SLLDP Policy 15 Category 2.
- 6.4.13 In SLLDP Policy 15 Category 3 areas, development which would affect these areas, following the implementation of any mitigation measures, will only be permitted where there is no significant adverse impact on the protected resource. Where possible, any development proposals which affect natural and historic designations should include measures to enhance the conservation value of the site affected. The Category 3 local designations are taken in turn below with further policy and guidance provided in the SG Natural and Historic Environment.

6.4.14 SG Natural and Historic Environment contains the following policies on the historic environment under category 3 local designations. (Category B and C listed buildings and their setting fall within this designation):

- Policy NHE 3 - Listed buildings, requires that development affecting a listed building or its setting must seek to prevent unnecessary loss or damage to its historic structure and ensure that proposals will not diminish its interest.
- Policy NHE 6 - Non-scheduled archaeological sites and monuments, requires these assets to be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications.
- Policy NHE 7 - Conservations Areas, requires proposals to be considered in light of their effect on the character and appearance of the conservation area.

There are no listed buildings within the site boundary and 7 Category B listed buildings within 5km of the application site (Middle Study Area). There are two Conservation Areas in the Middle Study Area, at Leadhills and Wanlockhead respectively. There are 125 locally designated assets of national importance, forming 51 sites, within the Middle Study Area. Within the Outer Study Area there are 59 assets forming 24 sites identified of national importance. The ES provides details of the assessment of the proposed development on the historic environment in Chapter 10 Cultural Heritage, and Technical Appendix 10.1 - Archaeology Appendix. The ES at Chapter 10 considers that the construction of the proposed development could have potential direct impacts on below ground archaeology within the application site, and potential indirect impacts on designated assets which are sensitive to changes affecting setting. The ES goes on to state that indirect impacts for the purposes of this proposal may be characterised as an alteration of the landscape setting of those historic assets which have an open aspect towards the application site.

6.4.15 The above provides an overview of the significant number of cultural heritage assets which are in the vicinity of the proposed development. In considering the impact on the Leadhills Conservation Area the Leadhills Conservation Area Character Appraisal was reviewed. It sets out the history of the area and what conservation designation means; and describes Leadhills as having a unique sense of place with its vernacular detailing, miners cottages built into the hillside; while its landscape setting in the Lowther Hills creates a distinctive townscape which, apart from neighbouring Wanlockhead, is unique in Scotland. The appraisal reaffirms that it is a combination of these characteristics, the historical associations with the mining industry, the landscape, scale, and materials and detailing of the buildings that gives Leadhills its distinctive character and appearance, which it is considered desirable to preserve. SNH concur and in their response state that Leadhills offers a unique sense of place, providing visual and cultural focus at the heart of this hill range. On reviewing the consultation responses, representations, the cultural heritage assessment in the ES together with the LVIA in Chapter 7, it is considered that the proposed development will not preserve or enhance the character of the Leadhills Conservation Area as required by Policy NHE 7. WOSAS raise concerns regarding the methodology of the assessment and consider greater effects on the setting of assets than stated in the ES. When considering the contribution of the setting to the assets in the ES, and the role it plays in the heritage significance of the asset, it is considered by WOSAS that the proposed development would result in detrimental effects on the setting of many assets. WOSAS consider at least nine Non Statutory Register (NSR) sites of schedulable quality will suffer detrimental setting effects. Taking into account the above, the assessment in the ES and the comments from WOSAS (summarised at paragraph 4.15), it is considered that the effects of the proposed development on the historic environment are unacceptable. On this basis the proposed development is

considered not to comply with SG Natural and Historic Environment Policies NHE 6 and NHE 7.

6.4.16 Special Landscape Areas (SLA) are included within category 3 local designations under Policy 15 of the SLLDP and the SG Natural and Historic Environment contains Policy NHE 16 Landscape and further guidance on SLA and the wider landscape. The majority of the proposed development, 12 out of the 17 turbines, lies within the Leadhills and the Lowther Hills SLA. It is acknowledged that the location of a wind farm within a landscape designation does not necessarily preclude development and that the local landscape designations are not the highest national category. However these areas have been judged to contribute significantly to the quality of people's lives in the part of Scotland where they lie. The ES at Chapter 7 and Technical Appendices 7.1 to 7.3 provide the Landscape and Visual Impact Assessment (LVIA) for the proposed development. The assessment of a wind farm proposal within a SLA requires to consider the landscape's key characteristics and its ability to accommodate wind turbine development. The Leadhills and Lowther Hills area forms part of the more extensive Lowther Hills range, which extends into Dumfries and Galloway. This landscape of remote rounded hills and isolated upland glens is characterised by a general sense of emptiness. The full assessment of the SLA and its special qualities are set out in the Council's report 'Validating Local Landscape Designations' November 2010. SNH note the significance of the Leadhills and Lowthers area arises from its 'small but dramatic range of smoothly domed hills, incised by deep glens, clearly distinct from the more subdued surrounding Southern Uplands in which they sit.' SNH also note 'the landscape affected by the proposal is in an area where the distinctive regional character of the Lowther Hills is most clearly expressed, with a key feature being the setting it provides for the remote and historic mining villages of Leadhills and Wanlockhead (Scotland's two highest villages). The villages offer a unique sense of place, providing visual and cultural focus at the heart of this hill range.'

6.4.17 In view of the consultation response from SNH which advises that the proposal would result in significant and adverse landscape and visual impacts, and following an initial review of the proposal, the Council sought comments on the proposal from its landscape consultants, Ironside Farrar Limited (IFL). The majority of turbines proposed lie within Leadhills and The Lowther Hills SLA. 12 of the 17 turbines lie in the north east of the designated area and the proposed development would be widely visible across the northern half of the SLA, with more scattered visibility to the south of Green Lowther. The applicant concludes in the assessment of Leadhills and Lowther Hills SLA in the LVIA that there would be a significant effect on the SLA as a whole, although effects on the southern part would be more limited (ES - LVIA section 7.353 – 7.364). Generally IFL comments agree with the applicant's conclusion, considering that many of the SLA characteristics would be significantly compromised by the scale of the proposed development. The overview in SLC's Validating Local Landscape Designations document describes the key features of the SLA and states: "The Leadhills and Lowther Hills area forms part of the more extensive Lowther Hills range, which extends into Dumfries & Galloway. This landscape of remote rounded hills and isolated upland glens is characterised by a general sense of emptiness. Much of the landscape is treeless, with only a few small forestry plantations. Between the hills a number of scenic glens pass southwest from the Clyde valley into Dumfries and Galloway. The Conservation Village of Leadhills is located at the head of two glens, 400m above sea level. With the adjacent village of Wanlockhead (Dumfries and Galloway) they represent the highest settlements in Scotland and the industrial archaeology associated with these villages, including working railway, museum, mine spoil and former mines, permeates into the adjoining landscape. The Southern Upland Way passes through this landscape, providing many with the opportunity to explore and enjoy it."

6.4.18 Local landscape distinctiveness is a fundamental component of placemaking as set out in SLLDP and in more detail in the SG Natural and Historic Environment section 4.32 - 4.39. It is set out that new development in or adjacent to SLA should not detract from the special qualities or character of the special landscape. Where possible, new development should also ensure aspects of siting, layout and design should enhance the qualities for which the area has been designated. It is considered that the proposed development does not comply with the guidance due to many of the SLA characteristics being significantly compromised by the scale and nature of the proposed development. IFL considered that:

- The turbines would be located on an area of smooth rolling hills characteristic of the Southern Uplands within the designated area. While appearing to be of a large scale due to a lack of scale references, the landform is typically 200-250m above the floor of the surrounding glens and wind turbines of 150m height would significantly affect the sense of scale.
- Due to their tightly enclosed, twisting topography, the two Upland Glen Local Character Areas (LCA) of Glengonnar and Elvan Water are minimally affected by views of the operational Clyde wind farm to the east. The proposed turbines would significantly affect their setting and sense of remoteness due to a dominating skyline effect and widespread visibility across both LCAs.
- The setting of Leadhills village as seen from western approaches would be significantly affected, as would the journey to and from the village from the north and east along the two glens.
- Views from the Southern Upland Way near Leadhills and the narrow-gauge railway between Wanlockhead and Leadhills would be significantly affected.
- The proposed development would lead to significant combined and additional cumulative effects on the designated area when added to the existing Clyde wind farm group to the east and the proposed North Lowther wind farm to the west.

6.4.19 The Council's Validating Local Landscape Designations document sets out the boundaries to the SLAs and why they are defined. Leadhills and The Lowther Hills SLA boundaries are defined by excluding areas directly affected by more overt concentrations of development: including the transport corridor from Abington southwards, which contains the A74(M), West Coast main line and A702; a 400kV overhead line and Clyde wind farm which is set back from the hills immediately enclosing the Clyde Valley. The proposed development will bring significant development west of the M74 corridor, compromising the rationale for defining the SLA's extent as well as the characteristics and features described above in paragraph 6.4.17.

6.4.20 Further to the above assessment, SNH advise in their response that this prominent development would have significant impacts on this distinctive area; adversely affecting both residents' and tourists' experience of the landscape. SNH advise that the proposal would adversely and fundamentally affect the distinctive landscape character and visual amenity of the Lowther Hills. Taking account of the above assessment, including the advice from IFL, and the comments from SNH, it is considered that the proposed development cannot be accommodated without significantly and adversely affecting the landscape character, scenic interest and special qualities of Leadhills and The Lowther Hills SLA, thus prejudicing the features for which the area has been designated. Policy NH16 Landscape – Special Landscape area also seeks to maintain and enhance the historical qualities of the area and its sensitivity to change. As assessed above at paragraph 6.4.7 – 6.4.8 and 6.4.14 – 6.4.15 it is considered the proposals would lead to unacceptable adverse

effects on heritage assets. These heritage assets are a contributing characteristic of the SLA designation. Taking account of site visits made within the Leadhills and the Lowther Hills SLA (B7040 and B797) it is considered that the proposed turbines are visually dominant in views along these routes. This can be seen from LVIA Viewpoint 3: B7040 Shortcleugh and Viewpoint 26: B7040 east of the Hass; and Viewpoint 23: B797 near Glencapel and Viewpoint 19: B797 south west of Lettershaws. Taking account of the above, the SNH advice and having considered the landscape advice provided by IFL, it is concluded that this proposal will have an adverse effect on the contribution this landscape makes to the quality of people's lives, and the effects will be adverse and significant on Leadhills and The Lowther Hills SLA; accordingly, the proposed development does not comply with Policy 15 of the SLLDP and Policy NHE16 of the SG Natural and Historic Environment.

