

Report to: **Planning Committee**
 Date of Meeting: **1 November 2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No HM/10/0478
 Planning Proposal: Erection of 3 Wind Turbines, Modifications of Existing Access Track, Formation of New Track and New Access, Revised Cable Routes, New Anemometry Mast and Modifications to Sub-Station

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Blantyre Muir Wind Energy Limited
- Location : Near Laigh Muirhouses Farm
Muttonhole Road
Hamilton
ML3 8RJ

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 the Conditions Listed)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Planning consent should be withheld until a Section 75 Obligation between the Council and the applicant has been concluded to ensure that:
 - ▶ up to 100% of the energy produced by the wind turbines is made available for use by the Hamilton International Technology Park,
 - ▶ a bond is submitted for the restoration of the application site and,
 - ▶ a financial contribution is agreed to go to the Council's Renewable Energy Fund.

The Council's legal expenses in connection with the Obligation will be borne by the Applicant.

3 Other Information

- ◆ Applicant's Agent: West Coast Energy Limited
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**

Policy STRAT 3 – Urban Settlements in The Green Belt Policy
Policy ENV 14 – Potential Windfarm Areas of Search Policy
Policy ENV 38 – Renewable Energy Site Assessment Policy
Policy DM1 – Development Management Policy.

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

Policy REN 1: Areas of Significant Protection
Policy REN 2: Constraints
Policy REN 6: Assessment Checklist for Renewable Energy Proposals

◆ Representation(s):

▶ 6 Objection Letters

◆ Consultation(s):

Environmental Services

Civil Aviation Authority

Roads and Transportation Services (Hamilton Area)

Countryside & Greenspace

RSPB Scotland

Roads & Transportation Services H.Q. (Flooding)

Directorate of Airspace Policy

Scottish Water

West of Scotland Archaeology Service

SP Energy Network

National Air Traffic Services Ltd

Defence Estate Organisation

BAA Aerodrome Safeguarding

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

TRANSCO (Plant Location)

Scottish Natural Heritage

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of agricultural land near Laigh Muirhouses Farm on the western side of Hamilton which is located midway between East Kilbride and Hamilton approximately 2 kilometres from the outskirts of each area. The site extends to approximately 115 hectares and is bounded on all sides by agricultural land with Newhousemill Road and Muttonhole Road running adjacent to its northern boundary. Vehicular access to the site is currently via Newhousemill Road.

2 Proposal(s)

- 2.1 This is a detailed planning application for the erection of 3 wind turbines of 115 metres in height (to blade tip), modifications of the existing access track, formation of a new track and new access, revised cable routes, new anemometry mast and modifications to sub-station. The proposed turbines would in effect form an extension to a three wind turbine development previously approved at the site in November 2009 (HM/07/0563). This application was approved subject to the conclusion of a Section 75 Obligation to ensure that up to 25% of the energy produced by the wind turbines would be made available for use by the Hamilton International Technology Park in addition to the submission of a bond for the restoration of the application site. In order to optimise the energy production potential of this site the applicant now seeks permission for the erection of three additional wind turbines.
- 2.2 The current planning application initially involved the erection of three wind turbines of up to 102 metres in height (to blade tip). However, following detailed discussions with the Planning Service the application was amended to increase the height of the three turbines from 102 metres to 115 metres and to site the substation control building in a revised alternative location to the immediate south of the temporary compound area approved under the previous planning permission referred to above. A technical assessment has estimated that by approving the proposed increase in dimensions the capacity factor for the turbines is expected to increase by as much as 5%. In context, a 13 metre overall height increase is predicted to enhance the overall net quantity of green electricity generated by the wind farm, by up to 15%. Should all six of the proposed turbines be constructed the substation would occupy a more central location and would reduce the overall cabling length between the substation and the turbines, which would reduce electrical losses, and enable the wind farm to export electricity to the grid more efficiently. The three turbines proposed in addition to the approved turbines would provide a maximum installed capacity of up to 15MW.
- 2.3 Whilst the application site extends to approximately 115 hectares the development footprint of the proposal would equate to approximately 3.6 hectares. The development also incorporates additional on site tracks to facilitate access to the proposed turbines as well as areas of hardstanding to accommodate cranes both during the process of construction and also for long term maintenance. The applicant also seeks permission to modify the access, cable layout and road layout for the previously approved scheme to allow a single established access point from the public road network. The total length of new tracks (including those track amendments to the approved turbines) would be 2.57 kilometres. A new permanent 71 metre high anemometry mast would also be erected in the site. The proposed turbines would be connected through a single electrical system linked via the consented wind farm, to the consented control building close to Laigh Muirhouses.

The control building and compound would need to be slightly extended to allow for the extra export capacity.

- 2.4 It should be noted that the previous planning application for 3 turbines at the site was originally submitted as a small windfarm which would feed power into the national grid. However, during the processing of the application the Planning Service became aware of the requirements for one of the units at the Hamilton International Technology Park to have a source of 'green' energy. As a result of this situation partnership working commenced to look at whether the 3 turbines could potentially assist in the delivery of this objective. As a result of joint working between the Planning Service, the applicants and the owner of the Technology Park, the application was amended appropriately and approved at the Planning Committee in November 2009 subject to the conclusion of a Section 75 Obligation to ensure that up to 25% of the energy produced by the wind turbines is made available for use by the Hamilton International Technology Park and the submission of a bond for the restoration of the application site.
- 2.5 As a result of further partnership working between the above parties it has been agreed that up to 100% of the power generated by the currently proposed turbines would be utilised to meet the renewable energy requirements of the Hamilton International Technology Park. As with the previous planning application the Planning Service, the applicants and the owner of the Hamilton International Technology Park have been involved in detailed discussions regarding the delivery of the proposal and it has been agreed that a Section 75 Obligation would be entered into in addition to a separate legal agreement between the applicants and the technology park owner to ensure that an appropriate electricity supply contract is in place.
- 2.6 A Planning and Environmental Supporting Statement was submitted as a supporting document which addresses matters relating to aviation, archaeology, hydrology and hydrogeology, landscape and visual assessment, ecology and ornithology, noise and safety and electromagnetic interference.
- 2.7 It is anticipated that if planning consent is granted for the currently proposed 115 metre high turbines then an amended planning application will be lodged to seek approval for the increase in height from 102 metres to 115 metres for the originally approved 3 turbines so that all six turbines in the area will be of an equal height. This is important in order to minimize visual impact.

3 Background

3.1 Local Plan Policy

- 3.1.1 The application site is located within an area designated as Green Belt land in the adopted South Lanarkshire Local Plan. The relevant policies in terms of the assessment of the application are Policies STRAT 3 – Urban Settlements in The Green Belt Policy, ENV 14 – Potential Windfarm Areas of Search Policy, ENV 38 – Renewable Energy Site Assessment Policy and DM1 – Development Management Policy.
- 3.1.2 The South Lanarkshire Local Plan Supplementary Planning Guidance (SPG): Renewable Energy was approved in December 2010 and is also material to the consideration of this proposal. The SPG policies relevant to the determination of this application are Policies REN 1 - Areas of Significant Protection, REN 2 - Constraints and REN 6 - Assessment Checklist for Renewable Energy Proposals. The content of

the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 Relevant Government Advice/Policy

3.2.1 In terms of economic development, Scottish Planning Policy (SPP) states that Authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised. Removing unnecessary planning barriers to business development and providing scope for expansion and growth is essential.

