

Report to:	Planning Committee
Date of Meeting:	20/09/2011
Report by:	Executive Director (Enterprise Resources)

Application No	CL/07/0454
Planning Proposal:	Erection and operation of 14 wind turbines, site control building, siting of meteorological mast, formation of access tracks and ancillary infrastructure

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Catamount Energy Limited
- Location : Andershaw Forest
South of Douglas ML11 0SQ

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 arising from extraordinary wear and tear associated with the development.

3 Other Information

- ◆ Applicant's Agent: Entec UK Ltd
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ 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 20 - Natura 2000 Sites 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
 - ▶ Support Letters
 - ▶ Comments Letters
- ◆ Consultation(s):

Scottish Executive Development Department

Countryside & Greenspace

Environmental Services

Civil Aviation Authority

Scottish Wildlife Trust

RSPB Scotland

Ministry of Defence (MoD)

NTL

Scottish Water

West of Scotland Archaeology Service

SP Energy Network

National Air Traffic Services Ltd (NATS)

Roads and Transportation Services (Clydesdale Area)

British Telecom

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

Ofcom Contact Centre

BAA Glasgow Airport

TRANSCO (Plant Location)

Forestry Commission (Central Scotland Conservancy)

Historic Scotland

Dumfries & Galloway Council

Prestwick Safeguarding

East Ayrshire Council

Douglas Community Council

Scottish Natural Heritage

Leadhills Community Council

Crawford Community Council

Glasgow and Clyde Valley Structure Plan Joint Committee

Transport Scotland

Infratil

Arqiva

Planning Application Report

1 Application Site

1.1 The application site is located approximately 5km south of Douglas and approximately 10km west of M74 motorway. It is within the Andershaw Forrest and is located south west of Auchensaugh Hill and is surrounded by forestry to the north, south and west. To the east of the site lies Middle Muir which forms open moorland. The access to the site would be from the M74 motorway along B7078 for approximately 5km where it would then become an access road into the site. The proposed development site boundary, including access route, occupies a total area of around 326 hectares. The site is located on rolling moorland forestry landscape character type.

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 125m and installed capacity of 3MW. The turbines comprise a tubular tower 80m high with rotor comprising three blades with up to a 90m diameter, and would be semi-matt and pale grey in colour. Associated infrastructure includes access tracks, construction compound and laydown area, meteorological masts, on site substation and transformers in addition to the excavation of a borrow pit to provide stone necessary to construct the access tracks.

2.2 It is anticipated that the development would take approximately 10 months to construct which involves tree removal, the borrow pit operation, construction of access roads, turbine foundations, substation, cable installation, turbine erection, commissioning and 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.

2.3 The majority of the construction traffic traveling to the proposed site will arrive from the north via Junction 11 or 12 of the M74, along the B7078 and it is proposed to access the site via the existing access road to Andershaw Forrest across Middle Muir from Mid Rig, which would be upgraded to accommodate construction traffic. The maximum traffic associated with the construction of the wind farm is predicted to occur in the fifth month of the construction programme. During this month, an average of 26 two-way HGV trips and 30 two-way light vehicle trips would be generated on each working day.

2.4 The application is supported by a full Environmental Impact Assessment and a planning 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:

- i. September 2008 relating to ornithological and hydrological reports
- ii. February 2009 relating to ornithology, forestry and aviation, and revised position of substation
- iii. February 2011 relating to aviation and the Habitat Management Plan.

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 25 February 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 1 – Strategic Development Locations identifies a range of actions to support the Rural Investment Area, within which the site is located. Strategic Policy 7 – Strategic Environmental Resources requires the protection and enhancement of the environmental resources listed in Schedule 7. 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 and Strategic Policy 10 – Departures from the Structure Plan.

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 20: Natura 2000 Sites 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 Environmental Impact Assessment (EIA) process has been instrumental in informing the design of the proposed wind farm which went through a number of different iterations to ensure that it fitted with the site's environmental constraints. This includes a landscape and visual specification for the type of landscape within which the development is located. Consultation was undertaken to agree both the scope of the document to be submitted and to understand public perception of the proposal in order to assist with the design process. Statutory consultations were carried out and this included public exhibitions, in Douglas and Crawfordjohn on 12 and 13 February 2007 at which members of the public were invited to provide their views and comments on the proposals.

4 Consultation(s)

4.1 **Glasgow and Clyde Valley Structure Plan Joint Committee:** No objection, the application does not raise significant issues with regard to Strategic Policies 1, 7, 8 and 9 and addresses satisfactorily criteria in Strategic Policy 10.

Response: Noted. An assessment of the proposed development in relation to the Structure Plan is provided in section 6 of this report.

4.2 **Environmental Services:** provide comments with regards to the impact of the development with respect to issues of noise, vibration, dust, water and land 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):** The route, which is to be used to deliver the abnormal loads, should be assessed to ensure that it is capable of accommodating the intended vehicles, including a dummy load. It is suggested that a trial drive-through of the route is undertaken. Strathclyde Police and the Council's Roads and Transportation Services should be consulted before this is undertaken to agree suitable times. A Travel Plan should be submitted and approved by Roads and Transportation Services. The comments can be addressed by appropriate conditions.

Response: The requirements of Roads and Transportation could be incorporated into planning conditions and/or a section 96 legal agreement.

4.4 **Countryside & Greenspace:** no comment.

Response: Noted.

- 4.5 **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 trunk road network. Amey Infrastructure Services should be consulted as to the feasibility of transportation of the turbines to site.

Response: Noted.

- 4.6 **Civil Aviation Authority:** provides comment on the potential for the proposed development to impact upon aviation operations and activities.

Response: Noted.

- 4.7 **Prestwick Safeguarding:** no objection.

Response: Noted.

- 4.8 **Defence Estate Organisation (MOD):** no objection. Notes that in the interests of air safety the MOD requests that the turbines are fitted with aviation lighting.

Response: Noted.

