

	<h1>Report</h1>	Agenda Item <h2>3</h2>
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Report to: **Planning Committee**
 Date of Meeting: **26 January 2010**
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/06/0311
 Planning Proposal: Erection of 11 wind turbines and associated infrastructure including sub-station, access tracks, construction compound and borrow pit

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : I & H Brown Bankend Rig Ltd
- Location : Bankend Rig Windfarm
Glengavel
South Lanarkshire

2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission – Subject to Conditions (Based on Conditions attached)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

- 1) Planning consent should be withheld until a Section 75 Agreement between the Council, the applicant and landowners and Scottish Natural Heritage has been concluded to ensure the following:
 - Submission of a Bond for the Restoration and Aftercare of the site.
 - Community Benefit funds are provided to the satisfaction of the Council.
 - Preparation and implementation of a Television Reception Remedial procedure.
 - The preparation and implementation of a Habitat Management Plan to the satisfaction of the Council and SNH.
 - The provision of a Ecological Clerk of Works.
 - The funding of a Planning Monitoring Officer to be appointed by the Council.
 - That access to the site has been secured in Planning terms
- 2) Planning consent should also be withheld until a Section 96 (Roads Scotland Act) Agreement between the Council and the applicant has been concluded to ensure the satisfactory procedure and control over turbine transportation and the satisfactory and timely remedy of resultant damage to roads.

- 3) Planning consent should also be withheld until a legal agreement or indemnification between the applicant and the Council as Roads Authority will be required outlining the indemnity insurance requirements that the applicant must maintain for the duration of the turbine transportation period. All costs associated with the legal agreement, including the Council's costs, shall be borne by the applicant.

3 Other Information

- ◆ Applicant's Agent: Mr Bill Sheridan
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **Glasgow & Clyde Valley Joint Structure 2006**
Strategic Policy 8: Sustainable Development of Resources

Adopted South Lanarkshire Local Plan 2009

STRAT6: Remoter Rural Area

Policy CRE2: Stimulating the Rural Economy

Policy ENV14: Potential Windfarm Areas

Policy ENV17: Renewable Energy Community Benefit

Policy ENV38: Renewable Energy Site Assessment

- ◆ Representation(s):
 - ▶ 301 Objection Letters
 - ▶ 1 Comments Letter

- ◆ Consultation(s):

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

Scottish Executive Development Department

Public Protection - Environmental Health (East Kilbride)

Scottish Wildlife Trust

Sandford & Upper Avondale Community Council

Glasgow & Clyde Valley Structure Plan Joint Committee

RSPB Scotland

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

West of Scotland Archaeology Service

Power Systems

National Air Traffic Services Ltd

Defence Estate Organisation

BAA Aerodrome Safeguarding

British Telecom

Avondale Civic Society

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

TRANSCO (Plant Location)

Forestry Commission (Central Scotland Conservancy)

East Ayrshire Council

Scottish Civic Trust

Historic Scotland

Scottish Natural Heritage

Roads and Transportation Services (East Kilbride)

Planning Application Report

1 Application Site

- 1.1 The application site is located approximately 7 miles south west of Strathaven, 1 mile west of Glengavel Reservoir and 5 miles south east of Darvel. The turbines are located on the upper slopes of Bankend Rig between Bibblon Hill and Mill Rig Hill. The access road into the wind farm site from the public road is located in the adjoining local authority area of East Ayrshire and an application for the approval of the access road has been submitted to East Ayrshire Council for determination.
- 1.2 The application site lies within an area of commercial forest, part of the Avondale Forest, which was badly damaged by fire in 2003. The site extends to 752 hectares. It is designated as plateau moorland under the Scottish Natural Heritage Landscape Character Types. An area close to the site at Glengavel Reservoir is designated as Upland River Valley. The site is located adjacent to the Muirkirk and North Lowther Uplands Special Protection Area (SPA) designated under EEC Habitats and Birds Directives with a small area of the site access falling within the boundary of the SPA. There are a few properties close to the site, the nearest being High Pewland and Laigh Plewland situated approximately 1 mile to the north east of the site.

2 Proposal(s)

- 2.1 The application is for an 11 turbine windfarm, with a generation capacity of 14.3 MW. The turbines are grouped in two rows running from the northwest to southeast and are spaced on average approximately 350m apart. The applicant has submitted a comprehensive Environmental Statement to consider the potential impact of the development and appropriate mitigation measures to reduce adverse impacts. This included specialist information relating to Peat Stability, Geo-Technical, Noise, Ornithology, Landscape and Visual Impact and was followed by SPA Appropriate Assessment Information, Turbine Transportation Survey and a Draft Habitat Management Plan. Details of the proposed development are as follows:

a) Turbines

Each turbine would have an output of 1.3 MW giving the development an overall generating capacity of 14.3 MW. Each turbine of 76 metres to blade tip, consisting of a hub height of 45 metres, a rotor diameter of 62 metres, and three 20 metre blades.

The finish of the turbines would be of a low-reflectivity semi-matt pale grey colour. Each turbine will be set in concrete foundations measuring 15 metres by 15 metres and have its own transformer located internally in the base of the tower.

b) Crane hardstanding and Laydown Area

Each turbine will have an adjacent temporary hardstanding which will be used as a lay-down area and a base for cranes (with 500 tonne lifting capacity) and other vehicles during the life of the wind farm.

c) Sub-station

The proposed electricity sub-station is located on the access track approximately 600 metres to the west of the proposed borrow pit. The sub-station consists of switchgear and control rooms housed in a building of 16.1m by 5m to a height of 4.5m.

d) Temporary Construction Compounds

The developer proposes two construction compounds. One will be located in East Ayrshire Council area at the junction with the C135 road and is not under consideration by South Lanarkshire Council. A second and main temporary construction compound is located on the access track approximately 600 metres to the west of the proposed borrow pit. It straddles the access track and measures 120m by 30m to the north and 120m by 20m to the south of the track. It will incorporate various temporary offices and welfare facilities in portacabins, containers for tool and equipment storage, open storage for components and materials, fuel storage tanks, servicing and maintenance areas and will be fenced. Two areas of peat soil storage mounds will be located on either side of the access track on the western side of this compound.

e) Access and Internal Site Roads

The access into the site will be via the existing minor road (C135) from a point where it meets the A71 at Allanton in East Ayrshire Council area. It will use a new section of track from the C135 at Cairnsaigh travelling south and returning to an existing forestry track before crossing into South Lanarkshire at Avon Moss where it proceeds west to Bankend Rig to the site of the turbines. This planning application made to South Lanarkshire Council and under consideration does not include the site access and the section of track within East Ayrshire. A separate planning application for the site access and the section of track is currently under consideration by East Ayrshire Council. New tracks will be constructed to serve the turbines consisting of 1km to the first turbine being 6.5m wide and the remainder being 4.5m wide. Construction methods will include both floating roads and cut tracks. Burn crossings will be culverted with floating tracks on embankments.

f) Borrow Pits

One borrow pit will be excavated to provide aggregates for construction on site and is located on the site of a previous forestry borrow pit. It will have a cleared area of 1 hectare, a working area of 120m by 75m and will be worked to a face height of 6 metres. The borrow pit will provide 45,000 m³ of material with approximately 10,000 m³ being imported. The borrow pit will be worked by hydraulic breaking, there is no indication of a requirement for blasting, and will be reinstated/restored following excavation.

g) Turbine Component Transportation

Turbines will be transported as abnormal loads with traffic management measures to the site either from the M74 travelling west along the A71 through Strathaven onto the B743 south to the site or from the west through Darvel along the A71. A total of 50 loads will be transported carrying turbine components. An Initial Turbine Transportation Study in the form of a Visual Route Inspection Report has been undertaken by Collett specialist transportation company and this report accompanies the application.

h) Wind Monitoring Mast

An existing 50 metre high monitoring mast is located out with the application boundary and does not form part of this application.

i) Conservation Management Plan

A Conservation Management Plan has been prepared and submitted following consultation with SNH. This will be refined and developed in consultation with SNH and the RSPB if the Council is minded to grant consent and implemented through conditions and a Section 75 Agreement attached to any consent.

j) **Forestry Clearance**

The proposed wind farm will result in 100% felling in the area surrounding the turbines giving a clear fell of 200m around each turbine.

k) **Decommissioning**

The wind farm has been designed with an operational life of 25 years. At the end of its life a Decommissioning Plan will be submitted to and agreed by the Council which would set out the detailed restoration of the site.

3 Background

3.1 Relevant Government Advice

3.1.1 SPP6: Renewable Energy reaffirms the objective of Scottish Ministers to meet 40% of electricity need through a mixture of renewable sources by 2020. The planning system has a significant role to play in resolving conflicts so that progress towards the 2020 target continues to be made in a way that affords appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy development. Impacts upon peat should be minimised. Planning Authorities should take account of cumulative impact, primarily with regards to larger proposals whilst recognising that smaller schemes could result in adverse cumulative impacts if inappropriately sited.

3.1.2 SPP15: Planning for Rural Development states further diversification of the rural economy should be encouraged and there is enormous scope to exercise initiative and creativity.

3.1.3 PAN73: Rural Diversification recognises that wind farms need to be located where there is a sufficient available wind resource.

3.1.4 NPPG14: Natural Heritage (1999) emphasises the need to protect and sustain the natural heritage and, in particular, prevent irreversible harm to species and habitats protected at national and international level. Where there are concerns about the potential impact of a development upon the heritage value of an area, a precautionary approach should be adopted. Beyond designated sites, full consideration should be given to the retention and enhancement of features in the wider environment including woodlands, burns, lochs, wetlands, peat lands and unimproved grassland which contribute to ecosystems, the habitat network and people's enjoyment of the natural and landscape heritage.

3.1.5 PAN45: Renewable Energy Technologies (Revised 2002) recognises the Government's aim to stimulate further the development of the UK renewable energy industry. It recognises the requirement for windfarms to be located in areas of relatively smooth and rounded topography to maximize the potential wind resource. In particular significant changes in landscapes not protected by any form of designation may be considered acceptable. The general perceptions of a wind farm in an open landscape, is likely to decrease the greater the distance from it. As a general guide turbines will be prominent at a distance of up to 2 km however in distances between 15-20 km they will appear as a minor element in the landscape.

3.1.6 PAN56: Planning and Noise sets out the role of planning authorities in preventing and limiting the adverse effects of noise without prejudicing investment in enterprise, development and transport. It sets out the standards for measuring noise impact and stresses the importance of good acoustical design and siting of turbines to ensure no significant increase in ambient noise levels.

3.2 Structure Plan Policy

3.2.1 The application requires to be assessed against Strategic Policy 8 of the approved Glasgow & Clyde Valley Structure Plan 2006.

3.2.2 Strategic Policy 8: Sustainable Development of Resources sets out the approved Structure Plan policy for the sustainable development of natural resources and gives specific support to potential areas of search for windfarms identified in the Structure Plan. These largely encompass the previous 'preferred' areas but are more extensive. In addition to the areas in the south and west of South Lanarkshire, a new area around Forth is also identified. These areas are to be the focus for significant windfarm developments. The plan also proposes a 'threshold of strategic significance' for windfarms – this has been set at 20MW. The proposed development is within the potential areas of search, involves a 14.3MW windfarm and therefore falls below the threshold of strategic significance.

3.3 Local Plan Policy

3.3.1 In the Adopted South Lanarkshire Local Plan, the following policies are relevant:

- Policy STRAT6: Remoter Rural Area aims to sustain population and economic activity and all development should aim to enhance the environmental quality of the area.
- Policy CRE2 aims to maximise job creation outwith settlements by encouraging appropriate uses including energy-related developments if it demonstrates a specific locational need, respects the landscape, countryside amenity and nature conservation interests.
- Policy ENV14: Potential Wind farm Areas of Search, identifies potential areas of search for wind farm development over 20 MW. Proposals in these areas will require to consider cumulative impact, potential impact on adjacent SPA, ensure that local environmental considerations are addressed, and to ensure good design and construction practice. Proposals must meet the relevant criteria in Policy ENV38.
- Policy ENV17: Renewable Energy Community Benefit Policy, states where a proposal is acceptable, then encouragement is given to the developer to contribute towards socio/economic investment in the community affected by a renewable energy development.
- Policy ENV38: Renewable Energy Site Assessment Policy outlines criteria under which windfarms should be assessed, including potential impacts upon wildlife and landscape designations, and priority species and habitats identified in the South Lanarkshire Biodiversity Action Plan. The cumulative visual and landscape impacts of windfarms will have to be fully considered. The findings of the South Lanarkshire Landscape Capacity and Sensitivity Study will be taken into account in the assessment of windfarm proposals. The policy also aims to avoid compromising road safety and causing other unacceptable impacts such as noise disturbance, shadow flicker and electromagnetic disturbance and interference to television reception. Any impact upon air safety will have to be satisfactorily addressed.

3.4 Planning History

3.4.1 A formal Scoping Report for the proposed Environmental Impact Assessment was submitted to the Council in June 2005. After consideration and consultation a formal Scoping Response Report was prepared by the Council in October 2005. Following this a full Environmental Impact Assessment was prepared by the applicant and submitted with this application in June 2006.

4 **Consultation(s)**

4.1 **NATS (En Route) Safeguarding** – do not object to the proposed development as it raises no safeguarding conflict.

Response: Noted.