3.2.2 In terms of renewable energy, Scottish Planning Policy is primarily concerned with larger scale renewable energy projects and wind farms. However, the document highlights the importance of renewable sources for the regeneration of electricity as being an integral part of the Government's energy policy. It states that planning authorities should support the development of a diverse range of renewable energy technologies and support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. When granting planning permission, authorities should include conditions for the decommissioning of developments, including their ancillary infrastructure, and for site restoration. Authorities should also ensure that sufficient finance is set aside to enable operators to meet their restoration obligations, and should consider financial guarantees through a Section 75 Obligation. A range of benefits are often voluntarily provided by developers to communities in the vicinity of renewable energy developments. These can include community trust funds.

3.2.3 In relation to Green Belts, Scottish Planning Policy states that Green Belt designation should be used to direct development to suitable locations, not to prevent development from happening. If a proposed use would not normally be consistent with green belt designation, it may still be considered appropriate in exceptional circumstances, either as a national priority or to meet an established need but only if no other suitable site is available.

3.2.4 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 in February 2011. It supports the policy in SPP by providing information and best practice on renewable energy developments. It gives advice on areas for planning authorities to focus upon, technical information and typical planning considerations to be taken into account in determining planning applications for onshore wind turbines.

3.3 Structure Plan Policy

3.3.1 In terms of Structure Plan Policy the application requires to be assessed against the adopted Glasgow and Clyde Valley Joint Structure Plan which became operational in April 2008. The Plan identifies 'potential' areas for large scale windfarm development. These encompass the previous 'preferred' areas but are more extensive. The Plan states that outwith the potential areas of search, windfarm developments would raise strategic planning issues and priority should be given to the protection of strategic environmental resources and the amenity of local communities, particularly Green Belt sensitivities. The plan also includes a 'threshold of strategic significance' for windfarms which has been set at 20MW.

3.3.2 In relation to the Proposed Strategic Development Plan the application site is not within the Broad Areas of Search identified in this document. . 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. The proposed development is not within the Broad Area of Search in the SPG.

3.4 **Planning Background**

3.4.1 As discussed in Section 2 of this report, detailed planning permission was granted to Blantyre Muir Wind Energy Limited for the erection of three wind turbines of 102 metres in height (to blade tip) on this site at the Planning Committee in November 2009 subject to the conclusion of a Section 75 Obligation to ensure that up to 25% of the energy produced by the wind turbines is made available for use by the Hamilton International Technology Park and the submission of a bond for the restoration of the application site.

3.4.2 Under the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) the applicant requested that the Council adopt a screening opinion as to whether or not an Environmental Impact Assessment (EIA) was required for the development. Having regard to the characteristics of the project, its nature, location and potential impact the Council considered that no EIA was required.

4 **Consultation(s)**

4.1 **BAA (Safeguarding Team)** – the technical and operational assessments of utilising Kincardine radar and associated data fusion systems at Glasgow Airport as mitigation for this wind turbine development have been completed and there is a certainty that this technical solution can be extended to mitigate this site. On this basis, BAA has no objection to the proposal subject to the incorporation of suspensive conditions restricting any development until measures have been implemented to prevent the impairment of the performance of aerodrome navigation aids and/or the efficiency of air traffic control services following the approval of the Civil Aviation Authority (CAA).

Response: Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.

4.2 **Civil Aviation Authority (CAA)** – the CAA were consulted by the applicant and provided advice as to further consultations required. The CCA are obliged to highlight that the development might have a potential to impact upon operations associated with Glasgow Airport. Given the potential effect of the proposal they have advised the Council of the need to consult BAA, the Ministry of Defence and NATS. In addition, there may be a need to install associated aviation obstruction lights and there would be a requirement for the turbines to be charted and documented for aviation purposes.

Response: Noted. The above organisations were consulted on the application and any consent granted would incorporate appropriately worded conditions to address any aviation matters raised.

4.3 **Defence Estates (Ministry of Defence)** – have no objections to the proposal.

Response: Noted.

4.4 **Directorate of Air Space Policy** – no response to date.

Response: Noted.

- 4.5 **Environmental Services** – have no objections to the proposal subject to conditions restricting audible construction activities and the delivery of materials to or from the site to specific hours and for the submission of a dust monitoring programme.
Response: Noted. The restriction of audible construction activities and deliveries are matters for Environmental Services to address under their appropriate legislation.
- 4.6 **SP Energy Networks** - have no objections to the proposal. However, they have advised that SP Distribution have overhead lines within the area of the proposed development.
Response: Noted and this information will be forwarded to the applicant.
- 4.7 **National Air Traffic Services (NATS)** – have no objections to the proposal.
Response: Noted.
- 4.8 **Countryside & Greenspace** – Given the site’s proximity to the Blantyre Muir Site of Special Scientific Interest (SSSI) there is concern that the proposed windfarm development may further adversely impact on the condition of the peatland habitat. The SSSI lies wholly within the boundary of the South of Scotland Bog Scheme site which is understood to include the adjacent wetland habitats. Of particular concern is the proposed positioning of turbines 1 and 2, their associated infrastructure, the service road and permanent meteorological mast which will result in the loss of wet heath and mire vegetation both of which are important and valuable components of the peatland habitat. This habitat type is identified as a priority for protection in the South Lanarkshire Biodiversity Strategy. It is recommended that these elements are repositioned to the east of their current location onto areas of ruderal vegetation to avoid damaging the wetland vegetation complex. It is also recommended that a condition is applied to any consent that may be granted to prepare and implement a habitat management plan (HMP) over the entire site including proposals and actions to contribute to improving the current ‘unfavourable’ condition of the SSSI. The HMP should also give consideration to mitigation measures to off-set the potential impact of the development on lowland wader and other bird. With regard to landscape impacts it is noted that this application forms a second phase of windfarm development on the site. The site is visually prominent across a wide horizon and the height of the proposed turbine towers will result in a significant additional local visual impact. Although there are no specific landscape protection designations affecting the site concern is expressed in relation to the incremental nature of windfarm development at this location.
Response: Noted. Any consent granted would be conditioned to ensure the submission of a habitat management scheme for the Council’s approval. It should also be noted that the proposed turbines are located outwith the SSSI and therefore there is no justification for seeking the re-siting of any of the turbines.
- 4.9 **Roads and Transportation Services (Hamilton Area)** – have no objections to the application subject to a number of conditions relating to the widening of the access road, traffic management procedures, surface water trapping etc. The access to the site is currently used by an existing landscaping business, therefore, passing places should be provided within the site to enable traffic to pass each other without blocking the entrance or causing traffic to stack back out onto Newhousemill Road.
Response: Noted. Any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.
- 4.10 **Roads and Transportation Services (Flooding)** – no response to date.
Response: Noted.