- 4.9 **National Air Traffic Services Ltd (NATS En Route Plc) (NERL Safeguarding):** objects to the proposal as the proposed development has been examined from a technical and operational safeguarding aspect and conflicts with NERL safeguarding criteria. However discussions are ongoing with NERL and progress has been made with flight trails being completed. There is potential Glasgow Airport radar can provide mitigation and both parties are progressing with legal agreements to formally agree the mitigation solution.

Response: Noted. Significant progress has been made to provide suitable mitigation and agree practical steps necessary for its operation. These matters are at an advanced stage with legal agreements awaiting final conclusion.

- 4.10 **Scottish Environmental Protection Agency (SEPA):** no objection to the proposed development subject to conditions relating to Construction Method Statement, Pollution Prevention Plan, river crossings, borrow pits, water abstractions, storage of oil and fuel, and waste management.

Response: Noted. Any consent granted can be subject to the conditions specified by SEPA.

- 4.11 **Scottish Natural Heritage (SNH):** initially advised that the proposed development is likely to have significant impacts on the natural heritage interests, however further information has been provided and SNH state that these impacts can be reduced to a satisfactory level by the use of conditions as detailed in letters dated 16 November 2007, 6 August 2008, 18 March 2009 and 14 March 2011. SNH no longer raises any cumulative and visual impact issues as stated in their letter dated 6 August 2008. Subject to conditions, SNH do not object to the proposal.

Response: Noted. If consent is granted, appropriate worded conditions can be attached.

- 4.12 **West of Scotland Archaeology Service:** No objection subject to a condition in relation to an archaeological mitigation strategy being prepared and implemented.

Response: Noted. If consent is granted, appropriate worded condition can be attached.

- 4.13 **Scottish Water:** have identified that there are watercourses in the area that may be affected by the proposed development. Conditions can be used to protect assets from the risk of contamination and damage. There are two turbines number 13 and 14 which may impact on a radio telecommunications link monitoring Glespin Water Pumping Station and Auldhouse Burn Service Reservoir Telemetry systems which could cause an interruption of critical data to the Operational Centre. However a suspensive condition can be used to ensure a solution is identified and implemented before the erection of turbine 13 and 14.
Response: Noted. Conditions can ensure appropriate action is taken to protect Scottish Water's assets.
- 4.14 **RSPB Scotland:** no objection subject to two points being addressed in relation to the forest largely remaining in place during both construction and operation of the proposed wind farm; and requested the findings of the repeat black grouse survey. Further ornithology information and a Habitat Management Plan have been submitted which clarify the above points.
Response: Noted. If consent is granted, appropriate worded conditions to implement the Habitat Management Plan can be attached.
- 4.15 **Historic Scotland:** note that Auchensaugh Hill cairn is positioned approximately 1km away from the nearest turbine. Historic Scotland do not consider that the impact is sufficiently adverse and are therefore content with this application.
Response: Noted.
- 4.16 **Forestry Commission:** Raise three requests in their response 1) forestry composition data, 2) compensatory planting due to deforestation and 3) further details regarding the restocking plan.
Response: Forestry composition data has been provided and it is considered that the further details regarding the restocking plan can be secured through appropriately worded conditions. The compensatory planting is considered further in paragraph 6.5.15 below.
- 4.17 **Douglas Community Council:** No response.
Response: Noted
- 4.18 **Leadhills Community Council:** No response.
Response: Noted
- 4.19 **Crawford Community Council:** No response.
Response: Noted
- 4.20 **East Ayrshire Council:** No objection. No adverse impact in terms of potential visual impact and no comment from a roads transportation perspective.
Response: Noted.
- 4.21 **Dumfries & Galloway Council:** No comment.
Response: Noted.
- 4.22 **Transco:** No objection.
Response: Noted.
- 4.23 **British Telecom:** provide guidance for the developer on how to establish the location of existing plant within the vicinity of the site by accessing their website.
Response: Noted.

- 4.24 **Infratil**: No objection, as the proposal appears to be entirely terrain shielded from primary surveillance radar.
Response: Noted.
- 4.25 **Ofcom**: No objection.
Response: Noted.
- 4.26 **Scottish Power**: No objection however would advise that there is overhead line apparatus within the area of the proposal.
Response: Noted.
- 4.27 **Arqiva**: No objection.
Response: Noted.
- 4.28 **Scottish Executive Development Department**: No comment to make on Environmental Statement.
Response: Noted.
- 4.29 **BAA Glasgow Airport**: No comment.
Response: Noted.
- 4.30 **Scottish Wildlife Trust**: No response.
Response: Noted.
- 4.31 **NTL**: 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, South Vennel, Lanark.
- 5.2 Four representations were received from residents of Lanark, Biggar and Douglas. A summary of the issues raised and responses are given below.
- (a) **Comment**: Cumulative impacts resulting from other wind farms.
Response: The cumulative impact issue is discussed within section 6 - Assessment and Conclusions of this report. It is considered that there is an appropriate gap between wind farm developments within this area.
- (b) **Comment**: Unacceptable impact on local landscape and habitat.
Response: Subject to conditions, SNH consider that there will be no significant impacts on landscape and habitats. The proposed development is within the Broad Area of Search for Windfarms identified in SPG Renewable Energy. The landscape type is considered to have medium capacity for wind farm development.
- (c) **Comment**: No evidence to justify that wind farm developments are reducing carbon emissions.
Response: The Scottish Government has set a target of 100% renewable energy by 2020. The Scottish Planning Policy encourages planning authorities to support the development of wind farms in locations where the technology can operate efficiently, and environmental and cumulative impacts can be satisfactorily addressed.
- (d) **Comment**: Significant impact on birds and wildlife, with increase in deaths, disruption and displacement.

Response: SNH has no objection to the proposed development in relation to ecology and ornithology, subject to conditions. The ecology and ornithology impact issues are discussed within section 6 - Assessment and Conclusions of this report.

(e) **Comment:** The proposal will have a negative impact on tourism within the area.

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

(f) **Comment:** Objection regarding the impact on individual residential property.