- 4.2 **BAA Safeguarding Glasgow Airport Limited** – do not object to the proposed development as it does not conflict with safeguarding criteria.
Response: Noted.
- 4.3 **Glasgow Prestwick Airport Limited (Infratil)** – no objection as the wind farm has no safeguarding conflict with Glasgow Prestwick Airport radar.
Response: Noted.
- 4.4 **Defence Estates** – no safeguarding objection to the proposal.
Response: Noted.
- 4.5 **SEPA** – no objection in principle subject to conditions in relation to a number of issues. These included maintenance of the quality of private water supplies; the preparation, approval and implementation a Pollution Prevention and Incident Plan, Construction Management Plan and a Construction Method Statement; Sustainable Urban Drainage Systems (SUDs); foul drainage treatment via closed soakaway system, water crossing methods excluding the use of water culverts, pollution prevention at borrow pits, control of dust, and adherence to Waste Management Regulations 1994 (as amended).
Response: Noted and agreed.
- 4.6 **Scottish Natural Heritage** – initially objected to the proposed development, however, subject to conditions and a S75 Agreement being attached to any consent has no objections provided that these are implemented to their satisfaction. A S75 Agreement is required to ensure the implementation of a Conservation Management Plan prepared in consultation and agreement with SHN and the council and particularly addressing the qualifying interests of the SPA. Mitigation measures proposed in the Draft CMP if implemented to the satisfaction of SNH ensure, beyond reasonable scientific doubt, that the integrity of the SPA would not be adversely affected. Conditions require to be attached in relation to protection of European Protected Species and their habitats, provision of appropriately qualified Ecological Clerk of Works, protection of otters and their habitats, preparation and implementation of a Construction Method Statement, mitigation measures in relation to track construction, Decommissioning and Restoration Plans and further consultation with SNH if any deviation is planned from the Environmental Statement.
Response: Noted and agreed. A S75 will be finalised and agreed and a wide range of conditions are attached in respect of the issues raised by SNH.
- 4.7 **RSPB** – no objection subject to conditions relating to mitigation of impacts on species and habitats, the preparation and approval of a Conservation Management Plan prior to work starting on site, incorporation into a S75 Agreement and the setting up and operation of a Habitat Management Group .
Response: Noted and agreed.
- 4.8 **Environmental and Strategic Services** – no objection subject to a number of conditions relating to the monitoring, control and mitigation of noise, vibration and dust during construction, operational and decommissioning periods.
Response: Noted and agreed.
- 4.9 **Roads and Transportation Services (East Kilbride)** – no objection subject to a number of conditions in relation to turbine transportation including clarifying the capability of the route for turbine transportation, the detailed procedure to ensure public safety, minimize traffic delays and prevent damage to structures and road surfaces. Conditions were also required in relation to the design of the site access, control of traffic and provision of Section 96 Roads Agreements to ensure that

satisfactory road repairs for any resultant damage and that costs are met in full by the applicant.

Response: Noted and agreed. A Section 96 Roads Agreement is being prepared and conditions have been attached following consultation with Roads, Roads Structure, Trunks Roads and the Police.

- 4.10 **Transport Scotland Trunk Roads Network Management** – no objection subject to consultation with Amey Infrastructure Services and Police in respect of turbine transportation to the site. This has been undertaken and comments taken into consideration.

Response: Noted and agreed.

- 4.11 **Roads and Transportation Services (HQ)** – no objections subject to S96 Agreement and conditions in relation to turbine transportation.

Response: Noted and agreed. A section 96 Roads Agreement is being prepared and conditions have been attached following meetings and consultation with Roads, Roads Structure, Trunks Roads and the Police.

- 4.12 **Roads and Transportation Services (Flooding)** – no objections subject to conditions requiring a full Flood Risk Assessment prior to commencement.

- 4.13 **West of Scotland Archaeology Services** – no objection subject to conditions relating to a Written Scheme of Investigation agreed by WOSAS and fully implemented by the applicant.

Response: Noted and agreed.

- 4.14 **Forestry Commission Scotland** – no objections.

Response: Noted.

- 4.15 **Scottish Power Networks** – no objection.

Response: Noted.

- 4.16 **Scotland Gas Networks** – no objection.

Response: Noted.

- 4.17 **Scottish Water** – no objection subject to conditions relating to method statements, risk assessments and mitigation measures to control soil erosion, oil pollution, protection of public water supplies and protection of Scottish Water Assets.

Response: Noted and agreed.

- 4.18 **Sandford and Upper Avondale Community Council** – objects to the proposal on the grounds of presentational and procedural errors, lack of justification for the development, impact on the Muirkirk and North Lowther Uplands SPA, impact of the construction process on peat stability, operational noise pollution, adverse visual and landscape impact, inadequate landscape assessment, adverse impact on hydrology and local water supplies, assessment of turbine transportation route, health and safety, assessment of risk to wildlife and birds, access tracks should not become core paths and threat to sites of archaeological importance.

Response: Noted. Conditions have been attached in respect of many of the issues set out in the consultation response requiring further information, mitigation measures and method statements. A S75 Agreement will address a number of the issues raised through Conservation Management Plan. A S96 Roads Agreement will control the impact of construction traffic and turbine transportation procedure. Further information has been submitted since the submission of the objection in relation to Appropriate Assessment of the Impact on the SPA and Turbine

Transportation methods. Conditions have been attached to ensure effective assessment procedures in relation to peat stability. SNH, RSPB, Scottish Water, WoSAS, SEPA and Roads & Transportation did not object to the development provided that relevant conditions were attached and legal agreements entered into.

- 4.19 **Scottish Civic Trust** – no comment

Response: Noted.

- 4.20 **Historic Scotland** – no objection as the proposed development will not have a significant adverse impact on Dungavel Hill Cairn.

Response: Noted.

- 4.21 **Avondale Civic Society** – no response

- 4.22 **Scottish Government Climate Change Division** – no objections subject to the control of potential impact on surface and ground water and control of pollution.

Response: Noted and agreed.

- 4.23 **Glasgow and Clyde Valley Joint Structure Plan Team** – no objection as the proposed wind farm is not deemed to be strategic in nature falling below the 20MW threshold.

Response: Noted.

- 4.24 **East Ayrshire Council** – no objection in principle but has highlighted the adverse cumulative visual impact of the development as seen from East Ayrshire.

Response: Noted. SNH had no objections to the proposed development in relation to cumulative landscape impact.

5 Representation(s)

- 5.1 The proposal was advertised as an Article 12(5) development requiring advertisement due to the scale or nature of operation (as turbines exceed 20m in height) and as a Development Potentially Contrary to the Development Plan. It was also advertised as an Environmental Statement Development. In response 303 letters of objection were received for the proposal including one from Strathaven Community Council. Of these letters 298 were in the form of a signed copy of a standard letter. The issues raised and their comments thereon can be summarised as follows:-

- a) **There is no justification for the development in that there are sufficient renewable energy developments to meet Government targets, alternative renewable energy sources which would cause less environmental destruction, there is no overall national planning or co-ordination between local authorities resulting in hundreds of relatively small scale wind farms and the benefits of wind farms have not been proven. It is suggested that a moratorium be placed on wind farm developments until such time as the alternatives have been examined.**

Response: National Planning Policy and Strategic Planning Policy guide the identification of the Potential Areas for wind farm developments as set out in the Adopted South Lanarkshire Local Plan. This process provides a co-ordinated overall strategy for wind farm development. National Planning Policy reflects the Scottish Governments opinion that there are benefits gained from the development of wind farms. The benefits estimated as a result of the development in relation to climate change benefits are not a determining issue in the assessment of a planning application.

- b) **The method and route of connection from the site to the national grid to the north has not been fully detailed in the Environmental Statement.**
Response: The connection to the grid is permitted development and does not require planning consent. The Council has indicated a preference for all cabling to be under ground and should connection be to the west, it will fall within East Ayrshire Council area.
- c) **The development would result in unacceptable visual impact with turbines on local properties, walking and cycle routes and on other recreational resources.**
Response: Noted. The Council and SNH do not consider that the proposed wind farm will have an adverse cumulative landscape and visual impact of sufficient significance to warrant refusal of planning consent.
- d) **The development would result in unacceptable cumulative landscape and visual impacts given the number of turbines constructed and planned wind farms in the surrounding area.**
Response: Noted. The Council and SNH do not consider that the proposed wind farm will have an adverse cumulative landscape and visual impact of sufficient significance to warrant refusal of planning consent.
- e) **The proposed wind farm will result in a loss of amenity changing the character of the area from rural to industrial.**
Response: Noted. The Council and SNH do not consider that the proposed wind farm will have an adverse impact of sufficient significance to warrant refusal of planning consent.
- f) **Construction traffic would have an unacceptable impact on local residents, condition of the roads and the environment. Information in the Environmental Statement is insufficient and does not take into account the cumulative impact of construction traffic from other major developments.**
Response: Roads and Transportation have no objection to the proposed level and nature of construction traffic. A roads agreement and planning conditions will control the routes used and ensure repair of any damage caused at the expense of the developer.
- g) **Transportation of the turbine components will cause unacceptable disruption through Strathaven. The route is unsuitable and transportation will pose an unacceptable risk to the public and property. Any alteration and damage to roads should be paid for by the developer.**
Response: A full feasibility report and technical assessments have been provided by the developer to demonstrate the suitability of the route to transport the turbine components to site. Roads and Transportation Services and Strathclyde Police are satisfied with the proposed transportation methodology and route. A roads agreement and planning conditions will control the routes used and ensure repair of any damage caused at the expense of the developer.
- h) **The construction of wind farm will result in an unacceptable level of noise and dust for local residents and may result in health problems. The cumulative impact of noise and dust combined with other major construction projects in the same area at the same time has not been assessed.**
Response: Environmental and Strategic Services had no objection to the construction process in relation to noise and dust pollution. Conditions will be attached to any consent to control and minimize noise and dust during the construction process. Health issues are not a relevant planning consideration.

- i) **The development will result in unacceptable operational noise from turbines and the sub station, the noise assessment set out in the Environmental Statement is inaccurate and ETSU Standards are being reviewed.**
Response: Environmental and Strategic Services have assessed the information provided and had no objections to the proposed development provided conditions were attached to any consent. The ETSU report standards represent the current recognised standards for noise assessment for wind farms.
- j) **The construction of the wind farm and required removal of trees will cause increased run off resulting in flooding.**
Response: SEPA have assessed the information supplied and have no objections in terms of increased flood risk.
- k) **The development would have an adverse effect on private water supplies and Glengavel Reservoir.**
Response: Both SEPA and Scottish Water have assessed the information supplied and have no objections in terms of reduced water quality.
- l) **The potential for peat stability incidents has not been fully assessed in the Environmental Assessment and raise concerns over safety of the local community and Glengavel Reservoir in relation potential peat slide incidents.**
Response: SEPA raised no objections on the grounds of peat stability and any consent will have conditions requiring Assessment of Peat Stability and approval of Method Statements including the prevention of peat stability incidents.
- m) **The wind farm will have an adverse impact on the habitats and species of the surrounding Special Protection Area, SSSIs and affects on areas potentially eligible for SSSI status in terms of collision danger for birds, cumulative effect on migration flight when combined with other wind farms and effect on the breeding bird community.**
Response: Both the RSPB and SNH have assessed the Environmental Statement, the information included in the Appropriate Assessment document, further survey work and the Conservation Management Plan. The RSPB raised no objections to the proposal subject to conditions to be applied to any consent and S75 ensuring the implementation of the CMP. SNH have agreed that provided specified conditions and S75 are attached and implemented they have no objections to the development.
- n) **The wind farm will have an adverse impact on the habitats and species of the site including the effect on the flora and fauna through increased ground level wind speeds.**
Response: Both the RSPB and SNH have assessed the Environmental Statement and the Conservation Management Plan. The RSPB raised no objections to the proposal subject to conditions to be applied to any consent. SNH have agreed that provided specified conditions are attached and implemented they have no objections to the development.
- o) **The operation of the turbines will result in an unacceptable level of disturbance to local residents caused by shadow flicker.**
Response: The level of disturbance predicted is not considered to be of a significant level to warrant refusal of planning permission.
- p) **The construction of the wind farm will have an adverse impact on property values, the local economy and tourism.**
Response: The effect of a development on property values is not a relevant planning consideration. The development will create opportunities for employment

and benefit local businesses during construction, operational and decommissioning phases. There is no information assessing the likely effect on tourism in the local area.

- q) **The proposed wind farm will have an adverse impact on local archaeological sites and prior to construction work starting archaeology survey must be under taken.**

Response: A Condition requiring full survey work, reporting and reordering procedures will be attached to any planning consent as required by WoSAS in their consultation response.

- r) **The proposal could have an adverse impact on water quality in Glengavel Reservoir and on peat stability within the site. There appears to be a lack of consideration of other sites and the grid connection has been excluded from the application. Additionally, there could also be an adverse environmental impact on Strathaven and the community during prolonged periods of day time turbine transportation.**

Response: Conditions have been attached in respect of many of the issues set out above requiring further information, mitigation measures and method statements. A S75 Agreement will address a number of the issues raised. A S96 Roads Agreement will control the impact of construction traffic and turbine transportation procedure. Further information has been submitted since the submission of the objection in relation to Turbine Transportation methods. Conditions have been attached to ensure effective assessment procedures in relation to peat stability. Scottish Water, SEPA and Roads & Transportation did not object to the development provided that relevant conditions were attached and legal agreements entered into. The connection to the grid is permitted development and does not require planning consent however the Council has indicated a preference for all cabling to be underground. Should connection be to the west it will fall within East Ayrshire Council area.

Representation letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The principal determining issues in assessing this proposal relates to conformity with national, structure and local plan policy and landscape and visual impacts.