- 4.11 **RSPB Scotland** – have no objections to the proposal, however, they have raised concerns that the development will displace breeding skylark and reed bunting from the site, as well as breeding waders such as curlew, lapwing and snipe. They have reiterated their desire that prior to the development of the wind farm, a habitat management plan be drawn up and implemented for the duration of the windfarm. Conditions should be attached to any consent granted requiring the submission of a habitat management plan and the clearance of all vegetation outwith the bird nesting season.
Response: Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised. It should be noted that SNH have advised that it does not appear that the wind farm extension will have any significant effect on ornithology interests.
- 4.12 **Scottish Water:** - have no objections to the proposal.
Response: Noted.
- 4.13 **SEPA:** - have no objections to the proposal subject to the inclusion of a condition restricting the commencement of development until a full site specific Pollution Prevention Plan (PPP) is submitted at least one month prior to commencement of development and approved by the Council in consultation with SEPA and SNH. A condition should also be included to ensure the discharge of surface water to the water environment in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697).
Response – Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.
- 4.14 **Scottish Natural Heritage (SNH)** – SNH advise that they have concerns regarding the scale of development. The wind farm extension appears to exacerbate the previous situation by increasing what is considered a small wind cluster (3 turbines) into a small windfarm (6 turbines) and proposing an increase in the height of turbines thus increasing visual confusion and potentially increasing the magnitude of change. If planning permission is granted for the extension conditions should be attached to reduce the proposal's natural heritage impacts and should include: a clearly demarcated 30 metre protection zone extending from the boundary of Blantyre Muir Site of Special Scientific Interest; a pollution prevention plan that addresses dust management; following mitigation measures listed in the Hydrology & Hydrogeology chapter of the supporting documents; micro-siting turbines away from better quality habitat (e.g. wet heath, mire and features that bats use – blade tips should be at least 50m from the highest part of hedgerows, tree lines & woodland); creating a habitat management and restoration plan for the whole site (extension plus original); maintaining and protecting freshwater habitats; and updating protected species surveys prior to work commencing on site. SNH advise that it does not appear that the wind farm extension will have any significant effect on ornithology interests.
Response: Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.
- 4.15 **West of Scotland Archaeology Service** – have no objections to the application as the proposal raises no substantive archaeological issues.
Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.
- 4.16 **Scotland Gas Networks** – have no objections to the application.
Response:- Noted.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the Hamilton Advertiser as Development Potentially Contrary to the Development Plan. The application was also advertised under Schedule 3 due to the Nature or Scale of the Development and due to Non-Notification of Neighbours. Six letters of objection were received. The grounds of objection are summarised as follows:

- a) **There are concerns regarding the scale and height of the proposed turbines and the visual impact they will have on the landscape, especially since this area of East Kilbride and Hamilton remains one of the few untouched, natural areas of beauty.**

Response: It is not considered that the proposed wind turbines will have an adverse visual or cumulative impact of sufficient significance to warrant refusal of the planning application. This matter is assessed in detail in Section 6 of this report.

- b) **This is an area of great beauty and part of an ever-diminishing green belt. The visual impact of erecting the wind turbines, as well as its substation is both inappropriate and intrusive, and will severely damage the character of the rural landscape.**

Response: Again, it is not considered that the proposed wind turbines will have an adverse visual or cumulative impact of sufficient significance to warrant refusal of the planning application.

- c) **The applicant gave verbal assurances, at their public meeting for the previous application, that if that application was granted they would not then apply for additional turbines yet they have done exactly that. Neighbouring residents now face double amount of visual and noise intrusion.**

Response: Each planning application requires to be assessed on its own merits. In terms of visual intrusion the Council does not consider that the proposed wind turbines will have an adverse visual impact of sufficient significance to warrant refusal of the planning application. In terms of noise intrusion, the Council's Environmental Services have no objection to the proposal subject to a number of conditions relating to levels of noise emitted from the site.

- d) **Since the previous application, the location of the sub-station, the access roads, the number and height of wind generators has been changed in subsequent amendments to the original, approved planning application. While the company may give valid economic reasons for the changes, the progressive nature of this development should be noted. The applicants introduced a small, fairly insignificant application only to increase its size and impact once a first permission had been granted.**

Response: As discussed, each planning application requires to be assessed on its own merits. The merits of the proposal are discussed in detail in Section 6 of this report.

- e) **The proposal is a result of companies cashing in on the cash-cow that government grants provide in an effort to earn the £250,000 to £380,000 per turbine per year that ROCs are reported to produce.**

Response: As discussed in Section 2 of this report, there is a specific locational need for the wind turbines and any consent would be withheld until a Section 75 Obligation between the Council and the applicant has been concluded to ensure that up to 100% of the energy produced by the wind turbines is made available for use by the Hamilton International Technology Park.

- f) **The substation and site compound would be accessed directly opposite the only access to residential properties on Newhousemill Road. Several accidents have been witnessed on this stretch of road in recent years and there are concerns regarding the increase in traffic which the proposed site entrance would bring.**

Response: Subject to the inclusion of conditions relating to the widening of the access road and traffic management procedures Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues.

- g) **It should be noted that there is no pedestrian access along any of Newhousemill Road. The original plans seem to point out that access would be from Muttonhole Road, is this not a far better option. It seems strange that Scottish Power would choose to change their access route entirely at such a late stage in the planning process, could this have been their plan all along?**

Response: The access for the previously approved turbine development was off Muttonhole Road rather than Newhousemill Road. However, it is now proposed to access the consented and proposed developments via an existing access on Newhousemill Road. Subject to the inclusion of appropriately worded conditions Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues.

- h) **The access tracks to the turbines appear to be the same as the access roads to GP Landscapes which is expanding its site at the moment and consequently bringing an increase in heavy vehicle traffic volume. GP Landscapes is not located on the plan. It should be explained why an expanding business which would be sharing access roads with the proposed substation does not feature.**

Response: The reference to GP Landscapes was shown on the plans for the previous planning application; however, it has been obscured on the current plans by the area zoned for the site compound. However, the matter of the site being accessed by GP Landscapes was taken into account in Roads and Transportation Services' assessment of the application and they are satisfied that the proposal raises no access or road safety issues. Passing places would have to be provided within the site to pass each other without blocking the entrance or causing traffic to stack back out onto Newhousemill Road. It should be noted that once the turbines are erected it is likely that there will be very little increase in traffic and the turbines will only require minimal access, mainly for maintenance.

- i) **There are concerns regarding the proposed substation's potential impact on the landscape, the noise it will generate and its positioning in relation to neighbouring dwellings. It seems surprising that a company of the size and status of Scottish Power could make misjudgments on the technical perspective of the original plan to such an extent that the location of the turbines and the substation, and modifications to every other aspect now need to be requested.**

Response: The neighbouring residential properties referred to are located approximately 600 metres from the nearest proposed turbines, therefore, it is considered that residential amenity will not be adversely affected by the location of the sub-station. Discussions between the applicant and Scottish Power indicated that it may be better from a technical perspective to locate the substation in a more central position within the overall wind farm development. The intention would be to build only one substation and the final location and details would have to be agreed with the Council prior to construction works taking place.

- j) **The turbines would be located close to residential development. In terms of noise and vibration no evidence has been submitted that provides details of the noise emissions from the wind turbines and associated substation.**

Response: As discussed above, the residential properties referred to are located approximately 600 metres from the nearest proposed turbines. The Council's Environmental Services have no objection to the proposal subject to a number of conditions relating to levels of noise emitted from the site.

- k) **In terms of wildlife the proposed location is home to a high number of birds of prey. Was an assessment of any risks to the existing bird species, along with the migratory species conducted?**

Response: In response to the Ornithology Report commissioned by the applicant SNH have advised that it does not appear that the wind farm extension will have any significant effect on ornithology interests.

- l) **How long will the site compound remain in existence?**

Response: It is intended that the compound would remain in existence for the duration of the construction period for the wind farm. This is anticipated to be a period of approximately 6 months. Thereafter, the compound area would be restored in accordance with a scheme to be agreed with the Council.

- m) **What criteria will West Coast Energy put in place for deciding the location of the sub-station?**

Response: The final location for the substation building would be decided by Blantyre Muir Wind Energy Ltd in consultation with Scottish Power who would be responsible for connecting the wind farm to the local electricity distribution network. Factors to be taken into account would include the layout of the turbines to be connected to the substation, the point of connection to the local network and associated electrical losses. The final location, finish and materials and any associated landscaping required would all be agreed with the Council prior to the commencement of any development on site.