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

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

6 Assessment and Conclusions

6.1 The following section provides an assessment of the proposed Andershaw Wind Farm against the Glasgow and Clyde Valley Joint Structure Plan 2008, 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 1, 7, 8 and 9 of the approved Glasgow and Clyde Valley Joint Structure Plan 2006, which identifies the site as falling within the Douglas Valley/South Clydesdale Rural Investment Area (RIA).

6.3.2 Strategic Policy 1 sets out the Structure Plan's development framework in terms of strategic development locations and policies for the Green Belt and wider countryside. Schedule 1(d) identifies Douglas Valley/South Clydesdale RIA as an area where investment is needed to sustain rural communities. Creation of local

employment opportunities in the RIA through the development of natural resources based industries including renewable energy, is supported by the Structure Plan. The application site is located within the RIA.

- 6.3.3 Strategic Policy 7 Strategic Environmental Resources requires protection and enhancement of the environmental resources listed in Schedule 7.
- 6.3.4 Schedule 7 (a) Ecological Resources - The proposed development does not directly affect any designated sites, however it lies approximately 1.2km from the Muirkirk and North Lowther Uplands SPA and North Lowther Uplands SSSI, and Red Moss SAC lies approximately 1.8km to the north. Following submission of further information on the ES, SNH advise that subject to conditions and the Council undertaking an appropriate assessment, there are no significant issues for these designated sites. In this respect the proposed SNH conditions and associated mitigation measures can ensure protection and enhancement of the environmental resources listed in Schedule 7.
- 6.3.5 Schedule 7 (b) Landscapes – The application site is located adjacent to the Douglas Valley AGLV identified in the approved Structure and Local Plans. In line with SNH guidance, the AGLV is now known as Douglas Valley Special Landscape Area (SLA) following the South Lanarkshire Validating Local Landscape Designations report approved in December 2010. The application site lies within the Rolling Moorland Foothills landscape character type and taking account of the location and nature of the proposals it is considered that there will be no significant and adverse impacts on the defining characteristics of the landscape character type. Structure Plan policy requires the protection and enhancement of the local landscape designations. Having considered the information submitted with the application and the response from SNH it is considered that the development will have no significant and adverse impacts on the integrity of the SLA and the Rolling Moorland Forestry landscape character type.
- 6.3.6 Schedule 7 (c) Existing and Potential Recreational Resources – There are no strategic recreational resources affected by the proposal, and no rights of way within the site of the proposal.
- 6.3.7 Schedule 7 (d) Built Heritage – The Schedule Ancients Monument described as Auchensaugh Hill cairn is positioned approximately 1km away from the nearest turbine. However Historic Scotland and West of Scotland Archaeology Service consider that the impact is not of significant concern subject to a condition requesting the preparation and implementation of an archaeological mitigation strategy.
- 6.3.8 Taking into account the site's location Schedule 7 (e) Agricultural Land, (f) Mineral Reserves and (g) Undeveloped Functional Flood Plain Areas are not considered relevant to this application.
- 6.3.9 In conclusion it is considered that the proposed development complies with Strategic Policy 7.
- 6.3.10 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 outwith the potential areas of search identified in the Structure Plan and therefore the development would raise strategic planning issues. The policy requires developments to be assessed against constraints listed in Strategic Policy 8 (c) Renewable Energy and states that priority should be given to the protection of the strategic environmental resources set out in Strategic Policy 7

and Schedule 7. I have previously concluded that the proposal complies with to Strategic Policy 7 (paragraphs 6.3.3 to 6.3.9). It is therefore concluded that as the proposal partially complies with Strategic Policy 8 it requires to be assessed against Strategic Policies 9 and 10.

6.3.11 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.

6.3.12 Strategic Policy 9B relates to the location of the development. The proposal does not raise significant issues with regard to Strategic Policy 9B iv) aimed at safeguarding the environmental resources listed in Schedule 7 or identified in Local Plans.

6.3.13 Strategic Policy 9C relates to the provision by the developer of appropriate infrastructure/mitigation measures. Suitable worded conditions and mitigation measures can ensure appropriate provision is made. Accordingly the proposal complies with Strategic Policy 9.

6.3.14 Strategic Policy 10A requires consideration to be given to the appropriateness of the development having regard to specific criteria to justify the proposal. The only relevant criteria is 10A v) – specific locational need. The other criteria are not relevant to wind farm development. While wind farms can only be developed where there is a significant wind resource, Broad Areas of Search (BAoS) for wind farms of 20MW have been identified in the South Lanarkshire Council SPG Renewable Energy 2010. The application site falls within a BAoS which is an area with less constraints and landscape impacts. The criteria of specific locational need is therefore considered to be a justification, and accordingly I consider the proposal does comply with Strategic Policy 10A.

6.3.15 It is therefore demonstrated that the application does not raise significant issues with regard to Strategic Policies 1, 7 8 and 9 and addresses satisfactorily the criteria in Strategic Policy 10. Therefore, it is concluded that the proposed development complies with the Structure Plan.

6.3.16 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 within the Broad Area of Search in the SPG and is assessed in full against 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 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 economic activity, land use and amenity has been discussed within Chapter 15 of the Environmental Statement (ES). The impact of wind farms on tourism is also discussed in Chapter 15 and has been considered in detail in a number of other studies. In particular, a study undertaken by the Glasgow Caledonian University for the Scottish Government 'The economic impacts of windfarms on Scottish tourism', published March 2008 concludes that whilst there is an impact on tourism, it is very small. Taking account of all of the above and the conclusions in the ES it is considered that the proposal is unlikely to create a significant positive or negative impact on the tourism. The impacts on the natural environment are considered in detail under ENV 4 at paragraph 6.4.5 below and as there are no significant impacts identified, the proposed development is considered to comply with policy STRAT 4.