6.2 National Planning Policy

- 6.2.1 In terms of relevant Government Policy SPP6: Renewable Energy Planning Authorities are required to facilitate new windfarm proposals whilst giving full consideration to environmental consequences affecting habitat and wildlife interests. Cognisance should be given to visual and cumulative affect whilst recognising that such impacts will inevitably be attributable to larger scheme. This 14.3MW wind farm will contribute towards meeting the targets set in SPPG6. Full consideration has been given to affects on habitat and wildlife interests on the site and in the surrounding area. It is considered that the design of the wind farm and the mitigation measures required by conditions and the Habitat Management Plan will reduce any impact to an acceptable level. The cumulative landscape and visual impact have been assessed and are considered to be acceptable. The proposed wind farm therefore accords with SPP6.

- 6.2.2 Policy SPP15: Planning for Rural Development encourages diversification in the countryside. The proposal is likely to provide additional income to the area and is a form of diversification and thereby accords with SPP15.

- 6.2.3 Policy NPPG14: Natural Heritage (1999) states that a key role of the planning system is to ensure that society's land requirements are dealt with sustainably and do not cause irreversible harm to the heritage value of an area. SNH and RSPB found the proposed development to be acceptable provided a number of planning condition and a S75 Legal Agreement are attached and implemented to mitigate the impacts on habitats and wildlife. Provided these mitigation measures are implemented the proposed development would accord with NPPG14.
- 6.2.4 PAN 45: Renewable Energy Technologies (revised 2002) recognises the requirement for windfarms to be located in areas of relatively smooth and rounded topography to maximize the potential wind resource. In particular significant changes in landscapes not protected by any form of designation may be considered acceptable. The proposed wind farm, by virtue of its nature and siting, accords with PAN 45. The landscape, visual impact and cumulative impact is considered to be of an acceptable level.
- 6.2.5 PAN 56: Planning and Noise sets out the considerations and methodologies for assessing the noise impact of windfarms. The information set out in the Environmental Statement has been assessed by Environmental and Strategic Services who had no objections subject to conditions relating to control and monitoring of noise and therefore accord with PAN 56.
- 6.3 Structure Plan Policy
- 6.3.1 The application requires to be assessed against Strategic Policy 8 of the approved Glasgow and Clyde Valley Structure Plan 2006.
- 6.3.2 Strategic Policy 8: Sustainable Development of Resources sets out the approved Structure Plan policy for the sustainable development of natural resources and gives specific support for proposed windfarm areas identified in the Structure Plan. The proposed wind farm falls within the potential areas of search for windfarms as identified and therefore accords with Strategic Policy 8.
- 6.4 Adopted South Lanarkshire Local Plan 2009
- 6.4.1 In the Adopted South Lanarkshire Local Plan 2009 there are several policies relevant to this proposal which aim to protect the natural and built heritage and which identify preferred areas for wind farms.
- 6.4.2 Policy STRAT6: The Remoter Rural Area encourages development such as windfarms which aim to sustain economic activity.
- 6.4.3 Policy CRE2: Stimulating the Rural Economy encourages renewable development where it demonstrates a specific locational need, respects the landscape, countryside amenity and nature conservation interests. The proposed wind farm development demonstrates a specific locational need and with proposed mitigation measures respects the landscape, countryside amenity and nature conservation interests.
- 6.4.4 Policy ENV14: Potential Windfarm Areas relates to large scale windfarms 20MV or above. The site is within the areas potentially appropriate for windfarm development.
- 6.4.5 Policy ENV17: Renewable Energy Community Benefit encourages developers to make contributions towards the South Lanarkshire Community Fund. Specific discussions will take place in respect of community benefit payments if the Council were minded to grant consent.

- 6.4.6 Policy ENV38: Renewable Energy Assessment outlines the criteria under which windfarms should be assessed.
- 6.4.7 In regard to assessment against the development plan the main issues are set out below.
- 6.4.8 Air Traffic Safety. None of the air traffic safety consultees raised any objection to the proposed development as it raises no safety conflict.
- 6.4.9 Landscape and Visual Impact & Cumulative Impact. Assessment of the landscape and visual Impact and cumulative impact were carried out by the consultants for the Council and by SNH. Both assessments found that the potential impacts were of an acceptable level and not of sufficient significance to warrant refusal of the application.
- 6.4.10 Effect on SPA. The proposed wind farm is located adjacent to the Muirkirk and North Lowther Uplands Special Protection Area (SPA) designated under EEC Habitats and Birds Directives. A small section of the access track is located in the SPA within the boundary of East Ayrshire Council. Although the actual site of the turbines is not located within the boundary of the SPA it is an application which may have an impact on the SPA. Detailed information has been provided by the applicant to allow full assessment of the impacts including formal Appropriate Assessment information. Both the RSPB and SNH have assessed the Environmental Statement, the information included in the Appropriate Assessment document and the Conservation Management Plan. The RSPB raised no objections to the proposal subject to conditions to be applied to any consent and the S75 being implemented to their satisfaction. SNH have agreed that provided specified conditions and the S75 are attached and implemented to their satisfaction they have no objections to the development.
- 6.4.11 Peat Stability. A full assessment of peat stability on the site and the potential effects of construction will be required as a condition of any consent. SEPA raised no objections on the grounds of peat stability and any consent will also have conditions requiring approval of Method Statements including the prevention of peat stability incidents, reporting and remedial procedures in the event of any incident.
- 6.4.12 Construction Traffic and Turbine Transportation Route. The proposed site access and measures to minimise the impact of normal site construction traffic have been shown to be acceptable. Should the Council be minded to grant consent the applicant will be required to enter into a Section 96 Roads Agreement in relation to construction traffic and public roads.
- 6.4.13 Following detailed assessment, the provision of additional technical information by the applicant and consultation within Roads and Transportation Services and with Strathclyde Police the capability of the proposed route for turbine transportation requires to be demonstrated prior to any development commencing on site. This will include detailed surveys of all bridges on route and confirmation of remedial measures to protect those structures. It will require clarification and assurance of the methods of traffic management and control during the transportation times. A separate Section 96 Roads Agreement and proof of indemnification would be required in relation to turbine transportation.
- 6.4.14 Restoration The expected life of the wind farm is 25 years. After the end of this period or should the wind farm no longer be operational prior to that time the wind

farm site will be required to be restored. A Restoration Plan will be prepared by the developer and agreed by the Council in consultation with SNH setting out how the site will be restored. Restoration will include the removal of all wind turbines, turbine pads, initial layer of foundation and all buildings and ancillary development and reinstatement of borrow pits. The Council, in consultation with Scottish Natural Heritage, shall review the retention of pads, foundations, cable/ducts and access tracks within the context of the restoration strategy to identify any elements to be retained on site or requiring alternative reinstatement. A Section 75 Planning Agreement will require the provision of a Restoration Bond by the developer to ensure that funds are available to the Council to restore the site in the event of the developer failing to do so.

6.4.15 Monitoring and Enforcement Monitoring and enforcement of planning conditions will be carried out by a specialist Planning and Monitoring Officer (PMO). This officer will be appointed by the Council for a specified period, normally until such time as construction is complete and again during decommissioning and restoration of the site. The developer will be required through the Section 75 Planning Agreement to provide funds to the Council covering all costs relating to this employment. The PMO will visit the site regularly, together with unannounced visits and specific visits to deal with issues which may arise. They will report directly to the Council and prepare regular overall site reports. They will work with the developer's Ecological Clerk of Works to resolve issues and control working practices on the site. A similar PMO has been monitoring and enforcing the development of the Whitelee Wind Farm site and has proved to be an effective and efficient method for monitoring and enforcement on the site.

6.5 It is considered that the development can meet the terms of the detailed criteria and that the Section 75 Legal Agreement and the planning conditions attached to the consent will enable the Council to ensure appropriate planning control over the site. It is therefore concluded that the application is consistent with both the approved Structure Plan and the adopted Local Plan.

6.6 In conclusion, it is inevitable that a development of this scale will have an environmental impact. The applicant has prepared a comprehensive proposal and has taken account of the many detailed impacts of the proposed development. I conclude that the benefits of the proposal, in contributing towards Scotland's renewable energy target, outweigh any adverse impacts. It is clear from the detailed assessment above, however, that such impacts are not considered to be significant. Therefore it is recommended that detailed planning permission be granted subject to the schedule of conditions, conclusion of a S75 Agreement and a S96 (Roads Scotland Act) Agreement. Should the Committee be of a mind to approve the application, however, consent should be withheld until legal agreements have been concluded in order to ensure that development and operation of the site takes place in an acceptable manner, and that any impacts are properly mitigated.

7 Reason for Decision

7.1 In terms of the Environmental Impact Assessment (Scotland) Regulations 1999, reasons must be given for approving planning application which have been submitted with an Environmental Statement. The reasons for approving the application are:

- (a) the proposal is consistent with Structure and Local Plan policy;
- (b) the proposal is consistent with relevant Government guidance;

- (c) the accompanying ES is a comprehensive document that adequately assesses key impacts;
- (d) there are no significant landscape and visual issues;
- (e) there are no significant ornithological issues; and
- (f) the satisfactory development and operation of the site can be controlled by means of condition and legal agreement

Colin McDowall
Executive Director (Enterprise Resources)

19 January 2010

Previous References

- ◆ None

List of Background Papers

▶ Application Form	
▶ Application Plans	
▶ Consultations	
Scottish Water	12/07/2006
Power Systems	23/06/2006
Scottish Civic Trust	20/07/2006
TRANSCO (Plant Location)	27/06/2006
Roads and Transportation Services (East Kilbride)	19/07/2006
BAA Plc	13/07/2006
Forestry Commission (Central Scotland Conservancy)	07/07/2006
Historic Scotland	11/08/2006
S.E.P.A. (West Region)	10/08/2006
East Ayrshire Council	28/08/2006
National Air Traffic Services Ltd	08/09/2006
Public Protection - Environmental Health (East Kilbride)	14/09/2006
S.E.P.A. (West Region) (Flooding)	09/10/2006
Forestry Commission (Central Scotland Conservancy)	23/11/2006
West of Scotland Archaeology Service	10/11/2006

Scottish Natural Heritage	22/01/2007
Glasgow & Clyde Valley Structure Plan Manager	12/02/2007
Scottish Natural Heritage	09/02/2009
Roads & Transportation Services H.Q. (Flooding)	25/02/2009
Scottish Executive Development Department	26/06/2009
Scottish Natural Heritage	25/06/2009
Defence Estate Organisation	12/10/2009
Scottish Natural Heritage	30/11/2009
Sandford and Upper Avondale Community Council	13/09/2006

► Representations

- Representation from : Mrs Sally Crozer, High Plewlands Farm, By Drumclog, Strathaven, ML10 6RF, DATED 27/06/2006
- Representation from : Gillian Bishop, STAG, Woodside Cottage, Ryelands, Strathaven, ML10 6QF, DATED 21/07/2006
- Representation from : Paula Jane Finnie, Cairnsmore, Drumclog, By Strathaven, ML10 6QF, DATED 14/08/2006
- Representation from : James Finnie, Cairnsmore, Drumclog, By Strathaven, ML10 6QF, DATED 14/08/2006
- Representation from : John Maxwell, 38 Maxwell Drive, Dalbeattie, Dumfrieshire, DATED 29/08/2006
- Representation from : Audrey Maxwell, 38 Maxwell Drive, Dalbeattie, Dmufrieshire, DATED 29/08/2006
- Representation from : Robyn Gillieland, Greenfield, Drumclog, STRATHAVEN, DATED 29/08/2006
- Representation from : David Gillieland, Greenfield, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : David Gillieland, Greenfield, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Nesta Gillieland, Greenfields, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Sheena McKechnie, 29 Shawton Road, Chapelton, ML10 6RY, DATED 08/08/2006
- Representation from : Ian Sweeney, 29 Shawton Road, Chapelton, ML10 6RY, DATED 08/08/2006

Representation from : V McCabe, 135 Aitken Road, HAMILTON, DATED 29/08/2006

Representation from : G McCabe, 135 Aitken Road, HAMILTON, DATED 29/08/2006

Representation from : N Meechan, Struthe Hluse, Russell Street, Falkirk, FK2, DATED 29/08/2006

Representation from : P Finnie, Cairnmore, Drumclog, Strathaven, ML10 6QE, DATED 29/08/2006

Representation from : J Finnie, Cairnmore, Drumclog, Strathaven, ML10 6QE, DATED 29/08/2006

Representation from : Angela Wallace, Avondale, Torfoot Steading, Drumclog, Strathaven, ML10 6QG, , DATED 29/08/2006

Representation from : David Clement, Avondale, Torfoot Steading, Drumclog, Strathaven, ML10 6QG, DATED 29/08/2006

Representation from : Mrs I Weir, 41 Cairns Terrace, Muirfield Park, Kilmarnock, KA1, DATED 29/08/2006

Representation from : J Miller, 10 Rokeby Crescent, Strathaven, ML10 , DATED 29/08/2006

Representation from : B Miller, 10 Roxeby Crescent, Strathaven, ML10, DATED 29/08/2006

Representation from : K Drummond, 58 Kelvin Crescent, East Kilbride, DATED 29/08/2006

Representation from : A Drummond, 58 Kelvin Crescent, East Kilbride, DATED 29/08/2006

Representation from : V Purcell, 32 Clydeford Drive, Kyle Park, Uddingston, DATED 29/08/2006

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Representation from : Fiona Maris, 59 Brownlow Road, London, E8 4NS, DATED 29/08/2006

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Representation from : Caroline McLean, Rhu na Craig, 3 Dhailling Avenue, Kim, Dunoon, Argyll, PA23 8EF, DATED 29/08/2006

