

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

30 APRIL 2018

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 18/00253/FUL
OFFICER:	Stuart Herkes
WARD:	Hawick and Hermitage
PROPOSAL:	Erection of 80 metres anemometer mast
SITE:	Land North East And North West Of Farmhouse, Braidlie, Hawick
APPLICANT:	Energiekontor
AGENT:	

SITE DESCRIPTION

The application site is open upland grazing land at Braidlie, at an elevation of 320mAOD. It is situated approximately 3.5km northwest of Hermitage; 10km north of Newcastleton; and 17km south of Hawick. The surrounding area is characterised by hills and conifer plantations.

The site is located approximately 2.5km from the Langholm – Newcastleton Hills Special Protection Area (SPA), for which breeding hen harrier are a qualifying interest. The Category A Listed Hermitage Castle is 3.5km to the southeast.

PROPOSED DEVELOPMENT

The proposal is to erect an 80m high temporary anemometer (wind monitoring) mast. It would 20cm in diameter, tapering to 15cm at the top. This pole would have a dull grey finish, and would be anchored to surrounding land on four sides by four sets of wire rope guys up to 42m from the mast base.

The proposal is to erect the mast for a three year period to collect data on wind speed, wind direction, atmospheric pressure and ambient temperature at various heights.

Following the mast's removal, the land would revert to grazing land in association with all surrounding land. Existing agricultural activities would continue at the site for the duration of the mast's operation, with no other associated development needed to take place at ground level. Vehicular access to the site would be via the B3699 and an existing farm track. No new access tracks or access improvements are proposed.

PLANNING HISTORY

13/00789/FUL: the current application site is included within the much larger site of a wind farm development, comprising of 9 wind turbines up to 125m high, on Land North East and North West of Farmhouse Braidlie (Windy Edge) Hawick. This development was refused by the Planning and Building Standards Committee, but ultimately approved by the Scottish Government Reporter at appeal on 09 June 2016 (PPA-140-2055). Within the scheme approved under Planning Consent PPA-140-2055 is a permanent anemometry mast, up to 80m in height, which would be sited on, or in close proximity to, the current application site.

14/01325/FUL: the site was previously the subject of an application to site a 70m high wind monitoring mast. This proposal was approved by the Planning and Building Standards Committee in March 2015, and allowed the subject mast to be retained in situ for a period of three years. Conditions attached to the consent further required that: (i) the ground should be reinstated to its original condition at the expiry of the three year period within 6 months of the decommissioning of the wind monitoring mast; (ii) bird deflectors should be located along the length of each guy wire at a minimum interval of 5m; (iii) the Ministry of Defence should be given appropriate notification with respect to the location, construction, design and operation of the mast ahead of the commencement of development; and that (iv) appropriate aviation warning lighting should be installed and maintained on the mast.

REPRESENTATION SUMMARY

The application was advertised in the local press. 9 representations have been received from 8 households. Copies of all representations can be viewed in full, on the Council's Public Access website. The 9 representations received are all in objection. They raise the following concerns:

- **Detrimental to landscape and visual amenities; inappropriate height; poor design; over-provision of facility in area; trees/landscape affected; inadequate screening** – given there is already a consent for a wind farm proposal, there is no requirement for any new or higher mast at this site; wind data has already been gathered at this site, so there is no need for any other mast; developer should be able to make calculations based on existing wind data already gathered, and progress straight to any application for a revised wind farm proposal for the site;
- **Detrimental to environment; density of site** – three years is too long a period for its operation, which should be justified by a specific objective;
- **Detrimental to residential amenity; privacy of neighbouring properties affected; overlooking** – no specific reasons are given for the identification of these issues;
- **Road safety; increased traffic** - no specific reasons are given for the identification of these issues;
- **Light pollution** - from aviation warning lighting required by the Ministry of Defence in a 'dark skies' area that contributes to tourist and visitor attractions;
- **Ecology** – unnecessary disturbance to wildlife; one objector considers that the Applicant has in line with the Ecology Section's advice, failed to demonstrate that its proposal is informed by 'Best Practice' guidance;
- **Economy** – contributes to wind energy development which has adverse impacts on tourism (attractiveness of area to tourists and visitors) and small businesses in the local area;
- **Subsequent Wind Energy Proposal** – account should be had to an intention to amend the wind energy proposal for the site, and the potential implications of this for the site and surrounding area, particularly given the potential for this to involve higher turbines than those consented at appeal for the Windy Edge scheme; approval would only promote a larger wind farm proposal;
- **Health issues; Flood Plain risk; Inadequate drainage; Noise nuisance; Water supply** – no reasons given for the identification of these issues; and
- **Other** – the approval and operation of the mast would contribute to a further period of uncertainty for local residents with respect to the timetable for the delivery of the wind farm.