6.4.3 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 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 a design approach, which has considered scale, design and landscape character. 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 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 an international or national designated site. The nearest designated sites are Muirkirk and North Lowther SPA, North Lowther Uplands SSSI and Red Moss SAC, and the ES and additional information provided shows their overall integrity is not to be comprised, subject to conditions and mitigation measures. SNH concur with this, provided appropriate conditions are attached. Taking account of the ES and the comments from SNH it is considered that the integrity of these resources will be not significantly undermined and that the proposal therefore 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 6.3.10, the proposed development is not located within the potential area of search identified in the Structure Plan. However in response to Policy ENV 15 (referred to below) the Council's approved SPG on Renewable Energy reviewed and identified Broad Areas of Search (BAoS). The assessment of the development against the relevant policy in the SPG - Policy REN 3 - is considered at paragraph 6.5.3 below. It concludes that the proposed development is within the BAoS in the SPG.

- 6.4.7 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 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. The Council's policy seeks a level of £2,500 per consented MW per annum for the operational life of the wind farm.
- 6.4.9 ENV 20: Natura 2000 Sites Policy requires that development likely to have an impact on a Natura 2000 site will be subject to an appropriate assessment. The designated sites are considered in paragraph 6.3.4 and 6.4.5 above. Due to the likelihood of the proposed development having a significant effect on the qualifying interests of the Muirkirk and North Lowther SPA and Red Moss SAC, the Council is required to undertake an appropriate assessment. SNH advise that based on the appraisal carried out, the hydrological report, and provided the Habitat Management Plan, prepared June 2010 is implemented, then the proposal will not adversely effect the integrity of the SPA or SAC. The impacts, therefore, are unlikely to be significant and the proposal will not have an adverse effect on the integrity of the designated sites subject to the attached conditions. Consequently, the proposal is in accordance with Policy ENV 20.
- 6.4.10 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 Chapters 9 and 10, and the subsequent additional information provided also considered the potential impact on species. By applying effective mitigation measures, the ES and additional information concludes 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.
- 6.4.11 ENV 23: Ancient Monuments and Archaeology aims to avoid adverse effects upon scheduled ancient monuments and archaeological resources. As assessed in paragraph 6.3.7 there are no major impacts on these resources. Historic Scotland and West of Scotland Archaeology Service concur with this conclusion, subject to conditions being imposed that request the preparation and implementation of an archaeological mitigation strategy, if consent is granted. Accordingly, the proposal complies with Policy ENV 23.

- 6.4.12 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. An analysis of the Zone of Theoretical Visibility (ZTV) indicates that the proposed development will be visible from 11 of 129 listed buildings identified within 15km of the turbines. The nearest listed building is the Category B listed Crawfordjohn Parish Church and Graveyard which is located 3.3km to the south east of the site. The ES provides full details of the assessment of the proposed development on cultural heritage at Chapter 12. The proposed development is not shown to have a significant impact on any historic environment asset and Historic Scotland concurs with the conclusion. On this basis the proposals accords with Policy ENV 24.
- 6.4.13 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 6.3.4 and 6.4.5 and supported by SNH, the integrity of the North Lowther Uplands SSSI will not be comprised. Therefore the proposed development is found to be in accordance with Policy ENV 26.
- 6.4.14 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. There are no Historic Gardens and Designed Landscapes within the study area and therefore this policy is not considered relevant.
- 6.4.15 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.
- 6.4.16 ENV 32: Design Statements Policy requires that a Design Statement accompany all developments proposals, subject to exceptions. Chapter 5 of the ES outlines the approach to site design and development.
- 6.4.17 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.

ENV 38: Renewable Energy Site Assessment Policy:

- 6.4.18 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 6.3.4, 6.4.5 and 6.4.13 above. On this basis the proposed development complies with criterion (A) of Policy ENV 38.

- 6.4.19 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 paragraphs 6.3.5 and 6.4.15 there will be no unacceptable effects on the Rolling Moorlands Forestry landscape character and no significant adverse visual impact on the landscape quality of the RSA and AGLV (now known as Douglas Valley SLA.) On this basis the proposed development complies with criterion (B) (1).
- 6.4.20 Criteria (B) (2) requires cumulative visual and landscape impacts to be fully assessed and be shown to be acceptable. Chapter 7 of the ES reports the results of the cumulative impact assessment in detail. The detailed visual assessment has been undertaken using the appropriate methodology and in accordance with guidance. The visual impact assessment analyses in detail the views from 20 representative locations between 2.5km and 30km from the site. It is concluded that only three of the locations (up to 3.2km distant) will experience significant impacts, and that two of these will be adverse. The Rolling Moorlands Forestry landscape character type as defined in the South Lanarkshire Landscape Character Assessment (approved December 2010) is considered to have scope for wind farm developments though there is a need to maintain discrete separation of wind farms on hills. SNH no longer object to the proposed development on the basis of cumulative landscape and visual impacts, as detailed in their letter dated 6 August 2008. 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).
- 6.4.24 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. Chapters 9 and 10 of the ES reports on ecology and ornithology interests respectively. As previously assessed in paragraphs 6.3.4 and 6.4.10 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).
- 6.4.25 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).
- 6.4.26 Criteria (B) (5) is met as the proposed development complies with ENV 23, ENV 24 and ENV 28 as noted in paragraphs 6.4.11, 6.4.12 and 6.4.14 respectively.
- 6.4.27 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 Chapter 15 of the ES and furthermore in a letter dated 30 March 2009. It is considered that the proposed development will save approximately 1.18m 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 located within a BAOS and therefore 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 6.4.9, 6.4.10 and 6.4.13 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 Rolling Moorlands Forestry landscape type. The South Lanarkshire Spatial Framework for Wind Farms (December 2010) defines Rolling Moorlands as having a medium landscape sensitivity and value, which indicates a medium capacity for wind farms. The visual impact has been assessed in paragraphs 6.4.20 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 SLA's 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 located adjacent to the

Douglas Valley SLA and its impact has been assessed above at paragraphs 6.3.5, 6.4.15 and 6.4.19. This demonstrated that the development did not have a significant or material effect on this designation. On this basis the proposed development complies with criteria 5.

