

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 14/00489/PP

**Planning Hierarchy:** Local

**Applicant:** Sròndore Wind Farmers LLP

**Proposal:** Amendment to planning permission reference 13/01427/PP (Erection of 3 wind turbines with maximum blade tip height above ground level of 110m turbines 1 and 2 and 100m turbine 3, together with a control building, ancillary infrastructure including crane hard standings and access track and temporary ground works) – Increase in height of S1 and S2 turbines from 110 metres to 120 metres (to blade tip)

**Site Address:** Land At Cruach A' Phubuill, (Adjacent To Allt Dearg Windfarm) by Ardrishaig

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**DECISION ROUTE    Local Government Scotland Act 1973**

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**(A)    THE APPLICATION**

**Development Requiring Express Planning Permission**

- Erection of 2 wind turbines within a consented 3 turbine development with S1 and S2 turbines having an increased blade tip height of 120m relative to current consented height of 110m, with rotor diameter remaining unaltered.

**Other specified operations**

- Formation of new on-site access tracks (1.1km) as per planning permission 13/01427/PP;
- Erection of control building (12m x 6m) consented by planning permission 13/01427/PP but with revised location (14/00843/PP);
- Installation of underground cabling as per planning permission 13/01427/PP;
- Formation of crane hard-standing areas as per planning permission 13/01427/PP;
- Formation of temporary construction compound and laydown area as per planning permission 13/01427/PP;
- Borrow pit workings to provide the aggregate required during construction (to be subject of separate planning applications);

- Minor improvement of existing windfarm access from A83 (not amounting to 'development' );
  - Connection to 33kv overhead line (subject to separate Electricity Act consent).
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## **B) RECOMMENDATION**

It is recommended that planning permission be granted subject to:

- i) amendment of the previously concluded Section 75 legal agreement relative to planning permission 13/01427/PP to ensure its obligations relative to the requirement for a Decommissioning Bond and a contribution from the operation of the site towards the implementation of the existing Allt Dearg Habitat and Landscape Enhancement Plan, apply equally to the amended development permitted by this consent as well as the original permission for the Sròndore wind farm development;
  - ii) the conditions and reasons listed in the report.
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## **(C) HISTORY:**

06/01158/DET- Erection of 14 turbine wind farm (115m to blade tip and 90m rotor diameter) Land south-west of Stronchullin Farm, Cruach a Phubill, Ardrishaig - planning permission refused following a local hearing

10/00160/PP- Erection of 12 wind turbines, meteorological mast, control building ancillary infrastructure and ground works, – planning permission granted contrary to officer recommendation following a local hearing 11.11.2010

11/01180/PP - Formation of access area to east of A83 (T) to enable delivery of wind farm components to Allt Dearg Wind farm via access to Stronachullin Farm – planning permission granted 02.09.2011

11/02358/PP - Erection of control building with associated substation compound (amended location to that previously consented by permission reference 10/00160/PP) Allt Dearg Wind farm – planning permission granted 09.01.2012.

13/01427/PP - Erection of 3 wind turbines (maximum blade tip height above ground level of 110m turbines 1 and 2 and 100m turbine 3) together with a control building, ancillary infrastructure including crane hard standings and access track and temporary ground works – planning permission granted 12.12.2013.

14/00843/PP - Formation of access track and erection of control building (amended location) – pending consideration.

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**(D) CONSULTATIONS:**

**Scottish Natural Heritage (SNH)** (11<sup>th</sup> April 2014) – has not objected to the proposal in terms of impacts upon designations of national importance but has provided advice to the Council in its determination of the application. SNH maintains its position that turbines larger in scale than those in operation at Allt Dearg are inappropriate, as was their stance in respect of the previously consented application for Srondoire. They therefore advise against an increase in turbine heights which will result in a disparity of 39m between the two adjacent schemes. In recognition of the difficulty in being able to source 70m high towers, their preference would be for a reduction to 60m rather than an increase to 80m.

**The Royal Society for the Protection of Birds (RSPB)** – no response to date.

**Civil Aviation Authority** (6<sup>th</sup> March 2014) – no objection subject to relevant aviation interests being re-consulted in respect of this proposed amendment to approved turbine height.