Representation from : William McLean, Rhu na Craig, 3 Dhailling Avenue, Kim,

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- Representation from : Robert Mitchell, Wellbank, Marine Parade, Hunters Quay, Dunoon, Argyll, DATED 29/08/2006
- Representation from : Hilary Mitchell, Wellbank, Marine Parade, Hunters Quay, Dunoon, Argyll, DATED 29/08/2006
- Representation from : Craig Mitchell, 131 Brackenbrae Avenue, Bishopbriggs, G64 2DY, DATED 29/08/2006
- Representation from : Angela Kane, 131 Brackenbrae Avenue, Bishopbriggs, G64 2DY, DATED 29/08/2006
- Representation from : Barbara Goss, 128 Meikle Earnock Road, Hamilton, ML3 8BS, DATED 29/08/2006
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- Representation from : Andrew McLeish, 17 Fereneze Ave, Clarkston, Glasgow, DATED 29/08/2006
- Representation from : Mrs Janet Dalling, Westertoun Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Mr Jim Dalling, Westerton Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Nicola Dalling, Westertoun Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Gordon Dalling, Westertoun Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Sandy Dalling, Mount Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Margaret Dalling, Mount Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Margaret Dunbar, Springholm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Gillian Gilliland, Acres Ridge, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Rob Gilliland, Acres Ridge, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Jennifer Bryan, Gillhall, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Campbell Bryan, Gillhall, Drumclog, Strathaven, DATED 29/08/2006

Representation from : J Anderson, High Drumclog Farm, Drumclog, Strathaven, DATED 29/08/2006

Representation from : Eleanor Anderson, High Drumclog Farm, Drumclog, Strathaven, DATED 29/08/2006

Representation from : Alison Cunningham, Westfield, Darvel, Ayrshire, DATED 29/08/2006

Representation from : Gavin Hamilton, Westfield, Darvel, Ayrshire, DATED 29/08/2006

Representation from : Ann Glen, Greenfield, Darvel, Ayrshire, DATED 29/08/2006

Representation from : Owner/ Occupier, Woodside Cottage, Ryelands, Strathaven, M10 6QF, DATED 11/08/2006

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Representation from : Janette Black, 5 Dee Path, Larkhall, ML9 1NG, DATED 29/08/2006

Representation from : David Scott, 3 Wemeth Road, Glossop, SK13 9LZ, DATED 29/08/2006

Representation from : Jonathan Platt, Chappards Farm, Chappards, Holmfirth, HD9, , DATED 29/08/2006

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Representation from : Gerald Miller, 29 Invergordon Avenue, Newlands, G43 2HP, DATED 29/08/2006

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- Representation from : Brian Jamieson, 30 Bressay Grove, Cambuslang, G72 8QU, DATED 29/08/2006
- Representation from : Amy Hersay, Hill Farm, Strathaven, DATED 29/08/2006
- Representation from : Rebecca Hersay, Hill Farm, Strathaven, DATED 29/08/2006
- Representation from : Robert Warnock, Hill Farm, Strathaven, DATED 29/08/2006
- Representation from : Louise Warnock, Hill Farm, Strathaven, DATED 29/08/2006
- Representation from : Pam Meechan, North Torfoot Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Karen Meechan, North Torfoot Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Lewis Meechan, North Torfoot Farm, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Rachel Meechan, North Torfoot Farm, Drumclog, Strathaven, DATED 29/08/2006
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- Representation from : Jamie Crozer, High Plewlands Farm, Drumclog, Strathaven, ML10 6RF, DATED 29/08/2006
- Representation from : Charlotte Crozer, 2 Grenville Drive, , DATED 29/08/2006
- Representation from : Tracey Clark, 24 Druid Street, Glassford, DATED 29/08/2006
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- Representation from : Mr S P Davies, 'Hillview', Drumclog, Strathaven, ML10 6QF, DATED 29/08/2006
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- Representation from : Jane Fox, 11 Dundaff Hill, Balloch, Cumbernauld, DATED 29/08/2006
- Representation from : Lynsey Gibb, Castlevew Bungalow, Millhall Road, Eaglesham, DATED 29/08/2006
- Representation from : Bobby Russell, Freshwinds, Newton Road, Strathaven, DATED 29/08/2006
- Representation from : Margaret Russell, Freshwinds, Newton Road, Strathaven, DATED 29/08/2006
- Representation from : Margaret Adams, Burnside Cottage, Kilmaurs, Ayrshire, DATED 29/08/2006
- Representation from : Sam Haggerty, c/o Arbec, Duchess Road, Rutherglen, G73 12U, DATED 29/08/2006
- Representation from : Sarah Mackie, 62 Patrickholm Avenue, Stonehouse, ML9 3HZ, DATED 29/08/2006
- Representation from : Fran Brailsford, 102 High Kype Road, Strathaven, DATED 29/08/2006
- Representation from : Audrey Burns, 23 Cessnock Road, Galston, Ayrshire, DATED 29/08/2006
- Representation from : Janet Barclay, 50 Brewland Street, Galston, Ayrshire, DATED 29/08/2006
- Representation from : Jane Sleelag, c/o 2 Gables, Ashgrove Road, Holmfirth, HD9 3RJ, DATED 29/08/2006
- Representation from : Alan Hughes, 3 Gables, Ashgrove Road, Holmfirth, HD9 3RJ, DATED 29/08/2006
- Representation from : Becky Hughes, 3 Gables, Ashgrove Road, Holmfirth, HD9 3RJ, DATED 29/08/2006
- Representation from : Sue Platt, Scarhouse, Hepworth, Holmfirth, HD9, DATED 29/08/2006
- Representation from : Mr R K Platt, Scar House, Hepworth, Holmfirth, HD9, DATED 29/08/2006

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Representation from : Josh Crozer, High Plewlands Farm, Strathaven, DATED 29/08/2006

Representation from : Chris Nelson, 72 Viewpark Drive, Burnside, DATED 29/08/2006

Representation from : Catherine Nelson, 72 Viewpark Drive, Burnside, , DATED 29/08/2006

Representation from : Sally Crozer, High Plewlands Farm, By Drumclog, Strathaven, ML10 6RF, DATED 29/08/2006

Representation from : Mary Crozer, 05 Snaefell Avenue, Burnside, Rutherglen, G73 5DF, DATED 29/08/2006

Representation from : Claire Anderson, 23 Braidley Crescent, Whitehills, East Kilbride, G75 8FA, DATED 29/08/2006

Representation from : Jacqueline Irvine, 14 Mowbray, East Kilbride, G74 3NW, DATED 29/08/2006

Representation from : Alan Cullie, 62 Alder Crescent, Greenhills, East Kilbride, , DATED 29/08/2006

Representation from : Stuart Adams, Burnside Cottage, Kilmaurs, Ayrshire, KA3 2NL, DATED 29/08/2006

Representation from : Ann Whitehead, 2 Marten Grove, Netherton, Huddersfield, DATED 29/08/2006

Representation from : David Whitehead, 2 Marten Grove, Netherton, Huddersfield, DATED 29/08/2006

Representation from : Mr Robert J Saville, 1 Meltham Road, Hanley, Huddersfield, HD9 6DP, DATED 29/08/2006

Representation from : Mr Glenn Brammell, Rock Cottages, Brockholes, Huddersfield, HD4, DATED 29/08/2006

Representation from : Rita Golden, Stoneyroyd, Stoneybank Lane, Newmill, Holmfirth, HD9 7LZ, DATED 29/08/2006

Representation from : Mr L Gregory, 1 Steadgate, Shelley, Huddersfield, HD8 8ND, DATED 29/08/2006

Representation from : R N Golden, Stoneyroyd, Stoney Bank Lane, Newmill, Holmfirth, HD9 7LZ, DATED 29/08/2006

Representation from : Carole Lamont, c/o Gebbie & Wilson, Common Green, Strathaven, DATED 29/08/2006

Representation from : James Russell, Freshwinds, Newton Road, Strathaven, DATED 29/08/2006

Representation from : Morag Russell, Freshwinds, Newton Road, Strathaven, DATED 29/08/2006

Representation from : Mrs Anne Russell, 28 Brownside Road, Cambuslang, G72 8NL, DATED 29/08/2006

Representation from : Jack Russell, 28 Brownside Road, Cambuslang, G72 8NL, DATED 29/08/2006

Representation from : Jaclyn McCann, 23 Temple Lochs Place, Anniesland, G13 1SW, DATED 29/08/2006

Representation from : Stephen Ross, Wood Cottage, Auchenbothie Gardens,
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Representation from : C McCann, 23 Temple Lochs Place, Anniesland, G13 1JW,
DATED 29/08/2006

Representation from : Michael Moran, 17 Craigelelven Drive, Cumbernauld, G67
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Representation from : Heather Ross, 65 Hazel Road, Cumbernauld, G67 3BN,
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Representation from : Samantha Townsley, 33 Halley Place, Yoker, Glasgow,
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Representation from : Charil McCann, 23 Temple Lochs, Anniesland, G13 1JW,
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Representation from : George McHutchison, 35 Swinton Crescent, Coatbridge,
DATED 29/08/2006

Representation from : Mr William Filshie, Pleasance, Drumclog, Strathaven, ML10
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Representation from : Mrs Margaret Filshie, Pleasance, Drumclog, Strathaven,
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Representation from : Dorothy Gibson, Waterfoot Road, Eaglesham, DATED
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Representation from : Jayne Frost, West Coldstream Farm, Strathaven, ML10
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Representation from : Thomas Dunbar, Springholm, Drumclog, Strathaven,
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Representation from : Gillian Dunbar, Springholm, Drumclog, Strathaven, DATED
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Representation from : Ross Cooper, 1 Crosshill Avenue, Strathaven, DATED
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Representation from : Donald Cooper, 1 Crosshill Avenue, Strathaven, DATED
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Representation from : Liz Cooper, 1 Crosshill Avenue, Strathaven, DATED
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Representation from : Bethia Dunbar, Drumboy Farm, Drumclog, Strathaven,
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Representation from : Trish Hunter, Greenfield, Darvel, Ayrshire, DATED

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- Representation from : Andrew Hunter, Greenfield, Darvel, Ayrshire, DATED 29/08/2006
- Representation from : Fraser McGeechan, 60 Salisbury, Calderwood, East Kilbride, DATED 29/08/2006
- Representation from : Carol McGeechan, 60 Salisbury, Calderwood, East Kilbride, DATED 29/08/2006
- Representation from : John O'Donnell, The Willows, Flakefield Road, Chapelton, Strathaven, DATED 29/08/2006
- Representation from : Caroline O'Donnell, The Willows, Flakefield Road, Chapelton, Strathaven, DATED 29/08/2006
- Representation from : Karen Telfer, Bridgelea, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : David Telfer, Bridgelea, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Janette Telfer, Bridgelea, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Kevin Moy, High Dykes Farm, Muirkirk Road, Strathaven, ML10 6RF, DATED 29/08/2006
- Representation from : Sheena Jackson`, 2 Cottage, Southfield Farm, Blackwood, MLL 9PL, DATED 29/08/2006
- Representation from : Gillian Coltart, 34A New Street, Stonehouse, LARKHALL, DATED 29/08/2006
- Representation from : Christopher Cowan, 18 Springbank, Lesmahagow, ML11 OFE, DATED 29/08/2006
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Representation from : Pat Mullen, North Lodge, Glassford, ML10 6TR, DATED 29/08/2006

Representation from : Sue Tandy, 23 Station Road, Golcar, Huddersfield, DATED 29/08/2006

Representation from : Tommy Barclay, 50 Brewland Street, Galston, Ayrshire, DATED 29/08/2006

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Representation from : Drew Devlin, 1 Academy Street, Hurlford, Kilmarnock, DATED 29/08/2006

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Representation from : Steven Nicholls, 30 Honeycomb Place, Netherburn, DATED 29/08/2006

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Representation from : Mr & Mrs Gardner, 15 Waterlands Gardens, Carlisle, ML8 4EX, DATED 29/08/2006

Representation from : Lynsey Walker, 2 Stonedyke Crescent, Carlisle, ML8 4EY, DATED 29/08/2006

Representation from : Kirsty Jamieson, 30 Bressay Grove, Cambuslang, G72 8QY, DATED 29/08/2006

Representation from : Lynn Jamieson, 30 Bressay Grove, Cambuslang, G72 8QU, DATED 29/08/2006

Representation from : Strathaven Turbine Action Group, Bankend Farm, Drumclog, ML10 6RG, DATED 13/09/2006

Representation from : Alisdair McTavish, Greenhead Steading, Strathaven, ML10

6RF, DATED 12/09/2006

- Representation from : Ashley McTavish, Greenhead Steading, Strathaven, ML10 6RF, DATED 12/09/2006
- Representation from : Gary Dow, Greenhead House, Dungavel, Strathaven, ML10 6LF, DATED 08/09/2006
- Representation from : Eileen Dow, Greenhead House, Dungavel, Strathaven, ML10 6RF, DATED 08/09/2006
- Representation from : Strathaven Community Council, FAO Donald Grierson, 7 Tukalo Drive, Strathaven, ML10 6UX, DATED 04/09/2006
- Representation from : William Wright, 15 Clayton Gardens, Gardenhall, East kllbride, DATED 29/08/2006
- Representation from : Kevin Docherty, South Torfoot, Drumclog, By Strathaven, DATED 29/08/2006
- Representation from : Tracy Docherty, South Torfoot, Drumclog, By Strathaven, DATED 29/08/2006
- Representation from : Gillian Cumming, Finnart, Torfoot, Steadings, Drumclog, South Lanarkshire, ML10 6QG, DATED 29/08/2006
- Representation from : Craig Cumming, Finnart, Torfoot Steadings, Drumclog, By Strathven, ML10 6QG, DATED 29/08/2006
- Representation from : David Cumming, Finnart, Torfoot Steadings, Drumclog, By Strathaven, ML10 6QG, DATED 29/08/2006
- Representation from : Joanne Nevis, Arran, Torfoot Steadings, Strathaven, ML10 6QG, DATED 29/08/2006
- Representation from : Paul McKeown, Drumclog, Strathaven, ML10, DATED 29/08/2006
- Representation from : Margaret McKeown, Arran , Torfoot Steadings, Strathaven, DATED 29/08/2001
- Representation from : Anthony McKeown, Torfoot Steadings, Drumclog, Strathaven, DATED 29/08/2006
- Representation from : Miss Alaine Lennox, Redding Farm, Muirkirk Road, By Strathaven, ML10 6RE, DATED 29/08/2006
- Representation from : Mr Richard Lennox, Redding Farm, Muirkirk Road, By Strathaven, ML10 6RE, DATED 29/08/2006
- Representation from : Mr Iain Lennox, Redding Farm, Muirkirk Road, By Strathaven, ML10 6RE, DATED 29/08/2006
- Representation from : Mr Dougie Ferguson, Redding Farm, Muirkirk Road, By Strathaven, ML10 6RE, DATED 29/08/2006