- 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 outwith the areas where cumulative impacts limit further development. The proposed development therefore does not significantly affect the landscape objectives for this area. On this basis 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. A comprehensive assessment of cumulative impacts is carried out. This includes all existing and consented wind farms and current applications within a 60km radius of the proposed development. The cumulative assessment is thorough and well illustrated. The methodology follows current best practice and the conclusions are reasonable and supported by the evidence. 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. Chapter 7 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 6.4.24 and 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 proposed development and restocking plan strikes a balance between retaining the current use of the forestry whilst allowing a new use to co-exist. The advice in 'Policy on Control of Woodland Removal' considers the level of significance associated with the removal of trees. The 1% loss in woodland cover as a result of the proposed development is judged to be significant by FCS in their consultation response and they request that compensatory planting is provided. However, taking account of the scale of the woodland I consider that a loss of 1% is not significant and other factors require to be taken into account. The re-design of the existing mono-block forestry on the site, to a more suitable and sensitive standard, increases the environmental quality of Scotland's woodland cover. This is in line with Scottish Government policy. The re-design also provides a greater proportion of open space and native species in the planting mix, compared with the original mono-block planted forest. The Forest Management Plan which includes the proposed new forest design is also a component of the Habitat Management Plan (HMP). Appropriate conditions are attached to ensure the HMP is approved and implemented in consultation with the Council and with the FCS. Furthermore compensatory planting of the limited scale suggested is not considered to be more effective in securing carbon savings. The net loss of forestry as a result of the forest redesign results in approximately 9,900 tonnes less CO₂ saved over the lifetime of

the proposed wind farm; in comparison the proposed wind farm could save approximately 1.1m tonnes of CO₂ over the 25 year lifetime of the development. Therefore I consider 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 6.4.11, 6.4.12 and 6.4.14. 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 14 – Impact on Peat and Soils. The ES provides assessment on soils and peat within Chapter 13. Peat is degraded as a result of the existing coniferous forestry plantation. It is stated that once the site is operational, peat soils will be reinstated, where possible, surrounding the turbines bases and no further impact is expected on peat areas. Accordingly, the proposal complies with criteria 14.

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 drainage requirements. 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 effect on the amenity of residents as a result of shadow flicker, other omissions and television reception. 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 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 Chapter 15 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 I am satisfied that the proposed development complies with criteria 19.

6.5.24 Criteria 20 – Transport impacts. No significant issues raised, 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. Any adverse effects with regard to television and radio interference resulting as a direct effect of the proposed development will be resolved through technical solutions. On this basis, the proposed development will accord with criteria 21.

6.5.26 Criteria 22 – Impact on Radar and Defence. The ES assesses the potential impact of the proposed development on radar and defence systems within the vicinity of the

site and further information has been provided on aviation matters in February 2009 and February 2011. NATS En Route Plc state that the proposed development conflicts with NATS safeguarding criteria, and therefore the proposed development does not comply with criteria 22. However, matters have been progressing between the developer and NATS for sometime. A report regarding Flight Trail Results were published in May 2011, and from this report Air Traffic Control have identified that Glasgow Airport Primary Surveillance Radar can be used as potential mitigation for Andershaw, subject to terms and contract. A legal agreement has been prepared though has still to be finally concluded. I consider that in this case a technical solution has, in principle, been established and only requires finalisation of the necessary agreements. I consider that this technical solution can be achieved within a reasonable timeframe due to the significant progress that has been made to date. On the basis of the above I am content that in this particular case the proposal complies with the aviation policy and that the use of a suspensive condition to ensure a technical solution is agreed with NATS, before any development starts, would be appropriate.

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 windfarm 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 type 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)

12 September 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Environmental Impact Assessment
- ▶ Supporting statement
- ▶ Ornithological and hydrological reports September 2008
- ▶ Ornithology, forestry and aviation reports dated February 2009
- ▶ Aviation reports and the Habitat Management Plan dated February 2011

- ▶ Consultations
 - TRANSCO (Plant Location) 18/07/2007

 - Civil Aviation Authority 18/07/2007
24/02/2011

 - RSPB Scotland 27/07/2007
19/02/2009

 - East Ayrshire Council 19/07/2007
3/09/2007

 - Power Systems 19/07/2007
and
07/02/2011

 - National Air Traffic Services Ltd 26/07/2007
23/08/2007
15/10/2007
15/03/2011

 - British Telecom 23/07/2007

 - Ministry of Defence 23/08/2007
06/03/2009

 - Dumfries & Galloway Council 23/07/2007

 - Ofcom Contact Centre 06/08/2007

 - West of Scotland Archaeology Service 14/09/2007

 - Scottish Water 09/08/2007
13/02/2008

 - S.E.P.A. (West Region) 07/09/2007

 - Forestry Commission (Central Scotland Conservancy) 22/10/2007
05/03/2009

 - Scottish Natural Heritage 21/11/2007
07/08/2008

	19/03/2009 17/03/2011
Historic Scotland	07/01/2008 02/07/2008
Scottish Executive Development Department	02/07/2008
Prestwick Safeguarding Consultee	02/07/2008
Crawford Community Council	04/03/2009
Roads and Transportation Services (South Division)	22/02/2011
Transport Scotland	11/07/2008
Glasgow and Clyde Valley Structure Plan Joint Committee	24/07/2007
Environmental Services	31/08/2007
Arqiva	06/08/2007
Infratil	02/07/2008

► Representations

Representation from : Andrew R Nelson, 5 Scarletmuir
Lanark
ML11 7PS, DATED 13/08/2007

Representation from : Marion Kelly, Earlsmill
By Glespin
Douglas
ML11 0SQ, DATED 09/08/2007

Representation from : Graham Archibald, 5 Addison Drive
Douglas
ML11 0PZ, DATED 01/08/2007

Representation from : Helen Jackson, Stonehill Farm
Crawfordjohn
ML12 6SU, DATED 07/08/2007