APPLICANT'S SUPPORTING INFORMATION

The application is supported by a Planning and Design Statement.

A further statement has been provided by the Applicant in response to the objections received. This advises: (i) that the wind monitoring work that has already occurred in the area is not relevant. The Applicant is seeking to progress beyond this, to further understand the area's wind profile and requires the proposed mast to be at the proposed height, in order to achieve this; (ii) that the current proposal would not in planning terms, be appropriately assessed in terms of either its relationship to the consented wind farm at Windy Edge, or any forthcoming proposals; and (iii) the proposal would in fact be sited on what is to be the site of a consented, permanent anemometer mast.

DEVELOPMENT PLAN POLICIES:

SES Plan Strategic Development Plan 2013

Policy 1B: The Spatial Strategy: Development Principles

Policy 10: Sustainable Energy Technologies

Scottish Borders Council Local Development Plan 2016

Policy PMD1: Sustainability

Policy PMD2: Quality Standards

Policy ED9: Renewable Energy Development

Policy HD3 Protection of Residential Amenity

Policy EP1: International Nature Conservation Sites and Protected Species

Policy EP2: National Nature Conservation Sites and Protected Species

Policy EP3: Local Biodiversity

Policy EP7: Listed Buildings

Policy EP8: Archaeology

Policy IS5: Protection of Access Routes

OTHER PLANNING CONSIDERATIONS:

The following are material considerations:

Scottish Planning Policy (SPP) (June 2014)

National Planning Framework for Scotland (3) (June 2014)

Scottish Government On-line Renewables Advice

Supplementary Planning Guidance: Wind Energy (May 2011)

Supplementary Planning Guidance: Biodiversity (December 2005)

Supplementary Planning Guidance: Landscape and Development (March 2008)

Supplementary Planning Guidance: Renewable Energy (June 2007)

The Borders Landscape Assessment 1998

Wind Energy Consultancy - Landscape Capacity and Cumulative Impact Final Report (July 2013)

Briefing Note on Meteorological/Anemometer Masts (October 2012)

Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds (SNH, 2016)

CONSULTATION RESPONSES:

The following were consulted on the application. Their comments are summarised below.

Scottish Borders Council Consultees

Ecology Section: seeks the imposition of conditions upon any consent issued. Firstly, condition is sought to require that the development should not commence during the breeding bird season (March to August) unless in accordance with a Species Protection Plan (SPP) for breeding birds, that has first been submitted to, and approved in advance by, the Planning Authority. Secondly, the Ecology Officer seeks a condition to require that a Construction Method Statement outlining measures to protect terrestrial habitats; including soils and the water environment; be submitted to and approved by the Planning Authority before development is commenced. Lastly, an informative is sought to advise that care should be taken to avoid contamination or pollution of the water environment during construction by following SEPA's published guidance.

Landscape Architect: has been consulted, and has responded verbally to advise that given the Scottish Government's approval at appeal of the Windy Edge wind farm, there are no concerns with regard to the landscape and visual impacts associated with the installation of the proposed anemometer mast for a three-year period.