Representation from : Mrs Eddie Ferguson, Redding Farm, Muirkirk Road, By Strathaven, ML10 6RE, DATED 29/08/2006

Representation from : Mr Kenneth Lennox, Redding Farm, Muirkirk Road, By Strathaven, ML10 6RE, DATED 29/08/2006

Representation from : Mrs Glenora Lennox, Redding Farm, Muirkirk Road, By Strathaven, ML10 6RE, DATED 29/08/2006

Representation from : Gordon Craig, Avonside Farm, Darvel Road, Drumclog, By Strathaven, ML10 6RQ, DATED 29/08/2006

Representation from : Mrs S Craig, Avonside Farm, Darvel Road, Drumclog, By Strathaven, ML10 6RQ, DATED 29/08/2006

Representation from : Edward Chang, Avonhill Cottage, Drumclog, Strathaven, DATED 29/08/2006

Representation from : Grizelda Chang, Avonhill Cottage, Drumclog, Strathaven, ML10 6QG, DATED 29/08/2006

Representation from : Maisie Chang, Avonhill Cottage, Drumclog, Strathaven, ML10 6QG, DATED 29/08/2006

Representation from : Jane Hinchcliffe, Banknook, Greenlane, Cop Hill, Slaithwaite, HD7 5XA, DATED 29/08/2006

Representation from : Dr John Ogden, Bank Novie, Greenlane, Cophill, Slaithwaite, HD7 5XA, DATED 29/08/2006

Representation from : Steven Hinchcliffe, Bank House Farm, New Mill, Holmfirth, Huddersfield, HD9 7HU, DATED 29/08/2006

Representation from : Hinry Memmot, Glengavel House, Strathaven, ML10 6RF, DATED 29/08/2006

Representation from : Alfie Memmott, Glengavel House, Strathaven, ML10 6RF, DATED 29/08/2006

Representation from : Sue Memmot, Glengavel House, Strathaven, ML10 6RF, DATED 29/08/2006

Representation from : Andrew Memmett, Glengavel House, Strathaven, ML10 6RF, DATED 29/08/2006

Representation from : L Filshie, Woodland Cottage, Gilmourton, Strathaven, ML10 6QF, DATED 29/08/2006

Representation from : Hannah Semple, 3 Grenville Drive, Cambuslang, G72 8DS, DATED 29/08/2006

Representation from : Stevie Semple, 3 Grenville drive, Cambuslang, G72 8DS, DATED 29/08/2006

Representation from : Katie Rankin, 3 Grenville Drive, Cambuslang, G72 8DS, DATED 29/08/2006

Representation from : Maureen Rankin, 3A Grenville Drive, Cambuslang, G72 8DS, DATED 29/08/2006

Representation from : Kara Crozer, 2 Grenville Drive, Cambuslang, Glasgow, DATED 29/08/2006

Representation from : Nicholas Crozer, 2 Grenville Drive, Cambuslang, , DATED 29/08/2006

Representation from : Christopher Thomas John Crozer, High Plewlands Farm, Strathaven, ML10 6RF, DATED 29/08/2006

Representation from : Jean Wright, 15 Cayton Gardens, Garrowhill, DATED 29/08/2006

Representation from : Sam Haggarty, Flat 3/1, 51 Cumbernauld Road, G31 2SN, DATED 29/08/2006

Representation from : Shona Crozer, 2 Grenville Drive, Cambuslang, DATED 29/08/2006

Representation from : Tom Joyes, 0/2 Chroma, 22 Prospecthill Grove, Glasgow, G42 9LD, DATED 29/08/2006

Representation from : Sally Crozer, High Plewlands, By Drumclog, Strathaven, ML10 6RF, DATED 14/09/2006

Representation from : B Sneddon, 7 Hamilton Drive, Dungavel, Strathaven, DATED 09/10/2006

Representation from : Mrs E Sneddon, 7 Hamilton Drive, Dungavel, Strathaven, ML10 6SW, DATED 09/10/2006

Representation from : Mr A McWhinnie, 3 Hamilton Drive, Dungavel, Strathaven, ML10 6SW, DATED 09/10/2006

Representation from : Mrs L McWhinnie, 3 Hamilton Drive, Dungavel, Strathaven, ML10 6SW, DATED 09/10/2006

Representation from : Gillian Carenduff, 15 Hamilton Drive, Dungavel, Nr Strathaven, ML10 6SW, DATED 09/10/2006

Representation from : Graeme Carenduff, 15 Hamilton Drive, Dungavel, Nr Strathaven, ML10 6SW, DATED 09/10/2006

Representation from : Ellen Gould, 33 Springwell Crescent, Blantyre, G72 0LP, DATED 09/10/2006

Representation from : Leanne McGarl, 33 Springwell Crescent, Blantyre, G72 0LP, DATED 09/10/2006

Representation from : George Gould, 33 Springwell Crescent, Blantyre, G72 0LP,

DATED 09/10/2006

- Representation from : Peter Robson, 161 Dalriada Crescent, Forgewood, Motherwell, ML1 3YA, DATED 09/10/2006
- Representation from : Robin R Brown, 1 Hamilton Drive, Dungavel, Strathaven, ML10 6SW, DATED 09/10/2006
- Representation from : Shona W Brown, 1 Hamilton Drive, Dungavel, Strathaven, ML10 6SW, DATED 09/10/2006
- Representation from : Sharon Kennedy, 21 Jerviston Court, Motherwell, ML1 4BS, DATED 09/10/2006
- Representation from : Robert Kennedy, 21 Jerviston Court, Motherwell, ML1 4BS, DATED 09/10/2006
- Representation from : Roselynn Kennedy, 23 Hamilton Drive, Dungavel, ML10 6SW, DATED 09/10/2006
- Representation from : Mr Ronald Kennedy, 23 Hamilton Drive, Dungavel, Strathaven, ML10 6SW, DATED 09/10/2006
- Representation from : Catherine Boner, 21 Hillhead Avenue, Moodiesburn, Glasgow, G69 0DY, DATED 09/10/2006
- Representation from : Moira Warnock, 21 Hamilton Drive, Dungavel, Strathaven, ML10 6SW, DATED 09/10/2006
- Representation from : John Eaglesham, 14 Ettrick Place, Ayr, KA8 9HH, DATED 09/10/2006
- Representation from : Holly Millham, 86 Broom Crescent, Ochiltree, Ayrshire, KA18 2PL, DATED 09/10/2006
- Representation from : Andrew McCall, 116 Barbigston Road, Auchinleck, Ayrshire, DATED 09/10/2006
- Representation from : Brian Mitchell, 75 Balgray Avenue, Kilmarnock, KA1 4QT, DATED 09/10/2006
- Representation from : Shona Mitchell, 75 Balgray Avenue, Kilmarnock, KA1 4QT, DATED 09/10/2006
- Representation from : Robin Warnock, 9 Chart View, Kemsing, Sevenoaks, KENT, TN15 6PP, DATED 09/10/2006
- Representation from : Margaret Warnock, 9 Chart View, Kemsing, Sevenoaks, KENT, TN15 6PP, DATED 09/10/2006
- Representation from : John Campbell, 5 Coachouses, Argyll Road, Dunoon, DATED 09/10/2006
- Representation from : Kerry Ann Griffin, 16 Wylie Crescent, Cumnock, Ayrshire, DATED 09/10/2006

Representation from : J Kay, 85 Holland Crescent, Cumnock, Ayrshire, DATED 09/10/2006

Representation from : Donna Bradford, 25 Lambfair Gardens, Auchinleck, Cumnock, KA18 2HY, DATED 09/10/2006

Representation from : Frank McCurdy, 10 Penders Wynd, Cumnock, KA18 3BS, DATED 09/10/2006

Representation from : G Kowalski, 1 Anderson Crescent, Ayr, KA7 3RL, DATED 09/10/2006

Representation from : Strathaven Community Council, Mr D Grierson, 7 Tukalo Drive, Strathaven , ML10 6UX, DATED 26/09/2006

Representation from : Debbie Davidson, 50 Sorn Road, Auchinleck, Ayrshire, DATED 09/10/2006

Representation from : Elizabeth Eaglesham, 14 Ettrick Place, Ayr, KA8 9HH, DATED 09/10/2006

Representation from : Elaine Fraser, 4 Quarry Knowe, Auchinleck, Ayrshire, DATED 09/10/2006

Representation from : Isla Bell, 66 Elizabeth Crescent, Cumnock, Ayrshire, KA18 1QL, DATED 09/10/2006

Representation from : Joyce Wilcox, 35 Lammermuir Drive, Paisley, PA2 8BP, , DATED 09/10/2006

Representation from : Elizabeth Parker, 11 George McTurk Court, Cumnock, Ayrshire, DATED 09/10/2006

Representation from : Michael Bryce, 17 Kinloch Avenue, Stewarton, Ayrshire, KA3 3HQ, DATED 09/10/2006

Representation from : Richard Sagar, 3 Auckland Close, Berkely Hayward, Warnden Villages, Worcester, DATED 09/10/2006

Representation from : Carolyn Sagar, 3 Auckland Close, Berkely Haywood, Warnden Villages, Worcester, DATED 09/10/2006

Representation from : Lynn Hyland, C/O Barony Universal Products, Barony Industrial Estate, Auchinleck, Ayrshire, DATED 09/10/2006

Representation from : Kevin McCurdy, 36 Lamont Crescent, Netherthird, KA18 3DY, DATED 09/10/2006

Representation from : Linda Campbell, 5 Coachouses, Argyll Road, Dunoon, DATED 09/10/2006

Representation from : Claire Fallon, 14 John Allan Drive, Cumnock, Ayrshire, KA18 3AG, DATED 09/10/2006

Representation from : Mrs Liz Robertson, 20 Knockroon Lane, Auchinleck, Ayrshire, DATED 09/10/2006

Representation from : Noreen McCutcheon, 42 Wellwood Street, Muirkirk, Ayrshire, KA18 3QX, DATED 09/10/2006

Representation from : James Campbell, 5 Lennox Drive, Prestwick, Ayrshire, DATED 09/10/2006

Representation from : W Walker, 9 Merrygreen Place, Stewarton, KA3 5GS, DATED 09/10/2006

Representation from : Pauline Stoneman, 8 St Peter Street, Tiverton, Devon, EX16 6NU, DATED 09/10/2006

Representation from : Mike Stoneman, 8 St Peter Street, Tiverton, Devon, EX16 6NU, DATED 09/10/2006

Representation from : Abbey Stoneman, 8 St Peter Street, Tiverton, Devon, EX16 6NU, DATED 09/10/2006

Representation from : Jessica Stoneman, 8 St Peter Street, Tiverton, Devon, EX16 6NU, DATED 09/10/2006

Representation from : Joe Stoneman, 8 St Peter Street, Tiverton, Devon, EX16 6NU, , DATED 09/10/2006

Representation from : Scott Stone, c/o 8 St Peter Street, Tiverton, Devon, EX16 6NU, DATED 09/10/2006

Representation from : Andrew Moule, c/o 8 St Peter Street, Tiverton, Devon, EX16 6NU, DATED 09/10/2006

Representation from : Mining & Environment Group: Ayrshire, Mrs G M Roberts, 8 Main Road, Waterside, Kilmarnock, DATED 21/12/2006

Contact for Further Information

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

Morag Neill, Planning Officer, Civic Centre
Ext 6548, (Tel :01355 806548)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:
 1. Environmental Statement Volume 1 May 2006
 2. Environmental Statement Volume 2 May 2006
 3. Non Technical Summary May 2006
 4. Environmental Statement Confidential Appendix to Annex C (Birds) May 2006
 5. BMT Cordah Additional Ornithological Information/ Response to SNH January 2007
 6. BMT Cordah Additional Ornithological Information May 2007
 7. DLA Piper Wintering Bird Survey 2007-2008, Breeding Bird Survey 2008 & Ornithological Assessment Update October 2008
 8. Bankend Rig Breeding Bird Survey (Proposed AccessTrack) September 2008
 9. Collett Transport Rute Access Route Bankend Rig October 2009
 10. Bankend Rig Windfarm Management Plan Version 5 Conseration December 2009
- 2 That consent is granted for a period from the date of this consent until 25 years from the date of commissioning of the development. The company is required to obtain by no later than the end of said 25 year period, written confirmation from the planning authority that all decommissioning works have been completed in accordance with the approved decommissioning scheme referred to in condition 81 of this consent. Written confirmation of the date of the commissioning of the development shall be supplied in writing to the Planning Authority and the date of commissioning of the development shall be no later than 3 years from the date of this consent.
- 3 The development hereby permitted shall be started within three years of the date of this permission.
- 4 The development is carried out strictly in accordance with the terms of the application and the accompanying Environmental Statement, including all mitigation measures as stated in it subject to the conditions below.
- 5 The site working area, including plant movements, should be identified on a suitably scaled plan prior to commencement of development, and agreed with the planning authority in consultation with SNH. All unnecessary disturbance or encroachment onto sensitive habitats is to be avoided. The site working area should be clearly communicated to all site personnel prior to their commencement of work on the site, and demarcated by a temporary fence or barrier for the duration of the work, unless otherwise agreed in writing with the Planning Authority.
- 6 At least one month prior to the commencement of the development, the applicant shall provide to the Council details of the bond or other financial provision which it proposes to put in place to cover all site restoration costs on the expiry of this consent. No work shall commence on the site until the applicant has provided documentary evidence that the proposed bond or other financial provision is in place and written confirmation has been given by the Council that the proposed bond or other financial provision is satisfactory. The applicant shall ensure that

the approved bond or other financial provision is maintained throughout the duration of this consent and the bond will be subject to a five yearly review, to be conducted by the applicant, the landowners and the planning authority, from the commencement of the development.

