

Report to: **Planning Committee**
 Date of Meeting: **29/11/2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/09/0290
 Planning Proposal: Erection of 14 wind turbines with sub-station, meteorological mast, access tracks and associated infrastructure works

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Community Windpower Ltd
- Location : Land adjacent to Hareshawhill Farm
 Drumclog
 Strathaven
 South Lanarkshire
 ML10 6QN

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

- (1) The Planning Committee has delegated powers to deal with the notification.
- (2) A Legal Agreement requires to be completed prior to the issue of consent between the Council and the applicant that encompasses the following:
 - Submission of a Bond for the Restoration and Aftercare of the site
 - A contribution to the Council's Renewable Energy Fund
 - The provision of an Ecological Clerk of Works
 - The funding of a Planning Monitoring Officer
 - Control over turbine transportation and the repair of any damage to roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements.
 - The applicant will be responsible for meeting SLC's reasonably incurred legal expenses in respect of the Section 75 and other related agreements.

3 Other Information

- ◆ Applicant's Agent: None

- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): National Planning Framework 2 (NPF 2)
Scottish Planning Policy (SPP)
Specific Advice Sheet Onshore Wind Turbines

Glasgow and Clyde Valley Structure Plan 2006

Strategic Policy 1: Strategic Development Locations
Strategic Policy 7: Strategic Environmental Resources
Strategic Policy 8: Sustainable Development of Natural Resources
Strategic Policy 9: Assessment of Development Proposals
Strategic Policy 10: Departures from the Structure Plan

Glasgow and Clyde Valley Proposed Strategic Development Plan

South Lanarkshire Local Plan (adopted 2009)

STRAT 4 - Accessible Rural Area Policy
STRAT 9 - Environmental Mitigation and Enhancement Policy
CRE 2 - Stimulating the Rural Economy Policy
ENV 4 - Protection of the Natural and Built Environment Policy
ENV 14 - Potential Windfarm Areas of Search Policy
ENV 15 - Spatial Framework for Windfarms Proposal
ENV 17 - Renewable Energy Community Benefit Policy
ENV 21 - European Protected Species
ENV 23 - Ancient Monuments and Archaeology Policy
ENV 24 - Listed Buildings Policy
ENV 26 - Sites of Special Scientific Interest/National Nature Reserves Policy
ENV 28 - Historic Gardens and Designed Landscapes Policy
ENV 29 - Regional Scenic Area and Areas of Great Landscape Value Policy
ENV 32 - Design Statements Policy
ENV 38 - Renewable Energy Site Assessment Policy

SLLP Supplementary Planning Guidance: Renewable Energy (December 2010)

Policy REN 1: Areas of Significant Protection
Policy REN 2: Constraints
Policy REN 3: Broad Areas of Search for Wind Farms over 20MW

Policy REN 6: Assessment Checklist for Renewable Energy Proposals

◆ Representation(s):

- ▶ 4 Objection Letters
- ▶ 1 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Scottish Government

Strathaven Community Council

Environmental Services

Civil Aviation Authority

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

SP Energy Network

Scottish Government Rural Payments and Inspections Directorate

National Air Traffic Services Ltd

Roads & Transportation Services H.Q. (Bridges Engineer)

Defence Estate Organisation

Avondale Civic Society

Planning & Building Standards HQ (Conservation Officer)

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

BAA Glasgow Airport

TRANSCO (Plant Location)

Countryside and Greenspace

Forestry Commission (Central Scotland Conservancy)

Roads and Transportation

Historic Scotland

Prestwick Airport

Strathaven Airfield

Arquiva

East Ayrshire Council

Scottish Civic Trust

Scottish Natural Heritage

Planning Application Report

1 Application Site

1.1 The application site is located at Hareshawhill Farm 4km north-west of Drumclog and approximately 9.5km west of Strathaven and approximately 4.5km west of A71. The site itself is partly farmland used for grazing and partly commercial forestry. Whitelees wind farm is located to the north-west of the site. The closest turbine in the Whitelee wind farm is approximately 900m from this site's northern boundary. To the western boundary of the site is commercial forestry and to the south and east is farmland and moorland. Planning permission is also being sought for a wind farm on a site which immediately adjoins this application boundary, to the north. The proposed development's site boundary, including access route and tracks, site offices and compound, outlines a total area of around 202 hectares. The site is located on plateau farmland, plateau moorland and plateau moorland forestry landscape character types.

2 Proposal(s)

2.1 Planning permission is being sought for the erection of 14 wind turbines, each with a maximum ground to tip height of 147m and installed capacity of 2.5MW. The turbines comprise a tubular tower 100m high with rotor comprising three blades with up to a 93m diameter, and would be a pale grey colour. Associated infrastructure includes site tracks, construction and storage compound (to be removed post-construction), six borrow pits (to be reinstated post-construction), crane hard standing areas, underground electrical and fibre optical cables, widening of existing road junction, meteorological masts (up to 100m in height), and a 33kv connection to an existing substation.

2.2 The construction period for the proposed development is anticipated to take approximately 6 - 9 months from commencement of construction through to installation and commissioning of the turbines, ending with site restoration after work is completed. The site would operate for a further 25 years at which point decommissioning would take place, unless further consent is granted. The site would be reinstated under a restoration plan that will be approved by the planning authority and in agreement with the landowner.

2.4 Construction traffic will utilise the M74 motorway, leaving at junction 8 to join the A71. The route continues along the A71 through Stonehouse, Strathaven and up to Drumclog. The access route leaves A71 at Drumclog, turning right onto Meadowfoot Road. Construction traffic will proceed along the existing public road, and leave Meadowfoot Road entering farmland where a purpose built access track will be constructed. For site establishment a small number of HGV's will access the site, transporting construction equipment and site accommodation for approximately one week. There will be 112 abnormal load movements, 1207 HGV vehicle movements and 1876 vehicle movements associated with the proposed wind farm construction.

2.5 The application is supported by a full Environmental Impact Assessment and Design and Access Statement which seeks to address the potential impact of the development and identify appropriate mitigation measures to reduce adverse impacts. Following on from statutory consultation responses additional information was submitted by the applicant in July 2011 in relation to the draft Habitat Management Plan and Traffic and Transportation proposals.

3 Background

3.1 Relevant Government Advice / Policy

- 3.1.1 National Planning Framework 2 (NPF 2) June 2009 guides Scotland's development to 2030 and sets out strategic development priorities to support the Scottish Government's central purpose – sustainable economic growth. NPF 2 notes in paragraph 145 “the aim of national planning policy is to develop Scotland's renewable energy potential while safeguarding the environment and communities”.
- 3.1.2 Paragraphs 182 to 191 of Scottish Planning Policy (SPP) sets out the Scottish Government's policy for Renewable Energy, with their policy for Landscape and Natural Heritage being described in paragraphs 125 to 148. The SPP states that renewable energy generation will contribute to more secure and diverse energy supplies and support sustainable economic growth. It also states that planning authorities should take a broader approach to landscape and natural heritage than just conserving designated or protected sites and species, while taking into account the ecosystems and natural processes in their area.
- 3.1.3 PAN 45 Renewable Energy Technologies and Annex 2 Spatial Frameworks and Supplementary Planning Guidance for Wind Farms has been replaced with web based renewables advice, which will be regularly updated. The Specific Advice Sheet for Onshore wind turbines was last modified on 3rd October 2011. It supports the policy in SPP by providing information and best practice on renewable energy developments. It gives advice on areas for planning authorities to focus upon, technical information and typical planning considerations to be taken into account in determining planning applications for onshore wind turbines.
- 3.1.4 All national policy and advice is considered in detail in section 6 of this report.

3.2 Development Plan Status

- 3.2.1 The Glasgow and Clyde Valley (GCV) Structure Plan 2006 contains policies which are relevant to the consideration of this application. Strategic Policy 8 – Sustainable Development of Natural Resources supports developments which are in Potential Areas of Search for significant wind farm developments and which safeguard and enhance strategic environmental resources. Also relevant is Strategic Policy 9 – Assessment of Development Proposals.
- 3.2.2 The GCV Proposed Strategic Development Plan, through Strategy Support Measure 9, identifies broad areas of search for windfarms that are to be refined through Local Development Plans.
- 3.2.3 The South Lanarkshire Local Plan was adopted in March 2009 and contains the following policies against which the proposal should be assessed:
- STRAT 4: Accessible Rural Area Policy
 - STRAT 9: Environmental Mitigation and Enhancement Policy
 - CRE 2: Stimulating the Rural Economy Policy
 - ENV 4: Protection of the Natural and Built Environment Policy
 - ENV 14: Potential Windfarm Areas of Search Policy
 - ENV 15: Spatial Framework for Windfarms Proposal
 - ENV 17: Renewable Energy Community Benefit Policy
 - ENV 21: European Protected Species
 - ENV 23: Ancient Monuments and Archaeology
 - ENV 24: Listed Buildings Policy
 - ENV 26: Sites of Special Scientific Interest/National Nature Reserves Policy
 - ENV 28: Historic Gardens and Designed Landscapes Policy
 - ENV 29: Regional Scenic Area and Areas of Great Landscape Value Policy
 - ENV 32: Design Statements Policy

- ENV 38: Renewable Energy Site Assessment Policy

3.2.4 The South Lanarkshire Local Plan Supplementary Planning Guidance (SPG): Renewable Energy was approved in December 2010 and is material to the consideration of this proposal. The following SPG policies are relevant to the determination of this application:

- Policy REN 1: Areas of Significant Protection
- Policy REN 2: Constraints
- Policy REN 3: Broad Areas of Search for Wind Farms over 20MW
- Policy REN 6: Assessment Checklist for Renewable Energy Proposals

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

3.3 Planning Background

3.3.1 The preparation of the Environmental Impact Assessment (EIA) has been an iterative process influenced by a number of criteria such as existing landscape features, watercourses, the proximity of properties and potential radar impacts. Factors identified during the scoping stage resulted in site layout alterations and the number of turbines was reduced and the height increased. A consultation process began in the summer of 2008 and involved holding public exhibitions, attending Community Council meetings and local events. This provided an opportunity for local communities to view and make comment on the proposed development which informed the design of the layout.

