

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

Application No EK/10/0358
 Planning Proposal: Construction of 12 wind turbines (126.5m height) and ancillary development

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Falck Renewables Plc
- Location : West Browncastle Farm
Drumclog
By Strathaven
ML10 6QW

2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission – Subject to conditions based on conditions attached.

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: Coriolis Energy
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): National Planning Framework 2 (NPF 2)

Scottish Planning Policy (SPP)
Specific Advice Sheet Onshore Wind Turbines

**Glasgow and Clyde Valley Structure Plan
2006**

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

**Glasgow and Clyde Valley Proposed
Strategic Development Plan**

**South Lanarkshire Local Plan (adopted
2009)**

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

**SLLP Supplementary Planning Guidance:
Renewable Energy (December 2010)**

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

◆ Representation(s):

- ▶ 8 Objection Letters
- ▶ 7 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Strathaven Community Council

Countryside and Greenspace

Environmental Services

Civil Aviation Authority

Scottish Government

Sandford & Upper Avondale Community Council

Glasgow & Clyde Valley Structure Plan Joint Committee

RSPB Scotland

Roads & Transportation Services H.Q. (Flooding)

East Ayrshire Council

BAA Glasgow Airport

Scottish Water

West of Scotland Archaeology Service

SP Energy Network

Scottish Government Rural Payments and Inspections Directorate

National Air Traffic Services Ltd (NATS)

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

Defence Estate Organisation (MOD)

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

Roads & Transportation Services (Traffic and Transportation)

TRANSCO (Plant Location)

Forestry Commission (Central Scotland Conservancy)

Prestwick Airport

Strathaven Airfield

Arquiva

Scottish Wildlife Trust

Historic Scotland

Scottish Natural Heritage

Transport Scotland

Planning Application Report

1 Application Site

1.1 The application site is located approximately 9km west of Strathaven and approximately 4km north of A71. The site area is made up of rough grazing moorland and has been used for grazing purposes in the past three years. The site is bounded by the Whitelee Forest on the north, south and west together with the Whitelee wind farm to the west and north. The closest turbine in the Whitelee wind farm is 120m from this site's western boundary. Planning permission is also being sought for a wind farm on a site which immediately adjoins this application boundary, to the south. The proposed access route for the transportation of abnormal loads follows the M74, A71, Ardochrig Road and East Brown Castle Road. The proposed site including access tracks, occupies a total area of approximately 226 hectares. The site is located on plateau moorland landscape character type.

2 Proposal(s)

2.1 Planning permission is being sought for the erection of 12 wind turbines, each with a maximum ground to tip height of 126.5m and installed capacity of 3MW. The turbines comprise a tubular tower 80m high with rotor comprising three blades with up to a 93m diameter, and would be finished in a pale matt/grey/off-white colour. Crane and associated infrastructure includes foundations, external transformers and crane hardstanding. The proposed development comprises on site access tracks, passing bays and water crossings, substation compound and control building, on site underground electrical cables, and a meteorological mast up to 80m in height.

2.2 An estimated 12 months will be required for the construction phase of the proposed development, followed by a 25-year operational period, and then a decommissioning phase, 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 Junction 8 of the M74, continue along the A71 west through Strathaven, north on Ardochrig Road, at Caldermill, west on an unclassified road towards the application site and the route will then access the site via the unclassified road. The total number of off-site vehicle movements generated during the preparation and construction of the proposed development is estimated to be an average of 56 HGV movements per working day throughout the 12 month programme, and an average of 152 car/light vehicle movements per working day throughout 8 months of the programme.

2.4 The application is supported by a full Environmental Statement (September 2010) and a Planning Statement (January 2011), which seeks to address the potential impact of the development and identify appropriate mitigation measures to reduce adverse impacts.

3 Background

3.1 Relevant Government Advice / Policy

3.1.1 National Planning Framework 2 (NPF 2) June 2009 guides Scotland's development to 2030 and sets out strategic development priorities to support the Scottish Government's central purpose – sustainable economic growth. NPF 2 notes in paragraph 145 "the aim of national planning policy is to develop Scotland's renewable energy potential while safeguarding the environment and communities".

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

3.2 Development Plan Status

- 3.2.1 The Glasgow and Clyde Valley (GCV) Structure Plan 2006 contains policies which are relevant to the consideration of this application. Strategic Policy 8 – Sustainable Development of Natural Resources supports developments which are in Potential Areas of Search for significant wind farm developments and which safeguard and enhance strategic environmental resources. Also relevant is Strategic Policy 9 – Assessment of Development Proposals.
- 3.2.2 The GCV Proposed Strategic Development Plan, through Strategy Support Measure 9, identifies broad areas of search for windfarms that are to be refined through Local Development Plans.
- 3.2.3 The South Lanarkshire Local Plan was adopted in March 2009 and contains the following policies against which the proposal should be assessed:
- STRAT 4: Accessible Rural Area Policy
 - STRAT 9: Environmental Mitigation and Enhancement Policy
 - CRE 2: Stimulating the Rural Economy Policy
 - ENV 4: Protection of the Natural and Built Environment Policy
 - ENV 14: Potential Windfarm Areas of Search Policy
 - ENV 15: Spatial Framework for Windfarms Proposal
 - ENV 17: Renewable Energy Community Benefit Policy
 - ENV 21: European Protected Species
 - ENV 23: Ancient Monuments and Archaeology
 - ENV 24: Listed Buildings Policy
 - ENV 26: Sites of Special Scientific Interest/National Nature Reserves Policy
 - ENV 28: Historic Gardens and Designed Landscapes Policy
 - ENV 29: Regional Scenic Area and Areas of Great Landscape Value Policy
 - ENV 32: Design Statements Policy
 - ENV 38: Renewable Energy Site Assessment Policy
- 3.2.4 The South Lanarkshire Local Plan Supplementary Planning Guidance (SPG): Renewable Energy was approved in December 2010 and is material to the consideration of this proposal. The following SPG policies are relevant to the determination of this application:

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

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

3.3 Planning Background

3.3.1 The Environmental Impact Assessment (EIA) process has been undertaken which has been an iterative process rather than a single, post design, environmental appraisal. The findings of the technical environmental studies have been used to inform the design of the project, and achieve a 'best fit' within the environment and they are provided in the Environmental Statement (ES). This includes a landscape and visual specification for the type of landscape within which the development is located. Consultation responses from both statutory and non-statutory consultees are provided in the ES and discussed further within the relevant technical chapters. Following a leaflet distribution covering up to 5km from the area surrounding the application site, public exhibitions were held on 30th March 2010 at Darvel Town Hall and 31st March 2010 at Ballgreen Community Hall, Strathaven. Exhibitions were held between the hours of 2pm and 7pm and in total attracted approximately 20 visitors.

4 Consultation(s)

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

Response: Noted.

4.2 **Environmental Services**: 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 access tracks, peat stripping, noise, dust, vehicle/road cleaning, drainage and groundwater, annual environmental audit, turbine removal during operation and restoration.

Response: Noted. Conditions have been included in the recommendation to ensure the works are conducted in a way that minimises environmental impact at pre-construction, construction, commissioning and operating phase, and to control restoration and aftercare of the site.

4.3 **Roads and Transportation Services (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. Roads and Transportation have no objection subject to conditions to cover site access, material sourcing/borrow pits, peat arisings, the provision of a Traffic Management Plan, and junction requirements at A71 Darvel Road/ Ardochrig Road. The comments can be addressed by appropriate conditions.

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

4.4 **Roads and Transportation Services (Bridges Engineer)**: No objection to the proposed development subject to conditions noted in their response dated 1

November 2010 which relate to bridge assessments - strengthened/replaced as necessary, monitoring, load movement over bridges.