- 7 In the event of any turbine, or group of turbines, failing or being no longer required for electricity generation, or any other reason, for a continuous period of six months, unless otherwise agreed with the planning authority, the turbine(s) shall be replaced (in the case of failures), or dismantled and removed. In the case of removal, that part of the site accommodating the turbine, the turbine pad and access roads shall be reinstated within three months of the end of the six month period of non generation in accordance with the agreed scheme under condition 80 of this permission, all to the satisfaction of the planning authority.
- 8 Prior to the commencement of development on site, a monitoring plan shall be submitted to the planning authority setting out the steps that shall be taken to monitor the environmental effects of the development during the construction phase and the operational phase. The plan shall make specific reference to habitat creation, biodiversity impact, ground water, surface water, noise and dust. Thereafter, the plan shall be implemented to the satisfaction of the planning authority. The methodology of such monitoring, including locations, frequency and gathering of information on background levels should be agreed with the planning authority for approval prior to the commencement of works on site. Results of such monitoring to be submitted to the planning authority on a 6 monthly basis, or on request.
- 9 Each turbine shall be erected in the position indicated on Figure No 5.1 Site Layout. A variation of the indicated position of any turbine on the said Drawing by less than 25 metres shall only be permitted following the approval of the ecological clerk of works in consultation with West of Scotland Archaeology Service. A variation of between 25 metres and 50 metres shall only be permitted following written approval of the planning authority. The said provision relating to variation shall not have the effect such that any variation will bring a turbine closer to a residential property than within 1000 metres of the original position of the turbine.
- 10 None of the turbines, anemometer masts, and ancillary buildings or above ground fixed plant shall display any name, logo, sign or advertisement without express consent from the planning authority, unless such sign is required for health & safety or operational reasons.
- 11 The blades of all turbines shall rotate in the same direction
- 12 That prior to any turbine being erected on site, the colour of the turbines shall require to be approved in writing by the Planning Authority.
- 13 No signs will be erected on the site without the prior written consent of the planning authority.
- 14 No variation from their indicated route and position of tracks on figure No 5.1 Site Layout shall be permitted except in the following circumstances: variations of less than 25 metres shall be permitted following the approval of the ecological clerk of works after consultation with the regional archaeologist; a variation of between 25 metres and 50 metres shall only be permitted following written approval of the planning authority.

- 15 No track shall exceed 6.5m in width.
- 16 Prior to the commencement of the construction of any internal access track, details of the means of downgrading such tracks after completion of the construction phase shall be submitted to the planning authority for approval. Reinstatement of the areas affected shall be carried out using peat sub-soil and revegetation shall be effected by reinstating peat turves unless otherwise agreed by the planning authority.
- 17 No electricity or control cables between the turbines and control buildings shall be laid other than underground alongside tracks which are to be constructed on the Site, unless otherwise agreed with the planning authority.
- 18 No work shall commence on Site until the applicant has submitted and obtained written approval from the planning authority for a method statement for oil spill contingencies and foul drainage arrangements. This method statement shall be approved by the planning authority after consultation with SEPA. Thereafter, this method statement, as amended by the planning authority, shall be implemented in full by the applicant.
- 19 No construction work shall commence until a method statement for track construction work has been submitted to and approved by the planning authority. The method statement shall be submitted no less than three months prior to the proposed commencement of the development unless the planning authority agree otherwise. Thereafter, the approved method statement shall be implemented by the applicant. The method statement shall fully detail the following considerations:
- " The role of the Ecological Clerk of Works (ECoW) in decisions over location and construction methodologies for each section of track;
 - " Method of defining track route and location (track corridors should be pegged out 500 - 1000m in advance of operations);
 - " Track design approach: Maps of tracks indicating double and single tracks and position of passing places. Full extent of anticipated track 'footprint(s)' including extent of supporting 'geogrid' below roadstone and cabling at the edges of the track;
 - " Track construction: Floating track construction over peat >1m deep and gradients of 1:10 or less;
 - " Track construction for peat <1m deep, or on gradients of >1:10, cross lopes or other ground unsuitable for floating roads. Where it is concluded that there is a high risk of instability, identification of the circumstances under which non engineering solutions such as alternative routes would be considered;
 - " Procedures to be followed when, during track construction, it becomes apparent that the chosen route is more unstable or sensitive than was previously concluded, including ceasing work until a solution, informed with reference to advice from ECoW, is identified;
 - " Timing and extent of any necessary re-instatement;
 - " Extent, design, treatment and reinstatement of embankments, track edges and other areas affected by track construction;
 - " Drainage treatments;
 - " Design of crossing points for water courses such as culverts and bridges;
- 20 Within 3 months of commissioning of windfarm the applicant shall submit to the planning authority an "as built plan" at a scale of 1: 12500 indicating the location of any track, turbine and crane pad within the development.

- 21 Prior to the commencement of the development, a scheme showing the details of peat/soil stripping at the Site and the storage and proposed use and replacement of peat, topsoil, and subsoil, shall be submitted to the planning authority. All soil stored on Site shall be stored in accordance with BS3882. Thereafter, all soil stripping and storage and replacement operations shall accord with the details as approved by the planning authority. In particular the scheme shall incorporate a method statement setting out the measures to protect and store peat.
- 22 A Desk Study of the whole Site (and particularly the Borrow Pit location) is required to confirm no previously potentially contaminating use of land. If any such previous use is confirmed, then a Phase 2 intrusive investigation and risk assessment is required. This should detail any methods of proposed remediation required. This is required to be submitted to the planning authority for approval prior to commencement of development.
- 23 No material to be used for the development shall be brought on Site unless it has certification from a suitably UKAS accredited laboratory to confirm that the material is not contaminated.
- 24 No fuel, oil, lubricant, paint or solvent shall be stored on Site other than within bunds or double skin tanks which must be locked and capable of containing at least 110% of the largest capacity vessel stored therein and any spillage of any oil shall be cleaned-up immediately. Any electrical equipment utilising oils or organic fluids should similarly be in a bunded area sufficient to contain any spillage. Details of the arrangements for such storage and contingency plans for dealing with spillages are to be submitted to the planning authority for approval no less than three months prior to the commencement of the development, unless the planning authority agree otherwise.
- 25 At least one month prior to the commencement of the development a plan to a scale of (1:500) shall be submitted to the planning authority showing the location of any contractor's Site compound and laydown areas required temporarily in connection with the construction of the development. Each plan shall indicate the location of the buildings, laydown areas, car parking, material stockpiles, oil storage, lighting columns and boundary fencing. The plans shall describe the surfacing of each Site compound, the means of drainage and dust suppression within the compound and should set out the activities that will take place within that compound. Thereafter any temporary Site compound at the Site shall be put in place and used in accordance with the approved plans.
- 26 All temporary contractors' site compounds and laydown areas shall be removed and the land reinstated to its former profile and condition no later than 18 months following the date of commencement of development.
- 27 The Site shall not be illuminated by lighting unless:
- (a) the planning authority has given prior written approval;
 - (b) lighting is required during working hours which has been approved by the relevant planning authority; or
 - (c) an emergency requires the provision of lighting.
- 28 No development may commence unless prior to the commencement of the development the applicant erects signs on all access routes and thereafter maintain the signs advising drivers of heavy goods vehicles to remain on specified

access routes.

- 29 Prior to the commencement of development a wheel wash facility or facilities operating on a closed cycle to be installed on Site shall be submitted to both S.L.C and E.A.C as planning authorities for approval. Thereafter, this facility or facilities shall be operated throughout the construction period in accordance with the approved scheme. Disposal of waste from such wheel washing facilities must be to the satisfaction of the planning authority after consultation with SEPA.
- 30 The Site access tracks and road between the wheel wash facilities and the public road network shall be maintained clear of any mineral or mineral derived material, including soils, to the satisfaction of the Planning Authorities throughout the construction period. The applicant or subsequent developer(s)/operator shall at all times be responsible for the removal of mud or other material deposited on any public highway adjacent to the site by vehicles entering or leaving the site.
- 31 A plan of the construction operations at a scale of 1:12500. shall be submitted to the planning authority 3 months prior to the commencement of the development. Thereafter at regular six monthly intervals during the construction period a progress plan including the following details:
- " the current extent of track construction;
 - " the current extent of turbine erection;
 - " the location of all ancillary development;
 - " the extent to which landscaping and habitat formation works have been implemented; and
 - " the extent of tree felling
- shall be submitted to the planning authority.
- 32 No development shall take place within the borrow pit until a scheme of working for the borrow pit has been submitted to, and received the written approval of the planning authority after consultation with SNH. The scheme shall then be implemented as approved, or as may subsequently be approved in writing, by the planning authority. The scheme shall make provision for:
- " method of working (to include blasting);
 - " soil handling;
 - " drainage including measures to prevent drying out of surrounding peatland;
 - " demarcation of the Site;
 - " programme of implementation; and
 - " programme of restoration and aftercare.
- 33 No blasting shall take place except between the following times:-
10.00 - 12.00 and 14.00 - 16.00-Mondays to Fridays
10.00- 12.00 Saturdays.
- 34 No blasting shall take place until a scheme to address Site blasting has been submitted to, and received the written approval of, the planning authority. The scheme shall be implemented as approved, or as may subsequently be approved, in writing by the planning authority. This scheme shall make provision for:
- " blasting monitoring locations;
 - " type of monitoring equipment to be used;
 - " frequency of monitoring;

- " the methods to be employed to minimise the effects of overpressure arising from blasting, having regard to blast design, methods of initiation and the weather conditions prevailing at the time;
 - " limits on air overpressure levels at specified properties; and
 - " submission of blasting records to the planning authority.
- 35 Ground vibration from blasting shall not exceed a peak particle velocity of 6mm/second at the blasting monitoring locations. The measurement to be the maximum of three mutually perpendicular directions taken at the ground surface.
- 36 No fixed or mobile plant used within the Site during the construction period shall incorporate bleeping type warning devices that are audible at any noise sensitive receptor. Details of alternative warning devices shall be submitted to and approved in writing by the Council as Planning Authority prior to development starting on site.
- 37 No less than three months prior to the commencement of the development, the applicant shall submit to the planning authority a method statement for addressing noise emission issues in and around the site. Specifically the method statement will set out the cumulative effects of concurrent construction, de-forestation, operation of the sub-station and operation of the development and thereafter predict the likely noise impacts from such events both singularly and cumulatively. The method statement will include the means to ensure that noise generated by the construction and operation of the wind farm complies with the guidance set out in ETSU-R-97 as well as advice contained within Planning Advice Note 56 (PAN56) "Planning and Noise". The agreed proposals within the method statement shall be implemented by the applicant (or other body appointed by the applicant) to the satisfaction of the planning authority.
- 38 No construction which is audible from the boundary of any noise sensitive property, shall take place except between the hours of 0730 -1930 Monday to Friday and 0730 - 1300 Saturday with no working on a Sunday or local or national public holidays without the prior written approval of the planning authority. Outwith these said hours, development at the Site shall be limited to turbine erection, maintenance, emergency works, dust suppression and the testing of plant and equipment, or construction work that is not audible from any noise sensitive receptors. The receipt of any materials or equipment for the construction of the Site, other than turbine blades, nacelles and towers, is not permitted outwith the said hours.
- 39 The Company shall log wind speed and wind direction data continually and shall retain the data which has been recorded for a period of no less than 12 months. The data shall include the average wind speed in metres per second for each 10 minute period. The measuring periods shall be set to commence on the hour or in 10 minute increments thereafter. The data shall be collated on a Microsoft Excel Spreadsheet or similar spreadsheet software in electronic format. The company shall, within 14 days of a written request from the relevant planning authority, provide the data so collated for the period requested. In any case when the wind speed is measured at a height other than 10 metres (m) above the ground level, the data shall be supplemented by adjusted values that allow for wind shear, normalised to 10m height.
- 40 Noise from the wind turbines shall not exceed the following levels at the boundary of the curtilage of any adjacent noise sensitive receptor at wind speeds of up to 9 meters per second:

- Quiet Daytime Hours background noise level plus 5dB(A) L90 or 40 dB(A) L90 whichever is the greater;
- Night Hours background noise level plus 5dB (A) L90 or 43 dB(A) L90, whichever is the greater.