4 Consultation(s)

4.1 **Glasgow and Clyde Valley Structure Plan Joint Committee:** No response. The Structure Plan is assessed within section 6.3 on this report and it is concluded the application does not raise significant issues with regard to Strategic Policies 8 and 9.

Response: Noted.

4.2 **Environmental Services:** provide comments with regards to the impact of the development with respect to issues of noise, dust and contamination. Environmental Services raise no objection to this application, providing certain conditions are attached to the permission if it is to be granted, controlling the development with respect to noise, dust and contamination.

Response: Noted. Conditions have been included in the recommendation to ensure the works are conducted in a way that minimises noise impact and impact on air quality and contamination.

4.3 **Roads and Transportation (Traffic):** No objection subject to conditions. Comments were provided in relation to junction visibility, road widening and construction laybys, traffic management and borrow pits. The comments can be addressed by appropriate conditions.

Response: The requirements of Roads and Transportation can be incorporated into planning conditions and/or a legal agreement.

4.4 **Roads and Transportation (Flood Prevention Unit):** No objection subject to conditions. Comments were provided in relation to Sustainable Drainage System. The comments can be addressed by appropriate conditions.

Response: The requirements of the Flood Prevention Unit can be incorporated into planning conditions.

4.5 **Roads and Transportation (Bridges Engineer):** No objection.

Response: The requirements of Roads and Transportation can be incorporated into planning conditions and/or a legal agreement.

- 4.6 **Countryside & Greenspace:** raised concerns regarding public access at the proposed development, however following clarification that the proposed development intends to link with public access at Whitelees wind farm, there are no further comments.

Response: Noted.

- 4.7 **Transport Scotland:** No objection. Overall there will be a minimal increase in traffic on the trunk road during the operation of the facility therefore the proposed development is not likely to have a significant impact on the operation of the truck road network. Amey Infrastructure Services should be consulted as to the feasibility of transportation of the turbines to site.

Response: Noted.

- 4.8 **Civil Aviation Authority:** provides comment on the potential for the proposed development to impact upon aviation operations and activities. There might be the need to install aviation obstruction lighting to some or all of the associated wind turbines.

Response: Noted.

- 4.9 **Prestwick Airport Safeguarding (Infratil):** No objection.

Response: Noted.

- 4.10 **Defence Estate Organisation (MOD):** No objection.

Response: Noted.

- 4.11 **National Air Traffic Services Ltd (NATS En Route Plc) (NERL Safeguarding):** originally objected to the proposed development due an adverse impact to the Lowther Hill radar. An agreement however has been entered into between NERL and the applicant to allow suitable worded conditions, covering the design and implementation of an identified and defined mitigation solution, to be used. NATS therefore have no objection subject to the conditions set out in their letter dated 11 October 2011.

Response: Noted. Any consent granted can be subject to appropriate conditions.

- 4.12 **Scottish Environmental Protection Agency (SEPA):** No objection to the proposed development subject to conditions and advice in relation to Construction Method Statement, Pollution Prevention Plan, watercourse crossings, borrow pits, flood risk and regulatory requirements.

Response: Noted. Any consent granted can be subject to the conditions to address concerns.

- 4.13 **Scottish Natural Heritage (SNH):** provided comments and raised key concerns in relation to protected species, landscape character and visual amenity, habitat management and peat. SNH confirms that there are no statutory sites designated for nature conservation interest within the proposed application area, nor are there any outwith the application site that are likely to be affected by the proposal. Subject to conditions, SNH do not object to the proposal.

Response: Noted. The applicant provided further information in relation to habitat management, protected species and breeding birds. SNH are content with the Draft Habitat Management Plan and Species Protection Plan. Landscape and Visual

impacts are assessed in section 6 of this report. If consent is granted, appropriate worded conditions can be attached.

- 4.14 **West of Scotland Archaeology Service:** No objection subject to a condition in relation to an archaeological watching brief being carried out.
Response: Noted. If consent is granted, appropriate worded condition can be attached.
- 4.15 **Scottish Water:** No objection.
Response: Noted.
- 4.16 **RSPB Scotland:** No objection. RSPB support the commitment in the ES to prepare and deliver a Habitat Management Plan and suggest a condition accordingly.
Response: Noted. If consent is granted, appropriate worded conditions to implement the Habitat Management Plan can be attached.
- 4.17 **Historic Scotland:** no objection. Historic Scotland considers that the proposed development is not likely to have a significant adverse impact on any historic environmental sites of national importance.
Response: Noted.
- 4.18 **Forestry Commission:** recommends that planting elsewhere must compensate for the 9 hectares of deforestation that would result from the development, and a felling plan and a planting plan should be prepared prior to a decision on the application.
Response: The applicant has progress a draft Habitat Management Plan that commits to compensatory planting being provided. This will be secured through appropriate legal agreement. The compensatory planting is assessed in paragraph 6.5.15 below.
- 4.19 **Strathaven Community Council:** Objection on grounds of landscape and visual impact, impact on roads, community and wildlife.
Response: Traffic and Transportation Services have not objection to the proposed access route subject to conditions. The landscape and visual, and habitat impacts are assessed in section 6 of this report.
- 4.20 **East Ayrshire Council:** provide comments on cumulative impacts. No concerns are raised with regards to noise and Roads Division should be consulted.
Response: Noted. The delivery and access route is no longer within East Ayrshire Council. Landscape and cumulative impacts are assessed in section 6 of this report.
- 4.21 **Strathaven Airfield:** No objection. The turbines are outside the 5km radius zone around the airfield within which they predict that turbulence from commercially sized wind turbines would affect safe operations.
Response: Noted.
- 4.22 **Transco:** No objection.
Response: Noted.
- 4.23 **SP Energy Network:** Object in relation for the proposed development to interfere with overhead Transmission line. Where work is being carried out in the vicinity of an overhead line it must be in accordance with Health & Safety Guidance Note G26 "Avoidance of Danger from Overhead Lines" and would advise that there is overhead line apparatus within the area of the proposal.

Response: Noted. The proposed development provides separation distance of 162m from overhead lines and SP Energy Networks have been notified of this. If consent is granted the developer will require to comply with the above guidance.

4.24 **Argiva:** No objection.

Response: Noted.

4.25 **Scottish Government Rural Payments and Inspections Directorate (SGRPID):**

No objection. The proposals will not impact on agricultural land use in this area.

Response: Noted.

4.26 **BAA Glasgow Airport:** originally objected to the proposal due to the conflicts with safeguarding criteria on the grounds of the visibility and cumulative effect of the turbines on Lowther Hill radar. The proposed development has been reassessed by National Air Traffic Services (NATS) who have now confirm that due to the turbines only being within the Line of Sight to Lowther Hill radar they have no technical objection. Therefore BAA safeguarding have no objection to this proposal.

Response: Noted.

4.27 **Scottish Wildlife Trust (SWT):** No objection. SWT can provide assistance with the development of Habitat Management Plan and Species Protection Plan.

Response: Noted.

4.28 **Scottish Government:** provided comment on the Environmental Statement (ES) in relation to noise and note that 'A Review of Published Research on Low Frequency Noise and its Effects' has been produced.

Response: Noted.

4.29 **Avondale Civic Society:** No comment.

Response: Noted

4.30 **Planning & Building Standards HQ (Conservation Officer):** No objection.

Response: Noted.

4.31 **Scottish Civic Trust:** No comment.

Response: Noted.

5 Representation(s)

5.1 The application has been advertised in accordance with the EIA regulations with adverts being placed in local and national newspapers. The application was available for inspection at SLC offices, Civic Centre, East Kilbride.

5.2 Four objections were received in total from local residents together with Scottish Power Renewables and one representation of support. A summary of the issues raised and responses are given below.

(a) **Visual and cumulative impacts in relation to the existing Whitlee wind farm.**

Response: The cumulative impact issue is discussed within section 6 - Assessment and Conclusions of this report.

(b) **Impact on wind resource for neighbouring wind farm proposal.**

Response: Scottish Planning Policy requires that applications should not be deferred as a result of other subsequent proposals. Therefore this applicant submitted their planning application in 2009 prior to the adjacent proposed

development, which was submitted in 2010. Therefore, any proposed development on the neighbouring land will require to take into account the design and layout of this application.

(c) **Unacceptable cumulative noise effects on surrounding sensitive properties and potential impact on energy yield.**

Response: Section 12 of the ES gives consideration to the cumulative noise levels. Environmental Services concluded that the limits set out within the proposed conditions are appropriate for the proposed development. The stand-off distance from the operational turbines of Whitelee wind farm and the proposed development will ensure that there is a negligible loss of energy yield through wake loss or turbine turbulence.