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

- 4.5 **Roads and Transportation Services HQ (Flooding):** No objection to the proposed development subject to a condition to ensure compliance with Sustainable Urban Drainage Systems.

Response: This requirement can be incorporated into planning conditions.

- 4.6 **Countryside & Greenspace:** No objection subject to conditions requiring the development of a Habitat Management Plan (HMP) to safeguard the biodiversity interest of the site and establishing a habitat management group, comprising of representatives from appropriate interests and agencies. Access proposals for walkers, cyclists and equestrians to link the site with adjacent areas should be provided for the public to use the turbine array road network, and a recreational access plan should be prepared.

Response: Noted. The requirements of Countryside & Greenspace can be incorporated into planning conditions.

- 4.7 **Transport Scotland:** No objection. The proposed development is likely to cause minimal environmental impact on the trunk road network.

Response: Noted.

- 4.8 **Civil Aviation Authority:** No objection. Notes that BAA, MoD and NATS should be provided the opportunity to comment on the application. There might be a need to install aviation obstruction lighting to some or all of the associated wind turbines.

Response: Noted.

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

Response: Noted.

- 4.10 **National Air Traffic Services Ltd (NATS En Route Plc) (NERL Safeguarding):** Originally objected to the proposed development due an adverse impact to the Lowther Hill radar, however an agreement has been entered into between NERL and the applicant to allow suitable worded conditions to design and implement an identified and defined mitigation solution in relation to the proposed development. No objection subject to conditions set out in letter dated 8 November 2011.

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

- 4.11 **Scottish Environmental Protection Agency (SEPA):** No objection. SEPA provided comments in relation to minimization of risk, peat, a Surface Water and Construction Environmental Management Plan (SWCEMP), ecology, access roads and regulatory advice.

Response: Noted. Any consent granted can be subject to conditions to ensure comments raised by SEPA are addressed.

- 4.12 **Scottish Natural Heritage (SNH):** initially raised concerns on aspects of the natural heritage though through clarification and letters dated 9 Dec 2010, 16 March 2011 and 31st May 2011, SNH do not object subject to conditions. The conditions relate to Protection Plans for Protected Species – Otters, Bats, Badgers, Water Voles, a Protection Plan for Breeding Birds; and a Habitat Management Plan (HMP) to be prepared and subsequently implemented, which contains mitigation and

compensatory measures for the entire application site. Further information requires to be provided in relation to a Peat Slide Risk Assessment which can be conditioned.
Response: Noted. If consent is granted, appropriate worded conditions can be attached.

- 4.13 **West of Scotland Archaeology Service:** No objection subject to a condition in relation to the archaeological watching brief and extent and scope of the proposed archaeological recording programme.
Response: Noted. If consent is granted, appropriate worded condition can be attached.
- 4.14 **Scottish Water:** No objection. There are no public sewers or water mains in the vicinity of the proposed development.
Response: Noted.
- 4.15 **RSPB Scotland:** no objection subject conditions relating to preparation and implementation of Habitat Management Plan.
Response: Noted. If consent is granted, appropriate worded conditions relating to the Habitat Management Plan can be attached.
- 4.16 **Historic Scotland:** No objection. There will be no significant effects on any scheduled monuments and their setting, category A listed buildings and their setting and gardens and designed landscapes in the Inventory.
Response: Noted.
- 4.17 **Forestry Commission:** No objection as the proposed development will have no impact on woodland.
Response: Noted.
- 4.18 **Strathaven Community Council:** Objection in relation to number of consented wind farm in the locale. It is noted that the Non Technical Summary of ES provides appropriate steps that will be taken to deal with concerns about peat disturbance and water contamination. Concerns were raised regarding the impact of abnormal loads on the town of Strathaven along the A71
Response: Noted. As stated in paragraph 4.3 above Roads and Transportation Services require the route, which is to be used to deliver the abnormal loads, to be assessed to ensure that it is capable of accommodating the intended vehicles. The Abnormal Loads Route Assessment is provided in the ES Vol. 3 and shows the proposed route. The Scottish Government has set a target of 100% of Scotland's electricity to be generated from renewable sources by 2020. Scottish Planning Policy indicates that wind farms development should be in locations where technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. National and development plan policy and cumulative impact are considered in detail in section 6 of this report.
- 4.19 **Sandford and Upper Avondale Community Council:** Object to the proposed development on the following grounds: (i) ES did not examine grid connection and borrows pits, (ii) justification for the proposal, (iii) ES does not represent a competent assessment of the potential damage to habitat and ornithology, (iv) visibility and cumulative impact, (v) noise and related issues.
Response: The grid connection is subject to a separate application. No borrow pits are proposed within the application site, stone material is to be sourced from existing quarries within South Lanarkshire which has been considered within the ES. The issues (ii) – (v) are considered in detail in section 6 of this report.

- 4.20 **Transco**: No objection. Scotland Gas Networks has no gas mains in the area.
Response: Noted.
- 4.21 **East Ayrshire Council**: No objection as the proposal will not have a significant impact within East Ayrshire.
Response: Noted.
- 4.22 **Prestwick Airport**: No comment.
Response: Noted.
- 4.23 **Strathaven Airfield**: No comment.
Response: Noted.
- 4.24 **SP Energy Network**: No objection however provided relevant records showing approximate position of all known Scottish Power apparatus in the area specified, with the route of the underground transmission cables highlighted.
Response: Noted.
- 4.25 **Argiva**: No objection.
Response: Noted.
- 4.26 **Scottish Government**: No objection. Comments provided in relation to traffic noise and mitigation by restricting delivery times and ensuring effective communication with residents along A71/Ardochrig Road junction of the access route during the construction period.
Response: Noted.
- 4.27 **BAA Glasgow Airport**: No objection.
Response: Noted.
- 4.28 **Scottish Wildlife Trust**: No objection, provide advice on otter, passerine birds and blanket bog.
Response: Noted. Comments and advice will be pursued through mitigation measures identified in ES.
- 4.29 **Scottish Government Rural Payments and Inspections Directorate**:
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, Montrose House, Hamilton and at Civic Centre, East Kilbride.
- 5.2 A total of 15 representations were received which included eight representations of support and seven representations of objection. The majority of representations were from local residents in the vicinity of the proposed development together with Scottish Power Renewables and Sportsflight Scotland. A summary of the issues raised and responses are given below:
- (a) **Cumulative and visual impacts resulting from the adjacent wind farm.**
Response: The cumulative impact issue is discussed within section 6 - Assessment and Conclusions of this report. An assessment of cumulative visual impacts

associated with the proposed development has been carried out as part of the ES Landscape Visual Impact Assessment. It is considered that the proposed development would integrate visually with the existing wind farm development and would not have a dominant visual effect on the Avon Valley.

- (b) **Increase in traffic and impact on local roads which will make walking and cycling on the roads unsafe.**

Response: The access and delivery route has been assessed in the ES and Roads and Transportation Services have no objection to the proposal subject to conditions which will ensure the impact is kept to a minimum. The proposal will create more opportunities for walking and cycling within the area by using the tracks within the proposed development.

- (c) **Lack of environmental benefits from wind turbines and no need for anymore.**

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. In Scotland renewable electricity generation was at 27.4% in 2009, the interim target is 31% by 2011.

- (d) **Impact on amenity in relation to shadow flicker**

Response: Chapter 14 of the ES assesses shadow flicker, air quality, climate, and health and safety. Shadow flicker assessment has been carried out in accordance with PAN 45 which identified 3 potential receptors. The full assessment is in Chapter 14 and it concluded no mitigation for shadow flicker is proposed at this stage. Following appropriate investigation, if shadow flicker is confirmed, appropriate measures can be used to prevent it re-occurring.