- n) **What provisions are in place to ensure allocation of green energy from a wind farm is not sold on more than once to different green energy users?**

Response: All of the electricity generated by the 3 extension turbines would be made available for consumption to business's on the Hamilton International Technology Park (HITP). This would be secured by legal agreements with the Council and the owners of HITP and then via supply contracts between the power purchasing company and the end user's on the business park.

- o) **Is there a timescale for the erection of the first or second phases of the development?**

Response: Should planning permission be granted for the 3 extension turbines, it is proposed to construct and commission the 6 turbine development as one balance of plant and one turbine supply contract. It is anticipated that site operations would commence during spring 2012 and the wind farm would be fully operational before the end of 2012.

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

6 Assessment and Conclusions

- 6.1 The determining issues that require to be addressed in respect of this application are compliance with national, structure and local plan policy, the visual impact of the proposal, the impact on both civic and military aviation and the impact on natural heritage.
- 6.2 The application relates to the erection of 3 wind turbines, modifications of existing access track, formation of new track and new access, revised cable routes, new anemometry mast and modifications to sub-station. The current application is somewhat unique as there is a specific locational need for the wind turbines to ensure that the energy produced is available for use by the Hamilton International Technology Park.
- 6.3 In terms of national policy guidance relative to economic development, Scottish Planning Policy (SPP) states that authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised. Removing unnecessary planning barriers to business development and providing scope for expansion and growth is essential.
- 6.4 With regard to renewable energy, Scottish Planning Policy is primarily concerned with larger scale renewable energy projects and wind farms. However, it highlights the importance of renewable sources for the regeneration of electricity as being an integral part of the Government's energy policy. It states that planning authorities should support the development of a diverse range of renewable energy technologies and support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. The design and location of any wind farm development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised. When granting planning permission, authorities should include conditions for the decommissioning of developments, including their ancillary infrastructure, and for site restoration. Authorities should also ensure that sufficient finance is set aside to enable operators to meet their restoration obligations, and should consider financial guarantees through a Section 75 Obligation. A range of benefits are often voluntarily provided by developers to communities in the vicinity of renewable energy developments. These can include community trust funds.
- 6.5 In relation to Green Belts, Scottish Planning Policy states that Green Belt designation should be used to direct development to suitable locations, not to prevent development from happening. If a proposed use would not normally be consistent with Green Belt designation, it may still be considered appropriate in exceptional circumstances, either as a national priority or to meet an established need but only if no other suitable site is available.

- 6.6 Given the Scottish Government's continued support for the full range of renewable generation technologies, including microrenewables, and the fact that there is an established need for the proposal at this location it is considered that the application conforms to the general thrust of national planning policy guidance.
- 6.7 In terms of Structure Plan Policy the application requires to be assessed against the approved Glasgow and Clyde Valley Joint Structure Plan which became operational in April 2008. The Structure Plan identifies 'potential' areas for large scale windfarm development. These encompass the previous 'preferred' areas but are more extensive. The Plan states that outwith the potential areas of search, windfarm developments would raise strategic planning issues and priority should be given to the protection of strategic environmental resources and the amenity of local communities, particularly Green Belt sensitivities. The application site does not lie within a 'potential area of search' as defined in the 2006 Structure Plan. The Plan also includes a 'threshold of strategic significance' for windfarms – this has been set at 20MW. The three turbines proposed in addition to the three previously approved turbines would provide a maximum installed capacity of up to 15MW which is below the threshold of significance, and would not require to be assessed against the Structure Plan but should be assessed on local planning grounds.
- 6.8 The proposed Strategic Development Plan (SDP) is currently out at consultation and is therefore a material planning consideration. The application site is not within the Broad Areas of Search shown in the proposed SDP however the proposed development is, nevertheless in line with the Spatial Vision of the proposed SDP 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 SDP broadly supports the proposed development.
- 6.9 In terms of local plan policy, the application site is located within an area designated as Green Belt in the adopted South Lanarkshire Local Plan and the proposal requires to be assessed against Policies STRAT 3 – Urban Settlements in The Green Belt Policy. The proposal also requires to be assessed against Policies ENV 14 – Potential Windfarm Areas of Search Policy, ENV 38 – Renewable Energy Site Assessment Policy and DM1 – Development Management Policy.
- 6.10 Policy STRAT 3 seeks to direct development to within these settlements whilst allowing the Green Belt to continue to function as an area for agriculture, forestry recreation and other appropriate uses. There shall be a general presumption against all development except where it can be shown to be necessary for the furtherance of agriculture, horticulture, forestry, recreation, establishments and institutions standing in extensive grounds or other uses considered by the Council to be appropriate to the Green Belt. Policy ENV 14 states that in accordance with the Structure Plan and SPP guidance, the potential areas of search identified on the Strategy Plan should be the focus for investment in significant wind farm developments. Proposals within the potential areas of search will be assessed against the criteria set out in Policy ENV 38 – Renewable Energy Site Assessment Policy. Outwith the broad areas of search, the criteria in Policy ENV 38 will be followed to consider applications on their merits, mindful of the overall policy of support for renewable energy developments.
- 6.11 Policy ENV 38 states that all proposals for wind farms and other renewable energy developments will be assessed against the under noted criteria. The main considerations are:
- (A) International and National Heritage Designations and the Green Belt.
 - (B) Other Natural and Built Heritage Resources.
 - (C) Other Considerations;

The above criteria are set out below and addressed in turn.

(A) International and National Heritage Designations and the Green Belt.

Response: There are no heritage designations which would be affected by the proposals. The application site is located within the Green Belt and it is considered that there is an established locational need for the proposal at this site. This matter is discussed further in the following paragraphs.

(B) Other Natural and Built Heritage Resources.

Response: It is considered that the development does not have a direct impact on any other natural resources or listed buildings, ancient monuments, etc.

(C) Other Considerations;

1. The development will not unacceptably affect the amenity of residents of nearby towns, villages and other properties by means of noise, smell, visual dominance, shadow flicker, reflected light or other emission.

Response: There are few residential properties located in the surrounding area and it is considered that residential amenity would not be significantly affected by noise, shadow flicker, electromagnetic disturbance or visual impact. With regard to visual impact, the South Lanarkshire Character Assessment (Consultation Document - 2009) identifies the site as being located in the Urban Fringe Farmlands, which is noted as having a medium/high landscape sensitivity and value and the presence of the massed transmission lines indicate that these areas would have a low capacity for windfarm development. However, it does add that the most suitable wind farm typology that could be accommodated is small or small/medium – preferably no more than 5 turbines.

It is considered that the proposed development broadly complies with the essence of a small/medium scale development and would be within the landscape capacity and not overbearing upon the landscape character. A landscape and visual appraisal was undertaken to examine the effects of the proposed wind farm extension, taking into account the previously approved turbines at Blantyre Muir as the baseline for the new assessment. The appraisal concludes that the proposed windfarm extension would be an acceptable development due to the design and location of the proposed turbines, their relationship to the previously approved development, and the capacity of the existing landscape setting to absorb the proposed development, without significant adverse effects. With regard to the increase in height of the three turbines from 102 metres to 115 metres, overall, it is considered that the difference in turbine dimensions would be difficult to identify. Intervening landscape elements such as landform and tree cover would often prevent a clearer view of individual turbines. With regard to shadow flicker, analysis has shown that the proposed turbines would not impose a potential nuisance or clinical disturbance upon neighbouring properties. The closest privately owned properties at Blantyre Muir are located within the former Stewartfield Farm at approximately 600 metres from the closest turbine. Stewartfield Farm is modeled to receive 31 to 40 hours of shadow flicker per year, however, it is noted that the property is predominantly orientated away from the wind farm, and also benefits from a degree of tree screening along Parkneuk Road. Therefore, it is considered that shadow flicker nuisance is highly unlikely to occur.