- 5.3 One representation in support of the proposed development has been received from a local contractor. The comments are in support of the additional jobs, and the positive indirect effect on the local supply chain for materials and machinery.

The letters above have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The following section provides an assessment of the proposed Calder Water Wind Farm against the Glasgow and Clyde Valley Joint Structure Plan 2006, the Proposed Strategic Development Plan, South Lanarkshire Local Plan 2009 and South Lanarkshire SPG Renewable Energy (December 2010). In assessing any application for renewable energy development it is also necessary to evaluate the proposal against the most up to date policies and criteria contained in the relevant Scottish Planning Policies (SPP) and Specific Advice Sheets.

6.2 National Planning Policy and Guidance

- 6.2.1 The SPP has set a target of 50% of Scotland's electricity to be generated from renewable sources by 2020, and following publication of the SPP, this target has subsequently been increased to 100% by 2020 by the Scottish Government. The SPP encourages planning authorities to support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. The SPP requires planning authorities to prepare supplementary guidance and set out a spatial framework for onshore wind farms of over 20MW. The SPG Renewable Energy Policy is assessed in section 6.5 below. The criterion to assess wind farm developments is clearly set out in the SPG. The SPP provides likely assessment criteria. This includes:

- Landscape and visual impact
- Effects on the natural heritage and historic environment
- Contribution of the development to renewable energy generation targets
- Effect on the local and national economy and tourism and recreation interests
- Benefits and disbenefits for communities
- Aviation and telecommunications
- Noise and shadow flicker, and
- Cumulative impact

These elements are all considered in detail below as part of the assessment against Structure Plan & Local Plan Policy and in terms of the Council's SPG.

6.3 Structure Plan Policy

- 6.3.1 The application requires to be assessed against Strategic Policies 8 and 9 of the approved Glasgow and Clyde Valley Joint Structure Plan 2006.

- 6.3.2 Strategic Policy 8 (b) Sustainable Development of Natural Resources supports developments that are in the potential areas of search for significant wind farm developments. The application site is within the potential areas of search identified in the Structure Plan and therefore the development would not raise strategic planning issues. Strategic Policy Criteria (d) requires developments to safeguard and enhance the Strategic Environmental Resources listed in Schedule 7. The proposed development does not impact on the environmental resources listed. It is therefore concluded that the proposal complies with Strategic Policy 8.
- 6.3.3 Strategic Policy 9A relates to the need for the development in terms of the relevant demand assessment. The specific criteria in this policy however do not apply to wind farm developments.
- 6.3.4 Strategic Policy 9B relates to the location of the development. The proposal does not raise significant issues with regard to Strategic Policy 9B (i) and (iv) aimed at safeguarding the environmental resources listed in Schedule 7 or identified in Local Plans.
- 6.3.5 Strategic Policy 9C relates to the provision by the developer of appropriate infrastructure/mitigation measures. Suitably worded conditions and mitigation measures can ensure appropriate provision is made. Accordingly the proposal complies with Strategic Policy 9.
- 6.3.6 It is therefore demonstrated that the application does not raise significant issues with regard to Strategic Policies 8 and 9. Therefore, it is concluded that the proposed development complies with the Structure Plan.
- 6.3.7 The application site is not within the Broad Areas of Search shown in the Proposed Strategic Development Plan. However it should be noted that the Proposed Plan background report 11 – Wind Energy Search Areas (June 2011) states that South Lanarkshire Council have prepared SPG Renewable Energy for their area and this guidance will form the basis for determination of proposals in this area. In terms of the SPG, the proposed development lies outwith the Broad Area of Search in the SPG. This is dealt with in the full assessment of the application against the terms of the SPG in section 6.5 of this report. The proposed development is, nevertheless in line with the Spatial Vision of the Proposed Strategic Development Plan as it responds to Scottish Government policies, the need for climate change mitigation, a sustainable low carbon economy, and environmental legislation. On this basis the Proposed Strategic Development Plan broadly supports the proposed development.
- 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 farm development. The issues raised by the individual policies of the Local Plan are highlighted below.
- 6.4.2 Policy STRAT 4: Accessible Rural Area Policy aims to build on the economic potential of the area's high quality natural and built environment and tourism potential and to ensure these qualities are not eroded. In support of the planning application an Environmental Impact Assessment (EIA) was carried out. The impact of the proposed wind farm in terms of its effects on tourism, recreation, population and employment has been discussed within Section 11 of the Environmental Statement (ES). Taking account of all of the above and the conclusions in the ES it is considered that the proposal is unlikely to have an adverse impact on tourism. The impacts on the natural environment are considered in detail under ENV 4 at

paragraph 6.4.5 below; however because there are no significant impacts identified, the proposed development is considered to comply with policy STRAT 4.

6.4.3 Policy STRAT 9: Environmental Mitigation and Enhancement Policy aims to ensure that all applications measure environmental impact and seek to prevent, reduce or offset any consequences. It is considered that the ES identifies the likely environmental effects of the proposed development and recommends appropriate mitigation measures.

6.4.4 Policy CRE 2: Stimulating the Rural Economy Policy encourages renewable development where there is:

- a specific locational need
- it respects the landscape, countryside amenity and nature conservation interests
- it complements the scale, design and character of the locality and;
- it promotes environmental enhancement.

While wind farms can only be developed where there is a significant wind resource, other criteria in the above policy also require to be met. In designing the proposed development, the landscape, amenity and natural heritage considerations have been taken into account, with the objective of minimizing the environmental impact. The ES outlines an iterative site design process, which has considered responses from the scoping stage of the EIA. The proposed development by its very nature also promotes environmental enhancement in the broad sense, as it can provide a significant contribution to reducing greenhouse gas emissions. The proposed development therefore broadly supports Policy CRE 2.

6.4.5 Policy ENV 4: Protection of the Natural and Built Environment Policy aims to safeguard sites of international, national and local/regional importance ensuring that they are conserved and where appropriate enhanced. The proposed development is not located on or in close proximity to an international or national designated site. SNH concur with this, therefore it is considered that the integrity of these resources will not be undermined and that the proposal complies with Policy ENV 4.

6.4.6 Policy ENV 14: Potential Windfarm Areas of Search identifies potential areas of search for significant wind farm development that accord with the Structure Plan. As noted above at paragraph 6.3.2, the proposed development is located within the potential area of search identified in the Structure Plan.

6.4.7 Policy ENV 15: Spatial Framework for Wind Farm Proposals requires the Council to review its policy and spatial framework for wind farms over 20 MW, in line with SPP 6. The SPG Renewable Energy and supporting technical reports were approved in December 2010.

6.4.8 Policy ENV 17: Renewable Energy Community Benefit Policy encourages developers of renewable energy facilities in South Lanarkshire to contribute to the Renewable Energy Fund (REF). The applicant has confirmed that should consent for the proposed development be granted and implemented the applicant will contribute to the South Lanarkshire Council Renewable Energy Fund a level of £2,500 per consented MW per annum for the operational life of the wind farm.

6.4.9 Policy ENV 21: European Protected Species emphasises the requirement to give full consideration to the potential impact upon European Protected Species and habitats. This policy also applies to species listed in schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 as amended. The ES details ecological and ornithological issues within Section 7. By applying effective mitigation measures identified in the

ES, it is concluded that there will be no significant adverse effects on any of the species, which are protected under the legislation/regulations identified above. Similarly, SNH have identified mitigation measures, which the applicant has agreed to implement, that cover the impact of the proposal on protected species. On this basis the proposal accords with Policy ENV 21.

- 6.4.10 Policy ENV 23: Ancient Monuments and Archaeology aims to avoid adverse effects upon scheduled ancient monuments and archaeological resources. There are no recorded features within the site which may be directly affected by the construction of the development and it is considered that there is a low potential for significant, unknown, buried archaeological remains to survive within the site. West of Scotland Archaeological Service agrees with this assessment subject to a condition securing a watching brief is carried out during construction being imposed. Accordingly, the proposal complies with Policy ENV 23.
- 6.4.11 Policy ENV 24: Listed Buildings Policy requires that any development affecting a listed building or its setting shall seek to preserve the building and its setting or any features of special architectural interest. There are no listed buildings or other statutory designated sites within the site boundary. There are no Scheduled Ancient Monuments or gardens and designed landscapes within the 4km of the proposed development. There are three listed buildings within 4km of the proposed development. The ES provides full details of the assessment of the proposed development on archaeology and cultural heritage at Section 9. The proposed development is not shown to have a significant impact on any historic environment asset and Historic Scotland concurs with this conclusion. On this basis the proposals accords with Policy ENV 24.
- 6.4.12 Policy ENV 26: Sites of Special Scientific Interest/National Nature Reserves Policy requires that the overall integrity of the area would not be comprised. As previously assessed in paragraphs 6.3.2 and 6.4.5 there is no significant impact on these sites. Therefore the proposed development is found to be in accordance with Policy ENV 26.
- 6.4.13 Policy ENV 28: Historic Gardens and Designed Landscapes Policy aims to protect, preserve and enhance such places, and developments should not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value. No gardens and designed landscapes lie within 4km of the proposed development. The ES provides full details of the assessment of the proposed development on archaeology and cultural heritage at Section 9. The proposed development is considered not to have a significant effect upon gardens and designed landscapes. Historic Scotland is content that the proposed development is not likely to have a significant adverse impact on any historic environment sites of national importance. On this basis the proposals accords with Policy ENV 28.
- 6.4.14 Policy ENV 29: Regional Scenic Area and Areas of Great Landscape Value Policy requires developments to satisfy STRAT 4 and not adversely affect the overall quality of the designated landscape area. There are no designated landscapes covering the proposed development site and there will be no adverse effects on the integrity of the landscape designation within the wider study area. SNH concur with this conclusion and the proposed development therefore complies with Policy ENV 29.