Statutory Consultees

Ministry of Defence: no safeguarding objection. However, in the interests of air safety, it is requested that the structure be fitted with aviation warning lighting. Further, the height of the development would necessitate that aeronautical charts and mapping records should be amended, and a condition requiring the developer to notify the Defence Geographic Centre, should be attached to any consent issued. The MoD would require to be made aware of any wind turbine(s) proposals at the site, should there be any ulterior proposal to site wind turbines of 11m or higher and/or with rotor diameters of 2m or greater, at the site.

Community Council: objects to the application on two grounds: (i) the Applicant would not appear to have followed best practice in the erection of meteorological towers by mitigating against bird collisions and bird disturbance during the breeding bird season, as per the advice and recommendations of Scottish Natural Heritage's guidance; and (ii) the Applicant should stipulate that the aviation hazard warning light would be infra-red. With respect to the first point, it is considered that the Applicant should have consulted Scottish Natural Heritage and the Royal Society for the Protection of Birds (RSPB) to establish how this would be most appropriately met within the siting guy line marking of the proposal. With respect to the second point, it is advised that the area is of increasing interest to tourists and visitors because of the quality of dark night skies, which would be adversely affected by the need for aviation hazard warning lighting, and recommended that the Applicant should stipulate that the light should be infra-red to minimise light pollution.

KEY PLANNING ISSUES:

Key planning issues are whether or not the proposal would have any unacceptable impacts upon the landscape character; the visual amenities of the area; the residential amenities of neighbouring properties; or the cultural or natural heritage resources at the site and within the surrounding area.

In considering this application, Members may wish to have regard to the Briefing Note presented to the Committee in October 2012, which provided some general background to applications of this type. This sets out the following points (presented here in summary for):

1. Any mast application must be considered on its own merits, without the Planning Authority giving any weight to the potential for a subsequent application to be made for the accommodation of a wind energy development at the site.
2. In the absence of any specific planning policy, the general rural development and environment policies of the Development Plan should be applied to the consideration of any mast application.
3. The assessment of the application should consider the specific policy criteria and the circumstances of the locus. It is legitimate to analyse in detail the potential impact the mast would have on any natural/built heritage assets and the visual and landscape qualities of the locality. Any application must be determined on its own merits and there will be circumstances, where it is appropriate to refuse planning permission due to those impacts. However, appeal decisions by the Directorate of Environmental and Planning Appeals (DPEA) are a material consideration that Members must take account of.
4. Even in sensitive landscapes, where a mast might be visible to a wide range of receptors, decisions must take appropriate account of the slender design of masts and their temporary nature.
5. It is legitimate to seek information on the proposed development, its impacts and the justification for the mast in the particular locus applied for. However, it is inappropriate to seek a justification for the need for a mast. It is only in the limited situations where there is a specific policy requirement that the need might be questioned.

ASSESSMENT OF APPLICATION:

Planning Policy Context

In general policy terms, this proposal for a temporary meteorological mast does not conflict with any of the principal determining development plan policies, provided that the proposal does not have any unacceptable landscape and visual impacts; avoids causing any adverse impacts upon any cultural or natural heritage resources at the site or within the surrounding area; and/or there are no other material planning considerations that indicate that the proposal would not otherwise be appropriately supported.

There are generally limited material planning reasons for masts to be resisted, particularly as they are, almost without exception, applied for on a temporary basis (in this case, 3 years). Their provision accords with Government's positive approach towards the consideration of sites for renewable energy development, and are generally accepted to be a precursory requirement for any applications for wind energy developments. It should be noted however, that by accepting a proposed met mast, this does not commit the Planning Authority to accepting proposals for wind energy development on this site. Any future proposals for wind energy developments would need to be considered on their own merits and under any forthcoming application which may be submitted.

Anemometer Proposals and Wind Energy Development

The Applicant considers that the proposal should be assessed against Policy ED9 – Renewable Energy Development of the Local Development Plan. Policy ED9 sets out the criteria by which to assess wind energy development, however, there is no specific reference in Policy ED9, or the Council's Supplementary Planning Guidance: Wind Energy, to the installation of wind monitoring masts associated with proposed wind energy developments.