Contact for Further Information

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

Ruth Findlay
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E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to:
 - Environmental Statement and Supporting Statement dated June 2007
 - Supplementary Information – Ornithology dated October 2007, November 2008
 - Technical Note – Hydrological Survey and Review May 2008
 - Habitat Management Plan including Forest Management Plan dated June 2010
 - Drawing Revised site boundary November 2009
 - Drawing Figure 5.2 Indicative Wind Turbine
 - Drawing Figures 6.1 - 6.6 Indicative construction details

- 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 39 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 That the applicant shall minimise noise generations and emissions from the site by every practicable means and shall at all times operate in full accordance with Chapter 8 – Noise as detailed in the Environmental Statement.
- 7 That 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 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.
- 8 That noise from the wind turbines must not exceed a noise level of 35dB LA90 (10 min) or background LA90 (10 min) +5dB, whichever is the greater, at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 9 metres per second as measured within the site.
- 9 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 the above shall be reduced by 5dB, and 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).
- 10 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.
- 11 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.
- 12 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.

- 13 Prior to work commencing on site a Vibration Monitoring Programme shall be submitted to and approved by the planning authority. Thereafter, the applicant shall abide by the terms of the approved Vibration Monitoring Programme.
- 14 a) That the applicant/developer shall adopt at all times good blasting practise and, as far as is reasonably practicable, not carry out blasting operations in adverse weather.
b) No blasting shall take place outwith the hours of 10.00hrs to 12.00hrs mid-day Monday to Saturday, and 14.00hrs to 16.00hrs Monday to Friday and shall be controlled such that the maximum peak particle velocity in any plane does not exceed 6mm per second, at all sensitive receptors.
- 15 Prior to works commencing on site a Dust Monitoring Programme shall be submitted to and approved by the planning authority. Thereafter, the applicant shall abide by the terms of the Dust Monitoring Programme and every practicable means shall be taken to minimise dust emissions to the satisfaction of the planning authority.
- 16 A water level and quality monitoring programme, that includes the private water supplies in the vicinity and incorporates mitigation measures to maintain a secure quantitative and qualitative water supply, shall be submitted to and agreed in writing with the Planning Authority, in consultation with SEPA, prior to work commencing. This shall include visual inspections of water features and periodic ad-hoc sampling and analysis of surface water, groundwater and private supplies, (e.g. turbidity and pH). Thereafter, any mitigation measures as identified in the assessment (amended, if appropriate by the relevant planning authority and SEPA) shall be implemented in accordance with the requirements of the approved programme.
- 17 Prior to commencement on site any impacts on the Scottish Water Radio Link shall be identified and a mitigation solution shall be submitted to and approved by the Planning Authority, in consultation with Scottish Water and thereafter implemented prior to the erection of turbines number 13 or 14.
- 18 That a pre-clearance ecological survey shall be carried out by a person approved by the Planning Authority as being competent in making this assessment and that all tree felling works shall be undertaken outwith the bird breeding season.
- 19 Prior to commencement of development, the applicant shall produce a Traffic Management Plan for the approval of the planning authority. Thereafter, all transportation shall be in accordance with the agreed plan and any measures identified in the Transport Proposals report should be fully implemented. Any proposed amendments to the Traffic Management Plan report must be approved by the Planning Authority prior to them being implemented.
The Traffic Management Plan shall cover:
a) The intended turbine transportation route, timings and methodology.
b) Proposals to ensure that the Site access road from B7078 is maintained clear of any mineral or mineral derived material, including soils, during the construction of the development.
c) All temporary works including relocation of signs, guardrails, bollards, street furniture and all temporary measures.

- d) The duration, frequency and temporary measures required at each of the affected locations on a site specific basis.
- e) Proposals for the transport of staff and construction materials.
- f) Any necessary mitigation.

20 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) 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
- k) A scheme of working for each borrow pit including method of works, drainage, implementation, and restoration and aftercare.
- g) Compliance with the Council's Sustainable Drainage Systems (SuDs) design criteria guidance
- l) Measures to ensure stability during construction of turbines and infrastructure on peat
- i) A description of and measures to mitigate impact on surface water courses and the shallow hydrology.
- m) 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.
- n) A description of the methods of stream crossing
- o) Details of how the works will Comply with the guidance provided in SEPA's letter dated 4 September 2007 describing requirements on:
 - Foul Drainage

- Borrow Pits: concrete supply and rock crushing
- Borrow Pits: Drainage
- Water Abstractions
- Storage of oil and fuel
- Waste Management
- p) Timing and extent of any necessary re-instatement.
- q) Details for wheel wash facility to maintain the public road network clear of any mineral/soils throughout the construction period.

- 21 Each turbine shall be erected in the position indicated on Figure 1.3 Proposed 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.
- 22 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 and crane pad within the development.
- 23 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.
- 24 Prior to commencement of development an integrated drainage strategy for the whole site shall be submitted to and approved by the planning authority in consultation with SEPA, and thereafter implemented.
- 25 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 bridged and culverted unless 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.

- 26 The applicant shall monitor the measures described in condition 25 above, in accordance with a scheme to be agreed in writing with the Planning Authority in consultation with SNH and SEPA, to ensure that any unforeseen significant impacts on Red Moss SAC can be identified and remediated. The scheme shall include:-
- Monitoring of water quality in the watercourses to which the site drains before and during construction, to ensure that no significant negative effects are occurring.
 - Routine monitoring of access track and river crossing conditions during construction and operation, and
 - a scheme of remedial actions, and a programme describing how they would be implemented.
- 27 Prior to the commencement of development, a full site waste management plan shall be submitted to and approved by the planning authority, in consultation with SEPA, and the plan shall thereafter be implemented in accordance with a schedule agreed with the Planning Authority.
- 28 No development shall take place until temporary fencing, or other temporary marker has been erected in a manner to be agreed with the Planning Authority, to protect known archaeological sites within the wind farm area; and no works shall take place within the area inside that fencing, or other temporary marker, without the prior agreement of the Planning Authority.
- 29 No development shall commence until a Primary Radar Mitigation Scheme has been agreed with NATS (En Route) plc and submitted to and approved in writing by South Lanarkshire Council.
- 30 No turbine shall be erected until the approved Primary Radar Mitigation Scheme has been fully implemented and the development shall thereafter be operated fully in accordance with such approved Primary Radar Mitigation Scheme as referred to in condition 29.
- 31 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.