2. Views from key tourist routes and visitor attractions will not be adversely affected to an unacceptable degree.

Response: It is considered that views from key tourist routes and visitor attractions will not be adversely affected to an unacceptable degree by the development. Unobstructed views to the site from Hamilton are fairly limited, although blade tips

and turbine towers themselves are likely to be visible above or through the tree lines from certain locations. It is considered that the turbines would be sufficiently distanced from development and the proximity to the areas of Hamilton and East Kilbride would provide the turbines with a positive contextual backdrop to many of the views. Rather than being detached and isolated it is considered that the turbines would form part of the fabric of the landscape that creates the wider urban edge.

3. The siting and external appearance of apparatus, including any locational or landscaping requirements, have been designed to minimise the impact of such apparatus on amenity, while taking account of operational efficiency.

Response: The proposal includes a compound area, substation, foundation/hardstanding areas and site access tracks. The proposal for an alternative location for the substation has been examined in the submitted Landscape and Visual Appraisal (addendum) which concludes that the substation would constitute a secondary rather than a primary visual impact and that the proposed change of location would not result in any increase in significant adverse effects. It is considered that the inclusion of the associated apparatus within the site raises no amenity issues.

4. Access for construction traffic can be achieved without compromising highway safety, residential amenity or causing significant permanent damage to the environment.

Response: It is proposed to access the site via the existing entrance for the green waste recycling facility on Newhousemill Road. Minor improvements would be required to two bends on Parkneuk Road and also the bellmouth access point. This route has been physically verified by Collett Transport Ltd using an extended trailer to represent an abnormal load delivery. A Traffic Management Plan stating the timings and movements of vehicles and the proposed management of the actual vehicles would have to be submitted for the approval of the Council.

5. Where there are clear landscape or other sensitivities that will have to be addressed, as agreed with the council, the environmental effects of all new transmission lines between the development and the point of contact to the grid should have been assessed and shown to have no significant adverse environmental impact, or that such impacts can be suitably mitigated.

Response: It is considered that the proposal raises no issues in this respect as there are no sensitive landscape designations in the immediate area.

6. No electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system or, where such disturbances may be caused, that measures will be taken to remedy or minimise any such disturbances.

Response: The applicant consulted the Civil Aviation Authority, Ministry of Defence and Ofcom to determine whether there are any constraints to the proposed development. Ofcom supplied details of all radio communications operators within the vicinity of the site who were consulted individually by the applicant and there does not appear to be any conflict with the existing known links within the vicinity of the site.

7. The impact of the proposal on radar performance and other air safety considerations have been satisfactorily addressed and demonstrated to the satisfaction of the relevant technical authorities.

Response: BAA (Safeguarding Team), Civil Aviation Authority (CAA), Defence Estates (Ministry of Defence) and NATS (National Air Traffic Services) have raised no objections to the proposal as detailed above in Section 4 of this report.

8. Where proposals are shown to have a significant adverse impact in respect of any of the above criteria, the developer will be required to demonstrate that appropriate mitigating measures will be applied.

Response: It is considered that the proposal raises no issues in this respect.

9. For larger schemes, and for other schemes where specific species/habitats are affected, developers may be required to submit a Habitat Management Plan setting out the means of land management that will secure biodiversity objectives.

Response: It is considered that the proposal raises no issues in terms of adverse impact on species/habitats in the area. However, any consent granted would be conditioned to ensure the submission of a habitat management scheme for the Council's approval.

10. All windfarm applications should acknowledge the need for decommissioning, restoration and aftercare at the end of the permission or the life of the turbines, if earlier, and not renewed by the Council. Conditions, including a restoration bond where appropriate, will be imposed on any permission granted to this effect, requiring implementation measures to be agreed with the Council in accordance with best practice at the time.

Response: Given the scale and nature of the proposal it is considered that a restoration bond would be appropriate in this instance to ensure that if before the expiry of the 25 years, the turbines become redundant or obsolete and are disused for a period of 6 months, that within 1 month thereafter they shall be removed and the land reinstated to its former condition to the satisfaction of the Council. Planning consent would, therefore, be withheld until a bond has been submitted for the restoration of the application site. Furthermore, any consent granted would also be conditioned to ensure that the turbines would be removed and the land restored to its former condition within 1 month, at the expiry of 25 years from the date of this permission, unless planning permission has been granted for an extension of the period all to the satisfaction of the Council.

11. The Council will require all applications for renewable energy developments which fall within the scope of the Environmental Assessment legislation to be accompanied by an Environmental Statement, and encourages these to be preceded by a pre-application scoping report.

Response: Under the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) the applicant requested that the Council adopt a screening opinion as to whether or not an Environmental Impact Assessment (EIA) was required for the development. Having regard to the characteristics of the project, its nature, location and potential impact the Council considered that no EIA was required.

12. Where appropriate, the Council will normally require an applicant to enter into a Section 75 Obligation to address community benefit payments, restoration bond requirements and other matters which cannot be controlled by the imposition of planning conditions.

Response: Any planning consent granted would be withheld until a Section 75 Obligation between the Council and the applicant has been concluded to ensure that up to 100% of the energy produced by the wind turbines is made available for the use of the Hamilton International Technology Park and until a bond has been submitted for the restoration of the application site. With regard to community benefit any funds provided to South Lanarkshire Council are held in and administered through the South Lanarkshire Renewable Energy Fund (REF) which has specific

distribution criteria. In this instance, a community benefit contribution of £2500 has been agreed with the applicant as an annual payment per MW of installed capacity per annum in relation to the turbines to be managed via the Councils renewable energy fund.

13. Applications should include details of the environmental, social and economic benefits that will arise from the project, both locally and nationally, including the overall number of jobs and economic activity associated with the procurement, construction and operation of the development.

Response: With a maximum installed capacity of up to 7.5MW (based on three additional 2.5MW turbine models), Blantyre Muir Wind Farm Extension would make an important further contribution in the drive to deliver the renewable energy targets in Scotland by 2020. Each year the development (based on three additional 2.5MW machines and an average indicative capacity factor of 30%) would on average produce sufficient electricity to meet the annual domestic needs of around 4300 homes and will displace more than 200,000 tonnes of CO₂ over the operational lifecycle of the wind farm. The gross energy production is expected to increase by as much as 15% as a consequence of the increased turbine dimensions. The total capital costs of the Blantyre Muir development as a six turbine scheme is expected to be around £18 million. This would require significant investment within and around the South Lanarkshire region. The provision of site facilities, concrete foundations and access roads together with general civil engineering and technical services would benefit local companies, contractors and their employees. The applicant estimates that based on previous experience approximately 20-30% of the project's value would be available for local construction companies to tender with additional indirect expenditure in local shops, hotels, service stations etc. The applicant would adopt a policy to utilise, when practicable, local contractors for construction, operation and maintenance work. Up to 30 personnel would be directly employed during the estimated six month construction period and once operational, there would also be a requirement for maintenance engineers to undertake site supervision and maintenance.

In addition to the above, the provision of renewable energy for use by occupiers of the HITP makes this commercial location much more attractive to companies looking to invest in the area who wish to use such power to improve their green energy credentials.