Accordingly, it would not be appropriate to assess the current application against this specific policy or the aforementioned SPG. Instead, the proposal should be considered on its own planning merits, and should be assessed principally against Policy PMD2. This policy contains a number of standards that would apply to all development, and requires that development should be of high quality in accordance with sustainability principles, designed to integrate with its landscape surroundings.

Members should be aware that while objectors may reasonably anticipate the potential for a future application for a new or revised wind farm scheme, the determination of the current application is not an appropriate occasion at which to consider the merits or otherwise of the use of the site and surrounding area for wind energy development. In short, the current application would not be reasonably refused or supported on the basis of its potential to promote, facilitate, or more accurately inform, any ulterior wind energy proposal.

Purpose, Design and Function

The agent has advised that the mast is required, and the type of mast proposed, would provide accurate and representative measurements in terms that it is now seeking to investigate on the site. The view of objectors that the wind farm developers have had sufficient opportunity to gather wind data at the site is noted. However, it is entirely reasonable that the developers may have the need to collect new and different data to that which previously approved anemometer masts would have been able to capture.

The proposal is temporary and therefore its erection and operation should be limited to a clearly defined, finite period. In the event of approval, a condition would therefore reasonably be imposed to limit the planning permission to a temporary period of 3 years. A period of 3 years is both directly sought by the Applicant, and is in line with other wind monitoring masts approved elsewhere in the Borders.

Landscape and Visual Impact

The site is not within any landscape designation.

The Borders Landscape Assessment identifies this site as falling within Landscape Character Type No.4: Southern Uplands Type with Scattered Forest. The key characteristics of this uplands landscape are large scale, rolling heather and grassland covered hills with locally prominent, scattered, large coniferous plantations. The surrounding landscape includes a number of larger hills in the surrounding area which provide natural screening in all directions.

Notwithstanding its height, the visual impact of the proposal is limited due to the mast's lightweight, slender nature, which would make it difficult to see at distance, in the wider landscape. Furthermore, it is not designed to be a permanent structure. At the end of its useful life, the mast would be removed from the site, and the land reinstated to its former condition.

Although the mast would be visible from the immediate area it is not considered that it would have any significantly detrimental impacts upon the landscape character of the site or wider surrounding area. The mast would not be prominent when viewed from local roads, such as from the B6399 or from the minor road between the B6399 and the A7 to the south of Hermitage Castle. This is due to the distances involved, surrounding topography and the conifer plantations. The single slender structure would only be visible in closer views; and, as the development is reversible, there would be no lasting visual or landscape impacts. On this basis, the mast would have no unacceptable landscape or visual impacts.

Cumulative Landscape and Visual Impacts

There is potential for cumulative landscape and visual impacts involving the proposed mast and at least some of the structures, including wind turbines, approved under Planning Consent PPA-140-2055. However, the proposal is temporary so any cumulative impacts would certainly be finite. As such, these are not considered to be unacceptable; particularly given that there would be a mast on the site in the longer-term, when the Windy Edge scheme is developed out in full. It is in this respect that positive significant regard might be had to the fact that there is an existing approval for an equivalently-sized but more substantial mast on the site.

It is on balance, considered to be highly unlikely that the Applicant would seek to accommodate the temporary and long-term anemometry masts on the site at the same time, owing to the potential for them to compromise each other's operations. Given the longer-term programme relating to the delivery of the Windy Edge Scheme, the potential for any overlap in time, even if practicable, would be liable to be for a short interval. As such, there are not considered to be any unacceptable risks of any long-term unacceptable landscape and visual impacts occurring as a consequence of two masts being sited next to one another.

Residential Amenities

The mast would be sited in an isolated rural area characterised by scattered houses and communities. However, there are no residential properties in the immediate vicinity of the mast that would be affected by the proposal, in terms of loss of light, privacy or outlook: the nearest residential property, is at Old Braidlie, over 1km to the south.

