SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

27th MARCH 2016

APPLICATION FOR PLANNING PERMISSION

ITEM:	**REFERENCE NUMBER**: 16/00980/FUL
OFFICER:	Mr Scott Shearer
WARD:	East Berwickshire
PROPOSAL:	Wind farm development comprising of 8 no turbines 100m height to tip and associated works, infrastructure, compounds, buildings and meteorological mast
SITE:	Land North Of Howpark Farmhouse Grantshouse
APPLICANT:	LE20 Ltd
AGENT:	Farningham Planning Ltd

SITE DESCRIPTION

The application site is located on sloping pasture land above Howpark Farm on the south western side of Coldingham Moor. The site extends to 135ha and is used for sheep and cattle grazing with drystone walls dividing the land into fields. The site is bisected by Howpark Road which runs in a north/south direction. Penmanshiel Wind Farm which consists of 14 turbines of 100m tip lies directly to the north west of the site and Drone Hill Wind Farm which consists of 22 turbines of 76m tip lies directly to the north east. Harelaw Burn runs across the western side of the site and the site also contains thin strips of plating at various locations.

The nearest residential properties are located at the Howpark hamlet which lies approximately 300m to the south of the site. The nearest settlements (not including access track) are as follows;

- Grantshouse, 1.5km to the south west
- Coldingham 5.5km, to the east
- Reston, 5.7km to the south east
- Cockburnspath, 5.8km to the north west

Landscape Designations:

The site itself is not within any designated landscape areas. The following designations do however relate to the site;

- Berwickshire Coast Special Landscape Area is approximately 970m to the north
- Lammermuir Hills Special Landscape Area is approximately 8km to the west

Press Castle Designed Landscape is a little under 2.6km to the south west of the site.

PROPOSED DEVELOPMENT

The application seeks consent to install 8no wind turbines with a minimum capacity of 20MW. The turbines are to have maximum tip height of 100m and indicated hub height of 60m. The array of turbines is roughly linear with two rows of four turbines.

The site will be accessed via the south east from a new access track. The associated infrastructure proposed includes a substation and control room building, a 1MW storage battery, a permanent metrological mast (up to 60m in height), access tracks, temporary construction compounds and associated ancillary engineering works.

The proposed wind farm would have an operational life span of 25 years after which the wind farm would be decommissioned.

NEIGHBOURING SITES/SCHEMES RELEVANT TO CONSIDERATION OF CURRANT PROPOSAL:

A list of these sites are included within Table 7.4 of the Environmental Statement (ES) and identified on Figure 7.13 of the Landscape and Visual Impact Assessment (LVIA). The most pertinent sites are those closest to this site and are noted below;

Operational:

Drone Hill - 22 turbines, 76m in height located directly to the north east, approved on appeal.

Brokholes - 3 turbines, 79m in height located 3.5km to the south, approved by SBC.

Aikengall (Wester Dod) – 16 turbines, 125m in height, located 11.5km to the west.

Consented (including under construction):

Penmanshiel – 14 turbines, 100m in height, located directly to the west, approved on appeal.

Moorhouse – 2 turbines, 77.9m in height, located directly to the northwest of Drone Hill Wind Farm, approved by SBC.

Quixwood – 13 turbines, 115m in height located 4km to the south west, approved by SBC.

Neuk Farm – 2 turbines, 110m in height, located 5.5km to the west, approved on appeal by the Local Review Body

Fernylea – 2 turbines, 125m in height, located in East Lothian 7.5km to the west.

Hoprigshiels – 3 turbines, located 7.5km to the west, approved on appeal by the Local Review Body.

Aikengall 2 and 2a – 38 turbines 125 – 145m in height located 10km to the west, both approved on appeal.

PLANNING HISTORY

15/00083/SCO – This is the Scoping Opinion that preceded this application. The scoping exercise, which is intended to address the extent of information to be included within the Environmental Statement, sought an opinion on the same number and height of turbines proposed within this application.

15/01415/PAN – This is the Proposal of Application Notice that preceded this application.