- 6.12 The proposal also requires to be assessed against the South Lanarkshire Local Plan SPG Renewable Energy (December 2010). The SPG policies relevant to the determination of this application are Policies REN 1 - Areas of Significant Protection, REN 2 - Constraints and REN 6 - Assessment Checklist for Renewable Energy Proposals. For the reasons discussed in Section 6.11 above, it is considered that the proposal meets the terms of these Policies in relation to natural heritage, landscape character, cumulative impacts, nature conservation, residential amenity, transport etc.
- 6.13 In terms of the detail of the proposal Policy DM 1 requires new development to have due regard to the layout, form, design and local context of the area. Again, for the reasons previously discussed above, it is considered that the proposal meets the terms of this policy.
- 6.14 It is considered that at a national and local level there is policy support for the efficient use of renewable energy, which, at present, is best provided by wind power. Although planning policies are mainly targeted towards larger wind farms, there is clear policy support for this type of development and in this instance there is also an

established locational need for the proposal in terms of the renewable energy requirements of specific commercial offices located within the Hamilton International Technology Park and the principle of a small wind farm has previously been established on the site through the previous planning consent granted for a three turbine development. As discussed, the applicant is currently involved in detailed discussions with the owner of the Technology Park and any consent granted would be withheld until a Section 75 Obligation between the Council and the applicant has been concluded to ensure that up to 100% of the energy produced by the wind turbines is utilised by units within the Technology Park. The Section 75 Obligation would also ensure the provision of a bond for the restoration of the application site and a contribution to the Council's Renewable Energy Fund.

- 6.15 In summary, it is considered that the proposal complies with the appropriate policies and that it will bring economic benefits to the area. It is also considered that the proposal will not have a significant effect on the landscape character of the area and that cumulative impacts are unlikely to be significant as a result of the development. In addition, this is an important development in terms of economics for the Hamilton International Technology Park as up to 100% of the power generated will be specifically available for their use. I, therefore, recommend that planning consent be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on either residential or visual amenity nor raises any significant environmental or infrastructure issues, it complies with national, structure and proposed strategic development planning policy and is in accordance with Policies STRAT 3, ENV 14, ENV 38 and DM 1 of the adopted South Lanarkshire Local Plan and Policies REN 1, REN 2 and REN 6 of the adopted South Lanarkshire Local Plan Supplementary Planning Guidance: Renewable Energy.

Colin McDowall
Executive Director (Enterprise Resources)

19 October 2011

Previous References

HM/07/0563

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations

Environmental Services	25/10/2010
Defence Estate Organisation	21/10/2010
Roads and Transportation Services (Hamilton Area)	01/11/2010 & 10/10/11
S.E.P.A. (West Region)	29/10/2010

RSPB Scotland	12/10/2010
National Air Traffic Services Ltd	14/10/2010 & 01/09/2011
Civil Aviation Authority	19/10/2010
Scottish Natural Heritage	14/12/2010 & 07/09/2011
West of Scotland Archaeology Service	25/10/2010
SP Energy Network	25/10/2010
Civil Aviation Authority	28/09/2011
Scottish Water	21/09/2011
TRANSCO (Plant Location)	03/10/2011
BAA Aerodrome Safeguarding	15/08/2011 & 01/09/2011
SP Energy Network	30/08/2011
Countryside & Greenspace	25/08/2011
Defence Estate Organisation	14/09/2011

► Representations

- Representation from : Tom A Waddell, Devonhill Farm, Hamilton, ML3 8RL, ,
DATED 12/11/2010
- Representation from : Mr David Geddes and Mrs Lockhart Geddes, The Steading,
Stewartfield Farm, Parkneuk Road, Auchentibber, Blantyre,
G72 0AT, DATED 17/05/2011
- Representation from : Eric Joseph, Roseau, Stewartfield Farm, Parkneuk Road,
Auchentibber, G72 0AT, DATED 17/05/2011
- Representation from : Mr Ron and Mrs Ellen McClure, The Gables, Stewartfield
Farm, Parkneuk Road, Auchintibber, Blantyre, G72 0AT,
DATED 20/05/2011
- Representation from : Mr & Mrs David Geddes, The Steading, Stewartfield Farm,
Parkneuk Road, Auchentibber, Blantyre, G72 0AT, DATED
01/09/2011
- Representation from : David Geddes, The Steading, Stewartfield Farm,

Contact for Further Information

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

Jim Blake, Planning Officer, Montrose House, Hamilton

Ext 3657 (Tel :01698 453657)

E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:
1343/SL/022g
1343/MS/057a
1343/SB/056a
- 2 The development hereby permitted shall be started within three years of the date of this permission.
- 3 That the maximum height of the wind turbines shall be 115 metres.
- 4 That unless otherwise agreed, no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 5 Permission is granted for a period of 25 years from the date of commissioning of the development. Written confirmation of the date of the commissioning of the development shall be supplied in writing to the planning authority.
- 6 In the event of any turbine, or group of turbines, failing or being no longer required for electricity generation, or any other reason, for a continuous period of six months, unless otherwise agreed with the planning authority, the turbine(s) shall be replaced (in the case of failures) or dismantled and removed. In the case of removal, that part of the site accommodating the turbine, the turbine pad and access roads shall be reinstated within three months of the end of the six month period of non generation in accordance with the agreed scheme under Condition 24 of this permission, all to the satisfaction of the Planning Authority.
- 7 The blades of the turbines shall rotate in the same direction.
- 8 Prior to any turbine being erected on site, the colour of the turbines and blades shall require to be approved in writing by the Planning Authority.
- 9 Each turbine shall be erected in the position indicated on the approved plan. A variation of the indicated position of any turbine on the said plan by more than 20m shall only be permitted following the written approval of the Planning Authority. The turbines shall be micro-sited away from better quality habitat (e.g. wet heath, mire and features that bats use).
- 10 Prior to the commencement of any works on site, details of any transformers and associated equipment shall be submitted to and approved by the council as planning authority.
- 11 All temporary contractors' site compounds shall be removed and the land reinstated to its former profile and condition no later than 1 month following the completion of development.
- 12 Any imported material that is required to be brought onto site shall be accompanied by certification from a suitably U.K.A.S. accredited laboratory to

confirm that it is free from any contamination.

- 13 That unless otherwise agreed, steps shall be taken to ensure that all vehicles leaving site are in such a condition as not to emit dust or deposit mud, slurry or other deleterious material on the adjoining public road. In particular, but without prejudice to the foregoing, efficient means shall be installed, maintained and employed for the cleaning of wheels and chassis of all vehicles leaving the site. Such means shall include suitable and sufficient wheel wash facilities that operate on a closed cycle basis with no discharge into any water course if so required by the Planning Authority, the said wheel washes being in a location to be agreed in writing with the planning authority. The applicant or subsequent developer(s)/operator shall at all times be responsible for the removal of mud or other material deposited on any public highway adjacent to the site by vehicles entering or leaving the site. Any waste from any wheel wash facilities shall be disposed of to the satisfaction of the Planning Authority in consultation with the Scottish Environmental Protection Agency.
- 14 That unless otherwise agreed, all site access tracks from the wheel wash facility to the public road shall be maintained clear of any mineral derived material, including soils, during the construction of the development.
- 15 That unless otherwise agreed, prior to the commencement of the development on site, the developer shall submit to the Planning Authority a method statement for addressing noise received at any sensitive receptor in the vicinity of the site and surrounding area. Specifically the method statement shall set out the cumulative effects of concurrent construction, operation of the substation and operation of the development and thereafter predict the likely noise impacts from such events both singularly and cumulatively. The method statement shall include the means to ensure that noise generated by the wind farm complies with the guidance set out in the publication 'The Assessment and Rating of Noise from Wind Farms (ETSU-R-97)'.
- 16 At the reasonable request of the Council as Planning Authority and following a complaint to the Planning Authority relating to noise emissions arising from the operation of the wind farm, the wind farm operator shall appoint an independent noise consultant, whose appointment shall require to be approved by the Planning Authority, to measure the level of noise emission from the wind farm at the property to which the complaint related. The measurement and calculation of noise levels shall be undertaken in accordance with ETSU-R-97 having regard to paragraphs 1 to 3 and 5 to 11 inclusive of the schedule on Pages 95 to 97 inclusive, and Supplementary Guidance Notes to the Planning Obligation pages 99 to 109 of ETSU-R-97.
- 17 That unless otherwise agreed, at the boundary of the curtilage of any noise sensitive premises, at wind speeds of up to 9 metres per second as measured within the site, noise from the wind turbines shall not exceed:

Between 2300 and 0700

43dB(A) LA90 or 5dB above the prevailing night-time background noise level, whichever is the greater.