Access

With respect to technical and safety aspects, there would be no unacceptable impacts upon road safety or the safety of any members of the public using any designated Core Path or Right of Way. The mast would be located more than topple height from any Public Right of Way, footpath, building or road.

Vehicular access to the site would be via the B3699 onto an existing farm track and field access. No access improvements or new access tracks are proposed as part of the development. The mast would be transported to site using 4x4 all-terrain vehicles with trailers and no specialist vehicles, cranes or lifting equipment are required for the installation. During the operational phase of the mast, access would only be required intermittently for inspection and maintenance.

Natural Heritage

The site lies within 2.5km of the Langholm - Newcastleton Hills Special Protection Area (SPA); and the Ecology Section has advised that the site is within 2km of recorded sightings of several protected species. The surrounding habitat includes semi-improved acid grassland, wet heath and marshy grassland, on top of carbon-rich deep peat soil in priority peatland habitat.

The Ecology Section has assessed the potential for there to be impacts upon breeding birds and birds in flight, in and around the site. In accordance with the view taken at the time of the previous application, Ecology request that the guy lines should be equipped with bird deflectors, and that these should be appropriately monitored and maintained. It does however state a specific concern that all of these arrangements should occur within the

context of a broader Species Protection Plan (SPP) for breeding birds, to be submitted to, and approved in advance by, the Planning Authority.

Additionally, a Construction Method Statement, outlining measures to protect habitats; during the construction phase is required. Ecology advises that drive-in anchors would be less disruptive to habitat and carbon-rich soils than dug-in anchors. This specific matter might be considered within the Construction Method Statement, and an informative could provide guidance in this respect.

It is understood that the bird deflectors should be fitted and operated *in any event*; rather than in accordance with a Species Protection Plan were the development to commence during the breeding bird season. The two matters – provision and maintenance of bird deflectors, and construction during the breeding bird season – are reasonably separate matters, albeit that both could reasonably be addressed appropriately within the same Species Protection Plan. A suitably worded planning condition could appropriately allow for this.

Although it was previously consulted at the time of the public consultation on the earlier anemometer mast, Scottish Natural Heritage (SNH) has not been consulted on this occasion. The site is not the subject of any national natural heritage designations, and SNH has released guidance on mitigation requirements with respect to the erection of anemometer masts, and 'best practice' within the construction of such developments. SNH did not previously identify any objections to the earlier mast proposal on the same site, and its concern then that bird deflectors should be installed is commensurate both with standing advice and the requirements identified by our Ecology Section. Ultimately, the development is capable of being progressed in a way that would meet the requirements of SNH's 2016 guidance subject to the conditions requested by the Council's Ecology Section.

Noting the advice of the Ecology Section in its consultation response relating to the current application, the Community Council, and also one objector, have identified the fact that the proposal has apparently not been informed by 'best practice' guidance as set out by Scottish Natural Heritage in its 2016 guidance note. However, as the Ecology Section's response explicitly advises, both of its concerns in this respect are nonetheless matters which can be regulated by planning conditions in the event of approval.

Built Heritage and Archaeology

Policy EP7 requires that Listed Buildings should be protected against works which would have a detrimental effect on their listed character, integrity or setting. Hermitage Castle is a Category A Listed Building situated 3.5km from the site. It is considered that the proposal would not adversely affect the setting of the castle due to the distance involved, topography and slim nature of the mast.

Policy EP8 seeks to protect Scheduled Ancient Monuments, nationally important sites not yet designated or any other archaeological or historic site. However, there are no known archaeological sites in the immediate vicinity.

Aviation Lighting

The Ministry of Defence has requested that the mast should be fitted with aviation lighting at the highest practicable point. A planning condition would therefore reasonably be placed upon any consent issued, requiring the warning lighting to be fitted, and thereafter retained for the entire duration of the development period, to minimise impacts upon aviation safety.