REPRESENTATION SUMMARY

In total objection comments from 24 different addresses have been received. Each of these representations are available in full on *Public Access*. The main grounds of objection are noted below;

- Planning and Building Standards Committee determined in 2014 that there was no further capacity for wind energy development in the area
- Over provision of facility in area
- Original application at Drone Hill included turbines of 102m which were viewed to be inappropriate
- Adverse landscape and visual impact
- Detract from the setting of the Berwickshire Coast SLA
- Poorly related to Penmanshiel and Drone Hill Wind Farms
- Different design to neighbouring turbines will exacerbate their visual impact
- Turbines higher than those at Drone Hill and some will occupy higher ground leading to increased prominence
- Development is located outwith bowl which contained Drone Hill
- Detrimental cumulative impacts with other wind farms in East Berwickshire
- Control building poorly sited and fails to integrate with surrounding area
- Negatively impact on the Southern Upland Way, the Berwickshire Coastal Route and other walking and cycling routes
- Adversely affect the setting of the Winding Cairn SAM
- Renewable energy benefits of the proposals do not outweigh the landscape and visual impacts
- Photomontages are inaccurate
- Visual assessments within the ES are understated
- Adversely affect residential amenity
- Affected residential properties have been omitted from the submitted Residential Visual Amenity Assessments
- Adversely affect tourism assets particularly High View Caravan Park
- Site conflicts with SBC spatial strategy for wind farm development
- Conflicts with provisions of the Local Development Plan, SBC Structure Plan and SPP
- The Landscape Character Type is not suitable for wind energy development
- Noise nuisance
- Development will cause shadow flicker which cannot be mitigated.
- Loss of Trees
- Inadequate screening
- Impinge on water supply
- Development will negatively affect health of residents in close proximity to the proposals
- Scottish Government's Renewable targets are already met
- Road network cannot accommodate delivery and construction vehicle use

APPLICANTS' SUPPORTING INFORMATION

The application is supported by an ES which includes the following documents;

- Volume 1 - Non Technical Summary
- Volume 2 - Main Report and Figures
- Volume 3 - Technical Appendices
- Volume 4 - Landscape and Visual Impact Assessment Figures
- Planning Statement
- PAC Report

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Access Officer: No Rights of Way or Core Paths are directly affected. The land Reform Act seeks a right of responsible access through the site once the development is completed and the tracks should be available for public use. The proposal will be visible from a number of recreational paths / routes which are used for walking, cycling and horse riding. The scale, cumulative and sequential impact of the development has an unacceptable landscape and visual impact upon recreational routes. If approved, planning conditions requesting a study of the paths within the site and a developer contribution to promote the Core path Network are recommended.

Archaeology Officer: Support principle of development, subject to mitigation.
Direct Impacts – Despite the design mitigating many impacts on known heritage assets, there are still areas of sensitivity such as fields containing Scheduled Atton, settlement and evidence of pit alignment in addition to knowledge of archaeological discoveries during other wind farm developments on neighbouring sites. A watching brief is recommended to mitigate the known and potential loss of archaeological resource across the whole site and significant discoveries should be preserved in situ.

Indirect impacts – Individually and cumulatively, the development poses an adverse impact to the setting of the Winding Cairn. A judgement is required if this impact is contrary to archaeology policies of the Local Development Plan (LDP). Agree with the recommendations of Historic Environment Scotland (HES) that the impact on the scheduled monument is moderately adverse and while this should not preclude development the negative impact on its setting can be off set through a contribution towards the North Berwickshire landscape archaeology project which will increase the understanding, appreciation and experience of the affected historic environment.

The developments impact on the Drone Hill Chain Home Radar Station is underestimated in the ES. The asset does not coincide with the caravan park and is associated with other WWII air defences in the area. The radar station is of regional significance and the effects of the development on it are recommended to be medium. Under ES assessment criteria this would require mitigation may be possible through on-site interpretation which would require negotiation with the land owners.

Ecology Officer: No objection. Planning conditions are recommended to mitigate impacts on and compensate the loss of ecological interests. Recommend conditional measures include; the appointment of an Ecological Clerk of Works, an Environmental Management Plan, Species and Habitat Protection Plans, Ecological

Monitoring and agreement of Decommissioning and Restoration Strategies. Advise that the Ornithological assessment should be submitted in due course as supplementary information.

Environmental Health: Additional information provided by the applicant has clarified an error in the ES. No objection is raised subject to conditions being imposed to restrict noise levels of the turbines, ensure the development is operated appropriately and agree a procedure to investigate noise complaints.

Forward Planning: Identifies the range of relevant policy, guidance and material considerations. Conclude that the proposal does not accord with the recommendations of the Ironside Farrar Study (2013) for the scale of the turbines proposed in this area. The presence of two windfarms adjacent to the site should be taken into consideration when assessing the merits of the proposal and whether this is a suitable addition to these windfarms from a cumulative perspective.