**Ministry Of Defence (MoD)** (28<sup>th</sup> March 2014) – no objection.

**National Air Traffic Services (NATS)** (6<sup>th</sup> March 2013) – no objection.

**Prestwick Airport** (12<sup>th</sup> March 2014) – no objection.

**Ofcom (CSS Spectrum Management)** (16<sup>th</sup> March 2014) – no objection. .

**Joint Radio Company (JRC)** (27<sup>th</sup> March 2014) – no objection.

**WS Atkins on behalf of Scottish Water** (17<sup>th</sup> March 2014) – no objection

**Council's Public Protection Officer** (7<sup>th</sup> March 2014) – no objection.

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**(E) PUBLICITY:** Regulation 20 Advert – expiry date 4<sup>th</sup> April 2014

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**(F) REPRESENTATIONS:** None.

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**(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) An Environmental Statement (ES):** No
- (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) A design or design/access statement:** No

- (iv) **A report on the impact of the proposed development e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:**

Yes – Blade Tip Height Amendment Written Statement (Feb 2014).

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**(H) PLANNING OBLIGATIONS**

**Is a Section 75 (S75) agreement required:** Yes

A legal agreement is required in order to secure a Decommissioning Bond and off-site habitat management, which cannot be secured by way of the imposition of planning conditions. A bond requirement and a contribution towards habitat management additional to that already derived from the generation capacity of the Allt Dearg windfarm and pro rata to the proposed installed capacity of the Sròn-dòire scheme, has already been secured by means of a Section 75 legal agreement associated with these previous consents. That agreement will require amendment to ensure that its obligations are equally applicable to the amended turbine designs proposed by means of this application.

In the event that an agreement is not concluded within 4 months then the application should be refused for the following reason:

Scottish Government advice is that Planning Authorities should ensure via conditions and/or legal agreement that wind farm site restoration takes place either on the expiry of the consent or in the event of the project ceasing to operate for a specified period. It also cites the opportunities for wind turbine developments to introduce environmental improvement through land management, land restoration and habitat creation, as part of a development scheme. The Council considers that it is appropriate that the restoration of this site be underwritten by means of a financial bond and that off-site habitat management should be implemented in accordance with the intentions set out in the original application for the Sròn-dòire turbines. These measures cannot be secured by means of planning conditions and therefore the developer has entered into a legal agreement to secure these outcomes in association with the original consent. In the absence those obligations being extended to the amended form of development proposed, the proposal fails to satisfy 'Argyll & Bute Local Plan' Policy LP PG 1 or the meet the advice set out in Scottish Government's 'Advice Note on Onshore Turbines' (2012).

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- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
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- (J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

**(i) List of all Development Plan Policy considerations taken into account in assessment of the application**

'Argyll and Bute Structure Plan' 2002

Policy STRAT SI 1 – Sustainable Development.

Policy STRAT DC 7 – Nature Conservation and Development Control

Policy STRAT DC 8 – Landscape and Development Control

Policy STRAT DC 9 – Historic Environmental and Development Control

Policy STRAT RE 1 – Wind Farm/Wind Turbine Development

'Argyll and Bute Local Plan' 2009

Policy LP ENV 1 – Development Impact on the General Environment

Policy LP ENV 2 – Development Impact on Biodiversity

Policy LP ENV 6 – Development Impact on Habitats and Species

Policy LP ENV 9 – Development Impact on National Scenic Areas

Policy LP ENV 10 – Development Impact on Areas of Panoramic Quality

Policy LP ENV 17 – Development Impact on Sites of Archaeological Importance.

Policy LP TRAN 4 – New and Existing Public Roads and Private Access Regimes

Policy LP REN 1 – Wind Farms and Wind Turbines

Policy LP PG 1 – Planning Gain

Appendix A – Sustainable Siting and Design Principles.

Proposed 'Argyll & Bute Local Development Plan'

The renewables related content of the proposed LDP is the subject of objection and will be considered by the Reporter at the Examination into the plan. Accordingly it cannot be accorded material weight at this stage in the plan-making process.