- (e) **Impact on and disturbance to habitat, blanket bog; and proximity to Muirkirk SPA.**

Response: SNH have no objection to the proposed development subject to mitigation measures and conditions. The habitat and ecology is discussed further within section 6 - Assessment and Conclusions of this report.

- (f) **Issues with regards to water quality and pollution monitoring plan.**

Response: SEPA and SNH do not object to the proposal subject to mitigation measures and conditions.

- (g) **Concerns regarding turbulence from wind turbines restricting flying at Strathaven Airfield.**

Response: Assessment of Turbulence separation distance from Strathaven Airfield was prepared December 2010 by Spaven Consulting. It was in line with Civil Aviation Authority (CAA) policy. Strathaven Airfield policy is to oppose turbines within 5000m of the airfield on grounds of possible effects of turbulence. The assessment concludes that on a worst case assumption as to the centre of the airfield's 5000m radius zone, no turbines from the proposed development would come within that zone.

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

Response: Chapter 10 of the ES gives consideration to the cumulative effects of noise from Whitelee wind farm and its extensions together with the application site. Environmental Services concluded that the limits set out within the proposed conditions are appropriate for the proposed development and can be achieved. The stand-off distance from the operational turbines of Whitelee wind farm and the

proposed development will ensure that there is a negligible loss of energy yield through wake loss or turbine turbulence.

- 5.3 Eight representations of support were received from local residents in the vicinity of the proposed development. The comments of support considered the benefits to local businesses through the improvement of the local roads, improvement to the local economy and creation of local jobs as a result of the proposed development. Comments received also highlighted that the location was appropriate for wind farm development due to the neighbouring wind farm development and that there would be no additional significant visual impact.

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

6 Assessment and Conclusions

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

6.2 National Planning Policy and Guidance

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

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

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

6.3 Structure Plan Policy

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

- 6.3.2 Strategic Policy 8 (b) Sustainable Development of Natural Resources supports developments that are in the potential areas of search for significant wind farm developments. The application site is within the potential areas of search identified in the Structure Plan and therefore the development would not raise strategic planning issues. Strategic Policy Criteria (d) requires developments to safeguard and enhance the Strategic Environmental Resources listed in Schedule 7. The

proposed development does not impact on the environmental resources listed. It is therefore concluded that the proposal complies with Strategic Policy 8.

- 6.3.3 Strategic Policy 9A relates to the need for the development in terms of the relevant demand assessment. The specific criteria in this policy however do not apply to wind farm developments.
- 6.3.4 Strategic Policy 9B relates to the location of the development. The proposal does not raise significant issues with regard to Strategic Policy 9B (i) and (iv) aimed at safeguarding the environmental resources listed in Schedule 7 or identified in Local Plans.
- 6.3.5 Strategic Policy 9C relates to the provision by the developer of appropriate infrastructure/mitigation measures. Suitably worded conditions and mitigation measures can ensure appropriate provision is made. Accordingly the proposal complies with Strategic Policy 9.
- 6.3.6 It is therefore demonstrated that the application does not raise significant issues with regard to Strategic Policies 8 and 9. Therefore, it is concluded that the proposed development complies with the Structure Plan.
- 6.3.7 The application site is not within the Broad Areas of Search shown in the Proposed Strategic Development Plan. However it should be noted that the Proposed Plan background report 11 – Wind Energy Search Areas (June 2011) states that South Lanarkshire Council have prepared SPG Renewable Energy for their area and this guidance will form the basis for determination of proposals in this area. In terms of the SPG, the proposed development lies outwith the Broad Area of Search in the SPG though the full assessment of the SPG is in section 6.5 of this report. The proposed development is, nevertheless in line with the Spatial Vision of the Proposed Strategic Development Plan as it responds to Scottish Government policies, the need for climate change mitigation, a sustainable low carbon economy, and environmental legislation. On this basis the Proposed Strategic Development Plan broadly supports the proposed development.

6.4 Adopted South Lanarkshire Local Plan 2009

- 6.4.1 In the Adopted South Lanarkshire Local Plan 2009 there are several policies relevant to this proposal which aim to protect the natural and built heritage and which identify preferred areas for wind farm development. The issues raised by the individual policies of the Local Plan are highlighted below.
- 6.4.2 Policy STRAT 4: Accessible Rural Area Policy aims to build on the economic potential of the area's high quality natural and built environment and tourism potential and to ensure these qualities are not eroded. In support of the planning application an Environmental Impact Assessment (EIA) was carried out. The impact of the proposed wind farm in terms of its effects on socio-economics, land-use, tourism and recreation has been discussed within Chapter 13 of the Environmental Statement (ES). Taking account of all of the above and the conclusions in the ES it is considered that the proposal is unlikely to create a significant impact on tourism. The impacts on the natural environment are considered in detail under ENV 4 at paragraph 6.4.5 below though because there are no significant impacts identified, the proposed development is considered to comply with policy STRAT 4.
- 6.4.3 Policy STRAT 9: Environmental Mitigation and Enhancement Policy aims to ensure that all applications measure environmental impact and seek to prevent, reduce or offset any consequences. It is considered that the ES identifies the likely

environmental effects of the proposed development and recommends appropriate mitigation measures.

- 6.4.4 Policy CRE 2: Stimulating the Rural Economy Policy encourages renewable development where there is:
- a specific locational need
 - it respects the landscape, countryside amenity and nature conservation interests
 - it complements the scale, design and character of the locality and;
 - it promotes environmental enhancement.

While wind farms can only be developed where there is a significant wind resource, other criteria in the above policy also require to be met. In designing the proposed development, the landscape, amenity and natural heritage considerations have been taken into account, with the objective of minimizing the environmental impact. The ES outlines 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 Policy ENV 4: Protection of the Natural and Built Environment Policy aims to safeguard sites of international, national and local/regional importance ensuring that they are conserved and where appropriate enhanced. The proposed development is not located on or in close proximity to an international or national designated site. A right of way is located at south-eastern area of the application site. This was recognized as a recreational resource and identified at an early stage. The design of the proposed development has avoided impinging on this resource and the design leaves a suitable distance between the development and the public right of way for health and safety reasons. Therefore it is considered that the integrity of these resources will not be undermined and that the proposal complies with Policy ENV 4.
- 6.4.6 Policy ENV 14: Potential Windfarm Areas of Search identifies potential areas of search for significant wind farm development that accord with the Structure Plan. As noted above at paragraph 6.3.2, the proposed development is located within the potential area of search identified in the Structure Plan.
- 6.4.7 Policy ENV 15: Spatial Framework for Wind Farm Proposals requires the Council to review its policy and spatial framework for wind farms over 20 MW, in line with SPP 6. The SPG Renewable Energy and supporting technical reports were approved in December 2010.
- 6.4.8 Policy ENV 17: Renewable Energy Community Benefit Policy encourages developers of renewable energy facilities in South Lanarkshire to contribute to the Renewable Energy Fund (REF). The applicant has confirmed that should consent for the proposed development be granted and implemented the applicant will contribute to the South Lanarkshire Council Renewable Energy Fund. 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 Policy ENV 21: European Protected Species emphasises the requirement to give full consideration to the potential impact upon European Protected Species and habitats. This policy also applies to species listed in schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 as amended. The ES details ecological and ornithological issues within Chapters 6 and 7. By applying effective mitigation measures identified