6.4.21 Policy NHE 15 in the SG Natural and Historic Environment (category 3 local designations) states that development on undesignated peatland will only be supported where any significant adverse effects are clearly outweighed by significant social or economic benefits. It adds that renewable energy development will be assessed on the basis of the specific guidance on peat contained in the SG Renewable Energy. Chapter 11 of the ES assesses the effects on geology and peat and a Peat Management Plan (PMP) has been provided at Technical Appendix 11.2. Initial peat assessments and depth surveys were undertaken during the design stages. The majority of the site was found to have a thin (less than 0.5m) peaty soil over glacial till. The PMP considers that the overall conclusion regarding peat stability is that there is a negligible to low risk of peat instability over most of the site. The conclusions are detailed in Technical 11.1 Peat Landslide Hazard and Risk Assessment (PLHRA) included in the ES. Consultation comments on the PLHRA are provided by Energy Consent Unit's consultants, AM Geomorphology at paragraph 4.13 above. Following review of the PLHRA and further information being provided the consultant considers the assessment to be satisfactory. The ES identifies a number of locally deep areas of peat and where possible, these areas have been avoided by infrastructure. SEPA consultation response is summarised at paragraph 4.10 above, and SEPA acknowledges that despite these measures peat will require to be excavated to facilitate the construction of the development. Details of this and the proposed reuse strategy are set out within the PMP; and SEPA are largely satisfied with the measures set out. SEPA consider that it is imperative that these are implemented as proposed. Based on previous experience it is considered that changes are likely to be made to the PMP post consent should planning consent be granted. The applicant states that further site investigation will be undertaken pre-construction. SEPA request that a planning condition is attached to any consent to ensure that any changes required to the PMP post consent are approved by the Planning Authority in consultation with SEPA. Accordingly, taking account of the above and on the basis that suitable conditions can be attached to secure the necessary mitigation measures the proposal complies with Policy NHE 15.

6.4.22 Policy NHE 12 in the SG Natural and historic environment describes Local Nature Reserves, Policy NHE 13 Tree Preservation Orders, Policy NHE 14 felling of existing woodland and Policy NHE 17 Country Parks as category 3 local designations. The application site does not affect a local nature reserve or Country Park as identified in SLLDP Strategy Map, or woodland that has a tree preservation order or any existing woodland. Therefore Policies NHE 12, 13, 14 and 17 are not relevant to this assessment.

6.4.23 Policy NHE 18 in the SG Natural and Historic Environment (category 3 local designations) contains guidance on core paths and rights of way. It seeks to safeguard existing and proposed walking, cycling and riding routes. The ES at Chapter 7 LVIA and Chapter 18 Socio economics, Recreation and Land Use

assesses the effects of the proposed development on core paths and rights of way. There are no core paths or rights of way through the application site. There are numerous core paths which lie around Leadhills and within the surrounding former mining area, with proposed turbines approximately 2km from these routes. There are additional routes within 3-4km of the proposed development. The landscape and visual effects of the proposed development on recreational routes are set out at section 7.492 – 7.539 of Chapter 7 LVIA of the ES. It states that there are numerous core paths around Leadhills to the south which would have clear views of the proposed development on the sections of the paths which lie between Leadhills and Glengonnar station, where the rising elevation allows a wider outlook. It goes on to say that as demonstrated by the nearby Viewpoint 15, the proposed turbines would be visible in views to the north east above Broad Law and framed between the foreground hillsides. The assessment states that the majority of the core paths in Leadhills lie within the Zone of Theoretical Visibility (ZTV) and in close proximity (approximately 2.5km) to the proposed development. It is stated in the ES the proposed development would result in a significant effect on users of the core paths. The National Cycle Route 74 (NCR74) is a 70 mile route connecting Gretna and Glasgow via Lockerbie and Abington. Within the study area the route from the south runs along the B7076 parallel with the M74/A74(M) and continues north on to the A702 near Crawford. At junction 13 of the M74/A74(M) the route continues north west on to the B7078, on a dedicated cycle path, largely parallel with the M74/A74(M). The ZTV on Figures 7.4a and 7.4b shows predicted visibility along parts of the route along the B7076 near Elvanfoot, the A702 and also the B7078. The NCR74 is located within approximately 1.4km of the closest turbines. The sensitivity of cyclists on this designated route is however considered high, greater than road users, due to the slower speed and a general higher interest in the surroundings. The ES concludes that the effect on cyclists would not be significant, however the IFL Audit of the LVIA concluded that effects on cyclists would be significant. There are also walking routes which provide connections to the Southern Upland Way, to the south of the application site and located in Dumfries and Galloway. There are also a number of core paths located within this area. The Southern Upland Way (SUW) is a long distance walking route of the UK, from coast to coast. It runs 212 miles (340 km) from Port Patrick on the south west coast of Scotland to Cockburnspath on the eastern coast of Scotland. The SUW provides sections that are suitable for families and the less ambitious walker, and in particular the summit of Lowther Hill and Green Lowther are popular walking routes and very accessible. The LVIA identifies significant effects on parts of the SUW near to Leadhills, several core paths around Leadhills and walkers on local hilltops such as Green Lowther and Tinto Hill. The ES states that the greatest sequential cumulative effects from the proposed development with the existing and consented wind farms would occur when travelling east from the south western edge of the study area towards Wanlockhead. It is acknowledged in the ES that the proposed development would extend the visibility of turbines close to the SUW, and although Clyde Wind Farm is theoretically visible from this area, it is mostly obscured and distant. The ES concludes that taking into account the existing wind farms and the small section of route from which the proposed development would be visible, but would be a prominent feature, the sequential cumulative magnitude of change on users of this section of the SUW would result in significant effect. The IFL Audit of LVIA concludes that due to the location, scale, and number of the proposed turbines, the proposed development would lead to significant adverse visual effects on sections of the SUW, NCR 74 and local recreational paths and hill summits. Taking into account the assessment in the ES, IFL comments and SNH comments, it is considered that the proposed development does not comply with Policy NHE 18 in SG Natural and Historic Environment under category 3 local designations. The ES also states that although the proposed development would only be seen for a short stretch of this section of the SUW, in addition to the North Lowther Wind Farm, there would be a noticeable change to the outlook from the path, extending the presence of

wind farms from the south west. The ES considers that the sequential cumulative magnitude of change of the proposed development with baseline and proposed wind farms on users of this stretch of the SUW would result in significant effect.

- 6.4.24 Policy NHE 19 in the SG Natural and Historic Environment states that development which will have an adverse effect on protected species following the implementation of any mitigation measures will not be permitted unless it can be justified in accordance with the relevant protected species legislation. European Protected Species (non-birds) considered in the ES included bats, otters, badgers, water voles and fish. SNH raise no concerns with the surveys for habitats and species and if the mitigation measures and pre-construction surveys described at section 9 of Chapter 9 of the ES are fully implemented there will be no adverse impacts on protected species. If the application is granted consent, further protected species surveys will have to be undertaken several weeks in advance of construction on site. It is considered appropriate to require a species protection plan which reflects the principles set out in Chapter 9 of the ES and should be prepared and approved by the Planning Authority in consultation with SNH prior to commencement of works on site.
- 6.4.25 Chapter 8 of the ES describes and evaluates the current avian interest of the application site and the surrounding area. SNH requested further information in relation to ornithological concerns and on review of the supplementary information they consider that the proposal is likely to have some adverse impacts on protected birds, though, through appropriate mitigation measures being implemented, the impacts on the natural heritage can be reduced. SNH recommend the full range of mitigation and enhancement measures identified in the ES are implemented along with additional/enhanced measures for hen harriers and short-eared owl. However although the outline Habitat Management Plan (HMP) sets out conservation management options for breeding waders, SNH advise that these options are focused in a part of the application site across lower ground. These areas are considered appropriate for breeding waders such as redshank, lapwing and snipe, but SNH advise the measures would be of limited value for golden plover and curlew, which have higher breeding populations on open moorland. No habitat enhancement measures are proposed for the open moorland area. SNH advise the capacity of the current outline HMP to mitigate the loss of breeding curlew and golden plover may therefore be limited. This contradicts the statement within the ES and the updated cumulative impact assessment, where it states that effects on birds can be discounted because of the measures within the outline HMP. SNH accept the high degree of uncertainty associated with displacement figures and consider some of the figures from other ES are probably over-precautionary, even taking mitigation into account. SNH therefore advise that restoration of habitat in other parts of the site should be carried out to mitigate, at least in part, the loss of breeding birds close to turbines. This would require the applicant to submit a revised outlined HMP to demonstrate that suitable mitigation measures can be delivered.
- 6.4.26 Further advice is given from SNH in relation to the effects of the proposed development on hen harriers. They suggest that the turbine layout should be amended to reflect the distribution of past breeding records as a means to avoid disturbance. SNH go on to advise that despite this, and given that hen harrier breeding sites do change between years, the possibility of breeding birds establishing territories near proposed turbine locations will need to be addressed. Further detail on this particular issue is set out in SNH's response and they conclude by recommending additional mitigation to avoid the potential for committing an offence during wind farm construction, which includes additional survey work and a bird protection plan. SNH also recommend similar mitigation for short-eared owl. RSPB considered that the proposed development could lead to potentially significant effects on protected species at a regional level, and they have concerns with regards to the

mitigation measures that are proposed being sufficient to off-set the potential effects. The RSPB consultation response is summarised at paragraph 4.14 above. The applicant submitted supplementary information in January 2018. It stated that further information would be submitted in response to RSPB concerns, though at the time of writing this report no further information or correspondence has been provided by the applicant.

- 6.4.27 On reviewing the information presented in the ES, the Supplementary Information, and the responses from SNH and RSPB, it has given rise to the possibility of significant adverse effects on birds if suitable mitigation measures are not implemented throughout the lifetime of the proposed development. SNH do not object on the grounds of effects on birds, however they do highlight concerns with the proposed mitigation and recommend additional measures. Similarly RSPB raise concerns with the effects of the proposed development on protected birds and over the suitability and appropriateness of the mitigation measures, which results in an objection from RSPB. Taking into account the above responses and concerns made by consultees and from representations, it is considered that the proposed development has potential to have an adverse effect on birds protected under the Wildlife and Countryside Act 1981 (as amended in Scotland), and therefore does not comply with Policy NHE 19 protected species.
- 6.4.28 The SG Natural and Historic Environment also includes quiet areas as category 3 local designations. The proposed development does not impact on any quiet areas as identified in the SLLDP Strategy Map. In summary of the above assessment of the proposal against Policy 15 Natural and Historic Environment, it is considered that the impact of the proposed development on the historic environment would lead to significant adverse effects on the heritage assets (paragraphs 6.4.7 – 6.4.8 and 6.4.14 – 6.4.15 above), significant adverse effects on the SLA (paragraphs 6.4.16 – 6.4.20 above) and may potentially lead to significant effects on protected species (paragraphs 6.4.24 – 6.4.27). Accordingly, the proposed development does not comply with Policy 15 of the SLLDP and policies NHE 2, NHE 6, NHE 7, NHE 16 and NHE19 of the SG Natural and Historic Environment.
- 6.4.29 Policy 17: Water Environment and Flooding states that any development proposal which will have a significant adverse impact on the water environment will not be permitted. The water environment is made up of groundwater, surface water and watercourses. SG Sustainable Development and Climate Change contains guidance on the water environment, and the water environment falls under category 2 national designations within Policy 15 of the SLLDP. Chapter 13 of the ES and Technical Appendix (TA) 13.1 assesses the effects on hydrogeology and hydrology. It is acknowledged that there are areas of Groundwater Dependent Terrestrial Ecosystems (GWDTE) within the application site and the ES includes a GWDTE assessment. SEPA consider the information provided regarding GWDTE to be thorough and recommend that the Construction Environmental Management Plan (CEMP) includes the measures set out in the GWDTE assessment (TA 13.1), such as cross drains beneath access tracks to ensure current surface water flow paths are maintained. SEPA and MSS-FL and representations raised concerns regarding the effects from historic mining in the area. SEPA considered the main areas of concern with regards to historic mining are tracks between T11 and T9, and T12 and T15. MSS-FL raise concerns regarding the potential impacts associated with previous mining activities on fish populations. In particular within and downstream of the area where T9, T11, T12, T13, T15 associated access tracks and watercourse crossing are proposed to be located. SLR Consulting indicated that no further detailing of the tracks is practical at this time as micro siting is likely to be required. Further mining investigation is proposed to be undertaken pre-construction, in order to address risk and modify the track or remediate past workings. SEPA also recommend that the

CEMP should incorporate detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution and during all phases of construction, reinstatement, after construction, and final site decommissioning, to ensure the effects on the water environment are mitigated. The scope of the detailed mitigation measures and monitoring will required to be set out, including how it is intended to collect, contain, treat and dispose of contaminated site drainage. The CEMP requires to be submitted prior to commencement on site and to be approved by the Planning Authority in consultation with relevant statutory consultees.