Note: The Full Policies are available to view on the Council's Web Site at [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

**(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

- Scottish Planning Policy (2009)

- Scottish Government Advice Note on Onshore Turbines (2012)
- 'Argyll and Bute Landscape Wind Energy Capacity Study' (2012)
- '2020 Routemap for Renewable Energy in Scotland' Scottish Government (2011)

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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment (EIA):** This proposal is a Schedule 2 EIA Development. The original consented scheme was the subject of EIA. It is not considered that an increase in height of two of the consented turbines by 10m prompts a requirement for a revised EIA. The turbine modification proposed does not give rise to further significant environmental impact beyond that previously assessed.

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**(L) Has the application been the subject of statutory pre-application consultation (PAC):** No.

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**(M) Has a sustainability check list been submitted:** No.

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**(N) Does the Council have an interest in the site:** No.

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**(O) Requirement for a Hearing:** No.

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**(P) Assessment and summary of determining issues and material considerations**

This proposal relates to a consented but unimplemented three turbine wind farm on land adjoining the operational wind farm at Allt Dearg, to the south of Ardrishaig. Committee approved the development of an additional three wind turbines in October 2013, with the decision being issued in December following the conclusion of a legal agreement to address decommissioning and habitat management. Despite it being entitled Sròndore wind farm, the development is to all intents and purposes an extension to the operational site, sharing the same access route and with the turbines co-located with the existing layout. The intention is that this additional development should take up 6MW of grid capacity which has become available subsequent to the Allt Dearg development having been devised.

The consented proposal has the benefit of being able maintain a compact layout without much in the way of horizontal enlargement, an ability to utilise on-site infrastructure, and its layout is such that it only extends the visual influence of turbines to a few areas which are not already affected by the presence of the Allt Dearg Wind Farm. The additional Sròndore turbines were to be sited off the crest of the site so that their blade tip heights would not exceed those of the operational turbines. Accordingly, two turbines were approved at 110m in height and the other at 100m. The disadvantage of this approach is that it would result in a mix of scales of turbines, with the rotor

diameter being larger and the rotation speed being slower than the existing 81m Allt Dearg turbines. The effect of this contrast in scale would diminish with distance, but the mix of sizes would be more readily apparent in those few locations where closer quarter views are available – notably the A83 southbound at Inverneill. In granting permission it was concluded whilst the additional and larger turbines would necessarily add to the visual and landscape impacts of the operational windfarm, these marginal additional impacts would be of a magnitude which could be accepted in the context of the presence of the operational development.

The current amended proposal seeks to increase the hub height of consented Sròndore turbines S1 and S2 from 70m to 80m, as a result of the use of taller towers. The turbine rotor diameter would remain as previously consented, so the consequence is that the overall tip height of these two turbines would increase from 110m to 120m. Turbine 3 remains unaffected at 100m to tip and would be implemented as per the original consent. The locations of all three turbines will remain within the micro-siting tolerances permitted by the original consent.

At the time of the original application the 60m and 70m towers proposed were industry standards for 2MW machines. The preferred manufacturer (Wind Towers) has since made changes to its tower range and 70m towers are no longer available and are now regarded as non-standard. It would not be cost effective to have two towers custom made or to secure one-off type approval certification for the purposes of bank funding, so as an alternative it would be necessary to utilise either 60m or 80m towers, both of which are standard tower types which benefit from type approval certification. The option of reducing tower height is unattractive to the applicants, particularly given that the existing wind farm at Allt Dearg has proven to have amongst the highest productivity of any wind farm in Scotland, so there is an understandable desire to maximize the capture of the available wind resource where environmental constraints permit. It is estimated that increasing these two turbine tower heights by 10m, as proposed, would give an overall increase in site productivity of 5%. Given the variation in turbine base heights across the Allt Dearg and Sròndore sites, despite the increase in tower height proposed, the overall blade tip height of turbines S1 and S2 will still be lower than six of the existing but smaller Allt Dearg turbines standing on the higher parts of the Allt Dearg site.

The alteration in hub and tip height of the turbines would not have any significant implications in terms of the effect of wind turbine policy or guidance, or in terms of matters related to ecology, ornithology, hydrology, archaeology, noise, traffic, telecommunications or aviation. This is borne out in consultation responses received. Some socio-economic and macro-environmental benefits would accrue due to the marginal increase in energy yield. The main considerations to address are therefore the acceptability of the proposed amendment in visual terms and any associated consequences for landscape character and/or cumulative impact. The applicants have provided revised graphics for comparative purposes with those prepared for the Landscape and Visual Assessment accompanying the consented scheme.