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

- 6.4.10 Policy ENV 23: Ancient Monuments and Archaeology aims to avoid adverse effects upon scheduled ancient monuments and archaeological resources. There are no recorded features within the site which may be directly affected by the construction of development and it is considered that there is a low potential for significant, unknown, buried archaeological remains to survive within the site. West of Scotland Archaeological Service agrees with this assessment subject to a condition securing a watching brief is carried out during construction. Accordingly, the proposal complies with Policy ENV 23.
- 6.4.11 Policy ENV 24: Listed Buildings Policy requires that any development affecting a listed building or its setting shall seek to preserve the building and its setting or any features of special architectural interest. There are no listed buildings or other statutory designated sites within the site boundary. There are no Scheduled Ancient Monuments within 2km of any development infrastructure. No listed buildings or gardens and designed landscapes lie within 2km of any proposed turbine. The ES provides full details of the assessment of the proposed development on cultural heritage at Chapter 9. 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.
- 6.4.12 Policy ENV 26: Sites of Special Scientific Interest/National Nature Reserves Policy requires that the overall integrity of the area would not be comprised. As previously assessed in paragraphs 6.3.2 and 6.4.5 there is no significant impact on these sites. Therefore the proposed development is found to be in accordance with Policy ENV 26.
- 6.4.13 Policy ENV 28: Historic Gardens and Designed Landscapes Policy aims to protect, preserve and enhance such places, and developments should not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value. No gardens and designed landscapes lie within 2km of any proposed turbine. Lanfine is the garden or landscape on the Inventory within 10km of the predicted Zone of Theoretical Visibility (ZTV) for the proposed development. It is situated between 6.6km and 8.7km to the southwest of the closest of the proposed turbines. The ES provides full details of the assessment of the proposed development on cultural heritage at Chapter 9. The proposed development is considered not to have a significant effect upon the setting of Lanfine, and Historic Scotland concurs with the conclusion. On this basis the proposals accords with Policy ENV 28.
- 6.4.14 Policy ENV 29: Regional Scenic Area and Areas of Great Landscape Value Policy requires developments to satisfy STRAT 4 and not adversely affect the overall quality of the designated landscape area. There are no designated landscapes covering the proposed development site and there will be no adverse effects on the integrity of the landscape designation within the wider study area. SNH concur with this conclusion and the proposed development therefore complies with Policy ENV 29.
- 6.4.15 Policy ENV 32: Design Statements Policy requires that a Design Statement accompany all developments proposals, subject to exceptions. A Design and

Access Statement dated September 2010 demonstrating an iterative design process has been central to the evolution of the proposed development and complies with relevant guidance.

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

Policy ENV 38: Renewable Energy Site Assessment Policy:

6.4.17 Criteria (A) - International and National Natural Heritage Designations and the Green Belt: The application site is not located within international or national designations or the Green Belt. The proposed development will not result on adverse impacts as assessed in paragraphs 6.3.2, 6.4.5 and 6.4.13 above. On this basis the proposed development complies with criterion (A) of Policy ENV 38.

6.4.18 Criteria (B) (1) Other Natural and Built Heritage Resources: requires that proposals should not have a significant detrimental effect on landscape character or a significant adverse visual impact on the landscape quality of the RSA and AGLV. As assessed above in paragraph 6.4.15 above there is no impact on RSAs or AGLV. The proposed development is located on the plateau moorlands landscape character type, which is identified in the South Lanarkshire Spatial Framework for Wind farms as having medium/high capacity for wind farm developments. However the proposed development is located within an area where cumulative impact is considered to limit further significant development. This is considered further in paragraph below 6.4.20 and 6.5.10. The proposed wind farm lies within Zone 1 – area of lowest natural heritage sensitivity (as identified in SNH's 'Strategic Locational Guidance for Onshore Windfarms in respect of Natural Heritage'). Within this zone SNH considers that wind farm developments could be acceptable in natural heritage terms providing development is undertaken sensitively and with due regard to cumulative impact. I consider that the proposed development can take place without unacceptable significant detrimental effects on landscape character and significant adverse visual impact. On this basis the proposed development complies with criterion (B) (1).

6.4.19 Criteria (B) (2) requires cumulative visual and landscape impacts to be fully assessed and be shown to be acceptable. Chapter 5 of the ES reports the results of the cumulative impact assessment in detail. There are no significant cumulative effects predicted for any landscape character areas, designated landscapes, settlements, A roads, railways or National Cycle Routes. The proposed development integrates with the existing Whitelee Wind Farm which ensures that where the proposal is visible, it will mostly appear as a continuation of the existing wind farm due to the similarities in turbine scale, layout, setting and appearance. SNH consider that due to the proximity of the proposed development to Whitelee wind farm cumulative effects will be minimal and they agree with the assessment in the ES that the effects will be localized and concentrated in the plateau moorlands landscape character type which contains existing and prominent wind farm development.

Having considered the ES and the response from SNH the principle of wind farm development in the proposed location and its cumulative landscape and visual impact is acceptable. The development therefore complies with criterion (B) (2).

6.4.20 Criteria (B) (3) requires that the development will have no unacceptable significant adverse impact on Local Nature Conservation Sites and priority species and habitats, and the developers are required to undertake necessary cumulative impact assessments on ecological and/or ornithological interests. Chapters 6 and 7 of the ES reports on ecology and ornithology interests respectively. There are no significant adverse impacts predicted and no objection from SNH, subject to conditions. On this basis the proposal complies with criteria (B) (3).

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

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

6.4.23 Criteria (B) (6) requires developments to minimize soil disturbance when building infrastructure to ensure the carbon balance savings of the scheme are maximised. Air quality and climate are considered in Chapter 14 of the ES. It is predicted that the proposed development could displace a minimum of 34,356 tonnes of CO₂ emissions each year from entering the atmosphere. On this basis the proposed development complies with criteria (B) (6).

6.5 Other Material Considerations

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

6.5.1 Policy REN 1 identifies Areas of Significant Protection and strongly discourages wind farms developments in these areas. The proposed development is not located within or adjacent to an area of significant protection. Therefore Policy REN 1 is not applicable.

6.5.2 Policy REN 2 requires that constraints set out in Chapter 4 of the SPG be addressed by wind energy developments and that they meet the relevant criteria in Policy REN 6 Assessment Checklist for Renewable Energy. Accordingly the proposed development is assessed against Policy REN 6 below at paragraph 6.5.4.

6.5.3 Policy REN 3 identifies Broad Areas of Search (BAOS) for wind farms over 20MW, and notes that any proposals for 20MW or over outwith the BAOS will be judged on their merits and assessed against the policies in the SPG. The proposed development is not located within a BAOS and therefore will be judge on its merits and assessed against the policies in the SPG. Taking into account the assessment of the SPG in section 6.5 it is considered that the proposal complies with Policy REN 3.