- 32 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 semi-matt 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.
- 33 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.
- 34 Only mechanical means of snow clearance shall be used to clear access tracks, unless otherwise agreed in writing by the planning authorities.
- 35 Prior to the commencement of the development the applicant must erect signs on all access routes and thereafter maintain the signs advising drivers of heavy goods vehicles to remain on specified access routes. No signs will be erected on the site without the prior written consent of the planning authority, other than those required for safety or traffic management.
- 36 Bird diverters should be attached to the outer guy wires of the meteorological mast, at 2.5m intervals, prior to raising the mast, and maintained for the life of the mast.
- 37 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, Species, Breeding Birds 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 20.
- 38 Three months prior to the commencement of decommissioning an Ecological Clerk of Works shall be appointed by the Company and approved by the planning authority after consultation with SNH until the completion of aftercare or such

earlier date as may be agreed in writing by the planning authority. The scope of work of the Ecological Clerk of Works shall include those elements identified in condition 37 with the exception of the third and fourth bullet points of that condition.

- 39 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.
- 40 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.
- 41 Prior to commencement of development the developer shall submit for the Council's approval an archaeological mitigation strategy. Thereafter the developer shall ensure that the approved strategy is fully implemented and that all recording, recovery and/or protection of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 42 Prior to any works commencing on the site
- i) the Habitat Management Plan (HMP), prepared in June 2010, shall be updated in consultation with SNH and RSPB and submitted to the planning authority for approval and thereafter implemented in full.
 - ii) 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 and RSPB 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
- 43 Prior to the commencement of construction work a suitably qualified surveyor shall survey 100 metres upstream and downstream of all watercourse crossing points for evidence of otters including holts, couches and pathways; and where turbine

bases, construction compounds and borrow pits are to be located within 200 meters of freshwater environments, shall survey the area within a 100 metres radius of these footprints to identify any otter holts, couches or pathways within these areas. The report of this survey which shall include such actions as are required to mitigate or remediate the identified impacts shall be submitted to and approved by the Planning Authority before construction works commence, and all necessary mitigation or remedial actions shall be undertaken in accordance with the details set out in the report. .

- 44 All water crossings shall include mammal ledges within their design to allow unrestricted otter movements. Otter ledges should be placed 15cm above the highest flood level and be approximately 50-60cm in width.
- 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 No new site access tracks should be located on blanket bog habitat.
- 48 All cut turfs associated with the construction of new or upgraded roads shall be relocated to exposed batters (road edges) immediately after each section is complete and stored turfs shall be watered.
- 49 Turf, top soil, sub soil, and peat, shall be relayed in layers that accord with the way in which they were originally placed prior to them being excavated.
- 50 All vehicles entering the site shall be allocated a spill kit, and the driver instructed in pollution prevention methods. Spill kits shall also be placed at all bridge or culverts. .
- 51 Prior to construction 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.
- 52 All tracks shall have a fine gravel wearing course.
- 53 Prior to commencement of the development a method statement describing how

all the hydrological mitigation measures described in the Andershaw Wind Farm – Hydrological Survey and Review dated May 2008 will be implemented shall be submitted to and agreed with the planning authority in consultation with SEPA.