At all other times

35dB(A) LA90 or 5dB above the prevailing quiet daytime hours background noise

level, whichever is the greater.

Where such noise sensitive premises are owned by any person with a financial involvement with the wind farm site, the lower fixed limits of 43 and 35dB(A) LA90 shall be increased to 45dB(A) LA90.

The night time and quiet daytime hours prevailing background noise levels are those defined in Chapter 9 of the September 2010 Planning Statement for locations representative of the closest properties to the site. The background noise levels for any property not specifically included in the ES shall be taken from the closest of those properties which are included.

- 18 If the tonal noise emitted by the development exceeds the threshold of audibility by 6.5dB or more, then the acceptable noise specified in Condition 17 shall be reduced by 5dB, always providing that the definition of audibility for the purposes of this condition shall be as described in 'The Assessment and Rating of Noise from Wind Farms (ETSU-R-97)'.
- 19 That unless otherwise agreed, no blasting shall take place outwith the hours of 10.00hrs to 12.00hrs mid-day Monday to Saturday and 14.00hrs to 16.00hrs Monday to Friday and all blasting shall be controlled such that the maximum peak particle velocity in any plane shall not exceed 6mm per second at all sensitive receptors.
- 20 All stockpiles of materials to be used in road construction shall be formed in such a manner that they are capable of facilitating spraying during periods of dry weather.
- 21 Prior to work commencing on site a Dust Monitoring Programme shall be submitted to and approved by the Council as Planning Authority.
- 22 The applicant/developer shall abide by the terms of the Dust Monitoring Programme as required by Condition 21 above.
- 23 No work shall commence on site until the applicant has provided the Ministry of Defence with the following detailed information:
 - date of commencement of each phase of construction
 - date of completion of each phase of construction
 - the height above ground level of the tallest structure
 - the maximum extension height of any construction equipment
 - the position of the masts in latitude and longitude, and
 - site lighting if appropriate.
- 24 Prior to the development becoming operational, a restoration plan shall be submitted to and approved by the Council as Planning Authority and shall include details of phased decommissioning, the means of reinstating the site following the removal of the components of the development, the land use prevailing after decommissioning has taken place, the means of disposal of all waste materials and road metal, the dismantling methodologies for each turbine setting out the extent of recovery or of recycling of all metals and other recyclable parts, the means of removing the turbine bases and crane pads and the removal of cabling and ducts within the site.
- 25 Prior to the decommissioning of any turbine, an aftercare scheme for the restored

site shall be submitted to and approved in writing by the planning authority and thereafter implemented.

- 26 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 and aftercare scheme referred to in Conditions 24 and 25. For the purposes of this condition 'restored' means the removal of all wind turbines, turbines pads, initial layers of foundation and all buildings and ancillary development. Notwithstanding this requirement, no later than one year prior to the commencement of the restoration and aftercare scheme, the planning authority, in consultation with SNH, 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.
- 27 That the turbines shall be located so that their blade tips are at least 50 metres in distance from the highest part of any hedges, treelines or woodland in order that adverse impacts on bats are reduced when they use these features for foraging and commuting.
- 28 That the meteorological mast shall be sited at least 20 metres away from the Rotten Burn and the site office shall be sited at least 10 metres from the Earnock Burn tributary.
- 29 That the mitigation measures proposed in the Environmental Statement undertaken by West Coast Energy shall be implemented to the satisfaction of the Council as Planning Authority in consultation with SNH.
- 30 No development, which is the subject of this permission shall commence on site until measures to prevent the impairment of the performance of aerodrome navigation aids and/or the efficiency of air traffic control services have been implemented in accordance with details submitted to and approved in writing by the Council as Planning Authority, in consultation with the airport operator, and written approval has been obtained from the Civil Aviation Authority (CAA), where appropriate, that the measures as implemented will be sufficient to prevent the impairment of the performance of aerodrome navigation aids.
- 31 Prior to the erection of any turbine the mitigation scheme referred to in Condition 30 shall be fully implemented and maintained in operation until the decommissioning of the wind farm or until the approval of the Council as Planning Authority in consultation with the airport operator has been obtained to any amendment to the approved scheme.
- 32 Prior to the commencement of the development a Desk Study of the whole site shall be submitted to confirm that there has been any previous contaminating use of land. If any such previous usage is confirmed then a Phase 2 intrusive investigation and risk assessment is required. This shall detail any methods of proposed remediation required and a timetable for their completion. This shall be submitted to the Planning Authority for written approval prior to work commencing and any necessary remediation shall be carried out in accordance with the approved scheme.
- 33 That unless otherwise agreed, at least one month prior to commencement of development a full site specific Pollution Prevention Plan (PPP), that addresses matters including dust management, shall be submitted to and approved by the

Council as Planning Authority in consultation with SEPA and SNH.

- 34 That unless otherwise agreed, within 6 months of the commissioning of the development, the developer shall submit a Habitat Management Plan (HMP) for the whole site to the Council as Planning Authority for approval in consultation with SNH, RSPB Scotland and other appropriate organisations. Commissioning of the turbines shall not occur until such approval has been obtained. The HMP shall operate for the full lifespan of the windfarm, including decommissioning, with any associated costs borne by the developer.
- 35 That unless otherwise agreed, all vegetation clearance shall be undertaken outwith the bird nesting season, which runs from late March to early July.
- 36 That there shall be a clearly demarcated 30 metre protection zone extending from the boundary of Blantyre Muir Site of Special Scientific Interest.
- 37 That the developer shall at all times follow the mitigation measures listed in the Hydrology & Hydrogeology chapter of the supporting documents Planning Statement and Figures September 2010 and Planning and Environmental Supporting Statement August 2011 to the satisfaction of the Council as Planning Authority.
- 38 That all freshwater habitats shall be protected and maintained at all times to the satisfaction of the Council as Planning Authority.
- 39 That before development starts the protected species survey shall be updated and submitted to and approved by the Council in consultation with SNH.
- 40 That unless otherwise agreed, before the development hereby approved is completed or brought into use, a visibility splay of 9 metres by 215 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.
- 41 That unless otherwise agreed, the first 10 metres of the access shall be formed in a bound or block material to ensure that loose material is not deposited onto the public road.
- 42 That unless otherwise agreed, a condition/dilapidation survey shall be carried out on the proposed route to the site and shall be agreed with the Council prior to any works being undertaken. All damage attributable to the wind farm construction shall be repaired at the applicant's expense.
- 43 That unless otherwise agreed, the widening of the junctions and the access shall be created in such a way that they do not form part of the public road and shall only be utilised by vehicles associated with the wind farm.
- 44 That unless otherwise agreed, the two locations where junction widening is proposed on Newhousemill Road shall be hard surfaced across their full width and the other junction widening on the corner of Parkneuk Road shall be hard surfaced for 5 metres to prevent deleterious materials being carried onto the public carriageway to the satisfaction of the Council as Planning Authority.
- 45 That unless otherwise agreed, a banksman shall be present during all vehicle

movements. The road widening areas shall be inspected after every vehicle movement and all loose materials (especially at the area with only partial hard standing shall be swept up immediately after the vehicle has passed. When these areas are not in use they shall be barriered off and these barriers shall only be removed in advance of vehicle movements and replaced immediately after. The barrier specification shall be approved by the Council as Planning and Roads Authority and they shall be fixed so that they will not be a danger to road users.