- 6.5.4 Policy REN 6 requires all proposals for wind farms and other renewable energy developments to be assessed against the relevant criteria set out in Table 8.1 - Assessment Checklist for Renewable Energy Proposals. The criteria are considered in turn below.
- 6.5.5 Criteria 1 – Impact on international and national natural heritage designations. This criterion has been previously assessed in paragraphs 6.3.2 and 6.4.5 above. The proposed development is therefore in accordance with criteria 1.
- 6.5.6 Criteria 2 – Impact on Southern Uplands Foothills and Pentland Hills Area of Significant Protection. The proposed development is not located within or adjacent to Southern Uplands Foothills and Pentland Hills Area of Significant Protection. Therefore the proposed development does not impact on this area.
- 6.5.7 Criteria 3 – Impact on the Green Belt. The proposed development is not located within the Green Belt. Therefore it does not impact on this area.
- 6.5.8 Criteria 4 – Impact on the Landscape Character requires that proposals must not have significant detrimental effects on landscape character and/or a significant landscape visual impact. The application site is within the Plateau Moorlands landscape character type. The South Lanarkshire Spatial Framework for Wind Farms (December 2010) defines Plateau Moorlands as having a medium/low landscape value and sensitivity and a medium/low character visual sensitivity, which indicates a medium/high landscape capacity for wind farms. The visual impact has been assessed in paragraphs 6.4.19 above and overall it has been demonstrated that the landscape character type can accommodate wind farm development. The proposed development therefore complies with Criteria 4.
- 6.5.9 Criteria 5 – Impact on Special Landscape Areas (SLA) requires that proposed wind farm developments in SLAs should not affect the qualities for which the area has been recognised, as described in the Council’s ‘Validating Local Landscape Designations’ (December 2010). The application site is not located on or adjacent to SLA’s, therefore the proposed development does not impact on these areas.
- 6.5.10 Criteria 6 – Assess the effects of the development on areas where cumulative impacts limit further development, as identified in the SPG. The proposed development is within the area where cumulative impacts limit further development. The SPG details specific landscape objectives, which proposed developments must address. The cumulative impact area of Whitelee/Avon Valley/Douglas Valley is relevant to this proposal. Criteria 1 of the landscape objectives requires the creation of a sufficient buffer with the surrounding farmlands and that there should be no unacceptable visual impacts on Strathaven and East Kilbride. The proposed development does not encourage visual coalescence of the landscape character types and there is no significant visual impact on the towns. This conclusion is demonstrated in the ES and supported by SNH. Criteria 2 of the landscape objectives requires a broad set back of wind farm development from the southern edge of the Plateau Moorland to ensure there is no dominance of the Avon Valley by wind turbines on the horizon located in the Plateau Moorland. The ZTV details that some nacelles and blades will be seen from parts of the Avon Valley. Views will be intermittent and varied, and trees, vegetation and other man-made features will screen visibility from a significant proportion of the Avon Valley. At a minimum distance of 4-5km and with mainly blades visible it is considered that the proposed development will not dominate Avon Valley. Criteria 3 of the landscape objectives relates to the prevention of commercial scale wind farm development in the Avon Valley, however the proposal is not within the Avon Valley therefore this is not

relevant. Criteria 4 relates to the maintenance of gaps in the Rolling Moorlands to the southern part of the area where cumulative impacts limit further development. This requirement is not relevant to this proposal. The proposed development therefore does not significantly affect the landscape objectives for this area. On this basis the above the proposed development complies with criteria 6.

- 6.5.11 Criteria 7 – Cumulative Impacts. Cumulative landscape and visual impact assessment requires to be taken into consideration. The Landscape and Visual Impact Assessment (LVIA) has been undertaken in accordance with best practice guidance, and demonstrates the predicted residual landscape, visual and cumulative effects. The LVIA covers a study area of 35km radius from each of the outer turbines, which is considered to be the maximum radius within which a significant effect could occur, given the height of the turbines proposed, and follows good practice guidance. SNH agree with the assessment that although the proposal will have significant and adverse impacts on landscape and visual amenity these will be localized and in the majority of instances the wind farm will be identified in the landscape as part of the adjacent Whitelee wind farm. Landscape effects, therefore, are concentrated within existing upland character areas where wind farm development is either directly or indirectly an established part of the landscape character. SNH do not consider that the proposed development will significantly increase the perceived spread of wind farm development into adjacent lowland character areas. I agree with the findings of the ES and concur with SNH's advice 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 5 of the ES provides the full assessment. The proposed development therefore accords with criteria 8.
- 6.5.13 Criteria 9 – relates to developments of 4 turbines or less therefore it is not relevant to this proposal.
- 6.5.14 Criteria 10 – Impacts on nature conservation interests. This has been previously considered in paragraph 6.4.20 where it concludes there are no significant adverse impacts predicted and no objection from SNH, subject to conditions. The applicant requires to submit a Habitat Management Plan (HMP) to secure biodiversity objectives. On this basis the proposal accords with criteria 10.
- 6.5.15 Criteria 11 – Impact on Trees and Woodland. There is no removal of trees or woodland proposed therefore this criterion is not relevant.
- 6.5.16 Criteria 12 – Impact on Historic Environment. The proposal has previously been assessed against built heritage policies above in paragraphs 6.4.10, 6.4.11 and 6.4.13. The proposed development is found to be in accordance with criteria 12.
- 6.5.17 Criteria 13 – Impact on Historic Environment – wind energy developments. As assessed in paragraph 6.4.10 there are no major impacts on these resources and Historic Scotland and West of Scotland Archaeology Service concur with this conclusion, provided a condition is attached to request a watching brief. Accordingly, the proposal complies with criteria 13.
- 6.5.18 Criteria 14 – Impact on Peat and Soils. The ES provides assessment on hydrology, geology and hydrogeology within Chapter 8, and technical appendices are provided with a Private Water Supplies Risk Assessment, Peat Slide Risk Assessment and Surface Water and Construction Environmental Management Plan (SWCEMP).

Through the turbine design layout, the two areas considered to be of medium risk of a peat slide event have been avoided. SEPA has no objection to the proposal subject to comments being taken into account. 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. SWCEMP identifies measures that ensure any effects on the surface and groundwater environment are minimized. SEPA has no objection though provided comments can be addressed through the SWCEMP. Accordingly, the proposal complies with criteria 16.

6.5.21 Criteria 17 – Impact on Residential Amenity. Chapter 14 of ES provides assessment on shadow flicker. Three properties have been identified as having potential shadow flicker effects. Due to the low level of likely effects predicated and financial involvement of the properties involved, no mitigation for shadow flicker is proposed. Chapter 10 assesses the effects of noise. Noise is not predicted to exceed the required limits and Environmental Services have provided suitable conditions to control impacts. Whilst there are no significant effects predicted from construction activities, other than construction traffic, best practice measures will be applied to reduce noise generation on-site as much as is reasonably practicable. 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 13 of the ES assesses the likely effects of the proposed development on tourism and recreation. The closest formal tourism receptors to the proposed development include Strathaven Airfield, Strathaven Castle and Strathaven Park, all approximately 5km – 8.5km from the application site. The area surrounding the site is used for more informal recreation, which includes walking, cycling and horse riding. A report commissioned by the Scottish Government, prepared by Glasgow Caledonian University in 2008, concluded that tourism and wind farms are compatible as the effects are minimal provided that planning and marketing are carried out effectively. 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. Traffic and transport are assessed in Chapter 11 of the ES. No significant issues are raised, subject to appropriate conditions. Therefore, the proposed development accords with criteria 20.

6.5.25 Criteria 21 – Impact on Transmitting or Receiving Systems. Chapter 12 of the ES assesses the potential impact of the proposed development on receiving systems and concludes that no residual effects are predicted. 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. Chapter 12 of the ES assesses the potential impact of the proposed development on radar and defence systems within the vicinity of the site. NATS En Route Plc (NERL Safeguarding) have no objection to proposed development subject to conditions following an agreement with the applicant. On this basis the proposed development complies with criteria 22.

6.5.27 Finally, in view of the exceptional demand that would be made on the Council's resources in order to monitor and enforce work on this site, including the review of advice provided by the Ecological Clerk of Works, it is considered appropriate that the developer be required to meet the cost of funding these tasks. The life of the wind farm is 25 years and after the end of this period, or should the wind farm no longer be operational prior to that time, the proposed development site will be required to be restored. A restoration plan will be prepared by the developer and agreed by the Council in consultation with SNH. A legal agreement will require the provision of a restoration bond by the developer to ensure that funds are available to the Council to restore the site in the event of the developer failing to do so.