- 6.4.15 Policy ENV 32: Design Statements Policy requires that a Design Statement accompany all developments proposals, subject to exceptions. A Design and Access Statement dated July 2009 has been submitted.
- 6.4.16 Policy ENV 38: Renewable Energy Site Assessment Policy requires all wind farms and other renewable energy developments to be assessed against a set of criteria, each of which is taken in turn below. It should be noted that in the Local Plan the Council made a commitment to prepare supplementary planning guidance (SPG) on Renewable Energy and to review its existing policies and prepare a spatial framework for wind farms. This work has since been undertaken in consultation with the public and developers. The South Lanarkshire Local Plan SPG Renewable Energy was approved in December 2010. As a result of this, Local Plan Policies ENV 14, 15, 16 and 38 have been further developed to address the requirements of SPP and PAN 45 (Annex 2). The specific policies in the SPG will be considered in section 6.5 of this report.

Policy ENV 38: Renewable Energy Site Assessment Policy:

- 6.4.17 Criteria (A) - International and National Natural Heritage Designations and the Green Belt: The application site is not located within international or national designations or the Green Belt. The proposed development will not result on adverse impacts as assessed in paragraphs 6.3.2, 6.4.5 and 6.4.13 above. On this basis the proposed development complies with criterion (A) of Policy ENV 38.
- 6.4.18 Criteria (B) (1) Other Natural and Built Heritage Resources: requires that proposals should not have a significant detrimental effect on landscape character or a significant adverse visual impact on the landscape quality of the RSA and AGLV. As assessed above in paragraph 6.4.15 above there is no impact on RSAs or AGLV. The proposed development is located on plateau farmland, plateau moorland and plateau moorland forestry landscape character types, which are identified in the South Lanarkshire Spatial Framework for Wind farms as having medium/high and medium/low capacity for wind farm developments. However the proposed development is located within an area where cumulative impact is considered to limit further significant development. This is considered further in paragraph below 6.4.19 and 6.5.10. The proposed wind farm lies within Zone 1 – area of lowest natural heritage sensitivity (as identified in SNH’s ‘Strategic Locational Guidance for Onshore Windfarms in respect of Natural Heritage’). Within this zone SNH considers that wind farm developments could be acceptable in natural heritage terms providing development is undertaken sensitively and with due regard to cumulative impact. It is therefore considered that the proposed development can take place without unacceptable significant detrimental effects on landscape character and significant adverse visual impact. On this basis the proposed development complies with criterion (B) (1).
- 6.4.19 Criteria (B) (2) requires cumulative visual and landscape impacts to be fully assessed and be shown to be acceptable. Section 8 of the ES reports the results of the cumulative impact assessment in detail. There are no significant cumulative effects predicted for any landscape character areas, designated landscapes and settlements. SNH raised concerns regarding the height of the proposed turbines. The design iteration process altered the development from 20 turbines at 120m height to tip, at scoping stage, to 14 turbines at 147m height to tip for the current application. The need for the increased height is to maximise wind energy. The height to tip of turbines within the adjacent wind farms are as follows:
Whitelee Wind Farm – 140 turbines 110m height to tip – constructed
Whitelee Wind Farm Phase 1 extension – 36 turbines 140m height to tip - approved

Whitelee Wind Farm Phase 2 extension – 39 turbines 140m height to tip - approved
West Browncastle Wind Farm – 126.5m height to tip – recommended for approval at
Committee 29 November 2011.

Whilst the immediately adjacent Whitelee development has turbine heights of 110m, it is noted that they are all at a height AOD of over 260m, whereas the majority of these proposed turbines are on less elevated ground at 240-250m AOD, which lessens the difference in height between the schemes. The extensions to the Whitelee wind farm have consent for turbines at a similar height to this proposed development. In the ES, at section 5, and in supplementary information from the applicant (letter dated 13 Jan 2010) the requirement for the turbines to have a height to tip of 147m is demonstrated. Taking account of the above it is considered that as a result of the lower ground level of the application site and the nearby consented development of similar height turbines, the height difference between the turbines of the adjacent developments will not be significant. Furthermore the viewpoints provided in the ES demonstrate that the proposed development can fit within the landscape without unacceptable impacts. Having considered the ES and the response from SNH the principle of wind farm development in the proposed location and its impact on landscape character is acceptable. The development therefore complies with criterion (B) (2).

6.4.20 Criteria (B) (3) requires that the development will have no unacceptable significant adverse impact on Local Nature Conservation Sites and priority species and habitats, and the developers are required to undertake necessary cumulative impact assessments on ecological and/or ornithological interests. Section 7 of the ES reports on ecology and ornithology interests. There are no significant adverse impacts predicted and no objection from SNH, subject to conditions. On this basis the proposal complies with criteria (B) (3).

6.4.21 Criteria (B) (4) requires that cumulative visual, landscape and ecological/ornithological impact assessments should include all operating and consented schemes and those that are subject to valid but undetermined applications. All relevant operating and consented developments and those that were subject to valid but undetermined applications were assessed. Accordingly, the proposal complies with criteria (B) (4).

6.4.22 Criteria (B) (5) is met as the proposed development complies with ENV 23, ENV 24 and ENV 28 as noted in paragraphs 6.4.10, 6.4.11 and 6.4.13 respectively.

6.4.23 Criteria (B) (6) requires developments to minimize soil disturbance when building infrastructure to ensure the carbon balance savings of the scheme are maximised. The contribution the proposed development will make to alleviate the effects of global warming is discussed in Section 4 of the ES. It is considered that the proposed development will save approximately 988,775 tones of CO₂ over the 25 year lifetime of the project. On this basis the proposed development complies with criteria (B) (6).

6.5 Other Material Considerations

In terms of other material considerations the proposal requires to be assessed against the South Lanarkshire Local Plan SPG Renewable Energy (December 2010). The relevant policies are:- Policy REN 1: Areas of Significant Protection, Policy REN 2: Constraints, Policy REN 3: Broad Areas of Search for Wind Farms over 20MW, and Policy REN 6: Assessment Checklist for Renewable Energy Proposals. These will be assessed in turn below.

- 6.5.1 Policy REN 1 identifies Areas of Significant Protection and strongly discourages wind farms developments in these areas. The proposed development is not located within or adjacent to an area of significant protection. Therefore Policy REN 1 is not applicable.
- 6.5.2 Policy REN 2 requires that constraints set out in Chapter 4 of the SPG be addressed by wind energy developments and that they meet the relevant criteria in Policy REN 6 Assessment Checklist for Renewable Energy. Accordingly the proposed development is assessed against Policy REN 6 below at paragraph 6.5.4.
- 6.5.3 Policy REN 3 identifies Broad Areas of Search (BAOS) for wind farms over 20MW, and notes that any proposals for 20MW or over outwith the BAOS will be judged on their merits and assessed against the policies in the SPG. The proposed development is not located within a BAOS and therefore will be judged on its merits and assessed against the policies in the SPG. Taking into account the assessment of the SPG in section 6.5 it is considered that the proposal complies with Policy REN 3.
- 6.5.4 Policy REN 6 requires all proposals for wind farms and other renewable energy developments to be assessed against the relevant criteria set out in Table 8.1 - Assessment Checklist for Renewable Energy Proposals. The criteria are considered in turn below.
- 6.5.5 Criteria 1 – Impact on international and national natural heritage designations. This criterion has been previously assessed in paragraphs 6.3.2 and 6.4.5 above. The proposed development is therefore in accordance with criteria 1.
- 6.5.6 Criteria 2 – Impact on Southern Uplands Foothills and Pentland Hills Area of Significant Protection. The proposed development is not located within or adjacent to Southern Uplands Foothills and Pentland Hills Area of Significant Protection. It does not therefore impact on this area.
- 6.5.7 Criteria 3 – Impact on the Green Belt. The proposed development is not located within the Green Belt. It does not therefore impact on this area.
- 6.5.8 Criteria 4 – Impact on the Landscape Character requires that proposals must not have significant detrimental effects on landscape character and/or a significant landscape visual impact. The application site is within the plateau farmland, plateau moorland and plateau moorland forestry landscape character types (LCT). The South Lanarkshire Spatial Framework for Wind Farms (December 2010) defines Plateau farmland LCT as having a medium/low landscape capacity and plateau moorland LCT as having a medium/high landscape capacity for wind farms. The visual impact has been assessed in paragraphs 6.4.19 above and overall it has been demonstrated that the landscape character type can accommodate wind farm development. The proposed development therefore complies with Criteria 4.
- 6.5.9 Criteria 5 – Impact on Special Landscape Areas (SLA) requires that proposed wind farm developments in SLAs should not affect the qualities for which the area has been recognised, as described in the Council’s ‘Validating Local Landscape Designations’ (December 2010). The application site is not located on or adjacent to SLA’s, therefore the proposed development does not impact on these areas.
- 6.5.10 Criteria 6 – Assess the effects of the development on areas where cumulative impacts limit further development, as identified in the SPG. The proposed development is within the area where cumulative impacts limit further development.