- 41 Efficient silencers shall be fitted to, used and maintained in accordance with manufacturers' instructions on all vehicles, plant and machinery used on the Site. Save for the purposes of maintenance, no machinery shall be operated with the covers open or removed.
- 42 If the tonal noise emitted by the development exceeds the threshold of audibility by 6.5 dB or more, then the noise level as specified in condition 40 shall be reduced by 5dB, always providing that the definition of audibility for the purposes of this condition shall be as described in ETSU-R-97.
- 43 Prior to the commencement of the development, background noise levels at the locations specified in this condition shall be measured and recorded in accordance with ETSU-R-97 Section 7 and ETSU-R-97 Appendix C. This work shall be undertaken by an independent noise consultant whose appointment shall require to be approved in writing by the planning authority. For the purpose of this condition, background noise levels will be taken at all properties listed in the Environmental Statement Table 11.1 Baseline Noise Monitoring Locations
- 44 At the reasonable request of the planning authority and following a complaint to the planning authority relating to noise emissions arising from the operation of the wind farm, the wind farm operator shall appoint an independent noise consultant, whose appointment shall require to be approved by the planning authority, to measure the level of noise emission from the wind farm at the property to which the complaint relates. The measurement and calculation of noise levels shall be undertaken in accordance with ETSU-R-97 having regard to paragraphs 1 to 3 and 5 to 11 inclusive of the schedule on Pages 95 to 97 inclusive, and Supplementary Guidance Notes to the Planning Obligation pages 99 to 109 of ETSU-R-97.
- 45 In evaluating a complaint relating to one of the dwellings specified in condition 43 above, noise emission levels shall where appropriate be compared with the relevant ETSU-R-97 derived 'quiet waking hours' or 'night hours' noise limits defined in condition 40, derived from the measured background noise levels recorded in condition 43. In the event of a complaint from any property not specified in 43, the measured wind farm noise emission level shall be compared to the prevailing background noise level at the property specified in 41 which is most likely to experience background noise levels similar to the complainant property.
- 46 No less than three months prior to the commencement of the development, the applicant shall submit to the planning authority a management plan for minimising the emission of dust from the construction and operation of the development hereby authorised. The dust management plan shall specify the following matters and, after its approval shall be implemented in full by the applicant:-
 - " the water spraying of all internal roads and stockpiles of materials to suppress dust in periods of prolonged dry weather;
 - " the means to ensure that an adequate water supply is available at all times for dust suppression purposes;
 - " the steps to be taken to improve efficiency of dust suppression measures in

- the event of the failure of the regime to prevent the emission of wind borne matter from the whole road falling out on the adjacent peat land and associated habitats;
- " the operation of the Site so as to ensure that adequate steps are taken at all times to minimise dust propagation from unsurfaced access tracks within the Site.
 - " provision of safe drainage for waste water used in dust suppression in order to prevent drainage directly to water courses.
- 47 All stockpiles of materials to be used in road construction shall be formed in such a manner that they are capable of facilitating spraying during periods of dry weather.
- 48 The applicant/developer shall provide and utilise water bowser facilities to control dust emissions from the site from access tracks and mineral stockpiles.
- 49 The applicant/developer shall ensure that vehicles used for the movement of materials within the site do not have downward pointing exhaust pipes.
- 50 Three months prior to the commencement of the development, a groundwater management plan covering water treatment and the means of drainage from all hard surfaces and structures within the Site shall be submitted for the approval of the planning authority and following approval shall be implemented by the applicant. For the purposes of this condition, "hard surfaces" includes internal access tracks, construction and laydown areas, turbine pads and crane pads. The details to be submitted shall indicate the means of protecting groundwater and diverting surface water run-off, and shall allow for the recharging of peat areas within the Site. The management plan as approved shall then be implemented in full.
- 51 Three months prior to the commencement of the development, the applicant shall submit to the planning authority an assessment of the effects of the development on the quantity and quality of water supplied to all properties with private water supplies that may be affected by the development. Thereafter, any mitigation measures as identified in the risk assessment, amended, as the case may be by the planning authority shall be implemented and agreed by the planning authority in order to maintain a secure and adequate quality water supply to all properties with private water supplies that may be affected by the development.
- 52 Prior to and during development (including tree felling operations) monitoring of the surface waters should be undertaken where they enter and leave the site. Confirmation should be provided that the surface water quality is not being compromised by any on site activities.
- 53 Only mechanical means of snow clearance shall be used to clear access tracks, unless otherwise agreed in writing by the planning authorities after consultation with SNH.
- 54 Any fuel, oil, lubricant, paint or solvent stored on site should be contained within bunds or double skin tanks which must be locked and capable of containing at least 110% of the largest capacity vessel stored therein and any spillage of any oil shall be dealt with immediately.
- 55 Foul drainage from sanitary facilities must be disposed of to the satisfaction of the planning authority in consultation with the Scottish Environment Protection Agency.

- 56 The Conservation Management Plan Version 5 requires to be finalised and approved by the Council in consultation with SNH and RSPB three months prior to the date of commencement.
- 57 The mitigation identified in Conservation Management Plan (Version 5 or subsequently approved versions) in relation to the qualifying interests of the SPA, black grouse and breeding waders should be fully implemented in accordance with the associated Section 75 Planning Agreement. Survey, monitoring and assessment of species present and habitat quality to be restored and enhanced under the prescriptions stipulated within the Habitat Management Plan should be undertaken by an appropriately qualified ecologist. Any proposed amendments to the Conservation Management Plan must be approved by the Planning Authority in consultation with SNH.
- 58 Three months prior to the commencement of the development, an Ecological Clerk of Works (ECoW) shall be in place. The ECoW shall be appointed by the developer and approved by the planning authorities after consultation with SNH, for the period from commencement of development to final commissioning of the development. The scope of work of the ECoW shall include:
- " monitoring compliance with the ecological mitigation works that have been approved in this consent, including the mitigation measure identified in the Environmental Statement and the Conservation Management Plan;
 - " advising the developer on adequate protection of nature conservation interests on the Site;
 - " directing the micro-siting and placement of the turbines and tracks, and
 - " monitoring compliance with the scheme of working for the borrow pit required by condition 32.
- 59 No development shall commence on site until a Method Statement (or Method Statements) detailing all on-site preparatory, construction, drainage, forest operations and restoration/re-instatement works (including the means of storing excavated peat), has been submitted in writing to, and agreed by the planning authority, in consultation with SNH. Details of timing and phasing of all operations across the year should be included. The potential impacts of operations on sensitive habitats and species, together with mitigation measures to avoid or limit the effects, should be assessed and evaluated. The Method Statement(s) will integrate "best practice" methods from the Scottish/UK wind farm industry with the mitigation measures identified in the ES supporting the application.
- 60 Prior to commencement of construction work a suitably qualified ecologist should survey upstream and downstream of all watercourses, where they are to be crossed by new or upgraded roads, for the presence of otter. This should include a search area of 100 metres, both upstream and downstream of each crossing point be searched for evidence of otter including holts, couches and pathways. Where turbine bases, construction compounds and borrow pit are to be located within 200 metres of fresh water environments, the developer should undertake survey work to identify any otter holts, couches or pathways within the development footprints, and within 100 metre radius of said footprints. Where otter are recorded by the survey, and disturbance to this species is concluded to be likely, the developer must identify appropriate mitigation, where, or seek licence to disturb otters from the Scottish Government to undertake operations within affected areas. All water crossings should include mammal ledges within their design to allow unrestricted otter movements. Otter ledges should be placed

15cm above the highest flood level and, where possible, be approximately 50-60cm in width.

- 61 Prior to commencement of construction work a site specific method statement for badgers must be drawn up to ensure that all known badger setts are recorded, mitigation is identified and implemented, and where necessary, a licence to disturb badgers or destroy setts is obtained from SNH. This must include an additional survey of the site to ascertain presence and location of badger activity within the vicinity of the development area immediately prior to works commencing on site.
- 62 Three months prior to the commencement of decommissioning an Ecological Clerk of Works shall be appointed by the Company and approved by the planning authority after consultation with SNH until the completion of aftercare or such earlier date as may be agreed in writing by the planning authority. The scope of work of the Ecological Clerk of Works shall include those elements identified in condition 58 with the exception of the third and fourth bullet points of that condition.
- 63 Water crossing proposals require the prior written approval of the planning authorities after consultation with SEPA and SNH. No culverting shall be undertaken unless the culverting has been approved in writing by the planning authority after consultation with SEPA and SNH. All culverts shall be designed to ensure the free and safe passage of fish, otters and water voles.
- 64 Three months prior commencement of development full Peat Stability Report must be submitted to and approved by the Council as planning authority.
- 65 All construction works and the movement of plant, vehicles and machinery shall be carried out in such a way as to avoid encroachment onto undisturbed bog the location of which shall be identified by the ECoW and agreed with the planning authority after consultation with SNH
- 66 Bird diverters attached to the outer guy wires of the temporary meteorological mast, at 2.5m intervals, prior to raising the masts, and maintained for the life of the mast.
- 67 No work shall commence on any turbine foundation, crane hardstandings or track construction until the Company has produced a Factor of Safety and Geomorphological map for the approval of the planning authority following consultation with SEPA and SNH.
- 68 Excess peat excavations shall not be placed onto the peat surface until the adequacy of the ground to support the load has been determined and the planning authority has given its written approval.
- 69 All water discharged from excavations shall be directed into suitably designed or natural drainage lines.
- 70 All release of water shall be into a formalised drainage path which shall form part of Site-wide drainage network.
- 71 All excavation shall be suitably supported to prevent collapse and development of tension cracks.
- 72 The developer shall undertake on-going assessment of ground conditions as

construction progresses. The results of this monitoring shall be fed into risk analysis reports to be submitted to the planning authority at agreed intervals. On-going assessment and call out services shall be provided by suitably qualified geotechnical personnel whose appointment has been approved by the planning authority. If a risk of peat failure is identified, the Company shall install and monitor ground conditions using suitable geotechnical instrumentation as recommended by the approved geo-technical personnel. This may take the form of line of stakes, levelling points or more complex installations such as inclinometers. Any remediation considered necessary (other than that identified in the Contingency Plan) shall be approved in writing by the planning authorities prior to implementation.

- 73 The Company shall develop and adopt a formalised reporting procedure which records Site workings, monitoring results and any observations that may be pertinent to the stability of the works.
- 74 Prior to the commencement of the development the Company shall submit to the planning authorities for their written approval, a contingency plan for its response to unexpected adverse ground conditions. Any alterations to this contingency plan shall be notified to and approved in writing by the planning authority.
- 75 The geotechnical personnel approved shall undertake an annual inspection of the Site commencing at a date not exceeding one year from the date of this consent. Such inspection shall be carried out annually until the site has been decommissioned and then restored. This inspection shall include a walkover inspection of the Site, with a report produced and submitted to the planning authority within 3 months of the inspection. Where the report identifies a risk of peat failure, measures shall be implemented in accordance with the contingency plan approved in condition 74.
- 76 Prior to the commencement of the development, a tree felling plan shall be submitted for the prior written approval of the planning authority. The felling plan shall include details of proposed stump heights, stump removal, processing of brash, subsequent windblow and regeneration and extraction routes. The felling plan as approved shall then be implemented in full.
- 77 Prior to the commencement of any deforestation within the Site, the developer shall prepare flood risk assessments for the written approval of the planning authority, in accordance with the provisions of Scottish Planning Policy 7 - Planning and Flooding.
- 78 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 79 Within 12 months of the end of the period of this consent (unless a further consent is granted) all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land shall be restored and subject to aftercare, in accordance with the Restoration Plan and Aftercare Scheme referred to in

Conditions 80, 81 and 82. For the purposes of this condition "restored" means the removal of all wind turbines, turbine pads, initial layer of foundation and all buildings and ancillary development and reinstatement of borrow pits. Notwithstanding this requirement, no later than one year prior to the commencement of the restoration and aftercare scheme, the planning authority, in consultation with Scottish Natural Heritage, shall review the retention of pads, foundations, cable/ducts and access tracks within the context of the restoration strategy to identify any elements to be retained on site or requiring alternative reinstatement.

- 80 Prior to the entire development or any section of the development hereby authorised becoming operational, a plan for the restoration of the site shall be submitted to and approved by the planning authority. The Restoration Plan shall set out the means of reinstating the site following the removal of the components of the development as specified in condition 79 above. In particular the Restoration Plan shall detail the level of subsoil, topsoil and peat replacement required over each part of the site. Details of all seed mixes proposed to be used should be submitted to the planning authority for approval in consultation with SNH. The approved Restoration Plan shall be implemented and overseen by an ECOW.
- 81 Without prejudice to the generality of condition 80 above, prior to the development becoming operational, the Restoration Plan will include details of phased decommissioning, the land use prevailing after decommissioning has taken place, the means of disposal of all waste materials and road metal, the dismantling methodologies for each turbine setting out the extent of recovery or of recycling of all metals and other recyclable parts, the means of removing the turbine bases and crane pads and the removal of cabling and ducts within the site.
- 82 Prior to the decommissioning of any turbine, an Aftercare Scheme for the restored site shall be submitted to and approved by the planning authority and thereafter implemented. The Aftercare Scheme shall include the measures necessary to manage the site or that part of the site as the case may be in accordance with the Conservation Management Plan subject to the Section 75 Agreement compiled in conjunction with this planning permission.
- 83 Prior to the 30 September of every year of construction and operations at the Site, until completion of the decommissioning phase, unless a variation of specified date or frequency is agreed by the planning authorities, the developer shall submit an environmental audit to the planning authority setting out the operations that have been carried out in the previous 12 months within the Site boundary. This audit shall include; deforestation, indicating the effects of the development on the environment including noise, dust, changes to ground water, habitat creation, biodiversity impact, maintenance, access, safeguarding the historic heritage and the protection of amenity. The environmental audit must specify the degree of compliance with the conditions to this consent and, thereafter, specify remedial measures required to be taken in order to safeguard the environment at the Site and the surrounding area in the event of a failure to comply with any condition. Any necessary remediation shall be approved by the planning authority and subsequently implemented by the developer. This audit shall be conducted by an independent party, appointed by the planning authority and all costs shall be met by the developer.
- 84 The intended turbine transportation route, timings and methodology will require to be submitted to and approved by the council as Roads and Planning Authority

following consultation with Strathclyde Police and the National Roads Directorate prior to commencement on site. This will include:

- a) All temporary works including relocation of signs, guardrails, bollards, street furniture and all temporary measures.
- b) The duration, frequency and temporary measures required at each of the affected locations on a site specific basis.