6.6 Conclusions

In conclusion, it is inevitable that a development of this scale will have some environmental impact. However the proposed development is located on a site adjacent to an existing wind farm development and from the LVIA it is evident that the proposed development will generally be read in the landscape as being continuous with the existing Whitelee wind farm. It will add a further 12 turbines to a landscape of 215 turbines which includes existing and proposed developments at Whitelee. The proposal is located on Plateau Moorlands landscape character type, which can accommodate wind farm developments, and, due to its proximity to Whitelee, cumulative effects will be minimal, localised and concentrated within the immediate landscape character type. 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)

22 November 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Environmental Impact Assessment
- ▶ Planning Statement

- ▶ Consultations

Environmental Services	29/10/2010
West of Scotland Archaeology Service	18/11/2010
RSPB Scotland	18/11/2010
Scottish Water	18/11/2010
Historic Scotland	28/10/2010
Defence Estate Organisation (MOD)	17/11/2010
Scottish Natural Heritage	18/03/2011
Roads & Transportation Services H.Q. (Flooding)	09/12/2010
Roads and Transportation Services (Traffic)	17/11/2010
Strathaven Community Council	10/12/2010
National Air Traffic Services Ltd	26/11/2010
Scottish Government	26/11/2010
Roads & Transportation Services H.Q. (Bridges Engineer)	12/11/2010
Forestry Commission (Central Scotland Conservancy)	12/11/2010
Civil Aviation Authority	12/11/2010
East Ayrshire Council	12/11/2010
Arquiva	12/11/2010
Scottish Wildlife Trust	12/11/2010
TRANSCO (Plant Location)	12/11/2010
SP Energy Network	12/11/2010
Roads & Transportation Services (Traffic)	29/07/2011
National Air Traffic Services Ltd	09/11/2011
Countryside and Greenspace	19/09/2011
Environmental Services	12/10/2011
Transport Scotland	28/10/2010
Scottish Environmental Protection Agency (SEPA)	28/02/2011
Sandford and Upper Avondale Community Council	19/11/2010
BAA Glasgow Airport	11/11/2010

► Representations

- Representation from : Ms Margaret Crawford, The Farmhouse
East Browncastle
Strathaven
ML10 6QW, DATED 28/10/2010
- Representation from : Mr Owen Barrett, The Mill
East Browncastle
Strathaven
ML10 6QW, DATED 28/10/2010
- Representation from : Kenneth & Careen Jackson, The Stables
East Browncastle
Strathaven
ML10 6QW, DATED 28/10/2010
- Representation from : Brian McColgan, East Browncastle
Strathaven
ML10 6QW, DATED 17/11/2010
- Representation from : H Meikle, Kypeside
Lesmahagow
ML11 0JL, DATED 17/03/2011
- Representation from : Mr & Mrs D Hodgkiss, West Browncastle
Drumclog
Strathaven
ML10 6QW, DATED 18/03/2011
- Representation from : Dugald & Margaret Turner, Laigh Alderstocks
Drumclog
Strathaven
ML10 6QW, DATED 18/03/2011
- Representation from : Scottish Power Renewables, 4th Floor
1 Atlantic Quay
Glasgow
G2 8JB, DATED 25/02/2011
- Representation from : Andrew & Jacqueline Henderson, South Muirhead Farm
Whitelaw
Crossroads
Strathaven, DATED 06/04/2011
- Representation from : John & Sheena Henderson, Caldergreen Farm
Whitelaw
Crossroads
Strathaven, DATED 06/04/2011
- Representation from : Ms Marta Briongos, Sportflight Scotland Ltd
Strathaven Airfield
Strathaven
ML10 6RW, DATED 26/11/2010

Representation from : John M & Anne R Henderson, Tackhouse Farm
Ardochrig Road
Strathaven
ML10 6QP, DATED 12/11/2010

Representation from : John Hope, South Brownhill Farm
Strathaven
ML10 6QP, DATED 23/03/2011

Representation from : H Meikle, North Brackenridge
Lesmahagow
Strathaven
ML11 0JL, DATED 23/03/2011

Representation from : Mr & Mrs T Hope, South Brownhill Farm
Strathaven
ML10 6QP, DATED 23/03/2011

Contact for Further Information

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

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

CONDITIONS

- 1 This decision relates to the Environmental Statement (ES), dated September 2010 and Planning Statement, dated January 2011, for the erection of 12 wind turbines at 126.5m height to blade tip, and ancillary development, at land at West Browncastle Farm, South Lanarkshire.

- 2 That the development is carried out strictly in accordance with the terms of the application and the accompanying ES, 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 46 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 Prior to the commencement of construction at the site, the developer shall submit to the relevant planning authority a management plan for minimising the emission of dust from the construction and operation of the development hereby authorised. The dust management plan must cover the following:
 - i) the water spraying of all internal roads and unvegetated soil mounds to suppress dust in periods of prolonged dry weather;
 - ii) the means of ensuring that an adequate water supply is available at all times for dust suppression purposes; (the use of water abstracted from any water course within the site is not approved);
 - iii) the steps to be taken to improve efficiency of dust suppression measures

in the event of the failure of the regime to prevent the emission of wind borne matter

- iv) the site being operated to ensure that adequate steps are taken at all times to minimise dust propagation from unsurfaced access tracks and stockpiles of materials used for the construction of road/track construction.
 - v) A Dust Monitoring Programme to be approved by the planning authority
- 6 Prior to the commencement of the development a peat slide risk assessment shall be carried out as part of the detailed geotechnical and habitat study incorporating SNH's requirements in its letter dated 9 December 2010, and used to prepare a method statement, to be submitted to and agreed with the Planning Authority, SNH and SEPA, that describes how important areas of peat and peatland habitat will be protected during construction and thereafter the approved measures shall be implemented in accordance with the terms of the approved method statement.
- 7 The developer will submit a planning application to cover any off-site borrow pit(s) proposals. The application will be supported by information relating to proposed vehicle trips and delivery routes between the proposed borrow pit site(s) and the wind farm site. Should these routes not be covered by the abnormal load route assessment approved for application EK/10/0358 the developer will be required to provide an amended abnormal load route assessment to reflect any changes.
- 8 The developer will notify the Council in writing should they propose to remove any excess peat material from the wind farm site. Any such notification shall include details of proposed traffic routes and phasing of such operations all for the written approval of the Council.
- 9 That prior to the operation of the turbines confirmation of the type and associated noise levels, including frequency analysis, shall be submitted to and approved by the Planning Authority. The noise levels and frequency analysis shall be based on the warranted noise emissions of the chosen turbine which shall also be used for the purposes of the required noise modeling.
- 10 A noise assessment regarding the anticipated noise levels from the substation requires to be undertaken and a report submitted to the planning authority, prior to the commencement of the development, for its approval. Should any noise mitigation measures be found to be required, full details of these, and their associated noise reduction levels, should also be included and the measures described shall be implemented.
- 11 Day time noise from the wind turbines must not exceed a noise level of 40dB 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 10 metres per second as measured within the site. Night time noise from the wind turbines must not exceed a noise level of 43dB 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 10 metres per second as measured within the site. Notwithstanding this noise from the wind turbines must not exceed a noise level of 45dB LA90 (10 min) at all times

where the occupier of the property has a financial interest in the wind farm development, namely - West Browncastle Farm, West Browncastle Cottage and Laigh Alderstocks.