The SPG details specific landscape objectives, which proposed developments must address. The cumulative impact area of Whitelee/Avon Valley/Douglas Valley is relevant to this proposal.

- Criteria 1 of the landscape objectives requires the creation of a sufficient buffer with the surrounding farmlands and that there should be no unacceptable visual impacts on Strathaven and East Kilbride. The majority of the proposed wind turbines are located within plateau moorland with forestry. The application site does extend into plateau farmland with six of the fourteen turbines located on this landscape character type which borders the plateau moorland with forestry. Due to the proposed development being located adjacent to the existing Whitelee wind farm and the majority of the proposed turbines being on a plateau moorland with forestry landscape character type, there is therefore no significant visual coalescence of the landscape character types. It is also demonstrated in the ES that there are only limited unobstructed views of the turbines from Strathaven. In the few locations where there are unobstructed views of the proposed development they would be seen in the context of the wider plateau moorland on which the majority of the Whitelee wind farm development is already visible. The ES indicates that no turbines will be visible from East Kilbride. It is considered there would be a slight additional cumulative effect in combination with other constructed and consented wind farm developments. However it is considered that this impact is within acceptable levels and is not significant.
- Criteria 2 of the landscape objectives requires a broad set back of wind farm development from the southern edge of the Plateau Moorland to ensure there is no dominance of the Avon Valley by wind turbines siting on the horizon located in the Plateau Moorland. Where there are unobstructed views of the development these will be seen in the context of the existing wind farm development. In addition, due to the distance of the Avon Valley from the proposed development they would not form a prominent feature in the view and will therefore not dominate the Avon Valley.
- Criteria 3 of the landscape objectives relates to the prevention of commercial scale wind farm development in the Avon Valley, however the proposal is not within the Avon Valley therefore this is not relevant.
- Criteria 4 relates to the maintenance of gaps in the Rolling Moorlands to the southern part of the area where cumulative impacts limit further development. This requirement is not relevant to this proposal due to the significant distance from the Rolling Moorlands.

The proposed development therefore does not significantly affect the landscape objectives for this area. On this basis the above the proposed development complies with criteria 6.

6.5.11 Criteria 7 – Cumulative Impacts. Cumulative landscape and visual impact assessment requires to be taken into consideration. The Landscape and Visual Impact Assessment (LVIA) has been undertaken in accordance with best practice guidance, and demonstrates the predicted residual landscape, visual and cumulative effects. The LVIA covers a study area of 35km radius, which follows good practice guidance. SNH raised concerns with the visual impact due to the height and design of the proposed development. However I consider that although the proposal will have significant and adverse impacts on landscape and visual amenity these will be localized and in the majority of instances the wind farm will be identified in the landscape as part of the adjacent Whitelee wind farm. The landscape impacts

identified, therefore, are concentrated within existing upland character areas where wind farm development is either directly or indirectly already an established part of the landscape character. Consequently it is not considered that the proposed development will significantly increase the perceived spread of wind farm development into adjacent lowland character areas and as a result the proposed development complies with criteria 7.

6.5.12 Criteria 8 – Landscape and Visual Impact Assessment (LVIA). A LVIA was submitted to support the planning application, and demonstrates the potential impact of the development out to a radius of 35km. Section 8 of the ES provides the full assessment. The proposed development therefore accords with criteria 8.

6.5.13 Criteria 9 – relates to developments of 4 turbines or less therefore it is not relevant to this proposal.

6.5.14 Criteria 10 – Impacts on nature conservation interests. This has been previously considered in paragraph 6.4.20 where it concludes there are no significant adverse impacts predicted and no objection from SNH, subject to conditions. The applicant has prepared a draft Habitat Management Plan (HMP) that delivers biodiversity objectives. The HMP will be finalised and be implemented in full. On this basis the proposal accords with criteria 10.

6.5.15 Criteria 11 – Impact on Trees and Woodland. Any renewable energy proposal that includes woodland removal should be discussed at an early stage with Forestry Commission Scotland (FCS) and take account of the advice in Scottish Government Woodland Removal Policy. The development proposes to key-hole the existing forest to ensure that the woodland use would continue with minimal disruption. The draft HMP outlines the compensatory planting for the approximately 9 ha of forestry that will be lost as a result of the proposed development. Approximately 2 to 3 hectares will be planted to the north within the application site and on adjacent woodland at Hareshaw Farm. A draft Forest Management Plan (FMP) has been prepared which outlines the management of the existing forest as a commercial asset in line with Forestry Commission guidelines. Further compensatory planting is to take place outwith the application site at former Skares opencast coal site, in East Ayrshire. Appropriate conditions and legal agreements will ensure the HMP and FMP will be finalised in line with the Forestry Commission's woodland removal policy and thereafter be implemented. Therefore it is considered that the proposed development complies with criteria 11.

6.5.16 Criteria 12 – Impact on Historic Environment. The proposal has previously been assessed against built heritage policies above in paragraphs 6.4.10, 6.4.11 and 6.4.13. The proposed development is found to be in accordance with criteria 12.

6.5.17 Criteria 13 – Impact on Historic Environment – wind energy developments. As assessed in paragraph 6.4.11 there are no major impacts on these resources and Historic Scotland and West of Scotland Archaeology Service concur with this conclusion, provided a condition is attached to request the preparation and implementation of an archaeological mitigation strategy. Accordingly, the proposal complies with criteria 13.

6.5.18 Criteria 13 – Impact on Historic Environment – wind energy developments. As assessed in paragraph 6.4.10 there are no major impacts on these resources and Historic Scotland and West of Scotland Archaeology Service concur with this conclusion, provided a condition is attached to request a watching brief. Accordingly, the proposal complies with criteria 13.

- 6.5.19 Criteria 15 – Impact on Prime Agricultural Land. The application site does not contain any prime agricultural land, therefore criteria 15 is not relevant.
- 6.5.20 Criteria 16 – Impact on Water. SEPA raised some concerns regarding the construction phase and water crossings. However if the appropriate conditions are attached then the development complies with criteria 16.
- 6.5.21 Criteria 17 – Impact on Residential Amenity. The ES concludes there will be no adverse effects on the residential community. In terms of noise the ES states there will be no significant adverse effects on residential amenity from noise. Environmental Services concur with this conclusion and the noise levels meet the required limits. On this basis it is considered that the proposed development complies with criteria 17.
- 6.5.22 Criteria 18 – Impact on Air Quality. This criterion is not relevant to the proposed development.
- 6.5.23 Criteria 19 – Impact on Tourism. The Section 11 of the ES assesses the likely effects of the proposed development on tourism and recreation. Overall the effects are considered not to be significant and on this basis the proposed development complies with criteria 19.
- 6.5.24 Criteria 20 – Transport impacts. Further supporting information was provided in July 2011 on traffic and transport matters. There are no significant issues subject to appropriate conditions. Therefore, the proposed development accords with criteria 20.
- 6.5.25 Criteria 21 – Impact on Transmitting or Receiving Systems. The ES assesses the potential impact of the proposed development on receiving systems and concludes that the proposed development will not be detrimental to receiving systems. However in the unlikely event those residents within 5km of the proposed development experience an interruption to their TV reception, attributable to the operation of the wind farm development the applicant will upgrade their TV aerial to mitigate the problem. There will be no impact to TV reception outwith 5km of the site. On this basis, the proposed development will accord with criteria 21.
- 6.5.26 Criteria 22 – Impact on Radar and Defence. Section 11 of the ES assesses the potential impact of the proposed development on radar and defence systems within the vicinity of the site. NATS En Route Plc (NERL Safeguarding) has no objection to proposed development subject to conditions following an agreement with the applicant. On this basis the proposed development complies with criteria 22.
- 6.5.27 Finally, in view of the exceptional demand that would be made on the Council's resources in order to monitor and enforce work on this site, including the review of advice provided by the Ecological Clerk of Works, it is considered appropriate that the developer be required to meet the cost of funding these tasks. The life of the wind farm is 25 years and after the end of this period, or should the wind farm no longer be operational prior to that time, the proposed development 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. A legal 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.

6.6 Conclusions

In conclusion, it is inevitable that a development of this scale will have some environmental impact. However the proposed development is located within a landscape character types that can accommodate wind farm developments and through suitable conditions and mitigation measures, it is evident from the assessment above that any identified impacts would not be significant or material. Therefore it is recommended that detailed planning permission be granted subject to the conditions attached and the conclusion of the necessary legal agreements that would cover financial contributions to cover exceptional damage to roads, contributions towards the monitoring and enforcement of works on the development, implementation of the Habitat Management Plan and contributions to the Council's Renewable Energy Fund. Consent should be withheld until these legal agreements have been concluded.

7 **Reasons for Decision**

7.1 The reasons for approving the application are:

- (a) The proposal is consistent with the Structure Plan, Strategic Development Plan, Local Plan and SPG Renewable Energy policy.
- (b) The proposal is consistent with relevant Government guidance.