6.4.30 Chapter 13 of the ES also outlines the existing groundwater abstractions within the vicinity of the development. The assessment identified three private water supplies (PWS) potentially within the same surface and groundwater catchment as the proposed development however these are all outwith the buffers zones specified. The closest PWS is North Shortcleuch which is 662m to the south of the development. Baseline monitoring is proposed for both quality and quantity, and the monitoring requires to be recorded through both construction and operational phases allowing continual assessment. The ES concludes that with this mitigation in place the impact is assessed as negligible. SEPA raised concerns regarding the lack of detail regarding potential impacts and mitigation of surface water run-off from roads during construction phase and how this will be managed. It is considered the further detail can be provided in the CEMP of how this will be managed. MSS-FL also provide comments summarised at paragraph 4.20 above. They note that the proposed development area is drained by tributaries of the River Clyde and the Elvan Water and Glengonnar Water, both sub-catchments of the River Clyde. MSS-FL highlight the national importance of two species, salmon and trout which should be considered throughout the development, particularly as the River Clyde is considered to be a recovering river for salmonoid stocks. MSS-FL welcome the proposed mitigation measures including the buffer zone of 50m around all watercourses and construction activities, the use of floating roads where peat deposits exceed depths of 1m, and the use of sustainable drainage systems within the proposed drainage scheme. Taking into account comments from MSS-FL, SEPA and Environmental Services it is considered that the performance of the good practice measures require to be kept under constant review by a water monitoring schedule, based on a comparison of data taken during construction, with a baseline data set, sampled prior to the construction period. The ES states that this will be provided and it is considered to be acceptable subject to conditions securing further details on the monitoring locations and methodology.

6.4.31 The Council's Flood Risk Management team raised concerns regarding surface water and potential impact on the run-off characteristics of the site (response at paragraph 4.1 above). Therefore it is considered necessary for a flood risk assessment/drainage assessment to be undertaken prior to commencement on site to highlight associated risk from run-off and that a Sustainable Urban Drainage System (SuDS) serving the application site be designed and independently checked in accordance with the Council's current SuDS Design Criteria Note. The SuDS thereafter require to be maintained in accordance with the approved details. The final detailed design of the site requires to take into account the resulting recommendations and mitigation measures and to be implemented where needed. The Council's Environmental Services raise concerns regarding dust mitigation, contaminated land, private water supplies and hydrogeology and hydrology (paragraph 4.3 above). Following review of the Supplementary Information, it is considered that these matters can be satisfied subject to conditions. It is considered due to the potential impacts on surface water as a result of the development that a condition needs to be imposed to require a water quality monitoring plan and, fish and macro invertebrate surveys throughout construction, operation and decommissioning. The ES outlines that the infrastructure

layout has been designed to avoid hydrologically-sensitive areas and to provide a minimum 50 metre buffer zone for all watercourses. Mitigation measures set out in Chapter 13 of the ES and SI, and SEPA's consultation responses also require, however, to be included in the CEMP. If the proposal was granted consent a condition requiring the preparation of the CEMP, which would include surface water management and pollution prevention measures, and a condition requiring the preparation of Peat Management Plan (PMP) should also be attached. In addition, further targeted ground investigation work is required prior to the commencement of work on site, to inform the detailed geotechnical design for each turbine location, access track, hardstanding areas and construction compound. Thereafter the CEMP and PMP, should be approved by the Planning Authority in consultation with SEPA, SNH and the Council's Roads and Transportation Services (Flood Risk Management Section), and implemented during construction, operation and decommissioning. Taking account of the above assessment it is considered that subject to the conditions and mitigation measures described the proposal complies with Policy 17 Water Environment of the SLLDP.

6.4.32 Policy 19: Renewable Energy states applications for renewable energy infrastructure developments will be supported subject to an assessment against the principles set out in the 2014 SPP, in particular the considerations set out at paragraph 169 and additionally for onshore wind developments the terms of Table 1: Spatial Frameworks. The policy also requires the Council to produce statutory supplementary guidance which accords with SPP. As noted above at paragraph 3.2.3, the Council has prepared SG on Renewable Energy. The proposed development will be assessed against Table 7.1 Assessment checklist for wind energy proposals which includes the Spatial Framework and the principles set out in paragraph 169 of SPP. Each is taken in turn below.

6.4.33 Policy RE1 Spatial Framework for Wind Energy requires applications for onshore wind turbine developments of a height to blade tip of 15m or over to accord with the Spatial Framework and to meet the relevant criteria set out in section 6 Development Management considerations and Table 7.1 Assessment checklist for wind energy proposals. The spatial framework identifies those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. Table 4.1 of SG Renewable Energy sets out three groupings in relation to wind energy development. These are as follows:

- Group 1: Areas where wind farms will not be acceptable
- Group 2: Areas of significant protection
- Group 3: Areas with potential for wind farm development

Group 1 areas comprise of National Parks and National Scenic Areas (NSA). There are no National Parks or NSA that will be affected by the proposed development.

6.4.34 Group 2 Areas of significant protection, SPP and SG Renewable Energy recognises the need for significant protection of particular areas which include:

- National and international designations
- Other nationally important mapped environmental interests
- Community separation for consideration of visual impact

National and international designations have been previously assessed at paragraphs 6.4.5 – 6.4.9 and it is considered that subject to conditions there are no adverse effects on the national and international designations specified in the Spatial Framework set out in the SPP (Table 1). Other nationally important mapped environmental interests include areas of wild land as shown on the 2014 SNH map of wild land areas and carbon rich soils, deep peat, and priority peatland habitat. There are no areas of designated wild land within South Lanarkshire. SNH has prepared a

consolidated spatial dataset of carbon-rich soil, deep peat and priority peatland habitats in Scotland derived from existing soil and vegetation data. There are areas of carbon rich soils/peatland located within the site of the proposed development. This is assessed below at paragraph 6.4.38. The third criteria of the Group 2 Areas of significant protection relates to community separation for consideration of visual impact. This is defined by SPP as an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The 2km buffer zone around settlements is an indicative area in which potential developers will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. The separation is not a ban on wind energy development in the identified area. There are two settlements within 2km of the proposed wind turbines – Elvanfoot and Crawford. The proposed turbines are located approximately 1.8km to the north of Elvanfoot and approximately 1.9km south-west of Crawford. This is assessed further below at paragraph 6.4.39. The ES contains a Landscape and Visual Impact Assessment (LVIA) at Chapter 7. The visual impact of the proposal is assessed at paragraphs 6.4.55 – 6.4.57 below.

- 6.4.35 Group 3 Areas with potential for wind farm development: SPP and SG Renewable Energy states that beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria. Table 7.1 of the SG sets out a series of considerations which are to be taken into account when assessing renewable energy proposals and these are in line with the considerations set out at section 169 of SPP.
- 6.4.36 Policy RE2 Renewable Energy Development states applications for renewable energy development will only be acceptable if they accord with the relevant guidance set out in section 6 and Table 7.1. Each of the considerations is assessed below at paragraphs 6.4.37 – 6.4.74. On the basis of the assessment below it is considered that the proposed development does not fully comply with Policy RE2 and Group 3 of the Spatial Framework as set out in SPP.
- 6.4.37 Impact on international and national designations. National and international designations have been previously assessed at paragraphs 6.4.5 – 6.4.9 and it is considered that subject to conditions there are no adverse effects on the national and international designations set out in Table 7.1 criteria 1 of the SG and SPP regarding impacts on international and national designations.
- 6.4.38 Impact on carbon rich soils, deep peat and priority peatland habitat (CPP). The applicant has undertaken peat probing across the application site and the Energy Consent Unit's consultant, AM Geomorphology has assessed the site for peat slide risk. Carbon rich soils/peatland Class 1 ranked areas require the most careful consideration because their combined soil habitat characteristics indicate a strong likelihood of deep peat and priority peatland habitats. In line with SPP, impacts on carbon rich soils/peatland must be assessed and it be clearly demonstrated that all significant effects on the qualities of these areas can be substantially overcome through siting, design or other mitigation. Taking into account the information submitted to date, SNH's response summarised at paragraph 4.12 and SEPA's response summarised at paragraph 4.11, it is considered that the potential impact on carbon rich soils can be controlled by condition. The proposed development has been designed to avoid areas of deep peat. However clarification on the quality of the peat, its depth and the proposed mitigation requires, to be set out in the Peat Management Plan (PMP). Therefore if planning consent is granted, conditions should be attached requiring further site investigations, assessment of impact on carbon rich soils/peatland and the identification of proposed mitigation. A CEMP and PMP, based on SEPA guidance to ensure soil disturbance is minimised, also requires to be

adopted for handling soils. CEMP and PMP would also require to be the subject of a condition if the proposed development was granted consent. On balance it is considered that on the basis of the above assessment and subject to conditions there are no significant or material impacts on carbon rich soils/peatlands, deep peat and priority peatland habitat subject to conditions and mitigation measures being implemented and monitored.

6.4.39 Community separation for consideration of visual impact is the third criteria of the Group 2 Areas of significant protection. It relates to community separation for consideration of visual impact; which is defined by SPP as an area not exceeding 2km around cities, towns and villages identified on the local development plan as having a settlement envelope or edge. The 2km buffer zone around settlements is an indicative area in which potential developers will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. The separation is not a ban on wind energy development in the identified area. The infrastructure associated with the proposed wind farm is located 600m north of Elvanfoot and the proposed turbines are located approximately 1.8km north of the settlement. The proposed development is located south west of Crawford. The proposed turbines are located 1.9km from the settlement of Crawford. The proposed development presented in the application is considered to result in significant visual effects for Elvanfoot and on the northern part of Crawford. The visual effects and cumulative impact of the proposed development is assessed further at paragraphs 6.4.55 – 6.4.57. Taking the assessment into account the proposed development is considered not to comply with the required community separation for consideration of visual impact for Elvanfoot and Crawford as set out in Table 7.1 criteria 3 of the SG and SPP.