The permanent reinstatement of all areas will be carried out at the applicant's expense and be the responsibility of the applicant. A Section 96 (Roads Scotland Act) Agreement will be required in relation the detail set out above and resultant damage to roads.

- 85 Prior to commencement of development the applicant will submit to and have approved by the council as Roads and Planning Authority a full assessment of the intended passing places along the turbine transportation route demonstrating the suitability to accommodate the anticipated volume of normal road traffic during turbine transportation.
- 86 A Temporary Traffic Regulation Order (TTRO) will be required for Kirk Street, Strathaven to prohibit on-street waiting and loading during turbine transportation at the applicant's expense. The applicant will be required to provide and operate removal vehicles, traffic control and personnel for traffic control on side streets preventing traffic entering the A71 (Kirk Street) to the satisfaction of the Council as Roads and Planning Authority.
- 87 Prior to commencement of development Cander, Glassford, Old Castle Sranley Muir, Caldermill, Roundhill, Ryelandside, Burnbank and Snabe require to be assessed by the applicant to determine their capability of carrying the loads associated with turbine transportation. The Council as Roads Authority will be the Technical Approval Authority.

The assessment shall be in accordance with the Design Manual for Roads and Bridges and shall include the full Technical Approval process, the assessment, the assessment check appropriate to the category of structure, assessment certificate, assessment check certificate appropriate to the category of structure and preparation of the assessment report. Preliminary results shall be submitted to Council for approval before finalising the report.

The Council will make available all the relevant information to facilitate the assessment of the bridges that is currently held in the Council's bridge records. If there is no or insufficient information available, then the applicant shall be responsible for any further investigative work, including site surveys and testing, to enable the assessment to be completed at no cost to the Council.

The final assessment report will include as a minimum the following:

- (i) Executive Summary
- (ii) Assessment Method
- (iii) Summary of Results
- (iv) Conclusions and Recommendations

All costs associated with the assessment of the bridges, including the Council's costs as acting as Technical Approval Authority, shall be borne by the applicant.

- 88 If a bridge has been assessed under Condition 87 as not capable of carrying the proposed loads then these loads will not cross the bridge until such time as remedial measures have been adopted by the applicant and approved by the Council. These remedial measures may include:

- (i) Temporary bridging
- (ii) Strengthening
- (iii) Replacement

All remedial measures will be carried out in accordance with the Design Manual for Roads and Bridges. This will include the full Technical Approval process, the design, the design check appropriate to the category of structure, design certificate, the design check certificate appropriate to the category of structure and the procurement of the physical works through to completion on site. The Council as Roads Authority will be the Technical Approval Authority.

All costs associated with the remedial works, including the Council's costs as acting as Technical Approval Authority, shall be borne by the applicant.

- 89 All of the bridges on the turbine transportation route will be monitored for defects during the turbine transportation period. These include Cander, Lawrie Street, Vicars Road, Cotastle No.1, Crumaugh, Glassford, Old Castle, Sranley Muir, Caldermill, Roundhill, Ryelandside, burnbank and Snabe. Principal Inspections in accordance with the Design Manual for Roads and Bridges will be carried out jointly between the applicant and the Council. The frequency of the Principal Inspections will be as follows:

- (i) Prior to the transportation of the first load
- (ii) At four weekly intervals for the duration of the contract
- (iii) After the transportation of the last load

Following the first inspection a bound report will be submitted by the applicant for each bridge and will include a full description of the condition of all the bridge elements. The type and extent of any defects will be clearly marked on drawings and supported by photographs. This report will form the basis for the defects monitoring regime and will be updated after every inspection.

If, during an inspection, a defect is observed that gives the Council cause for concern no further loads will be permitted to cross the bridge until the issue has been resolved by the applicant to the satisfaction of the Council as Roads Authority.

All costs associated with the monitoring, including the Council's costs, shall be borne by the applicant.

- 90 All load must cross bridges at a maximum speed of 5mph. No braking, gear changing or manual steering of the rear trailer is permitted on the bridge. Only one load will be permitted on the bridge at any one time. No other vehicle will be permitted on the bridge at the same time as the load.
- 91 No parking of construction vehicles or other site vehicles, including loading and unloading of delivery vehicles, shall be permitted on the public road.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 4 These details have not been submitted or approved.
- 5 These details have not been submitted or approved.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 To ensure compliance with all commitments made in the Environmental Statement, in the interests of amenity and in order to retain effective planning control.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 In the interests of visual amenity.
- 11 In the interests of visual amenity.
- 12 In the interests of visual amenity.
- 13 In the interests of visual amenity.
- 14 To ensure any micro-siting avoids areas of high nature conservation value or high archaeological value while safeguarding water quality.
- 15 To minimise the visual impact of the access tracks.
- 16 To minimise the visual impact of the access tracks.
- 17 To ensure works are undertaken in a manner which minimises the impact on ecology and habitats.
- 18 To ensure contingencies are in place and to minimise pollution risks.
- 19 To ensure compliance with all commitments made in the Environmental Statement.
- 20 To have a complete record of the final development.
- 21 To minimise impacts on sensitive peat habitat.
- 22 To minimise pollution risks.
- 23 To minimise pollution risks.
- 24 To minimise pollution risks.
- 25 To minimise pollution risks arising from construction activities.
- 26 To ensure temporary compounds do not leave a footprint on Site.
- 27 In the interests of visual amenity.
- 28 To ensure compliance with the Environmental Statement.
- 29 To ensure all vehicles leaving the Site will not emit dust or deposit mud, slurry or other deleterious material on the adjoining public highway and in the interests of road safety.
- 30 To ensure all vehicles leaving the Site will not emit dust or deposit mud, slurry or other deleterious material on the adjoining public highway and in the interests of road safety.
- 31 To keep the planning authority informed of the construction process and to allow them to monitor and enforce the relevant conditions.
- 32 To minimise environmental impact of borrow pits
- 33 To ensure compliance with all the commitments made in the Environmental Statement.
- 34 To minimise disturbance to residents in the vicinity of the wind farm.
- 35 To minimise disturbance to residents in the vicinity of the wind farm.
- 36 To minimise disturbance to residents in the vicinity of the wind farm.
- 37 To minimise disturbance to residents in the vicinity of the wind farm.
- 38 To minimise disturbance to residents in the vicinity of the wind farm.
- 39 To provide monitoring data to inform the Planning Authority of operating conditions on the site in the event that a noise complaint is lodged.

- 40 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 41 To minimise disturbance to residents in the vicinity of the wind farm.
- 42 To minimise disturbance to residents in the vicinity of the wind farm.
- 43 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 44 To safeguard the noise amenity of local residents in accordance with ETSU-R-97
- 45 To minimise disturbance to residents in the vicinity of the wind farm
- 46 To minimise disturbance to residents in the vicinity of the wind farm.
- 47 In the interests of amenity and in order to retain effective planning control.
- 48 In the interests of amenity and in order to retain effective planning control.
- 49 In the interests of amenity and in order to retain effective planning control.
- 50 To minimise impacts on groundwater quality and hydrology.
- 51 In order to maintain a secure and adequate quality water supply to all properties with private water supplies that may be affected by the development.
- 52 To safeguard the amenity of the area.
- 53 To minimise the environmental impact of snow clearing operations by avoiding the use of chemicals or salt without explicit approval.
- 54 To safeguard the amenity of the area.
- 55 To safeguard the amenity of the area.
- 56 To safeguard the Special Protection Area, species and habitats and to maintain effective planning control.
- 57 To safeguard the Special Protection Area, species and habitats and to maintain effective planning control.
- 58 To minimise environmental impact during the construction phase.
- 59 To minimise environmental impact during the construction phase and to minimise disturbance to protected mammals during the construction process.
- 60 To minimise disturbance to protected mammals during the construction process.
- 61 To minimise disturbance to protected mammals during the construction process.
- 62 To minimise environmental impact during the decommissioning phase.
- 63 To minimise environmental impact of water crossings.
- 64 To mitigate peat slide risk.
- 65 To minimise environmental impact on natural heritage.
- 66 To minimise environmental impact on natural heritage.
- 67 To mitigate peat slide risk.
- 68 To mitigate peat slide risk.
- 69 To mitigate peat slide risk.
- 70 To mitigate peat slide risk.
- 71 To mitigate peat slide risk.
- 72 To mitigate peat slide risk.
- 73 To mitigate peat slide risk.
- 74 To mitigate peat slide risk.
- 75 To mitigate peat slide risk.
- 76 To minimise adverse impacts of forestry works and to ensure development conforms with the Environmental Statement.
- 77 To minimise adverse impacts of forestry works; to minimise risk of flooding and to ensure development conforms to the Environmental Statement.
- 78 To minimise adverse impacts on archaeology on the Site and to ensure development conforms to the Environmental Statement.
- 79 To ensure that the site is restored to the satisfaction of the planning authority.
- 80 To ensure that the site is restored to the satisfaction of the planning authority.
- 81 To ensure that the site is restored to the satisfaction of the planning authority.
- 82 To ensure that the site is restored to the satisfaction of the planning authority.
- 83 In order to retain effective planning control.
- 84 In the interests of road safety and in order to retain effective planning control.
- 85 In the interests of road safety.
- 86 In the interests of road safety.

- 87 In the interests of road safety and in order to maintain the structural integrity of road bridges.
- 88 In the interests of road safety and in order to maintain the structural integrity of road bridges.
- 89 In the interests of road safety and in order to maintain the structural integrity of road bridges.
- 90 In the interests of road safety and in order to maintain the structural integrity of road bridges.
- 91 In the interests of road safety.

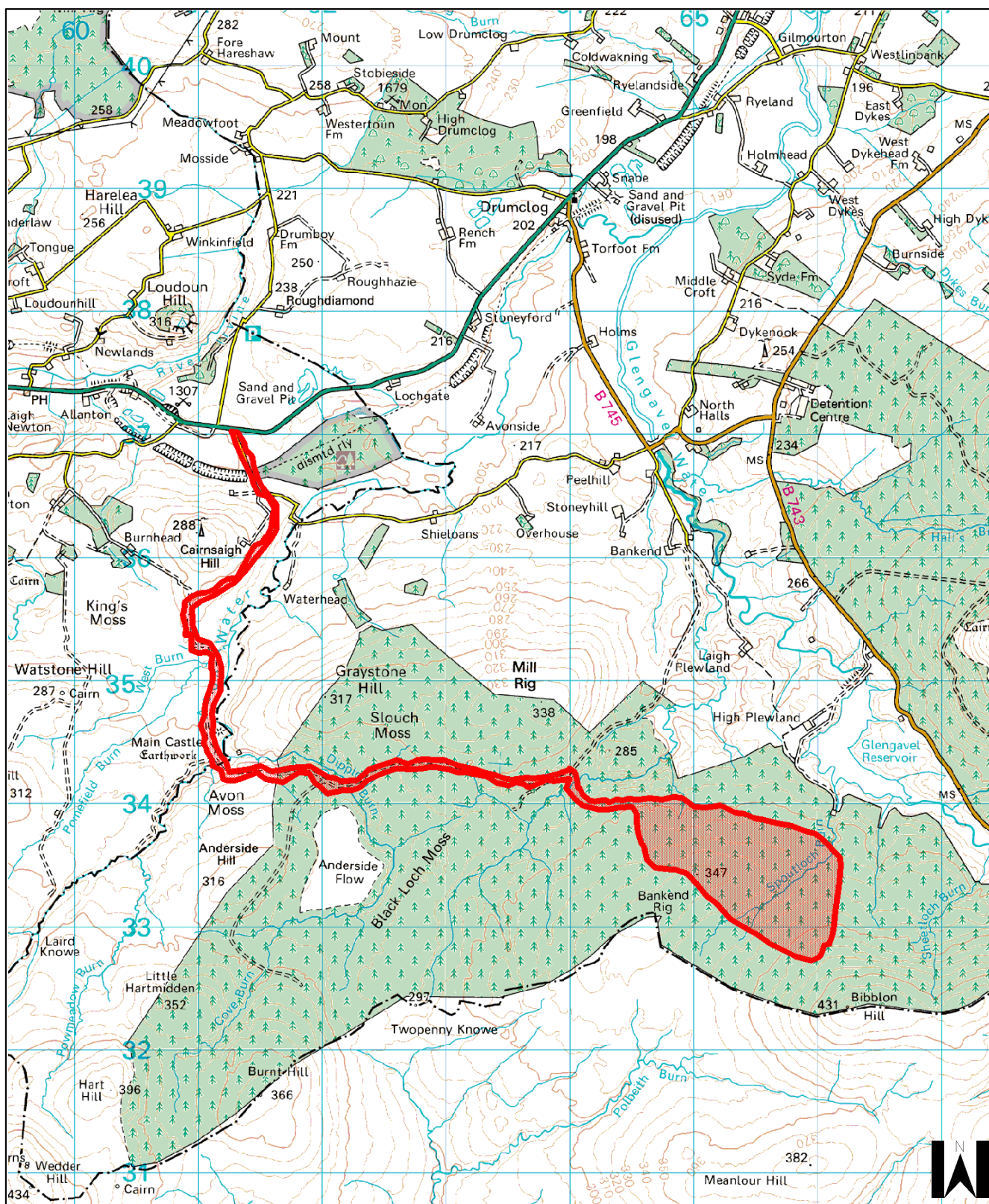
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Bankend Rig Windfarm, Glengavel

Planning and Building Standards Services

Scale: 1: 50000

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