Of the three turbines, the one remaining unaltered at 100m (S1) is in the more sensitive location to the east of the existing Allt Dearg turbines, with visibility from the A83 at Inverneill and a location and height which is intended to avoid visibility from West Loch

Tarbert. Accordingly, it would not lend itself to any increase in height. Proposed turbines S2 and S3 are to the north of the existing turbines and in the foreground of the Allt Dearg turbines in key views from the north. All the representative viewpoints addressed in the original LVIA have been re-assessed in the light of the proposed height increase, and in all cases the incremental adverse effects compared with the consented turbine heights are sufficiently small that they do not change the significance of effects on any of the assessed locations. That most immediately affected is the relatively close quarter viewpoint (around 5km) on the A83 north of Inverneill, from which the hub height of the proposed turbines will be seen above the hub height of the Allt Dearg turbines, and where the variance in scale will be most apparent. However, this viewpoint has already been attributed a 'high' magnitude of change in the assessment of the consented Sròndore proposal, is generally only appreciated by those travelling along the road, and then only to persons travelling south, and for a relatively short duration in the context of normal traffic speeds.

There are no objections to the proposal from consultees or third parties. Scottish Natural Heritage have however advised against permission being given, which is in line with their previous advice on the originally consented Sròndore scheme which was against mixing the size of turbines. Their preference remains for smaller turbines to be used in line with those employed at All Dearg, and given the inability to source 70m towers they recommend the use of 60m towers in preference to the larger towers proposed. In response, the applicants have pointed to the fact that their revisited LVIA does not identify any additional issues of significance, despite the increase in tower height, and that there is significant difference in the energy yield between turbines mounted at 60m or 80m and therefore SNH's preference would contribute less CO<sub>2</sub> offset and less revenue to participating local communities, which is a vital element of this community focused project.

The original Sròndore approval was granted on the basis that despite any adverse visual consequences, residual grid capacity was better exploited by means of a small number of larger turbines to those at Allt Dearg, rather than by means of a greater number of smaller turbines requiring a more dispersed footprint shedding more widespread visual influence. Although the revised turbine model increases the disparity in scale between the two schemes from 19m to 39m, this has to be viewed in the context of the incremental implications for the various viewpoints, few of which are from close quarter locations, and at greater distances the variation in scale will assume that much less importance in the perception of the wind farm as a whole. The location of the proposed turbines below many of the existing All Dearg machines, is such that despite larger rotors, they will still not exceed the overall height of the higher turbines within the Allt Dearg scheme. The marginal difference between the extent of the visual influence of the consented and the proposed amended turbines is not such as to warrant a refusal, notwithstanding SNH's stated desire to limit any variation in scale between the Allt Dearg and Sròndore schemes.

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**(Q) Is the proposal consistent with the Development Plan: Yes**

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**(R) Reasons why planning permission should be refused: N/A**

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**(S) Reasoned justification for a departure to the provisions of the Development Plan: N/A.**

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**(T) Need for notification to Scottish Ministers or Historic Scotland: None.**

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**Author of Report:** Richard Kerr

**Date:** 14<sup>th</sup> May 2014

**Reviewing Officer:** Angus Gilmour  
**Head of Planning and Regulatory Services**

## CONDITIONS AND REASONS RELATIVE TO APPLICATION: 14/00489/PP

1. Notwithstanding the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the wind farm hereby permitted shall be operational within five years from the date of this approval unless otherwise agreed in writing with the Council as Planning Authority, following which, by virtue of there having been no start on the development hereby permitted, this consent will be considered to have lapsed. Development which has been commenced but which remains uncompleted and has not resulted in an operational windfarm within this five year timescale (or otherwise agreed timescale) shall be fully restored in accordance with the applicant's statement of intentions (i.e. Environmental Statement dated June 2013 associated with planning permission 13/01427/PP) and as provided for by conditions attached to this permission.

*Reason: In order to reduce unnecessary blight over wind catchment areas and other potential sites which, cumulatively, may result in an adverse environmental impact, but individually might otherwise receive the benefit of planning permission.*

2. The permission shall be for a period of 25 years from the commencement of the commercial operation of the wind farm, the date of which shall be notified in writing to the Council as Planning Authority. Within 12 months of the end of that period, unless a further planning application is submitted and approved, all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land reinstated in accordance with the applicant's statement of intentions and conditions listed below, to the satisfaction of the Planning Authority.