6.4.40 Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

Chapter 18 of the ES and the Socio-economic Statement presents an assessment of the socio-economic impact of the proposed development. It is estimated that the construction phase of the proposed wind farm could support between 131 and 168 additional jobs in Scotland including between 29 and 38 jobs in South Lanarkshire. For the operations and maintenance of the proposed development it could support between 9 and 12 additional jobs in Scotland, of which 4 or 5 could be in South Lanarkshire. Other socio-economic effects identified from the proposed development include positive impacts from employee spending in the local economy during the construction period of approximately 24 months, and a temporary moderate positive effect on the regional economy generated by construction related expenditure. Chapter 18 of the ES states that for both construction and operational phases of the proposed development, the socio-economic effects are considered to be beneficial but not significant.

6.4.41 The scale of contribution to renewable energy generation targets and the effect on greenhouse gas emissions.

Chapter 12 of the ES sets out the energy generation and carbon emissions savings for the proposed development. The calculations of total carbon dioxide emission savings and payback time for the proposed development indicates the overall payback period of a wind farm with 17 turbines with an installed capacity between 3.2MW and 4.1MW would be around (0.8 to 1.6 years), when compared to the fossil fuel mix of electricity generation. The estimated carbon payback period of the total proposed development is expected to be approximately 13 months (1.1 years).

6.4.42 Effect on the natural heritage, including birds – Table 7 criteria 7a) South Lanarkshire Local Biodiversity Strategy, Local nature conservation designations, bird sensitivity, protected species and bats. This consideration has previously been assessed under

Policy 15 Natural and historic environment of SLLDP at paragraphs 6.4.5 and 6.4.24 – 6.4.27. On the basis of the above assessment it is considered that the proposed development has potential to lead to adverse significant effects on protected birds and accordingly the proposed development does not comply with the consideration set out in Table 7.1 criteria 7 a) of the SG and SPP regarding effects on the natural heritage, including birds.

6.4.43 Effect on the natural heritage, including birds – Table 7 criteria 7b) Habitat Management Plans (HMP). The ES commits to a detailed HMP being produced and implemented. The Council's Countryside and Greenspace, RSPB and SNH provided advice in relation to the outline HMP set out in their consultation responses at paragraphs 4.4, 4.11 and 4.14 respectively. If the proposed development is granted consent the HMP should be overseen by a Habitat Management Group (HMG) including the Council, RSPB and SNH if they wish to participate. However, taking into account the above assessment at 6.4.24 – 6.4.27, the consultation responses and representations, it is considered that further measures are required to be set out in the outline HMP to demonstrate that the measures presented are sufficiently robust to mitigate the effects of the proposed development, given the measures currently proposed are inadequate. On this basis it is considered that the proposed development does not comply with the consideration set out in Table 7 criteria 7b) Habitat Management Plans.

6.4.44 Landscape and visual impacts

The landscape designations, character and capacity are key considerations in considering the impact of wind farm and wind turbine proposals as set out in SG Renewable Energy section 6.27 – 6.67. The Council's landscape technical studies provide a comprehensive baseline for the assessment of wind farm and wind turbine proposals in South Lanarkshire. The likely effects of the proposed development on the landscape and visual amenity are assessed in the ES at Chapter 7 Landscape and Visual Impact Assessment (LVIA) and a Residential Visual Amenity Survey (RVAS) is set out in Technical Appendix 7.4. The Council's landscape technical studies include:

- South Lanarkshire Landscape Character Assessment (SLLCA)
- Validating Local Landscape Designation
- Spatial Framework and Landscape Capacity for Wind Farms

The Council approved in December 2010 a series of technical studies that were prepared to inform its guidance for renewable energy developments. South Lanarkshire Landscape Character Assessment (SLLCA) 2010 updated the 1999 Glasgow and Clyde Valley Regional Landscape Character Assessment and provides greater detail on the local landscape character. The SLLCA was used to inform the preparation of the document entitled Validating Local Landscape Designations 2010. The review of South Lanarkshire's designations was undertaken in line with Scottish Natural Heritage (SNH) and Historic Scotland's Guidance on Local Landscape Designations. This document was referred to in paragraphs 6.4.16 – 6.4.20 above when assessing the impact on the SLA. The SLLCA and Validating Local Landscape Designations documents were used to inform the preparation of the Spatial Framework and Landscape Capacity for Wind Farms 2010. Supplementary Planning Guidance on Renewable Energy (SPG) was approved by the Council in December 2010. As noted above a series of technical studies was prepared to inform the renewable energy guidance. The SPG and technical studies were subject to consultation for a period of 10 weeks from 21 January until 31 March 2010.

6.4.45 In April 2013 the Council approved the proposed South Lanarkshire Local Development Plan (SLLDP) and proposed Supplementary Guidance (SG) on Wind Energy. The proposed SG Wind Energy was the subject of consultation between 16 May to 28 June 2013 together with the technical studies SLLCA 2010, Validating

Local Landscape Designation 2010 and Updated Cumulative Capacity Assessment for Wind Energy Feb 2013. Following the consultation the SLLDP and SG Wind Energy 2013 were submitted for examination to the Directorate of Planning and Environmental Appeals (DPEA). On 20 October 2014 the DPEA issued its report of the Examination of the SLLDP and SG Wind Energy. In their report the DPEA pointed out that, in June 2014, after the publication of the Council's proposed plan and proposed SG on Wind Energy, the Scottish Government published a new version of Scottish Planning Policy (SPP). SPP 2014 set out a different approach to the identification of spatial frameworks for onshore wind farms. It also contained new advice for Planning Authorities on how to consider and assess wind energy proposals. Consequently the Reporters recommended that the Council be required to produce updated supplementary guidance on renewable energy which accorded with the SPP 2014. The Planning Committee agreed to the Reporters' recommendations in March 2015. In light of the changes introduced by SPP 2014 and the recommendations from the Reporter, the Council prepared new Supplementary Guidance (SG) Renewable Energy and updated the landscape capacity study for wind energy in 2015. The SG Renewable Energy, SLLCA 2010, Validating Local Landscape Designation 2010 and Landscape Capacity Study for Wind Energy 2015 were subject to consultation for a six week period between 8 September and 30 October 2015. In March 2016 the Council approved the SG Renewable Energy and technical studies. Consequently, the guidance and technical studies relevant to the assessment of the proposed development are:

- South Lanarkshire Supplementary Guidance Renewable Energy March 2016 (SG Renewable Energy)
- South Lanarkshire Local Landscape Character Assessment 2010 (SLLCA)
- Validating Local Landscape Designation 2010
- Landscape Capacity Study for Wind Energy 2016 (LCS Feb 2016)

6.4.46 The proposed development lies within part of the Southern Uplands Landscape Character Type (LCT) (the Lowther Hills West of Clyde/Daer Landscape Character Area (LCA) and is located between two areas of Upland Glen LCT (Glengonnar Water LCA to the north and Elvan Water LCA to the south). The South Lanarkshire Landscape Capacity for Wind Energy Study February 2016 (LCS Feb 2016) identifies there is low underlying and remaining capacity for wind energy development within the Southern Uplands: West of Clyde/Daer LCA. It is noted that the Upland Glen LCT has no capacity for turbines over 30m in height. At Table 6.1 (j) of the LCS Feb 2016, the proposed limits to future development notes that Clyde wind farm dominates most of this landscape and there is therefore very limited scope for further development without adversely affecting peripheral landscapes. In view of the consultation response from SNH which advises that the proposal would result in significant and adverse landscape and visual impacts, and following initial review of the proposal, the Council sought comments on the proposal from its landscape consultants, Ironside Farrar Limited (IFL). The assessment below takes into account advice contained in the Audit of the LVIA by IFL (provided as background report). As noted below at paragraph 6.4.48, no further information was submitted by the applicant in response to the issues raised by the Planning Service during the assessment of the proposal which included the IFL Audit of the LVIA.

6.4.47 The IFL Audit notes that the LVIA for the proposed development is comprehensive and well illustrated and appears to identify most of the significant landscape and visual effects. However, IFL has significant concerns in relation to the assessment process which does not appear to follow basic LVIA principles and good practice as set out in the 'Guidelines for Landscape and Visual Impact Assessment (3rd Edition) 2013, Landscape Institute and IEMA'. It is considered that this has led to an assessment which is difficult to follow and often inconsistent. Many effects are over-estimated, while others are low, in a manner inconsistent with other detailed findings.

A list of the key issues highlighted by the LVIA is set out below. The IFL Audit provides further detail on these matters in section 2 - review of the landscape and visual assessment, section 3 - overview of the assessment, and Appendix 1 and 2 of the IFL Audit. IFL have significant reservations concerning the method of assessment and the proposal itself, these are listed below.

1. Method: Landscape Sensitivity
2. Method: Visual Receptor Sensitivity
3. Method: Magnitude
4. Method: Significance of Effects
5. Method: Nature of Effect
6. Baseline: Receptors
7. Cumulative Windfarms
8. Assessment of Effects: Baseline Scenarios
9. Assessment of Effects: Type of Cumulative Effects
10. Representative Viewpoint Assessment
11. Landscape Character Receptors
12. Landscape Effects: Magnitude of Change
13. Landscape Effects: Cumulative Effects
14. Visual Effects: Method of Assessment
15. Visual Effects: Representative Viewpoints
16. Visual Effects: Settlements, Roads, Recreational Routes and Others
17. Summary of Effects

6.4.48 It is noted that an interim response relating to issues raised during the assessment of the development by the Planning Service were sent to the applicant on 10 November 2017. This included issues/concerns from the Council's Environmental Service, Roads and Transportation Service and advice from the Council's advisors - Ironside Farrar Limited and from West of Scotland Archaeology Service (WOSAS). A response from the applicant was received on 8 January 2018 in the form of Supplementary Information which set out further information on noise, contaminated land, dust, private water supplies, hydrogeology and hydrology, borrow pits and blasting, abnormal loads, bridges and structures and traffic management. The applicant reviewed the IFL Audit and WOSAS comments and noted their position. No further information was received in response to the issues raised by IFL and WOSAS. Notwithstanding the concerns raised in relation to the LVIA, the Planning Service has provided its assessment of the proposals against the relevant policy and guidance.

6.4.49 Firstly impact on landscape, designation and character, and the capacity of the landscape to accommodate the proposed development is assessed below. Secondly the visual effects are assessed. These assessments take into account cumulative impacts. The impact on landscape designation, in this case Leadhills and The Lowther Hills SLA, has previously been assessed above at paragraph 6.4.16 - 6.4.20 and it concludes the proposed development will adversely affect the quality of the SLA designated landscape area in which the proposed development is located.

6.4.50 The IFL Audit considers the extent and significance of the landscape and visual impacts reflects the scale of the development and the constraints of the landscape and visual environment in which it is located. IFL considered that there are three key issues to be considered in relation to the proposed development:

1. The location of the proposed windfarm in relation to landscape character, regional spatial strategy and other operational and consented wind energy schemes. This is considered at paragraphs 6.4.51 to 6.4.54 below.
2. Significant effects on a local landscape designation. This is considered at paragraphs 6.4.16 to 6.4.20 above.