Colin McDowall
Executive Director (Enterprise Resources)

15 November 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Environmental Impact Assessment
- ▶ Draft Habitat Management Plan dated 2010
- ▶ Draft Forest Management Plan dated October 2011
- ▶ Supplementary Information – Traffic and Transportation Section 11 updated July 2011

- ▶ Consultations
 - Scottish Natural Heritage 04/11/2009
 - Scottish Government 25/09/2009
 - Scottish Water 04/09/2009
 - Scottish Wildlife Trust 15/09/2009
 - Roads & Transportation Services H.Q. (Flood Prevention Unit) 16/09/2009
 - Civil Aviation Authority 16/09/2009

Scottish Government	03/09/2009
Prestwick Airport Safeguarding (Infratil)	02/09/2009
West of Scotland Archaeology Service	02/09/2009
Civil Aviation Authority	07/09/2009
East Ayrshire Council	09/09/2009
SP Energy Network	15/09/2009
Civil Aviation Authority	28/09/2009
Strathaven Community Council	02/09/2009
Scottish Government Rural Payments and Inspections Directorate	10/09/2009
Defence Estate Organisation	22/09/2009
East Ayrshire Council	14/09/2009
Countryside & Greenspace	15/10/2009
Historic Scotland	22/09/2009
Strathaven Airfield	29/09/2009
Forestry Commission (Central Scotland Conservancy)	25/09/2009
SP Energy Network	02/10/2009
Roads & Transportation Services HQ (Bridges Engineer)	05/11/2009
S.E.P.A. (West Region)	24/09/2009
RSPB Scotland	13/09/2009
Environmental Services	16/10/2009
Countryside & Greenspace	19/10/2009
Roads and Transportation	14/10/2009
National Air Traffic Services Ltd	21/10/2009
Scottish Natural Heritage	10/03/2010
National Air Traffic Services Ltd	12/10/2011
Planning & Building Standards HQ (Conservation Officer):	10/12/2009
BAA Glasgow Airport	29/09/2009
BAA Glasgow Airport	12/07/2011

Arquiva	14/09/2009
Transco	08/09/2009
Transport Scotland	02/09/2009

► Representations

Representation from : Dennis & Jennifer Hodgkiss, West Browncastle
Drumclog
Strathaven
ML10 6QW, DATED 07/09/2009

Representation from : John and Julie McCulloch, Stobieside House
Drumclog
ML10 6QL, DATED 21/09/2009

Representation from : Margaret & Allan Crawford, The Farmhouse
East Browncastle
Strathaven
ML10 6QW, DATED 16/10/2009

Representation from : Scottish Power Renewables, 4th Floor
1 Atlantic Quay
Glasgow
G2 8JB, DATED 25/02/2011

Contact for Further Information

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

Ruth Findlay
(Tel :01698 455943)
E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

- This decision relates to:
- 1
 - Environmental Statement and Supporting Statement dated July 2009
 - Figure 2.1 Site Layout
 - Figure 2.2 Typical Specifications of a 2.5MW turbine
 - Figures 2.3 – 2.5 Indicative construction details
 - Supplementary Information – Traffic and Transportation July 2011
 - Draft Habitat Management Plan 2010
 - Draft Species Protection Plan 2010
 - Draft Breeding Bird Protection Plan 2010

for the erection and operation of 14 wind turbines, site control building, siting of meteorological mast, formation of access tracks and ancillary infrastructure at land at Hareshawhill Farm, South Lanarkshire.
 - 2

That the development is carried out strictly in accordance with the terms of the application and the accompanying ES and additional information, including all mitigation and monitoring measures stated in it, subject to any requirements set out in these conditions. Any proposed deviation from the detail provided within these documents, must be submitted to and approved in writing by the Planning Authority before the works described therein are undertaken.
 - 3

That consent is granted for a period from the date of this consent until 25 years from the date of final commissioning of the development. No later than 18 months prior to the end of said 25 year period, the decommissioning scheme referred to in condition 42 of this consent should be submitted to and approved in writing by the planning authority. Written confirmation of the date of the commencement of the development shall be supplied in writing to the Planning Authority and the date of commencement of the development shall be no later than 5 years from the date of this consent.
 - 4

At least one month prior to the commencement of the development, the applicant shall submit 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 review every 5 years, from the commencement of the development, to be conducted by the applicant, the landowners and the planning authority.
 - 5

That 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, including the effects on ground water, surface water, noise and dust, during the construction phase and the operational phase. The methodology of such monitoring including locations frequency, gathering of information on background levels, etc should be submitted to the planning authority for approval prior to the commencement of works on site.

Thereafter, the plan shall be implemented to the satisfaction of the planning authority and the results of such monitoring shall be submitted to the planning authority on a 6 monthly basis, or on request.

- 6 Prior to the commencement of the development a Desk Study of the whole site, including the confirmed Borrow Pit locations, shall be undertaken to confirm that there has been no previously potentially contaminating use of land. If any such previous usage is confirmed then a Phase 2 intrusive investigation and risk assessment is required. This should detail any methods of proposed remediation required. This shall be submitted to the Planning Authority for prior approval and thereafter implemented. All imported material that is required to be brought onto site shall be accompanied by certification from a suitably U.K.A.S accredited laboratory to confirm that it is free from contamination.
- 7 Noise from the wind turbines shall not exceed 40dB LA_{90 (10 min)} or background noise level measured as LA_{90 (10 min)} +5dB, whichever is the greater, at any noise sensitive premises at all times at wind speeds of up to 12 metres per second as measured within the site.
- 8 That if the tonal noise emitted by the development exceeds the threshold of audibility by 6.5dB or more, then the acceptable noise specified in condition 7 above shall be reduced by 5dB, always providing that the definition of audibility for the purposes of this condition shall be as described in 'The Assessment and rating of Noise from Wind Farms' (ETSU-R-97).
- 9 That at times during which Borrow Pits are operational, then the noise levels shall be restricted to 55dB LA_{eg (1hr)} or background LA_{90 (1hr)} + 10dB_A, whichever is the lesser, and any general construction noise, which is ongoing simultaneously with the Borrow Pit operation, shall be considered as Borrow Pit noise.
- 10 That all construction work associated with the development must be carried out in accordance with the current BS 5228, 'Noise control on construction and open sites' and all that audible construction activities shall be limited to:
Monday to Friday 8.00am to 7.00pm,
Saturday 8.00am to 1.00pm;
with no audible activity taking place on Sunday, local and national bank holiday - without prior written approval of the planning authority.
- 11 That prior to the installation of any turbines the applicant shall submit to the Planning Authority a report confirming that the type of turbines to be installed shall generate the level and frequency of the noise described in the plans and statements hereby approved, and no work shall commence on the construction of the turbines until the Planning Authority has assessed and approved the report, in writing.
- 12 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.

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.

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.

- 13 Prior to commencement of any internal wind farm site works:
- At the junction of the A71 and Meadowfoot Road, the developer shall provide a 4.5m x 215m visibility splay to the east and a 2.5m x 160m visibility splay to the west of Meadowfoot Road. The visibility splay shall be maintained free of all obstructions greater than 1.05m in height above the adjacent road channel level for the duration of the wind farm construction, operation and decommissioning phases.
 - The developer shall agree in writing, with the Council as Roads Authority, their proposals for the introduction of vehicle activated warning signs and road markings on the A71 to both approaches on Meadowfoot Road.
 - Details of the following items shall be agreed in writing with the Council as Roads Authority, and implemented on site in accordance with the approved drawings.
 - Junction alteration work at A71/Meadowfoot Road, including lining and signing.
 - Specialist delivery run-off area immediately east of Meadowfoot Road.
 - Locations of departure off Meadowfoot Road not covered by 13i) and 13ii) above.
 - Details of the proposed road widening and lay-by work shall be agreed in writing with the Council and implemented on site in accordance with the approved drawings.
- 14 Prior to commencement the developer will submit a detailed Traffic Management Plan (TMP) for the written approval of the Council as Roads Authority. The TMP shall be produced in consultation with Roads & Transportation Services and Strathclyde Police and include a programme indicating phasing of construction of the project. No works should commence on site until such times as the TMP has been approved in writing by the Council as Roads Authority.
- 15 The developer shall notify the Council in writing, as soon as reasonably practical, of any changes in construction and decommissioning related activities where these will have an impact on the approved TMP. The developer will consult with the Council and Strathclyde Police to agree in writing any changes to the TMP.
- 16 The developer shall submit a Travel Plan as part of their TMP to encourage less reliance on individual private car trips to the site for those personnel involved in

construction activities on a routine basis and those attending through the course of site inspections and site meetings.

- 17 The developer shall undertake all work associated with the approved planning consent and any subsequent amendments in accordance with the approved TMP.
- 18 Prior to commencement of construction activities the developer will undertake an Abnormal Load Route Assessment and submit details of their report together with any recommendations for the written approval of the Council as Roads Authority. The recommendations shall thereafter be implemented in accordance with a programme to be approved by the Planning authority prior to the commencement of construction activities.
- 19 All specialist wind turbine components shall be delivered to site in accordance with the approved TMP and Abnormal Load Route Assessment.
- 20 The developer shall undertake intrusive site investigations to identify the availability of suitable stone material from proposed borrow pits on site and submit this information to the Planning Authority.
- 21 That a full Safety Audit, in accordance with the Institute of Highways and Transportation Guidelines, should be submitted for all infrastructure to be constructed and adopted, or altered, on the public road and submitted to the Council as Roads Authority prior to commencement of the works.
- 22 Prior to the commencement of the development Bridge Assessments require to be submitted to and approved by South Lanarkshire Council for the bridges listed below and any remedial works implemented in accordance with a programme, to be approved by the Planning Authority prior to work commencing.
 1. Cander
 2. Lawrie Street
 3. Vicars Road
 4. Cotcastle No.1
 5. Crumaugh
 6. Glassford
 7. Old Castle
 8. Stanley Muir
 9. Caldermill
 10. Roundhill
 11. Ryelandside
 12. Burnbank
 13. Snabe

These 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 South Lanarkshire Council for approval before finalising the report.