Objections have been received from the Community Council and from members of the public, on the basis that there would be unacceptable light pollution from the aviation warning lights required by the MoD in association with the operation of the mast. These concerns are primarily raised with respect to light pollution adversely impacting the quality of dark skies in the surrounding area, which it is advised, are of sufficient quality to attract tourists and visitors to the area with an interest in astronomy. In the event of approval, the Community Council has asked that the Applicant in fact be required to fit an infra-red warning light to minimise light pollution. The Applicant might certainly be encouraged by way of an informative, to use an infra-red light to minimise such light impacts, but in relation to a temporary siting of the mast outwith any landscape or natural heritage designation, it would not be reasonable to insist that the Applicant should fit an infra-red light. However, if the application is approved, Members may wish to consider whether or not an infra-red warning light should in fact be required by planning condition.

Site Restoration

No significant restoration of the site would be required following removal of the wind monitoring mast from the site, but there may be notably greater superficial damage associated with dug-in rather than drive-in anchors; and in either event, there would be a requirement to fill in the holes that previously accommodated the anchors.

It would be appropriate to require by condition that the Applicant carry out all works that would be necessary to restore the original ground levels, in order to allow the land within the site to continue in agricultural use, beyond the decommissioning of the proposed mast.

Other Issues

Since the proposal is temporary, with a relatively small footprint compared to the larger agricultural use, there would be no unacceptable conflict in terms of land use; and the surrounding agricultural use of the land would continue as before in the event of approval.

Objections with respect to drainage and water supply are noted, but no watercourse crossings are required. There is no surface water feature within the immediate area of the proposed development. Accordingly, none of these matters is considered to be reasonably objectionable. No trees or hedges would be impacted.

Objections based on potential adverse impacts upon the quality of landscape or dark skies, affecting the local tourist and visitor economy, are noted. However, beyond the subjective views or anecdotal accounts of individuals, there is no evidence that anemometers, masts or wind turbines, do have any significant effect in either the discouragement or promotion of tourism within an area. Moreover, it is not tenable in this particular case, that a single temporary mast at the site of an approved wind farm would have any particularly notable effects in this respect.

CONCLUSION

The mast is a lightweight structure of unobtrusive design and temporary nature, required to establish the technical feasibility of a potential wind energy development. It would be sited on land that is not subject to any environmental designations or specific site constraints. It would have no significant adverse long-term impacts on the landscape character of the area as a consequence of its temporary siting and slender nature.

This development would therefore not result in any significant adverse impacts upon the amenity or environment of the surrounding area, including the surrounding landscape, and the area's natural heritage and cultural heritage resources. The proposed mast is consistent

with the development plan and national renewable energy planning policies. Accordingly, the proposal to erect a wind monitoring mast in this location is considered to comply with the policies of the Scottish Borders Local Development Plan; including Policy PMD2.

This conclusion should not be taken as an indication of the acceptability of a wind farm development on this site.

RECOMMENDATION BY CHIEF PLANNING OFFICER:

I recommend the application is approved subject to the following conditions and informatives:

1. Approval is granted for a limited period of three years from the date of this consent and, unless an application is made and further consent obtained, the wind monitoring mast shall be removed from the site at the expiry of this same three year period.
Reason: To ensure the satisfactory regulation of a temporary development on the site, in the interests of safeguarding the amenity of the site and surrounding area.
2. Unless otherwise agreed in writing by the Planning Authority in advance of the commencement of decommissioning works, following the removal of the anchors, the holes that accommodated the anchors shall be filled in (backfilled, in the case of dug-in anchors) back to the original height (ground level) of the ground prior to the insertion of the anchors at the time of the erection of the development hereby consented. Further, this reinstatement of the site shall be completed within no more than 2 months from the date of the completion of the decommissioning of the wind monitoring mast itself.
Reason: To ensure the satisfactory restoration of the site in the interests of safeguarding the amenity of the site and surrounding area.
3. No development shall commence until the Developer has first provided the Planning Authority with documentary evidence that the UK DVOF & Powerlines at the Defence Geographic Centre, has received, and confirmed its acceptance of, appropriate notification of the following details:
 - a. Precise location of development;
 - b. Date of commencement of construction;
 - c. Date of completion of construction;
 - d. The maximum height above ground level of the tallest structure;
 - e. The maximum extension height of any construction equipment; and
 - f. Details of aviation warning lighting fitted to the structure.Reason: in the interests of aviation safety, to allow the records of the Ministry of Defence to be amended and updated for safeguarding purposes.
4. Aviation warning lighting shall be fitted at the highest practicable point on the meteorological mast. The lighting device so installed, shall either be a minimum intensity 25 candela omni-directional flashing red light or an equivalent infra-red light. It shall be maintained in good working order at all times for the entire duration of time that the mast remains in situ. Please see **Informative Note 1** for related advice.
Reason: Appropriate aviation warning lighting requires to be fitted to the meteorological mast in the interests of aircraft safety.
5. No development shall commence until a Species Protection Plan (SPP) for breeding birds, has first been submitted to, and approved in writing by, the Planning Authority. This same SPP shall include provision for mitigation and monitoring of the development hereby approved in relation to the protection of breeding birds, including (as a precaution) hen harrier. It shall specifically include the following:

- a. a scheme of details, including elevation drawings, describing the installation and maintenance of bird deflectors located along the length of each guy wire, positioned relative to one another, at a minimum interval of 5m, with these arranged on adjacent wires such that the resulting pattern of deflectors is staggered to provide maximum visual impact to birds;
- b. a scheme of details describing how the bird deflectors shall be monitored regularly, and maintained throughout the period of operation of the structure. This shall identify specific action-points and timescales for the operation of these same measures (that is, what specifically, will be carried out and when it will occur); and
- c. a scheme of details identifying all mitigation measures that shall be employed to minimise disruption to breeding birds during the breeding bird season (March to August).

Thereafter, (i) the development shall only be carried out and operated in accordance with the provisions of the approved Species Protection Plan; and (ii) the provisions of the Species Protection Plan shall all be implemented and operated in accordance with the approved details for the duration of the development hereby approved. The approved bird deflectors installation shall moreover, be fully installed at the time of the erection of the anemometer mast, and this installation shall thereafter be maintained in full and at all times, in accordance with the approved details for the duration of the development hereby approved.

Reason: To prevent adverse impacts on breeding birds, including hen harrier, and to help conserve the natural heritage interests safeguarded by the Langholm - Newcastleton Hills Special Protection Area (SPA).

6. No development shall commence until a Construction Method Statement has first been submitted to, and approved in writing by, the Planning Authority. This Construction Method Statement shall:
 - (a) identify measures to protect terrestrial habitats, including soils and the water environment at the time of, and for the duration of, works at the time of construction and at the time of the decommissioning works; and
 - (b) address the concerns of **Informative Note 2** attached to this same planning consent.

The development shall then be implemented in full accordance with the provisions set out within the approved Construction Method Statement, including at the time of its initial construction and then at the time of the decommissioning works.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impacts on terrestrial habitats and the water environment.

Informatives

It should be noted that:

INFORMATIVE NOTE 1:

In respect of **Condition 4**, the Developer is encouraged to install infra-red lighting so that the lighting would not result in an unacceptable level of light pollution.

INFORMATIVE NOTE 2:

Care should be taken to avoid contamination or pollution of the water environment during construction by following SEPA's published guidance, e.g. GPP 5.

The Council's Ecology Section considers that drive-in anchors would be less disruptive to habitat and carbon-rich soils than dug-in anchors. Accordingly, and within the Construction Method Statement, the Developer should consider the potential to employ a drive-in method

of anchoring, and describe the employment of such a method, wherever this is possible. (If a dug-in method of anchoring is proposed, it should be justified and evidenced within the Construction Method Statement that a drive-in method, is not feasible for environmental reasons).

DRAWING NUMBERS

Plan Ref	Plan Type
1	Location Plan
2	Site Plan
3	Elevations
4	Planning Layout

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Stuart Herkes	Planning Officer



18/00253/FUL

Land North East And North West -
Of Farmhouse Braidlie
Hawick