3. Significant visual and cumulative visual effects on settlements, residential properties and other receptors. This is considered at paragraphs 6.4.55 to 6.4.57 below.

As noted above at paragraph 6.4.45 the Council's strategic guidance for wind energy development in South Lanarkshire is given in SG Renewable Energy, March 2016 and is supported by LCS Feb 2016 which was updated to account for the rapidly increasing number of operational, consented and proposed wind energy developments in South Lanarkshire and surrounding areas.

6.4.51 IFL state that the LCS Feb 2016 at Table 6.1 provides a landscape analysis and capacity assessment and Figures 6.1 to 6.4 illustrate underlying capacity, current cumulative development (at May 2015), and proposed limits to cumulative development. LCS Feb 2016 at Table 6.1(j) provides specific analysis and guidance for the Southern Uplands LCT. In relation to the Southern Uplands: West of Clyde/Daer LCA it states: 'This LCA is characterised by large scale rolling hills and the historic mining industry around Leadhills/ Wanlockhead. The hills are largely unforested and include a significant viewpoint and small ski area at Lowther Hill. It lies almost entirely within the Lowther Hills SLA. The Southern Upland Way passes through this area'. In relation to landscape capacity IFL state: 'Further development should be strictly limited to maintain differences in character from the much more developed area, point 1 - to the east and maintain a gap between Clyde wind farm and wind farms in East Ayrshire/ Dumfries & Galloway southwest of Nith valley. A significant wind farm would be likely to exceed recommended capacity.'

6.4.52 The Table 6.1 and Fig. 6.4 show that the LCA has low underlying and remaining capacity for wind farm development of turbines up to 120m tall in maximum group sizes of 5-10, and no capacity for turbines over 120m tall. The Upland Glen LCT has no capacity for turbines over 30m in height. In section 6.3.5 of LCS Feb 2016, the summary for the Southern Uplands regional area (comprising principally the Southern Uplands LCT) states: 'The Southern Uplands type has underlying capacity for wind energy development. This is because it comprises extensive areas of larger scale landscape with simple landforms and open character with few human scale references. The Upland Glen type has little capacity for development due to its tight enclosure'. However, it notes the already extensive Clyde wind farm and other wind energy development located to the east of the River Clyde and Daer Water, creating areas of Landscape with Wind Turbines and Wind Turbine Landscape extending east into Scottish Borders. In relation to the areas west of the Clyde (in which the site lies) and surrounding the Daer Water it states that they: 'currently remain largely as Landscape with No Wind Turbines'. IFL state that the strategic objective should be to ensure that the cumulative effect of further development in or close to the Southern Uplands does not lead to cumulative effects across the area and into Dumfries & Galloway or East Ayrshire, creating a much more extensive Landscape with Wind Turbines. The guidance states there should be a significant distance, preferably in excess of 10km between upland wind farms. In relation to valley locations surrounding the Lowther Hills the guidance states that there is a need to pursue 'the avoidance of an overdeveloped skyline on adjacent lower areas such as the Upland Glens, Broad Valley Uplands and Upland River Valleys'. Furthermore, IFL state 'a visual separation should be kept from areas of particular landscape or recreational value such as the Leadhills Valley'. The proposed development lies within the middle of the LCA, in the Lowther Hills, identified by SNH as a nationally distinctive landscape due to the juxtaposition of steep, smooth conical hills and deeply incised valleys. Taking account of the above criteria it is considered that the proposed development due to its location, significant scale and nature does not meet the guidance set out in the LCS Feb 2016.

Landscape capacity and cumulative

6.4.53 The proposed turbines lie in a wider context with significant areas of existing or consented wind energy development in most directions:

- East: Clyde wind farm and its extension, mainly to the east of the M74 corridor.
- North: Andershaw, Middle Muir and wind farms around the Douglas Valley to the north of the B740
- West: Several wind farms in Dumfries and Galloway and East Ayrshire, mainly to the west of the A76

IFL note that section 6.4.3 of LCS Feb 2016 identifies areas with limited underlying capacity, 'Limited Underlying Landscape Capacity denotes areas that have underlying capacity for a modest scale of wind energy development including occasional well-separated smaller scale wind farms and single/paired turbine developments of varied turbine size'. In addition to lowland and valley areas there are five upland areas with limited underlying capacity, including the area in which the proposed development lies: 'Southern Uplands in the Lowther Hills around Leadhills and the Daer Reservoir are the same type as the Southern Uplands in which Clyde wind farm is located, but have a lower capacity. This is due particularly to their landscape value, being less forested, higher, with a higher scenic quality and more remote qualities. There is capacity for the occasional smaller scale wind farm in the hills or smaller single/paired turbines in lower areas.' In section 6.5.1 LCS Feb 2016 it is stated in relation to this area: 'There is scope for a smaller wind farm in the Southern Uplands Lowther Hills LCA, or for occasional single turbines in the fringes of this area'. This scope is considered further below.

6.4.54 IFL note that para 6.4.5 of LCS Feb 2016 identifies Areas of Significant Cumulative Development. These areas are identified in response to SPP paragraph 169 which lists cumulative landscape and visual impacts as a factor which may limit capacity for further development. The capacity study identifies eight areas across South Lanarkshire, each drawn fairly tightly around operational and consented developments and which 'overlap with landscapes with varied underlying capacity for development, and simply reflect that there is significant cumulative development relative to the underlying capacity of the landscape'. This site lies west of cumulative area 8, the Southern Uplands and Upland Glens east of the Clyde and Daer, adjacent to Scottish Borders. This area has been extensively developed, supporting the very large commercial wind farm of Clyde and its extension, and other smaller adjacent wind farms amounting to 214 turbines. The areas shown in Figure 6.4 of LCS Feb 2016 are indicative. Development proposals require to address detailed criteria in Table 6.2 of LCS Feb 2016 to demonstrate that landscape capacity within, or adjacent to, these areas would not be exceeded as a result of adding a proposed development to existing and consented cumulative development. In Table 6.2 there are 5 key development guidance criteria relating to area 8, of which numbers 1 and 4 are relevant:

'1. Other windfarms should be clearly separated from Clyde windfarm

4. Any proposed windfarm to the west of Clyde windfarm should be separated from the latter by at least 10km, or two ridges and valleys.'

In relation to 1, the proposed development is physically separated by the Clyde Valley from Clyde wind farm and its extension. However, many visualisations show a degree of visual coalescence (e.g. VPs 4, 6 and 9 to the east and VPs 15 and 17 to the west in the LVIA). In relation to criteria 4, the proposed development lies to the west of Clyde but is separated from it by less than 4km distance and one valley; across which the two developments would face one another. Furthermore it is noted in the LVIA that there is extensive cumulative visual overlap with the Clyde wind farms, such that

they are seen from most locations where the proposed development would be seen. It is noted in the Planning Statement that the applicant considers landscape capacity studies are strategic in nature and should not be used to determine planning applications without regard to the individual assessment of the proposal. It is evident from the above assessment that the proposed development does not comply with South Lanarkshire's strategic guidance for wind energy development. It has been demonstrated that the strategic guidance has been prepared in accordance with SPP and SNH guidance. The objection from SNH also identifies a key issue is that the proposals would extend the established pattern of significant wind energy development east of the M74 corridor into the currently undeveloped Lowther Hills west of the M74. It is noticeable that the existing wind farm development is quickly lost from view when travelling west along the Elvan and Glengonnar Water Upland Glens and that these areas would be visually dominated by the proposed wind farm. SNH concur in their response. Setting aside the strategic pattern of the development in the area, the proposal is considered in its own merits. It has previously been assessed in terms of effects on special landscape area at paragraph 6.4.16 – 6.4.20. The visual effects of the proposal are considered below.

Visual impact

6.4.55 IFL state that the proposed development would have almost unbroken visibility across the hills and glens within 3km of the turbines and fairly extensive visibility up to 10-15km distance, across the surrounding hills and areas of lower ground in the Clyde Valley. Visibility would be restricted by higher hills containing the site to the south and west. The ZTV overlaps significantly with that of the Clyde wind farm group, such that the proposed turbines would almost always be seen along with existing turbines. Although often seen with the Clyde turbines, there are many locations where the visual effects of the proposed turbines would be significant in their own right, and many would be significant cumulatively with Clyde and other existing and consented wind farms, as well as the proposed North Lowther wind farm in Dumfries and Galloway to the west. The LVIA identifies significant effects at the following key receptors:

- The nearby settlement of Elvanfoot.
- 20 residential properties or groups of properties within 3km of the turbines.
- The B797 and B7040 roads between the M74 corridor and Leadhills/Wanlockhead
- Parts of the Southern Upland Way near to Leadhills
- Several core paths around Leadhills
- Walkers on local hilltops such as Green Lowther and Tinto Hill.

In addition to the above the IFL Audit considers the following receptors to be significantly affected:

- Road users on sections of the M74/A74(M), A702, B7076 and West Coast Mainline Railway, within approximately 5-10km of the turbines.
- Cyclists on the Sustrans National Cycle Route 74 within approximately 5-10km of the turbines.
- Visitors on the Leadhills-Wanlockhead narrow gauge railway
- Skiers using the ski tow and slopes on Lowther Hill (active for up to 20 days a year)

In terms of effects from wind farm developments, it is considered that this is a considerable number of receptors and reflects the scale and prominence of the proposed turbines as well as their location in an area not currently occupied by wind energy development, albeit close to a very significant extent of existing development. Taking into account the above assessment at 6.4.44 – 6.4.55, the consultation responses and representations, it is considered that the proposed development would lead to unacceptable adverse effects on landscape designations, landscape character, visual impact and cumulative landscape and visual. On this basis it is

considered that the proposed development does not comply with the consideration set out in Table 7 criteria 8 a) and b), 9 a) and b) landscape and visual impacts and cumulative impacts.