- 12 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).
- 13 Any noise impact which, in the opinion of the relevant planning authority acting reasonably, is deemed to be a nuisance will be dealt with in accordance with the guidance produced by the Department of Trade and Industry Working Group on Noise from wind turbines. Specifically, in the event of the relevant planning authority acting reasonably deeming there to be noise nuisance attributable to any wind turbine or group of wind turbines, the developer shall carry out mitigation measures to remediate the nuisance so caused. Details of any such mitigation measures required are to be submitted to the planning authority for prior approval.
- 14 Construction work associated with this development shall conform to the terms laid down in BS 5228 2009 – Noise & Vibration Control on Construction & Open Sites. Under normal circumstances, no audible construction activity or deliveries of materials to and from the development site shall take place outwith the hours of 0800 – 1900 Monday to Friday and 0800 – 1300 Saturday with no working on a Sunday or local or national public holiday. In exceptional circumstances, any proposals for construction work or deliveries of materials outwith the specified working hours must be submitted to and approved by the planning authority without the prior written approval of the relevant planning authorities.
- 15 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.
- 16 A monitoring plan shall be submitted for the approval of the planning authorities setting out the steps that shall be taken to monitor noise levels during the construction phase of the development.
- 17 Fixed and mobile plant used within the site during the construction period shall not incorporate bleeping type warning devices that are audible at any noise sensitive receptor so far as reasonably practicable.
- 18 During construction, monitoring of the surface waters, in accordance with a scheme to be submitted to and approved by the Planning Authority prior to work commencing, should be undertaken where they enter and leave the site.
- 19 A Surface Water and Construction Environmental Management Plan (SWCEMP) shall be submitted to and approved by the Planning Authority prior to work commencing and any mitigation measures identified in the plan shall be implemented in accordance with the requirements of the approved Plan.

- 20 Any fuel, oil, lubricant, paint or solvent stored on site should be contained within bunds or double skin tanks which must be locked and capable of containing at least 110% of the largest capacity vessel stored therein and any spillage of any oil shall be dealt with immediately.
- 21 Foul drainage from sanitary facilities shall be disposed of to the satisfaction of the relevant planning authority in consultation with the SEPA.
- 22 The developer will submit a detailed Traffic Management Plan (TMP) for the written approval of the Council as Roads Authority. The TMP shall be produced in consultation with Roads & Transportation Services, Strathclyde Police and the Council's Landscape and Access Officer and include a programme indicating phasing of construction of the project. No works will commence on site until the TMP has been approved in writing by the Council as Roads Authority and all vehicle movements shall subsequently accord with the terms of the approved Plan.
- 23 The developer will submit a Travel Plan as part of their TMP to encourage less reliance on individual private car trips to the site for those personnel involved in construction activities on a routine basis and those attending through the course of site inspections and site meetings and all vehicle movements shall subsequently accord with the terms of the approved Plan..
- 24 The developer will ensure that any proposed changes in construction operations impacting on the approved TMP are notified to the Council and the TMP shall be amended to reflect such changes and submitted in a timely manner for the written approval of the Council as Roads Authority.
- 25 The prior to the commencement of the development the developer shall provide full details of the proposed junction realignment of the A71 Darvel Road with Ardochrig Road. The design and layout of the junction should be in accordance with the Design Manual for Roads and Bridges and the Council's Guidelines for Development Road.
- 26 A 9.0m x 160.0m junction visibility splay will be provided at the proposed junction realignment of the A71 Darvel Road with Ardochrig Road. The visibility splay shall be maintained free of all obstructions above 1.05m in height above the adjacent road channel level for the duration that the proposed junction realignment is in use.
- 27 Further to condition 25 above, the developer shall implement all works detailed on the approved drawings and open the road to traffic and pedestrians to the satisfaction of the Council as Roads Authority prior to commencement of any internal windfarm site works.
- 28 Prior to commencement on site details of the proposed road widenings and laybys,

shall be agreed in writing with the Council. All road widening and layby works shall then be implemented on site in accordance with the approved drawings and to the satisfaction of the Council as Roads Authority prior to commencement of any internal windfarm site works.

- 29 That a full Safety Audit, in accordance with the Institute of Highways and Transportation Guidelines, should be submitted for all infrastructure to be constructed and adopted, or altered, on the public road and submitted to the Council as Roads Authority prior to commencement of the works.
- 30 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) 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

p) Timing and extent of any necessary re-instatement.

q) Details of the site security gate, wheel wash facility and site entrance hard standing for the written approval of the Council as Roads Authority. All work associated with construction of the access gate, access bell mouth (with associated abnormal load over run area) and wheel wash facility shall be implemented on site prior to commencement of any internal site works.

- 31 Each turbine shall be erected in the position indicated on Figure 1.2 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.
- 32 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.
- 33 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.

- 34 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.
- 35 No turbine shall be erected until the Developer has agreed a Primary Radar Mitigation Scheme (PRMS) with the NATS which has been submitted to and agreed in writing by South Lanarkshire Council in order to mitigate the impact of the development on the Primary Radar Installation at Lowther Hill.
- 36 No blades shall be fitted to the turbines unless and until the approved Primary Radar Mitigation Scheme (as per condition 36) has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.
- 37 In the event of any turbine, or group of turbines, failing or being no longer required for electricity generation, or any other reason, for a continuous period of six months, unless otherwise agreed with the planning authority, the turbine(s) shall be replaced (in the case of failures), or dismantled and removed. In the case of removal, that part of the site accommodating the turbine, the turbine pad and access roads shall be reinstated within three months of the end of the six month period of non-generation in accordance with a scheme agreed with the planning authority, all to the satisfaction of the planning authority.
- 38 Prior to development commencing on-site, details of the confirmed turbine layout height and manufacture, including illustrations as well as details of size, shall be submitted to, and approved in writing by, the planning authority. The turbines:
- i) Shall be low-reflectivity pale matt/grey/off-white 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.
- 39 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.
- 40 The clearance of snow from access tracks will be by mechanical means only unless otherwise agreed in writing by the planning authority in consultation with SNH. For the avoidance of doubt the use of chemicals or salt based material is not to be used for snow clearance purposes.
- 41 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.

- 42 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 31.
- 43 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 43 with the exception of the third and fourth bullet points of that condition.
- 44 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.
- 45 Prior to commencement of development the developer shall submit for the Planning Authority'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.
- 46 Prior to any works commencing on the site
- i) A Habitat Management Plan (HMP) and Species Protection Plan shall be prepared in consultation with South Lanarkshire Council (SLC), SNH and RSPB, a minimum of three months prior to any works commencing on the site, and submitted to the planning authority for approval and thereafter implemented in full. The plans should take into account SNH's comments in their letter dated 9 December 2010 which covers Protection Plans for Protected Species – Otters, Bats, Badgers, Water Voles, a Protection Plan for Breeding Birds, measures to protect and restore the blanket bog habitat.

- 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 SLC, 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 be suspended during the bird breeding season (April to July inclusive) if the pre-construction surveys proposed as part of the HMP identifies that any species likely to be disturbed (as per the mitigation measures identified in paragraph 7.15 of the ES).
 - 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.
- 47 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.
- 48 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.
- 49 Developer is responsible for any alterations required to statutory undertaker's apparatus.
- 50 Within 12 months of the end of the period of this consent (unless a further consent is granted) all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land shall be restored and subject to aftercare, in accordance with the Restoration Plan and Aftercare Scheme referred to in Conditions 45. 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.
- 51 Prior to the commencement of the development Bridge Assessments require to be submitted to and approved by South Lanarkshire Council for the bridges listed below and any remedial works implemented in accordance with a programme, to be approved by the Planning Authority prior to work commencing.
1. Cander
 2. Lawrie Street
 3. Vicars Road

4. Cotcastle No. 1
5. Crumaugh
6. Glassford
7. Old Castle
8. Stanley Muir
9. Caldermill
10. Brownhill
11. Little Calder
12. Law
13. Rottenburn

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

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

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

- 53 Prior to commencement on site Brownhill Bridge, with a weight restriction of 7.5 tonnes, shall be strengthened or replaced with a bridge capable of carrying current highway loading and the proposed abnormal loads. Any temporary bridging, off-line or on-line, will not be permitted.