- 23 Prior to commencement on site, if a bridge has been assessed as not capable of carrying the proposed loads then these loads shall not cross the bridge until remedial measures have been approved by the Council and completed.

All remedial measures will be carried out in accordance with the Design Manual for Roads and Bridges and the relevant Eurocodes. 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. South Lanarkshire Council will be the Technical Approval Authority.

24 Any proposals, including calculations, for a bridge requiring to be overlaid with a steel plate or similar to ensure that the load exerted on the structure does not exceed that from normal Construction and Use Vehicles will be forwarded by the applicant to the Council for approval prior to commencement on site.

25 All of the bridges on the proposed route will be monitored for defects during the period that the loads are transported in accordance with the Design Manual for Roads and Bridges with Principal Inspections being carried out jointly between the applicant and South Lanarkshire Council on the occasions detailed below;-

- (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 report will be prepared 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 South Lanarkshire Council.

26 Any proposals, including calculations, for a bridge requiring to be overlaid with a steel plate or similar to ensure that the load exerted on the structure does not exceed that from normal Construction and Use Vehicles will be forwarded by the applicant to the Council for approval prior to loads being transported over the bridge.

These loads must cross the bridge 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.

27 No construction work shall commence until a Construction Method Statement has been submitted to and approved by the planning authority in consultation with SEPA and SNH. The method statement, which shall incorporate "good practice" methods from the Scottish UK wind farm industry to ensure that environmental impacts are reduced and incorporate the mitigation measures identified in the ES

supporting the applications, shall be submitted no less than three months prior to the proposed commencement of the development unless the planning authority agrees otherwise. Thereafter, all the measures described in the approved method statement shall be implemented. The method statement shall include the following:

- a) A plan of the construction operations at an appropriate scale;
- b) A plan to an appropriate scale showing the location of any contractor's site compound and laydown areas required temporarily in connection with the construction of the development.
- c) Method of defining track route and location (track corridors should be pegged out 500 - 1000m in advance of operations);
- d) Track design approach
- e) Maps of tracks indicating double and single tracks and position of passing places.
- f) The full extent of anticipated track 'footprint(s)' including extent of supporting 'geogrid' below roadstone and cabling at the edges of the track
- g) 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 slopes or other ground unsuitable for floating roads.
- h) 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
- i) Details of peat/soil stripping, storage and re-use. All soils stored on site shall be in accordance with BS3882.
- j) A scheme for the control and mitigation of dust shall be submitted to and approved by the Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Planning Authority. The scheme shall thereafter be implemented.
- k) Specifying the means by which material to be used for the development is brought on site unless it has certification from a suitably UKAS accredited laboratory to confirm that the material is not contaminated
- l) A scheme of working for each borrow pit including method of works, drainage, implementation, and restoration and aftercare.
- m) Compliance with the Council's Sustainable Drainage Systems (SuDs) design criteria guidance and inclusive sign off by the relevant parties carrying out the elements of work associated with the design criteria appendices 1 to 4.
- n) A coloured plan showing the sustainable drainage apparatus serving the application site together with the contact name and emergency telephone number of the party responsible for its future maintenance. Details of the future maintenance regime in accordance with the latest Construction Design and Management (CDM) Regulations is to be provided on this drawing.
- o) Measures to ensure stability during construction of turbines and infrastructure on peat
- p) A description of and measures to mitigate impact on surface water courses and the hydrology.
- q) Watercourse crossing should be kept to a minimum to ensure they do not adversely impact on natural flow pathways. These crossing should be appropriately sized and overland flow routes should be provided in the event of culvert blockage.
- r) Measures to be taken to ensure that the work does not cause mud, silt, or concrete to be washed away either during the construction stage or as a

result of subsequent erosion. Where possible construction works should avoid road construction during high periods of high rainfall.

- s) A description of the methods of stream crossing
 - t) Timing and extent of any necessary re-instatement.
 - u) Details for wheel wash facility to maintain the public road network clear of any mineral/soils throughout the construction period.
 - v) Waste Management – recovery and reuse of waste, such as soil provided that it is in accordance with the Waste Management Licensing Regulations 1994 (as amended).
- 28 Each turbine shall be erected in the position indicated on Figure 2.1 Site Layout. A variation of the indicated position of any turbine on the said Figure 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.
- 29 Within 3 months of commissioning of windfarm the applicant shall submit to the planning authority an "as built plan" at an appropriate scale indicating the location of any track, turbine, crane pad and borrow pit within the development.
- 30 Prior to commencement of development a Pollution Prevention Plan (PPP) shall be submitted to and approved by the planning authority in consultation with SEPA and thereafter implemented. The PPP should be in accordance with SEPA's letter dated 18 September 2009.
- 31 That during the construction of the development:-
- a) All works shall be carried out in a manner consistent with The Water Environment (Controlled Activities) (Scotland) Regulations 2005
 - b) No Work shall be undertaken within a 20 m buffer zone surrounding all watercourses and known functioning drains, with the exception of access route crossings, unless otherwise agreed in writing with the Planning Authority.
 - c) Track layout shall minimise disruption to water courses
 - d) Existing drainage routes shall be maintained through sensitive placement of soil heaps and where necessary temporary drains.
 - e) Silt traps shall be provided on all existing drainage routes affected by site works.
 - f) Watercourses shall not be culverted. Bridge crossings should be used instead of culverts and a suitable design should be put forward and agreed in writing with the Planning Authority.
 - g) Any disturbance of watercourses shall be minimised utilising cofferdam temporary works.
 - h) Cable trenches shall only be constructed in limited sections to reduce drainage of groundwater and prevent additional drainage routes being created.
 - i) Cable trenches shall be plugged to prevent the creation of new drainage paths.
 - j) The scheduling of works shall minimise disruption and working within wet weather
 - k) Temporary works interception drains shall be constructed to prevent

potential contamination of runoff and groundwater

- l) Stockpiling of materials on wet ground and near drainage channels shall not take place, unless agreed in writing with the Planning Authority
 - m) Backfilled trenches shall be re-vegetated
 - n) Temporary silt traps shall be constructed to treat runoff
 - o) Sulphate resistant concrete shall be used to prevent leaching of chemical
 - p) All roadstone shall be imported to the site and no excavation shall take place on site.
- 32 No turbine shall be erected until the developer has agreed a Primary Radar Mitigation Scheme (PRMS) with NATS (En Route) plc which has been submitted to and agreed in writing by South Lanarkshire Council in order to mitigate the impact of the development on the Primary Radar Installation at Lowther Hill.
- 33 No turbine shall be erected until the approved Primary Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme as referred to in condition 33.
- 34 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 twelve 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 twelve month period of non-generation in accordance with a scheme agreed with the Planning Authority, all to the satisfaction of the Planning Authority.
- 35 Prior to development commencing on-site details of the confirmed turbine layout height and manufacture, including illustrations as well as details of size, shall be submitted to, and approved in writing by, the planning authority. The turbines:
- i) Shall be low-reflectivity pale grey colour as stated in the ES.
 - ii) Shall have blades that rotate in the same direction.
 - iii) Shall have no large 'logos' or other symbols or writing unless for reasons of health and safety and as agreed in writing by the planning authority.
- Only the approved type shall be installed.
- 36 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 planning authority; or
 - c) an emergency requires the provision of lighting.
- 37 Only mechanical means of snow clearance shall be used to clear access tracks, unless otherwise agreed in writing by the planning authorities.
- 38 Bird deflectors should be attached to supporting guy lines in order to reduce the collision risk to birds, including both Annex 1 and schedule 1 raptor species.

- 39 Three months prior to the commencement of the development, an Ecological Clerk of Works (ECoW) shall be in place. The planning authority shall approve the ECoW for the period from prior to 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, Breeding Birds and Species and Habitat Protection Plan and the Habitat Management Plan;
 - Advising the developer on adequate protection of nature conservation interests on the site;
 - Directing the micro-siting and placement of the turbines, borrow pits, bridges compounds and tracks and,
 - Monitoring compliance with the Construction Method Statement required by condition 28.
- 40 Three months prior to the commencement of decommissioning an Ecological Clerk of Works (ECoW) 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 ECoW shall include those elements identified in condition 40 with the exception of the third and fourth bullet points of that condition.
- 41 No later than 18 months prior to the end of the period of this planning permission, or by such later date as may be agreed by the planning authority, the applicant shall submit a method statement for the decommissioning of the windfarm and the restoration of the application site for the approval of the planning authority. Decommissioning in accordance with the approved method statement shall be completed within 12 months of the end of the period of this planning permission or any alternative timescale agreed with the planning authority in writing and shall include the dismantling and removal from the site of all turbines, buildings and ancillary development. The approved plan and Decommissioning Method Statement shall be implemented and overseen by an ECoW.
- 42 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. Efficient silencers shall be fitted to, used and maintained in accordance with manufacturers' instructions on all vehicles, plant and machinery used on the site.
- 43 The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service (WOSAS), and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the WOSAS in writing not less than 14 days before development commences.