6.4.56 The impact of the proposed development on communities and individual dwellings requires to be assessed in relation to criteria 10 of Table 7 of SG. First of all residential visual amenity is considered below followed by noise and shadow flicker. In addition to the Landscape and Visual Impact Assessment (LVIA) undertaken within Chapter 7 of the ES, a Residential Visual Amenity Assessment (RVAA) of residential properties within 3km was carried out and is contained in Technical Appendix 7.4. As previously noted there are two settlements, Elvanfoot and Crawford within 2km of the proposed turbines. Abington is located approximately 3km from the proposed development. The IFL Audit and conclusions of the LVIA are broadly in agreement. In terms of Elvanfoot, the ES stated that there will be Major significant visual effects on this settlement, both in terms of standalone effects and cumulative effects. IFL consider the effects to be adverse. In terms of Crawford, although the overall assessment is Moderate and not significant, IFL consider there would be significant effects on the northern part of the settlement, represented by properties G3 – G7 in the RVAA. The extent of the visibility can be seen on Figure R.1b. The ES concludes that views from Abington are heavily screened by trees although it is considered that views of the proposed turbines are available from some approaches, including the River Clyde corridor and caravan park. There are 17 individual residential properties and 15 groups of residential properties lying within 3km of the proposed turbines. None of the properties lie within 1km of a turbine. The RVAA considers all properties are considered to have a High sensitivity. Ten properties or groups in the RVAA are assessed as experiencing a Substantial magnitude of change but none are assessed as being likely to suffer from overbearing effects on residential amenity. The IFL Audit considers a further three properties and seven groups are predicted to experience significant visual effects. IFL agree with most of the assessments of magnitude but query some assessments and consider some properties may experience overwhelming effects. IFL note the following in their Audit:

- P1 and P2 Waterhead. Forestry along the east side of the B797 has been clearfelled, such that the views from these two properties will be affected much as shown in the bare ground wirelines.
- P12 South Shortcleugh. This property has a view north across the Elvan Water valley to the hills on which the proposals are located; forming its principal view from the front, the garden and the access track to the B7040. Views to the rear are foreshortened by steep hillsides. Residents would have a view of 16 turbines located on the elevated skyline, occupying a 120° horizontal angle. Many Clyde wind farm turbines are more distantly visible to the northeast, occupying more of the skyline in the open part of the view. At 1.5km to the nearest proposed turbine, the extent, elevation and cumulative effects could make this a potentially overwhelming effect on visual amenity. However IFL note that small north facing windows, trees in the garden and an outbuilding would reduce the effect as seen from the house.
- P13 The Hass. Contrary to what is said in Table 5.1 of RVAA, there are two end gable windows facing towards the turbines.
- P7 Firkin Dun. Contrary to the statement in the RVAA there would be views of turbines from the front elevation, albeit oblique. These would of course be face on to views from the passage on the west side of the property and the garden.

6.4.57 When assessing the proposed development in terms of visual effects, it is important to note the strong sense of place which these residential properties and settlements experience. This is particularly when leaving Abington crossing over the M74 and travelling south on B797 and likewise travelling west along B7040 from Elvanfoot. As

the road meanders up into the hills there is a sense of tranquillity, and it is evident that the Leadhills and Wanlockhead villages offer a unique sense of place, providing a visual and cultural focus at the heart of this hill range. From site visits within the area it is considered the scale of the proposed turbines on these hills would reduce the perceived scale of the hills, thus increasing the prominence of the proposed wind farm development. It is important to note that although operational Clyde Wind Farm is located to the east of the proposed development, it is quickly lost from view as you travel into the Lowther Hills. The visualisations within the RVAA provide an insight into the scale, and dominance of the proposed turbines on the local properties along these routes. It is considered that there would be significant adverse visual effects along the B797, and the RVAA demonstrates the effects on properties such as Lettershaws Cottage and Lettershaws Caravan Park, located within 1.9km of the proposed turbines (Figure R.2c, Figure R.2e). The visibility in the northern area of Crawford can be seen from Figure R.4a – i and Figure R.5 a – e). In terms of effects on Leadhills it is acknowledged that the proposal would not be visible from much of Leadhills village itself, however as noted above it is the key approaches to the village and the effects on the village landscape setting that are key in the assessment. Furthermore, the ES acknowledges that residential properties within more elevated parts of Leadhills will be able to view turbine hubs and blade tips. In terms of residential amenity it is also noted that there is potential for significant visual effects of the associated infrastructure on the landscape. The hills form steep sided slopes where the proposed tracks and infrastructure are located. The engineering method to construct the proposed development is considered to lead to adverse effects on the landscape which would be extensive and highly visible. Representations which both support and raise objection to the proposed development are set out in Section 5 of this report above. Taking the above assessment into account along with the representations, it is considered that Elvanfoot, northern part of Crawford and 20 residential properties/groups are likely to experience significant effects of the proposal on residential visual amenity. On this basis it is considered that the proposed development does not comply with the consideration set out in Table 7 criteria 10a) residential visual amenity.

6.4.58 The impact of the proposed development on communities and individual dwellings in terms of noise and shadow flicker are assessed below. The full noise assessment is provided in Chapter 15 of the ES and Technical Appendices 15.1 Noise and Vibration report. In response to the information submitted Environmental Services initially raised concerns regarding the noise assessment and recommended a fixed daytime limit of 35dB. The applicant provided information to clarify the interpretation of the noise report to Environmental Services. The applicant considers that a fixed daytime limit of 40dB is acceptable and should be applied, and does not agree with Environmental Services justification for the lower limit. To be in accordance with ETSU-R-97 and IOA Good Practice Guide the daytime limit requires to be within the range of 35 – 40 dB. Following review of the points of clarification from the applicant, Environmental Services raise no issues with the methodology of the assessment and have reviewed the background measurements provided in the noise assessment and collated information to demonstrate that the proposed development will meet the 'background +5dB criteria' and will not need a fixed limit of 40dB. Environmental Services acknowledge that although they had originally wanted a fixed limit of 35db or background +5dB, after a detailed review of the data they consider that a fixed daytime limit of 37dB or background +5dB is acceptable. In their opinion an additional 2dB on the fixed limit of 35dB should not result in an appreciable difference in noise levels at the most sensitive receptors. Limiting the levels and setting the cumulative noise level at 40dB provides the opportunity for additional development in the area in line with the IOA Good Practice Guidance with regard to the concept of 'headroom'. Environmental Services required appropriate conditions placed on any consent which include complaint handling and mitigation measures such as slowing/switching off

turbines in particular metrological conditions should be suffice to controlling/mitigating excessive noise from the development.

- 6.4.59 Shadow flicker is assessed at Chapter 17 of the ES. Figure 18.1 shows the modelled shadow flicker analysis area, which is based on 10 rotor diameters ($117\text{m} \times 10 = 1170\text{m}$) from each of the proposed turbines and within 130 degrees either side of north. There is one property which could potentially be affected by shadow flicker as shown on Figure 17.1 of the ES. The property is North Shortcleugh and is located 1.1km to the south of the closest turbine (Turbine 7). Chapter 17 of the ES presents the output of the shadow flicker model and no turbines are predicted to cast any shadow on North Shortcleugh. Taking account of the above effects from shadow flicker are considered not to be significant. Nevertheless if the Scottish Ministers are to grant consent for the proposed development, it is considered that where shadow flicker is found to cause a nuisance, mitigation measures should be implemented in order to reduce its occurrence. Therefore if planning consent is granted an appropriate condition should be imposed to control this matter. On the basis of the above assessment at paragraphs 6.4.56 – 6.4.59 it is considered that communities and individual properties would experience adverse significant visual effects. It is therefore concluded that the proposed development does not comply with criteria 10 regarding the impact on communities and individual dwellings.
- 6.4.60 Impacts on carbon rich soils and peat, using the carbon calculator. This consideration also set out in criteria 2 of Table 7 of SG Renewable Energy and SPP has previously been assessed at paragraph 6.4.15 and 6.4.38. It is noted that the proposed development is located on peatlands and that an area of carbon rich soils is located within the proposed development site. During the construction period a Construction Environmental Management Plan (CEMP) and Peat Management Plan (PMP) is proposed in the ES. A CEMP and PMP should be adopted for handling soils, based on SEPA guidance, to ensure soil disturbance is minimised. Further information is required to update the Peat Landslide Hazard and Risk Assessment. These matters require to be subject of a condition if the proposed development was granted consent. The application included a carbon calculator assessment which estimated the carbon payback period of the total proposed development is expected to be approximately 1.9 years. On the basis of the assessment at paragraphs 6.4.21 and 6.4.38 and subject to conditions and mitigation measures, the proposed development accords with the consideration set out in criteria 11 of Table 7 of the SG Renewable Energy regarding impacts on carbon rich soils and peatlands.
- 6.4.61 Impact on Public Access. This consideration set out at criteria 12 of Table 7 of the SG Renewable Energy has previously been assessed at paragraph 6.4.23 under Policy 15 Natural and historic environment of SLLDP and Policy NHE 18 in the SG Natural and Historic Environment which contains guidance on core paths and rights of way. On the basis of the above assessment it is considered that the proposed development is not in accordance with the consideration set out at criteria 12 of Table 7 of the SG Renewable Energy regarding core paths, wider access routes and recreational uses.
- 6.4.62 Impacts on the historic environment. This consideration set out at criteria 13 of Table 7 of the SG Renewable Energy has previously been assessed under Policy 15 Natural and historic environment of SLLDP at paragraphs 6.4.7 - 6.4.8 and 6.4.14 – 6.4.15. On the basis of the above assessment it is considered the proposed development does not accord with the consideration set out at criteria 13 of Table 7 of the SG Renewable Energy.
- 6.4.63 Impacts on tourism and recreation. Tourism and recreation and renewable energy developments are not necessarily incompatible. The visibility from tourist routes and

viewpoints is an important consideration. How the behaviour of tourists might be affected by changes to views from important tourist routes in the area requires to be assessed. The ES at Chapter 18 assesses the likely effects of the proposed development on socio-economics, recreation and land use. And Chapter 7 sets out landscape and visual effects on recreational receptors. The SG Renewable Energy recognises the importance of outdoor access (walking, cycling, horse riding and non-motorised water based activities) for both the health and social wellbeing of communities and economic vitality of the area. The South Lanarkshire Core Path Plan sets out the development and management of a network of access routes in accordance with Land Reform (Scotland) Act 2003. Core paths are only one component of the overall outdoor access provision of the area. Core paths will be supplemented by and linked to a more extensive network of access routes (non core paths). There are a number of strategic long distance walking and cycling routes in South Lanarkshire including the Clyde Walkway, Southern Upland Way and elements of the National Cycling Network. These are recognised as important visitor attractions. The ES at Chapter 18 states that factors which might lead to a change in local recreational behaviour during the operation of the proposed wind farm, include a change in amenity or intrusion, and changes in setting and context of the recreational resource due to the presence of wind turbines and supporting infrastructure. The ES states that these are linked to the visual experience of users of these routes, which are assessed at Chapter 7 LVIA. Paragraph 6.4.23 above sets out the effects of the proposed development on these attractions (NCR74 and SUW) and it is considered that due to the location and scale of the proposal it will lead to significant adverse visual effects on sections of the SUW and NCR74, local recreational paths, views from hill summits and some local recreational facilities. It is considered that the landscape and visual effects are intrinsically linked with the effects on tourism and recreation for the area in which the proposed wind farm is located. NPF3 sets out the strategy for a natural, resilient place which aims to evolve the approach to environmental stewardship, enhance ecosystem services and adapt to the growing impact of climate change. NPF3 seeks to protect existing assets, and sets out an approach which emphasises the importance of the environment for people, and identifies a National Long Distance Cycling and Walking Network as a means of enhancing visitor and recreation experiences, as well as ensuring that Scotland's population has access to the outdoors for health and well-being. The national network aims is to make better links between existing routes and improve connections between urban and rural, and inland and coastal areas. Specific proposal include extension to the Clyde Walkway to link in with other long distance routes. Aspirational routes for the Clyde Walkway Extension are proposed within existing network of paths and cycle routes identified within the ES. The ES concludes there are no direct effects on tourism and the cumulative effects on the tourism economy, including specific tourism receptors, are considered unlikely. However given the significant adverse landscape and visual effects and cumulative effects, and environmental effects on the historic environment, recreational access paths and popular sections of the national long distance walking/cycling routes, it is considered that the proposed development is not in accordance with the consideration set out at criteria 14 of Table 7 of the SG Renewable Energy.