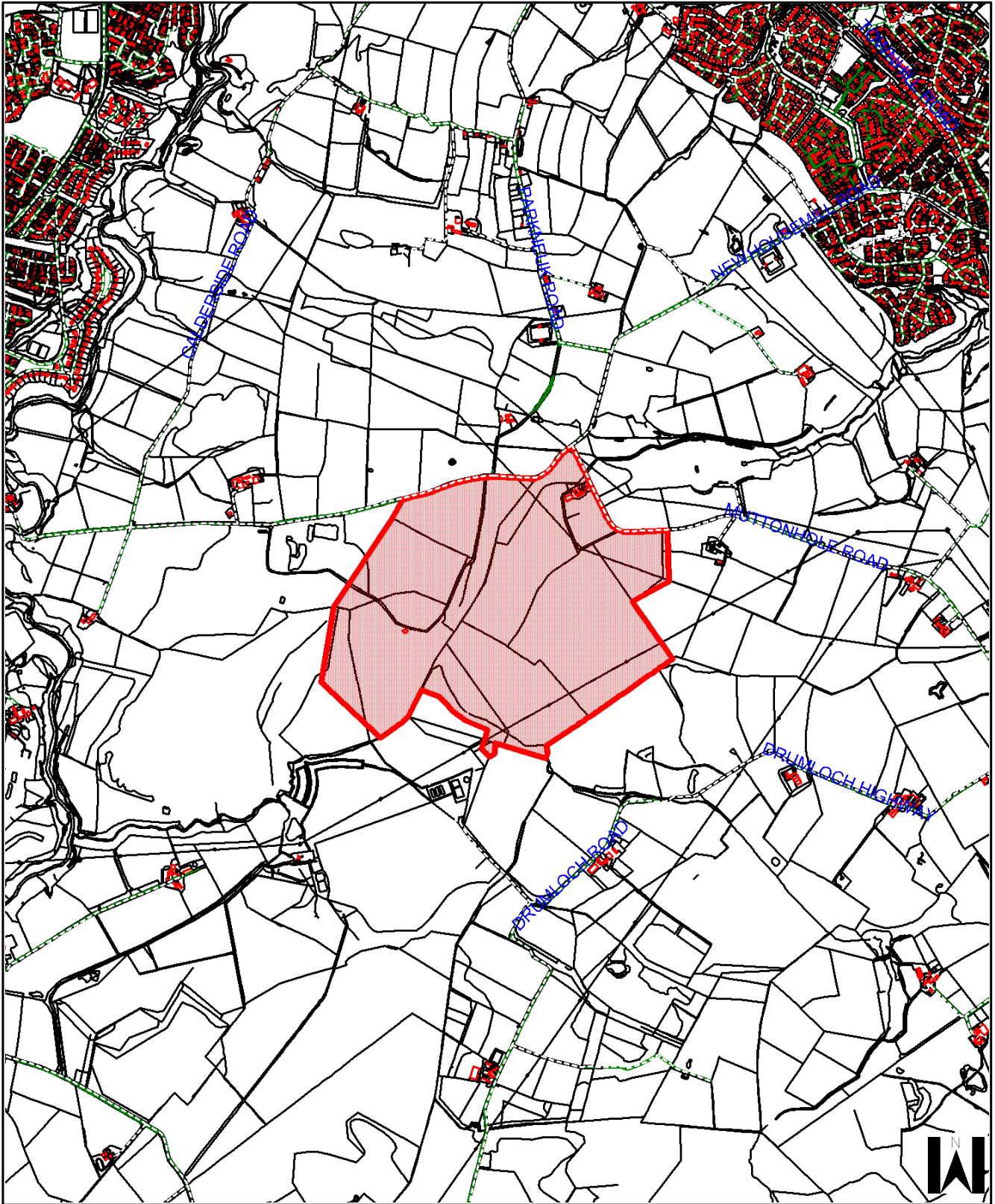
- 46 That unless otherwise agreed, before development starts a temporary Signing Layout shall be submitted for the approval of the Council. This shall show proposed locations of temporary signs such as 'Construction Site' and 'Slow Moving Vehicles'.
- 47 That unless otherwise agreed, before development starts A Traffic Management Plan shall be submitted for the approval of the Council as Planning and Roads Authority stating the timings and movements of vehicles and the proposed management of the vehicles and thereafter implemented to the Council's satisfaction.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 In the interest of amenity and in order to retain effective planning control.
- 4 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 5 To ensure the site is satisfactorily decommissioned at the end of the temporary period.
- 6 To ensure that any environmental effects are adequately monitored.
- 7 In the interest of visual amenity.
- 8 To ensure a satisfactory appearance of the development.
- 9 To ensure that the development is completed in accordance with its permission.
- 10 In the interest of visual amenity.
- 11 In the interests of visual amenity as these structures would not be acceptable on a permanent basis.
- 12 To ensure that any land contamination is properly remediated.
- 13 In the interest of visual amenity and road safety.
- 14 In the interest of road safety.
- 15 To protect the amenity of neighbouring residents from noise and disturbance.
- 16 To protect the amenity of neighbouring residents from noise and disturbance.
- 17 To protect the amenity of neighbouring residents from noise and disturbance.
- 18 To protect the amenity of neighbouring residents from noise and disturbance.
- 19 To protect the amenity of neighbouring residents from noise and dust.
- 20 To protect the amenity of neighbouring residents from dust.
- 21 To protect the amenity of neighbouring residents from dust.
- 22 To protect the amenity of neighbouring residents from dust.
To protect the amenity of neighbouring residents from dust.
- 23 To ensure that these details are available to the Ministry of Defence at the appropriate time.

- 24 In the interest of amenity and to ensure the satisfactory restoration of the site at the end of the permission period.
- 25 In the interest of amenity and to ensure the satisfactory restoration of the site at the end of the permission period.
- 26 In the interest of amenity and to ensure the satisfactory restoration of the site at the end of the permission period.
- 27 To ensure that there is no adverse impact on native habitats and species or watercourses.
- 28 To ensure that there is no adverse impact on native habitats and species or neighbours
- 29 To ensure there is no adverse impact on native habitats and species or watercourses.
- 30 To ensure the development does not endanger the safe and efficient movement of aircraft or the operation of Glasgow Airport through interference with communication, navigational aids and surveillance equipment.
- 31 To ensure the development does not endanger the safe and efficient movement of aircraft or the operation of Glasgow Airport through interference with communication, navigational aids and surveillance equipment.
- 32 To ensure that any land contamination is properly remediated.
- 33 These details have not been submitted or approved.
- 34 To ensure there is no adverse impact on native habitats and species or watercourses.
- 35 To ensure the protection of breeding birds.
- 36 To ensure there is no adverse impact on native habitats and species or watercourses.
- 37 To ensure there is no adverse impact on native habitats and species or watercourses.
- 38 To ensure there is no adverse impact on native habitats and species or watercourses.
- 39 To ensure there is no adverse impact on native habitats and species or watercourses.
- 40 In the interests of road safety.
- 41 In the interests of road safety.
- 42 In the interests of road safety.
- 43 In the interests of road safety.
- 44 In the interests of road safety.
- 45 In the interests of road safety.
- 46 In the interests of road safety.
- 47 In the interests of road safety.

For information only



For information only