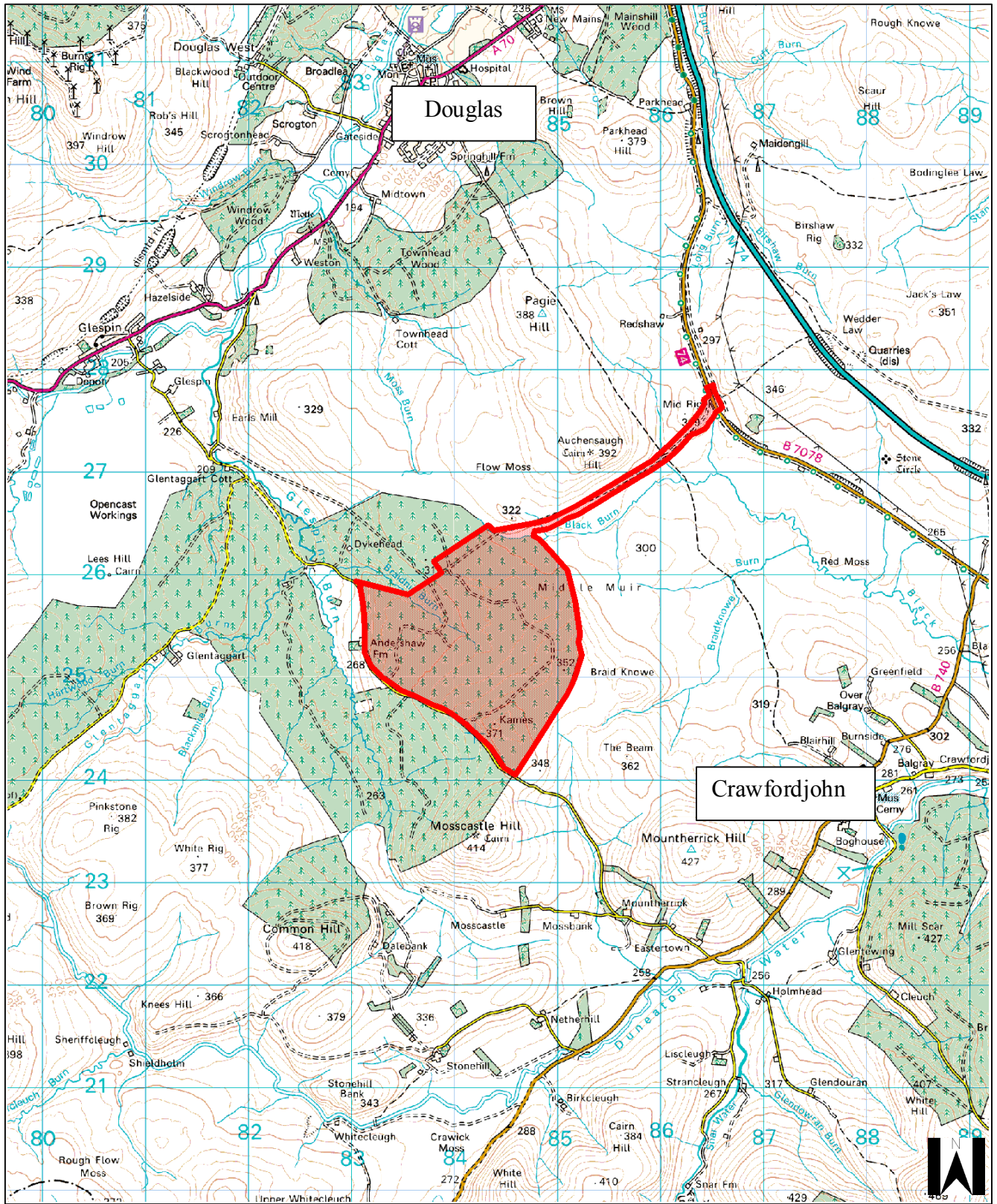
- 54 Prior to the commencement of any deforestation associated with the construction of the development the Forest Management Plan dated June 2010 shall be updated in consultation with SNH, Forestry Commission, RSPB and shall be submitted to and approved in writing by the planning authority.
- 55 The proposed site will take access from the B7078 and utilise the existing access to the Scottish Coal extraction point and prior to the development commencing a method statement demonstrating how the site can be accessed without generating traffic conflicts between vehicles entering/egressing the site, associated with timber extraction wind farm construction and coal mining, and the measures identified in the statement to prevent such conflict shall be implemented in full
- 56 That no new access to the site shall be constructed or used without the prior written permission of the Planning Authority.
- 57 Sole access to the site shall be from the B7078; no construction vehicles to access the site from the B740 or C15 Andershaw Road.
- 58 Any alterations to the existing site entrance or any new access point shall require the installation of barriers, in a location to be agreed with the Planning Authority, to prevent any conflict between vehicle and cycles, prior to the access being brought into use.
- 59 A Travel Plan should be submitted to and approved by Roads and Transportation Services and implemented in accordance with the details detailed in the approved plan.
- 60 A drainage system capable of preventing any water from flowing onto the public road or into the site from the public road or surrounding land shall be provided and maintained
- 61 Developer is responsible for any alterations required to statutory undertaker's apparatus.
- 62 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 39. 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 ensure compliance with all commitments made in the Environmental Statement and to safeguard the noise amenity of local residents.
- 7 To minimise pollution risks.
- 8 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 9 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 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 In the interests of amenity and in order to retain effective planning control.
- 13 To safeguard the noise amenity of local residents
- 14 To ensure compliance with all commitments made in the Environmental Statement and to safeguard the noise amenity of local residents.
- 15 In the interests of amenity and in order to retain effective planning control.
- 16 In order to maintain a secure and adequate quality water supply to all private water supplies that may be affected by the development.
- 17 In order to maintain a secure and adequate quality water supply and retain effective control over Scottish Water's assets.
- 18 To ensure works are undertaken in a manner which minimises the impact on ecology and habitat.
- 19 In the interests of road safety and in order to retain effective planning control.
- 20 To ensure compliance with all commitments made in the Environmental Statement, minimise pollution risks arising from construction activities.
- 21 In the interests of amenity and in order to retain effective planning control.
- 22 In order to retain effective planning control.
- 23 To minimise pollution risks
- 24 To minimise adverse impacts.
- 25 To minimise adverse impacts and ensure development conforms to Environmental Statement.
- 26 To minimise environmental impact on watercourses and water crossings.
- 27 To minimise environmental impact.
- 28 In order to retain effective planning control.
- 29 In the interests of public safety.
- 30 In the interests of public safety.
- 31 In the interests of amenity and in order to retain effective planning control.
- 32 In the interests of amenity and in order to retain effective planning control.
- 33 In the interests of visual amenity.
- 34 To minimise the environmental impact of snow clearing operations by avoiding the use of chemicals or salt without explicit approval.
- 35 In the interests of road safety.
- 36 To minimise environmental impact on natural heritage.
- 37 To minimise environmental impact during the construction phase.
- 38 To minimise environmental impact at the decommissioning phase.
- 39 In the interests of amenity and in order to retain effective planning control.
- 40 To minimise disturbance to residents in the vicinity of the wind farm.
- 41 To minimise adverse impacts on archaeology on site and to ensure development conforms to Environmental Statement.

- 42 To safeguard the environmental impacts, designated sites, species and habitats, to ensure development conforms to Environmental Statement and maintain effective planning control.
- 43 To minimise environmental impact.
- 44 To minimise disturbance to protected mammals during construction phase.
- 45 In the interests of amenity and in order to retain effective planning control.
- 46 In the interests of amenity and in order to retain effective planning control.
- 47 To minimise environmental impact on habitat.
- 48 To minimise environmental impact.
- 49 To minimise environmental impact on natural heritage.
- 50 To minimise pollution risks.
- 51 To minimise environmental impact.
- 52 To minimise environmental impact.
- 53 To minimise adverse impacts and ensure development conforms to Environmental Statement.
- 54 To control the impacts of tree felling and minimise environmental impacts.
- 55 In the interests of road safety.
- 56 In the interests of road safety.
- 57 In the interests of road safety.
- 58 In the interests of road safety.
- 59 In the interests of road safety.
- 60 In the interests of road safety.
- 61 In the interests of road safety.
- 62 In the interests of amenity and in order to retain effective planning control.

For information only



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