*Reason: In order that the Planning Authority has the opportunity to review the circumstances pertaining to the consent, which is of a temporary nature and in the interests of the visual amenity of the area.*

3. The operator shall at all times deal with the areas forming the subject of this approval in accordance with the provisions of the application and the mitigation measures set out in the Environmental Statement associated with planning permission 13/01427/PP (dated June 2013) and the plans listed below:

1 of 2 - Site Location Plan Fig 2.1

2 of 2 – Wind Turbine Details (80m hub) Fig 2.3

except as otherwise provided by this approval, and shall omit no significant part of the operations provided for therein except with the prior written approval of the Planning Authority.

*Reason: For the avoidance of doubt and in order that the Planning Authority may retain effective control in the interests of nature conservation and amenity.*

4. Prior to development commencing, details of the turbine model selected for installation on the site and confirmation of the final micro-siting of turbines shall be submitted to the Council as Planning Authority. Micro-siting may be agreed in writing with the Council as Planning Authority as follows:

- a. Each turbine shall be erected in the position indicated on the approved Site Location Plan Fig. 2.1;
- b. A variation of the indicated position of any turbine on the approved Site Location Plan Fig. 2.1 by less than 25 metres shall only be permitted following the approval of the Ecological Clerk of Works;
- c. A variation of between 25 metres and 50 metres shall only be permitted following written approval of the Planning Authority.

Prior to the turbines first being brought into use, the developer shall submit to the Council as Planning Authority, location details for each turbine as erected in the form of co-ordinates compatible with the UK Ordnance Survey.

*Reason: In order to demonstrate that the windfarm has been constructed in accordance with the approved plans.*

5. If, by reason of any circumstances not foreseen by the applicant, it becomes necessary or expedient during the continuance of the operations hereby approved to materially amend or abandon any of the provisions hereof, the applicant or operator shall forthwith submit to the Planning Authority an amended application, plans and statement of intentions but shall also adhere to and comply with this consent until such time as an amended application shall have been determined by the said Authority.

*Reason: In order that the consent may be reconsidered should a change of intentions become necessary.*

6. If, by reason of any circumstances not foreseen by the applicant or operator, any wind turbine fails to produce an electricity supply to a local grid for a continuous period of 12 months then it will be deemed to have ceased to be required and, unless otherwise agreed in writing with the Planning Authority, the wind turbine and its ancillary equipment shall be dismantled and removed from the site and the site restored in accordance with the agreed scheme, all to the satisfaction of the Planning Authority.

*Reason: In accordance with the Council's policy to ensure that full and satisfactory restoration of the wind farm site takes place should it fall into disuse.*

7. The wind turbines shall be finished in a non-reflective grey semi-matt colour (RAL 9002, RAL 7035 or similar), or such other colour as may be agreed in writing with the Planning Authority, and the colour and finish of the wind turbines shall not be altered thereafter without the written consent of the Council as Planning Authority. The turbine blades shall all rotate in the same direction as the those of the Allt Dearg windfarm .

*Reason: To reduce the impact of the turbines and minimise reflection in the interest of visual amenity.*

9. There shall be no illumination of the wind turbines hereby permitted, nor shall any symbols, signs, logos, or other lettering be applied to the turbines, other than statutory health and safety notices at the base of the towers, without the prior approval of the Planning Authority.

*Reason: To protect the upland rural character of the area in the interests of visual amenity.*

10. Before the cessation of the planning permission, a decommissioning plan, including a site-specific decommissioning method statement, shall be submitted for the written approval of the Council as Planning Authority in consultation with Scottish Natural Heritage. Within 12 months of the planning consent lapsing, unless any further permission has been granted for their retention for an additional period, the wind turbines and all ancillary structures shall be removed, and the turbine bases and adjoining hard standings covered in soil/peat and re-seeded with appropriate vegetation in accordance with the requirements of the approved plan.