- 44 Prior to any works commencing on the site
- i) The draft Habitat Management Plan (HMP) 2010, draft Species and Habitat Protection Plan 2010 and draft Breeding Bird Protection Plan 2010 for the entire application site, shall be updated in consultation with SNH and RSPB and submitted to the planning authority for approval, a minimum of three months prior to any works commencing on the site and thereafter implemented in full. All three plans should be prepared in accordance with SNH letter dated 3rd November 2009.
 - ii) The compensatory planting shall be finalised within the HMP, unless otherwise agreed with the Planning Authority, and implementation date shall be agreed in consultation with Forestry Commission and SNH.
 - iii) A Habitat Management Group (HMG) shall be established to oversee the preparation and delivery of the HMP and to review and assess the results from ongoing monitoring and the HMG shall include a representative of South Lanarkshire Council, SNH, RSPB, FSC and SWT and shall have powers to make reasonable changes to the HMP necessary to deliver its agreed aims, and notwithstanding the above,
 - a) Site clearance activities and where possible, construction, will take place outwith the bird breeding season (March to July inclusive).
 - b) The HMP will operate for the full lifespan of the wind farm, including decommissioning
 - c) The mitigation identified in the HMP will be fully implemented
 - d) Survey and monitoring of species and habitat will be carried in accordance with the approved plan.
- 45 Prior to development commencing on-site, details of materials, external finishes and colours for all ancillary elements (including access tracks, transformers, switchgear/metering building, compound, and fencing) shall be submitted to and approved in writing by the planning authority. If required by the planning authority, samples of materials shall be provided and only materials approved by the planning authority shall be used.
- 46 Prior to development commencing on-site unless otherwise agreed by the planning authority detailed plans and a method statement for restoration of the site entrance, access tracks, borrow pits, crane hardstandings and other construction areas, shall be submitted to, and approved in writing by the planning authority, in consultation with SNH. The approved plans shall be implemented to the satisfaction of the planning authority within 6 months of commissioning of any part of the development unless otherwise agreed by the planning authority.
- 47 Prior to construction on site a peat slide risk assessment shall be carried out and used to prepare a method statement, to be submitted to and agreed with the Planning Authority, that describes how important areas of peat will be protected during construction and thereafter the approved measures shall be undertaken in accordance with the terms of the approved statement.
- 48 Prior to the commencement of any deforestation associated with the construction of the development the Forest Management Plan dated June 2010 shall be updated in consultation with SNH, Forestry Commission, RSPB and shall be submitted to and approved in writing by the planning authority, and thereafter implemented.
- 49 Developer is responsible for any alterations required to statutory undertaker's

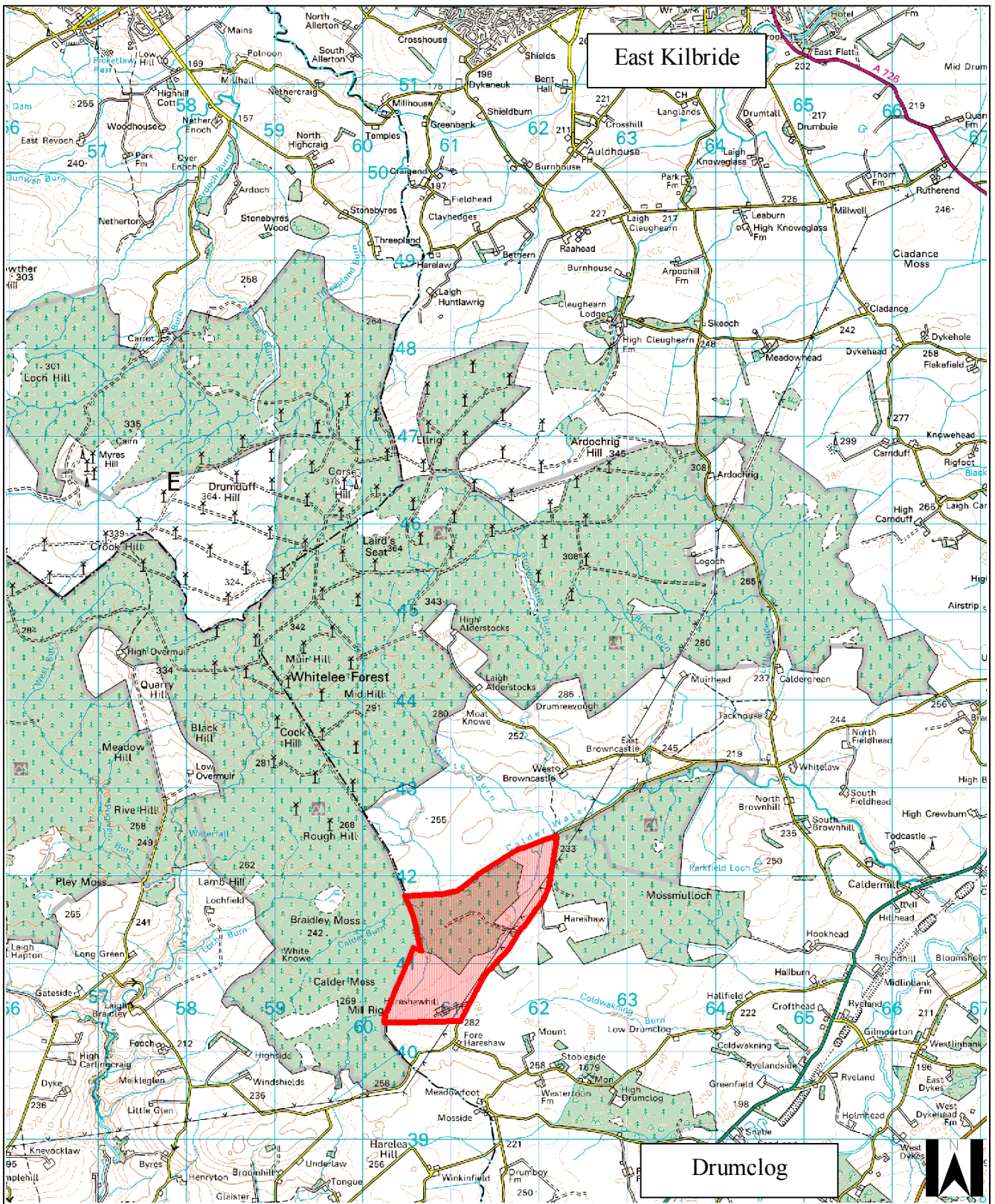
apparatus. Where work is being carried out in the vicinity of an overhead line it must be in accordance with Health & Safety Guidance Note GS6 "Avoidance of Danger from Overhead Lines".

- 50 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 42. 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.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 For the avoidance of doubt and to specify the documents upon which the decision was made.
- 3 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 To ensure compliance with all commitments made in the Environmental Statement, in the interests of amenity and in order to retain effective planning control.
- 6 To minimise environmental impact and in order to retain effective planning control.
- 7 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 8 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 9 To minimise disturbance to residents in the vicinity of the wind farm.
- 10 To minimise disturbance to residents in the vicinity of the wind farm.
- 11 In the interests of amenity and in order to retain effective planning control.
- 12 To minimise disturbance to residents in the vicinity of the wind farm.
- 13 In the interests of road safety.
- 14 In the interests of road safety.
- 15 In the interests of road safety and in order to retain effective planning control.
- 16 In the interests of road safety.
- 17 In the interests of road safety and in order to retain effective planning control.
- 18 In the interests of road safety.
- 19 In the interests of road safety.
- 20 In the interests of road safety and in order to retain effective planning control.
- 21 In the interests of road safety.
- 22 In the interests of road safety.
- 23 In the interests of road safety.
- 24 In the interests of road safety.
- 25 In the interests of road safety.
- 26 In the interests of road safety.
- 27 In the interests of amenity and in order to retain effective planning control.
- 28 To ensure compliance with all commitments made in the Environmental Statement and in order to retain effective planning control.
- 29 In order to retain effective planning control.
- 30 To minimise pollution risks.
- 31 To minimise environmental impact on watercourses and in order to retain effective planning control.

- 32 In the interests of public safety.
- 33 In the interests of public safety.
- 34 In the interests of amenity and in order to retain effective planning control.
- 35 In the interests of amenity and in order to retain effective planning control.
- 36 In the interests of amenity and in order to retain effective planning control.
- 37 To minimise the environmental impact of snow clearing operations by avoiding the use of chemicals or salt without explicit approval.
- 38 To minimise adverse impacts on habitat.
- 39 To minimise environmental impact during the construction phase.
- 40 To minimise environmental impact at the decommissioning phase.
- 41 To minimise environmental impact on natural heritage.
- 42 In the interests of amenity and in order to retain effective planning control.
- 43 To minimise adverse impacts on archaeology on site and to ensure development conforms to Environmental Statement.
- 44 To safeguard environmental impacts, ecology, species and habitats, to ensure development conforms to Environmental Statement and maintain effective planning control.
- 45 In the interests of amenity and in order to retain effective planning control.
- 46 To minimise adverse impacts and ensure development conforms to Environmental Statement.
- 47 To minimise adverse impacts on peat and ensure development conforms to Environmental Statement.
- 48 To minimise adverse impacts on forestry and ensure development conforms to Environmental Statement.
- 49 To ensure development conforms to Environmental Statement and maintain effective planning control.
- 50 In the interest of amenity and to ensure development conforms to Environmental Statement and maintain effective planning control.



For information only

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