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

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

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

(iii) After the transportation of the last load

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

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

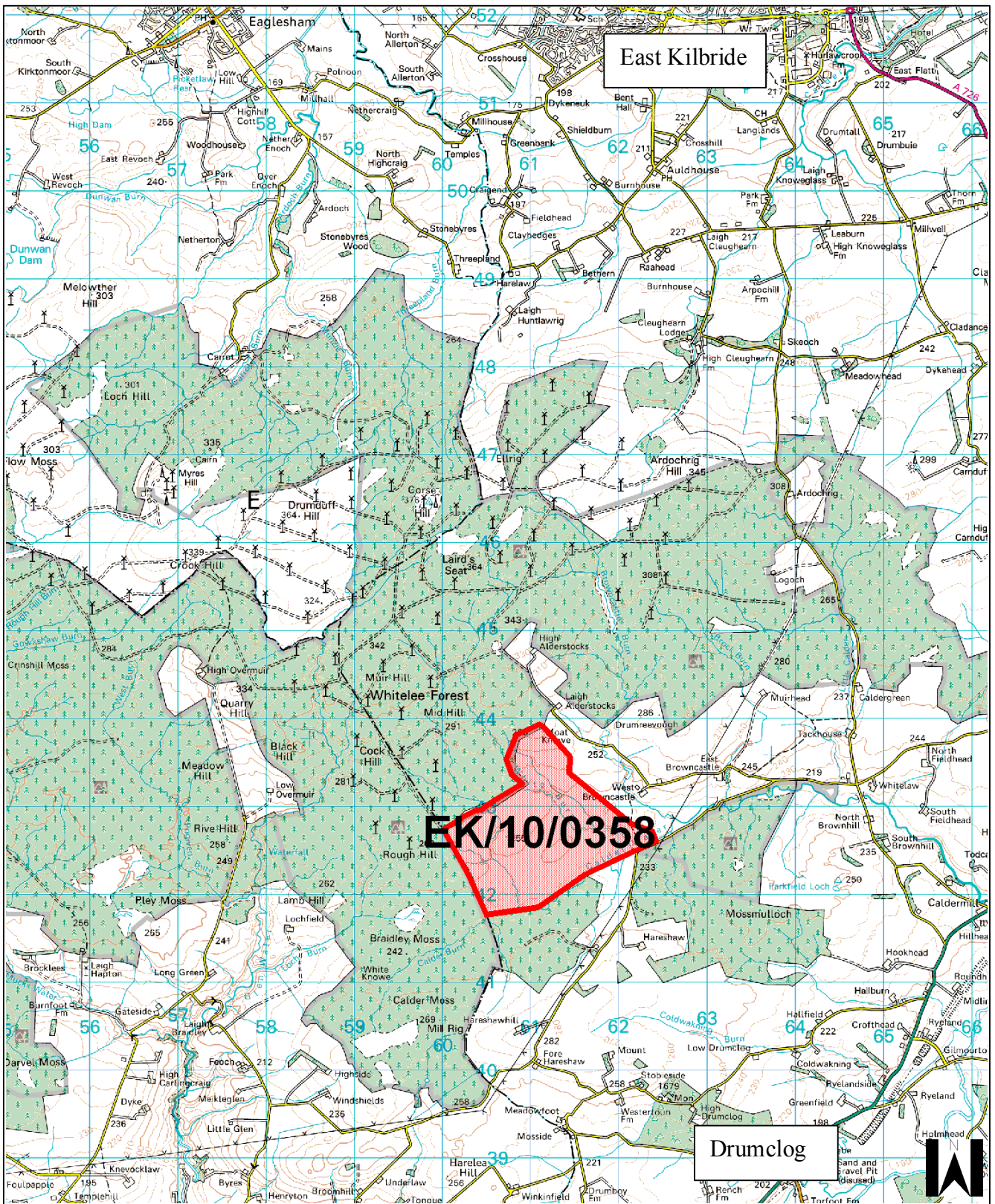
- 55 Any proposals, including calculations, for a bridge requiring to be overlaid with a steel plate or similar to ensure that the load exerted on the structure does not exceed that from normal Construction and Use Vehicles will be forwarded by the applicant to the Council for approval prior to loads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

These loads must cross the bridge at a maximum speed of 5mph. No braking, gear changing or manual steering of the rear trailer is permitted on the bridge. Only one load will be permitted on the bridge at any one time. No other vehicle will be permitted on the bridge at the same time as the load.

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 in order to retain effective planning control.
- 7 In the interests of road safety and in order to retain effective planning control.
- 8 In the interests of road safety and in order to retain effective planning control.
- 9 To minimise disturbance to residents in the vicinity of the wind farm.
- 10 To minimise disturbance to residents in the vicinity of the wind farm.
- 11 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 12 To safeguard the noise amenity of local residents in accordance with ETSU-R-97.
- 13 To minimise disturbance to residents in the vicinity of the wind farm.
- 14 To minimise disturbance to residents in the vicinity of the wind farm.

- 15 In the interests of amenity and in order to retain effective planning control.
- 16 In the interests of amenity and in order to retain effective planning control.
- 17 To safeguard the noise amenity of local residents.
- 18 To minimise environmental impact on watercourses and in order to retain effective planning control.
- 19 To ensure compliance with all commitments made in the Environmental Statement and in order to retain effective planning control.
- 20 In the interests of amenity and in order to retain effective planning control.
- 21 In the interests of amenity and in order to retain effective planning control.
- 22 In the interests of road safety and in order to retain effective planning control.
- 23 In the interests of road safety and in order to retain effective planning control.
- 24 In the interests of road safety and in order to retain effective planning control.
- 25 In the interests of road safety and in order to retain effective planning control.
- 26 In the interests of road safety and in order to retain effective planning control.
- 27 In the interests of road safety and in order to retain effective planning control.
- 28 In the interests of road safety and in order to retain effective planning control.
- 29 In the interests of road safety and in order to retain effective planning control.
- 30 In the interests of amenity and in order to retain effective planning control.
- 31 To minimise environmental impacts and ensure development conforms to Environmental Statement.
- 32 In order to retain effective planning control.
- 33 To minimise environmental impact on watercourses and in order to retain effective planning control.
- 34 To minimise environmental impact during the construction phase.
- 35 In the interests of public safety.
- 36 In the interests of public safety.
- 37 In the interests of amenity and in order to retain effective planning control.
- 38 In the interests of amenity and in order to retain effective planning control.
- 39 In the interests of public amenity.
- 40 To minimise the environmental impact of snow clearing operations by avoiding the use of chemicals or salt without explicit approval.
- 41 In the interests of road safety.
- 42 To minimise environmental impact during the construction phase.
- 43 To minimise environmental impact at the decommissioning phase.
- 44 To minimise environmental impact on natural heritage.
- 45 To minimise adverse impacts on archaeology on site and to ensure development conforms to Environmental Statement.
- 46 To safeguard environmental impacts, ecology, species and habitats, to ensure development conforms to Environmental Statement and maintain effective planning control.
- 47 In the interests of amenity and in order to retain effective planning control.
- 48 To minimise adverse impacts and ensure development conforms to Environmental Statement.
- 49 In the interests of amenity.
- 50 To ensure development conforms to Environmental Statement and maintain effective planning control.
- 51 In the interests of road safety.
- 52 In the interests of road safety.
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- 55 In the interests of road safety and in order to retain effective planning control.



For information only

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