- 6.4.64 Impact on aviation and defence. The ES at Chapter 16 assesses the potential impact of the proposed development on aviation and defence systems within the vicinity of the site. NATS En Route Plc has stated that the proposed development conflicts with safeguarding criteria. Therefore the proposed development does not comply with criteria 15 of Table 7 of the SG Renewable Energy. However, discussions are ongoing between the developer and the appropriate parties to assess the opportunities for delivering a technical solution. On this basis it is considered that a technical solution requires to be established with NATS before appropriate conditions can be attached and the application can be determined. As this is a Section 36

application it would be for the Scottish Ministers to determine if this is a satisfactory means of addressing this matter. The Ministry of Defence (MOD) does not object subject to conditions regarding information to be provided to the MOD; and in the interests of air safety the MOD requests that the turbines are fitted with aviation lighting. This requires to be secured through planning conditions.

- 6.4.65 Impacts on transmitting or receiving systems. The ES Chapter 17 assesses the potential impact of the proposed development on telecommunications and broadcasting installations. Any adverse effects with regard to television and radio interference, as a direct effect of the proposed development, can be resolved through technical solutions. Appropriate conditions should be attached if consent is granted. Taking account of the above and having considered the conclusions in the ES and consultation responses the proposed development accords with criteria 16 of Table 7 of the SG Renewable Energy.
- 6.4.66 Impacts on road traffic and on adjacent trunk roads. The ES at Chapter 14 provides an analysis of the proposed development with respect to the potential impact it may have on the road network. The proposed abnormal loads route is the M8 motorway, exiting at junction 13, onto the A702 then along the site access. Roads and Transportation Services has no objection to the proposed development subject to conditions and a section 96 legal agreement being entered into as noted in paragraph 4.1 and 4.2. A detailed transport impact assessment will be required prior to construction if the development is consented. The number and route of the construction vehicles is unconfirmed at this stage. Following confirmation of the source of materials and quantities required, this information requires to be provided to the Planning Authority for approval to agree a suitable roads guarantee. On the basis of the above it is considered the proposed development complies with criteria 17 of Table 7 of the SG Renewable Energy. However it is noted that the applicant has not demonstrated control over the land required to deliver the necessary visibility splay and has not demonstrated that Network Rail are acceptable to the abnormal loads that would require to cross their bridge, Elvanfoot Railway Bridge.
- 6.4.67 Impacts on hydrology, water environment and flood risk. This consideration covers criteria 18 of Table 7 of the SG Renewable Energy. The water environment and flooding under Policy 17 of SLLDP has been assessed at paragraph 6.4.29 – 6.4.31 above. On the basis of the above assessment and the consultee response at paragraph 4.1, it is considered that subject to conditions and mitigation measures the proposed development accords with the consideration of effects on hydrology, the water environment and flood risk. Therefore the proposed development is in accordance with the consideration set out at criteria 18 of Table 7 of the SG Renewable Energy.
- 6.4.68 Decommissioning and restoration and the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration. This consideration requires a plan for decommissioning and restoration of the proposed development to be robust; and any consent granted will require a decommissioning and restoration condition attached. The ES sets out that the decommissioning protocol would be agreed with South Lanarkshire Council and other appropriate regulatory authorities in line with best practice guidance and requirements of the time. This would be done through the preparation and agreement of a Decommission and Restoration Plan (DRP) and that financial provision for the decommissioning would be provided. If consent is granted conditions should be attached requiring that a decommissioning and restoration plan prior to construction on site and an updated DRP is submitted to the Planning Authority no later than 24 months prior to the end of consent, and a condition to secure a decommissioning bond that satisfies the Council's requirements is provided. On the basis the above

requirements can be secured through conditions, if consent is granted, the proposed development complies with criteria 19 and 21 of Table 7 of the SG Renewable Energy.

- 6.4.69 Energy storage is criteria 20 of Table 7 of the SG Renewable Energy. Energy storage allows renewable energy to be captured and set aside for use when and where is needed. The proposed development includes a battery storage unit located within the substation compound. The ES states the control building will comprise a single story building 20m x 10m with a pitched roof; with the final design of the building and compound area to be agreed prior to construction. If consent is granted a condition requires to be attached to request design details to be submitted and approved by Planning Authority prior to the commencement of development. On the basis these requirements can be secured through conditions if consent is granted, the proposed development complies with criteria 20 of Table 7.1 of the SG Renewable Energy.
- 6.4.70 Site decommissioning and restoration bond. The need for a robust planning obligation to ensure that operators achieve satisfactory site restoration. As noted at paragraph 6.4.68 above there is a requirement for a decommissioning and restoration bond or financial guarantee to be put in place to meet all the expected costs of the proposed decommissioning and restoration phase. The bond or guarantee will have to satisfy the Council's criteria. On the basis a suitably worded condition can be attached to the consent if granted, the proposed development complies with criteria 21 of Table 7 of the SG Renewable Energy.
- 6.4.71 Forestry and woodland removal. The application site does not contain any forestry or woodland, therefore criteria 22 is not relevant.
- 6.4.72 Impact on Prime Agricultural Land. The application site does not contain any prime agricultural land, therefore criteria 23 is not relevant.
- 6.4.73 Borrow pits. The application site does not propose any borrow pits, therefore criteria 24 is not relevant.
- 6.4.74 Environmental Protection. Criteria 25 of Table 7 of SG Renewable Energy requires that all appropriate authorisations or licenses under current environmental protection regimes must be obtained. Developers are required to ensure there is no impact on waste water and/or water assets which are above and/or underground in the area that may be affected by the proposed development. A condition requiring the submission and approval by the Planning Authority, in consultation with SEPA and SNH of a Construction Environmental Management Plan (CEMP), including PMP, Pollution Prevention Plan, water quality monitoring and a surface water management plan, therefore requires to be attached to the consent, if granted.
- 6.4.75 The considerations set out at Table 7.1 of SG Renewable Energy and SPP at paragraph 169 are assessed above at paragraphs 6.4.32 to 6.4.74. In addition to this, another principle set out in the SG Renewable Energy at paragraph 2.10 and at SPP at paragraph 173 relates to community benefit. SPP states that where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit. The applicant has confirmed in the ES that local benefits will include allocation of funding (£272k - £349k per annum, based on £5,000 per MW installed) to local communities through the Community Benefit Fund during the 25 year operational life of the development and the potential for the community to invest in a Shared Ownership Scheme. Should consent for the proposed development be granted and implemented the applicant requires to provide a package of community benefit for the lifetime of the development. The contribution to the South Lanarkshire Council Renewable Energy

Fund and other locally managed community projects requires to be agreed between the applicant, the Council and the benefiting groups. The level of contribution is not a material consideration in the assessment of the application. The contribution of community benefit is acknowledged and meets some aspects of Council policy and the Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments. Nonetheless, for the reasons set out above and concluded in paragraph 6.5 below the proposed development is not considered to be acceptable in planning terms.

6.4.76 The proposed development would have adverse significant landscape and visual impacts, cumulative effects, unacceptable visual and adverse effects on cultural heritage and communities and individual dwellings, as well as potentially adverse significant effects on protected species that may not be able to be mitigated for. The proposal therefore does not comply with the provision of SPP, SLLDP or SG 10 on Renewable Energy.

6.5 Conclusion

6.5.1 In conclusion, it is inevitable that a development of this scale will have an environmental impact. The assessment has taken into account all aspects of the proposed development and their likely effects on the environment and communities. In summary, due to the location, scale and number of its proposed turbines, the proposals would lead to:

- Significant adverse effects on landscape character, including the Southern Uplands LCT/ Lowther Hills West of Clyde/Daer LCA, the Upland Glen LCAs of Glengonnar Water and Elvan Water; the Broad Valley Upland between Elvanfoot and Abington
- Significant adverse effects on key characteristics and visitor assets of the Leadhills and The Lowther Hills SLA
- Significant adverse visual effects on one settlement (Elvanfoot); 20 residential properties/property groups; several transport routes or sections of routes; sections of the Southern Upland Way and NCR74; local recreational paths and hill summits and some local recreational facilities
- Significant cumulative effects on many of the same landscape and visual receptors due to proximity to and combined and sequential views with turbines in the Clyde wind farm group to the east and, potentially with the proposed NLEI wind farm to the west in Dumfries and Galloway.
- Significant adverse effects on the historic and cultural environment, including nationally protected scheduled monuments and their setting
- Potential for significant adverse effects on protected species

The Lowther Hills are a notable and distinctive landscape feature of South Lanarkshire and beyond, not currently occupied by wind energy development, but surrounded on three sides by very extensive cumulative development. It is considered, taking account of the assessment detailed above that the effects of the proposed development on this landscape are extensive and adverse due to the location, scale and prominence of the turbines. . Consideration has been given to the benefits of the proposal, including the provision of community benefit and its contribution to renewable energy targets and to reducing carbon emissions; it is also noted that the applicant considers that there are a number of aspects of the proposal that, when considered individually, may be acceptable with suitable mitigation, or that the proposal's effect is not considered to be significant, or can be justified due to the generation of renewable energy. However when reviewing all the elements of the proposed development, it is clear the cumulative and incremental nature of its effects will lead to adverse significant landscape and

visual and cumulative effects and adverse significant effects on historic and cultural environment, communities and individual dwellings as well as protected species. In view of the above it is recommended that the Council object to the proposal for the reasons detailed below at section 7.1.

7 Reasons for Decision

- 7.1 The proposal cannot be assessed favourably against the provisions of SPP. The proposal is contrary to Policies 2, 3, 15 and 19 of the adopted South Lanarkshire Local Development Plan 2015. In addition, the proposal cannot be assessed favourably against Policy GBRA1 of the approved South Lanarkshire Green Belt and Rural Area Supplementary Guidance, Policies NHE2, NHE6, NHE7, NHE16, NHE18 and NHE19 of the approved South Lanarkshire Natural and Historic Environment Supplementary Guidance and Policies RE1 and RE2 of the approved South Lanarkshire Supplementary Guidance Renewable Energy (2016).