*Reason: To ensure that disturbed areas of the site are reinstated in a proper manner in the interests of amenity.*

11. All wires and cables between the wind turbines and sub-station shall be located underground within the access track verges or within three metres of the access tracks, or as close as is practicable, unless otherwise agreed in writing with the Planning Authority, and the ground thereafter shall be reinstated to a condition equivalent to the land adjoining the trenches within two months of completion of cable laying to the satisfaction of the Planning Authority.

*Reason: In the interests of visual amenity and nature conservation.*

12. No development shall be commenced until a Construction Method Statement (CMS) has been submitted to and agreed by the Council as Planning Authority in consultation with the Scottish Environment Protection Agency. This should address all aspects of the construction process which might impact on the environment, including in particular, excavations and other earthworks, a management/reinstatement scheme for peat areas, construction works associated with watercourse crossings, the management of surface water run-off, the management of waste streams, the timing of works to avoid periods of high rainfall; along with monitoring proposals, contingency plans and reinstatement measures. The development shall be implemented in accordance with the provisions of the duly approved CMS or any subsequently agreed variation thereof.

*Reason: In the interests of pollution control and protection of the water environment.*

13. Prior to the commencement of development, full details of a Restoration Method Statement and Restoration Monitoring Plan shall be submitted for the approval of the Council as Planning Authority. The restoration method statement shall provide restoration proposals for those areas disturbed by construction works, including access tracks, hardstandings and other construction areas. It shall also include measures for the improvement in appearance of the main site access route from the A83 to the location of the turbines in order to mitigate its appearance in long distance views of the site. Restoration of construction disturbed areas shall be implemented within 6 months of the commissioning of the windfarm, or as otherwise agreed in writing with the Council as Planning Authority. The monitoring programme shall include a programme of visits to monitor initial vegetation establishment and responses to further requirements, and long term monitoring as part of regular wind farm maintenance.

*Reason: To ensure that disturbed areas of the site are reinstated in a proper manner following construction in the interests of amenity, landscape character and nature conservation.*

15. No development or ground breaking works shall commence until a method statement for an archaeological watching brief has been submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service. The method statement shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site. Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

*Reason: To enable the opportunity to identify and examine any items of archaeological interest which may be found on the site, and to allow any action required for the protection, preservation or recording of such remains.*

16. The implementation of the development shall be supervised by an Ecological Clerk of Works (ECoW) whose role should encompass all construction aspects of the development. The ECoW should be responsible for the micro-siting of the development to take account of localised nature conservation interests and the timing of works to avoid disturbance to breeding birds, in order that good practice methods are employed to ensure that sensitive features are avoided and that appropriate mitigation and site restoration measures are identified and implemented. The ECoW should liaise with Scottish Natural Heritage and the role of the ECoW should be clearly conveyed to all personnel prior to their commencement of work on the site.

*Reason: In the interests of nature conservation.*

17. The level of wind turbine noise shall not exceed 35dB LA90, 10 minutes when measured at any residential property in accordance with the methodology of ETSU-R-97. The noise should in addition contain no audible tonal and/or impulsive components so as to cause noise nuisance to the occupiers of any residential dwelling.

*Reason: To minimise any adverse impact of noise generated by the operations on the local community.*

18. At the request of the Council, following a complaint to the Council relating to noise emissions from the wind turbines, the developer shall undertake an investigation of the complaint, carry out monitoring, prepare and submit a report upon the problem and advise of any necessary remedial action in accordance with the methodology of ETSU-R-97 and take such remedial action agreed to the satisfaction of the Local Planning Authority.

*Reason: To help control and minimise noise pollution.*

## **NOTES TO APPLICANT**

- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended) it is the responsibility of the developer to submit the attached 'Notice

of Completion' to the Planning Authority specifying the date upon which the development was completed.

- Notification of the construction dates, the maximum height of construction equipment and the latitude and longitude of each turbine should be notified to the MoD's Defence Infrastructure Organisation at MoD, Safeguarding – Wind Energy, Kingston Road, Sutton Coldfield, B75 7RL or [icgdgc-aero@mod.uk](mailto:icgdgc-aero@mod.uk)
- This consent should be read in conjunction with the obligations associated with the accompanying legal agreement concluded under Section 75 of the Town & Country Planning (Scotland) Act 1997 (as amended) relating to off-site habitat management and decommissioning.