Michael McGlynn

Executive Director (Community and Enterprise Resources)

5 March 2018

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Harryburn Windfarm EIA – Audit of Landscape and Visual Impact (Ironside Farrar Limited) (Nov 2017)
- ▶ Environmental Impact Assessment (EIA) Regulations advert appeared in the Herald on 30 May 2017 and the Edinburgh Gazette on 30 May 2017 and the Lanark Gazette on 31 May and 7 June 2017
- ▶ Environmental Impact Assessment (EIA) Regulations for Further Environmental Information (FEI) advert appeared in the Edinburgh Gazette on Tuesday 16th January 2018 and Carluke Gazette on Wednesday 17th January 2018
- ▶ Consultations
 - Roads and Transportation Services (Traffic and Transportation) 09/11/2017
 - Leadhills Community Council 11/07/2017
 - Leadhills Community Council 12/02/2018
 - Roads & Transportation Services (Flood Risk Management Section) 15/06/2017
 - Countryside & Greenspace 23/01/2018
 - Countryside & Greenspace 31/01/2018
 - Transport Scotland 28/06/2017
 - Transport Scotland 12/02/2018

Scottish Water	22/06/2017
Scottish Water	19/02/2018
NATS (En Route) Plc	01/06/2017
NATS (En Route) Plc	15/01/2018
Glasgow Airport	01/06/2017
Ministry of Defence (MOD)	08/06/2017
Ministry of Defence (MOD)	06/02/2018
SEPA	23/10/2017
SEPA	30/10/2017
SEPA	10/07/2017
Peat Landslide Hazard and Risk Assessment (AM Geomorphology)	13/12/2017
Peat Landslide Hazard and Risk Assessment (AM Geomorphology)	30/10/2017
Peat Landslide Hazard and Risk Assessment (AM Geomorphology)	01/07/2017
RSPB	20/09/2017
RSPB	13/02/2018
Historic Environment Scotland (HES)	10/07/2017
Historic Environment Scotland (HES)	01/02/2018
Environmental Services	10/07/2017
Environmental Services	24/01/2018
Visit Scotland	06/06/2017
Visit Scotland	23/01/2018
The Coal Authority	05/07/2017
The Coal Authority	24/01/2018
SEPA	18/01/2018
SNH	06/10/2017
SNH	31/01/2018
Joint Radio Company (JRC)	24/05/2017
Joint Radio Company (JRC)	18/01/2018

BT	16/06/2017
BT	15/01/2018
Marine Scotland Science Freshwater Laboratory (MSS-FL)	27/07/2017
Marine Scotland Science Freshwater Laboratory (MSS-FL)	08/02/2018
West of Scotland Archaeology Service	30/06/2017
Glasgow Prestwick Airport	28/06/2017
Scottish Borders Council	25/07/2017
Scottish Borders Council	14/02/2018
Crawford and Elvanfoot Community Council	30/06/2017
Wanlockhead Village Council	13/07/2017
Network Rail	10/07/2017
Network Rail	12/02/2018
National Grid	27/07/2017
National Grid	29/07/2017
National Grid	15/02/2018
Health and Safety Executive	17/01/2018
Health and Safety Executive	01/06/2017

► Representations

Available to view on the Scottish Government's Energy Consents Unit website

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Ruth Findlay, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB
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Electricity Notification

PAPER APART – APPLICATION NUMBER : CL/17/0235

REASONS FOR OBJECTION

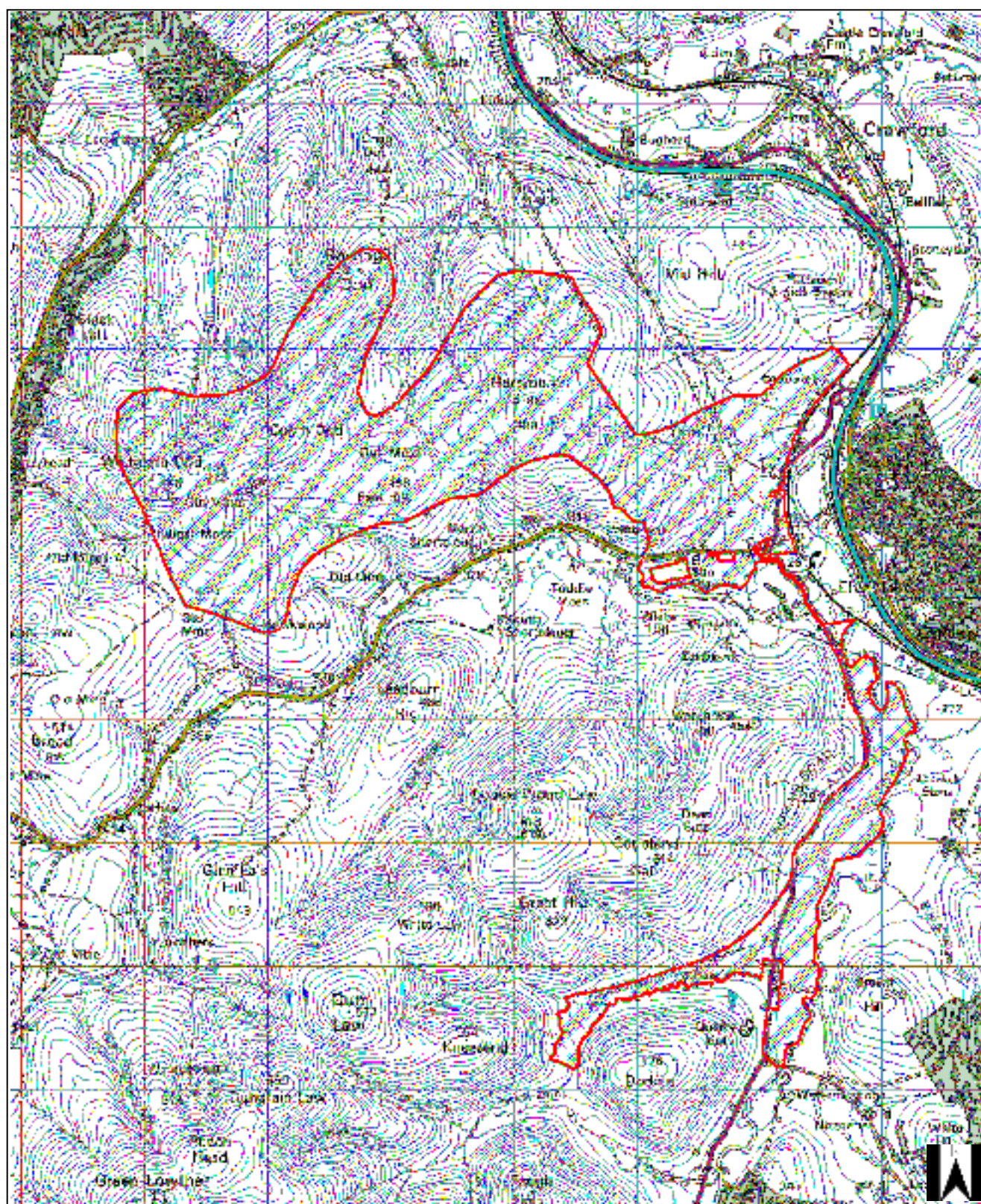
- 1 This decision relates to the Environmental Statement, Planning Statement, Pre-Application Consultation and Engagement Report, Socio-economic Statement dated April 2017, and subsequent Supplementary Information dated January 2018

for the installation and operation of seventeen, 149.9m high wind turbines, a permanent meteorological mast (up to 95m in height), crane hardstandings, external transformers, new on site access track (approximately 16km), associated drainage, substation compound, control building, battery storage, connection to Elvanfoot substation, two watercourse crossing, bell mouth access and temporary construction compound at Harryburn, Elvanfoot, South Lanarkshire.

- 2 The application is contrary to the terms of Scottish Planning Policy, Policy 3: Green Belt and rural area, Policy 15: Natural and Historic Environment, Policy 19: Renewable Energy of the South Lanarkshire Local Development Plan, and Policy NHE 16 Landscape of the Supplementary Guidance on Natural and Historic Environment, and Policy RE 2 Criteria 8) landscape and visual impacts of the Supplementary Guidance on Renewable Energy in that the development, in view of its scale and location, would lead to significant adverse effects on the landscape character of the Southern Uplands, Lowther Hills and Upland Glen areas and the key characteristics of the Leadhills and The Lowther Hills Special Landscape Area, and would have a significant adverse effect on the contribution this landscape makes to the quality of people's lives.
- 3 The application is contrary to the terms of Scottish Planning Policy, Policy 3: Green Belt and rural area, Policy 15: Natural and Historic Environment, Policy 19: Renewable Energy of the South Lanarkshire Local Development Plan, Policy NHE 16 Landscape of the Supplementary Guidance on Natural and Historic Environment, and Policy RE 2 Criteria 8) landscape and visual impacts Policy RE 2 Criteria 9 a) and 9 b) Cumulative landscape and visual impacts and areas where cumulative impacts limits capacity for further development of the Supplementary Guidance on Renewable Energy in that the development, in view of its scale and location, would lead to significant cumulative effects on many of the same landscape and visual receptors due to proximity to and combined and sequential views with turbines in the Clyde Wind Farm group to the east, and would be located between areas of significant wind energy development to east, north and west.
- 4 The application is contrary to the terms of Scottish Planning Policy, Policy 3: Green Belt and rural area and Policy 19: Renewable Energy of South Lanarkshire Local Development Plan, and Supplementary Guidance on Renewable Energy Policy RE 2 Criteria 3) community separation for consideration of visual impact, Criteria 8) landscape and visual impacts, Criteria 9 a) Cumulative landscape and visual impacts, Criteria 10 a) residential visual amenity in that the development, in view of its scale and location, would lead to significant adverse visual effects on Elvanfoot and the northern part of Crawford, properties and property groups within 3km and several transport routes.
- 5 The application is contrary to the terms of Scottish Planning Policy, Policy 2: Climate Change, Policy 3: Green Belt and rural area, Policy 15: Natural and Historic Environment, Policy 19: Renewable Energy of the South Lanarkshire Local Development Plan, Policy NHE 19 protected species of the Supplementary Guidance on Natural and Historic Environment, and Policy RE 2 Criteria 7a) effects on the natural heritage including birds and 7b) habitat management plans of the Supplementary Guidance on Renewable Energy in that the development, in view of its scale and location, would lead to potential significant effects on protected bird species at a regional level, and raise concerns with regards to the

mitigation measures that are proposed being sufficient to off-set the potential effects.

- 6 The application is contrary to the terms of Scottish Planning Policy, Policy 3: Green Belt and rural area, Policy 15: Natural and Historic Environment, Policy 19: Renewable Energy of South Lanarkshire Local Development Plan, Policy NHE 2 Scheduled Monuments, Policy NHE 6 Non-scheduled archaeological sites and monuments, Policy NHE 7 Conservation Areas of the Supplementary Guidance on Natural and Historic Environment and Policy RE 2 Criteria 13) impact on the historic environment of the Supplementary Guidance on Renewable Energy in that the development, in view of its scale and location, would lead to unacceptable adverse setting effects on schedule monuments and non-scheduled archaeological sites, and would not preserve or enhance the character of the Leadhills Conservation Area.
- 7 The application is contrary to the terms of Scottish Planning Policy, Policy 15: Natural and Historic Environment, Policy 19: Renewable Energy of South Lanarkshire Local Development Plan, and Policy NHE 18 core paths and rights of way of Supplementary Guidance on Natural and Historic Environment, and Policy RE 2 Criteria 12) impact on public access and Policy RE 2 Criteria 14) impact on tourism and recreation of the Supplementary Guidance on Renewable Energy in that the development, in view of its scale and location, would lead to significant adverse visual effects on sections of the Southern Upland Way, NCR74 and local recreational paths and hill summits and local recreational facilities.
- 8 The application is contrary to the terms of Scottish Planning Policy, Policy 19: Renewable Energy of South Lanarkshire Local Development Plan and Policy RE 1 and RE 2 of the Supplementary Guidance on Renewable Energy in that the development is not in accordance with South Lanarkshire's strategic guidance and landscape capacity guidance.



For information only

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