Landscape Architect: The Landscape Architect has made a detailed assessment of the proposed scheme in relation to Policy ED9 of the LDP and identified landscape and windfarm guidance. Does not object to the proposal and the following key observations have been made;

- Proposal affects five different character areas. In an undeveloped landscape this effect would be considerable however the character changing effects are substantially reduced as the proposal would be seen against other turbines.
- Increase in scale of turbines is to a degree offset by proposal linking existing windfarms to create a single unified cluster.
- The proposed array responds to the underlying shape of the ground and the pattern of development at Drone Hill and Penmanshiel.
- Site falls within LCT19: Coastal Farmland viewed in isolation the proposal is out of scale with the receiving landscape.
- Additional planting strengthens landscape framework and should be secured by condition.
- Impact on the amenity of the five closest properties requires further consideration and screen planting may provide mitigation.
- Proposal appears to create a single windfarm on Coldingham Moor and avoids visual tension with existing windfarms.
- Cumulatively landscape and visual impact is minimised by existing windfarm development on Coldingham Moor.
- Ironside Farrar's Study does not offer support for a large scale windfarm in this location. A detailed landscape and visual assessment has not resulted in the Landscape Architect finding grounds to warrant objection largely because most of the effects of the impacts of the development are already evident and the additional effects would not exacerbate the existing impacts.

Roads Planning Service: Have assessed the impact of the development on the section of public road immediately after A1 junction through to the site entrance and Howpark Road crossing. Impact on the trunk road which includes the junction on to A1 is a matter for Transport Scotland. Recommend that a Traffic Management Plan (TMP) should be approved to agree how the traffic associated with the wind farm is managed to minimise the impact on all other road users in the surrounding network. A list of detailed points for inclusion in the TMP has been provided.

Statutory Consultees

Community Council (Abbey St Bathens, Bonkyl and Preston): Object, siting following grounds;

- Adverse landscape and visual impact, particularly from viewpoints 11 and 13
- Cumulative impact where the location has reached saturation point.

Community Council (Cockburnspath and Cove): Object, siting following grounds;

- Development would add the array of varying turbine heights which would have a detrimental cumulative landscape and visual impact.
- Proposal sited on high ground where they will appear taller and less well contained in the landscape.
- Detrimentally add to noise levels and impact require more rigorous noise assessments
- Detract from the residential amenity and amenity of tourist attractions and facilities
- National wind energy targets have been met
- Detract from the setting of the Berwickshire Coast Special Landscape Area.

Community Council (Grantshouse): Object, siting following grounds;

- Detrimental to environment
- Detrimental to residential amenity
- Fail to integrate with height and design of turbines on neighbouring wind farms and will not impact the landscape and visual impact of the existing group
- Loss of view
- Coldingham Moor and Drone Hill are saturated by wind energy development
- Fails to comply with provisions of development plan, most notably cumulative impacts
- Detrimental impact on local tourism attractions and facilities

Community Council (Reston and Auchencrow): Noted that no prior engagement from the applicants before lodging the application was carried out. No formal response to the merits of the proposal has been provided at the time of writing.

East Lothian Council: Questions are raised about the accuracy of some of the submitted visuals and choice of viewpoints in East Lothian. Based on the information provided, the proposals appear to have a minimal visual impact on the setting of East Lothian. If consented the proposals would exists for a period without Dronehill or Penmanshiel but given their low elevation and limited spread, when viewed by themselves from East Lothian the proposals will have a limited visual impact by themselves.

Joint Radio Council: No objection.

Historic Environment Scotland (HES): Identify that the Winding Carin (Scheduled Ancient Monument) and Category A-listed Renton House are national historic environment interests affected by the proposals. The proposal is recommended to have a moderation adverse impact on the settings of both assets. However the impact is not of a scale to raise issues of national significance concluding that no objection is raised. Justification for this assessment is provided within an annex of the consultation response provided by HES.

Ministry of Defence (MOD): No objection. Recommend all turbines are fitted with suitable lighting so they are identified by aircraft and precise details of the construction period, height of equipment and location of each turbine is provided so flight charts are updated with this information.

NATS Safeguarding: Following further assessment, an updated response has been provided confirmed that NATS are satisfied that the impact of the development on the St Abbs aeronautical radio station site it not detrimental to its operations and the original objection has been withdrawn.

Scottish Environmental Protection Agency (SEPA): Original concerns expressed about the siting of Turbine 8 have been addressed by additional information which confirmed that the turbine is not being located in an area of groundwater. During construction de-watering may take pollution from this location into a nearby water course however SEPA are satisfied that this can be mitigated by agreeing a Construction Environment Management Plan (CEMP) which will also include measures to protect the environment from pollution as a result of this development as set out in the ES. Recommend that conditions are attached to control the siting of SUDS or settlement lagoons outwith Groundwater Dependent Terrestrial Ecosystem (GWDTE) and agree the details to dewatering of turbine foundations. Content that the development should not impact on private water supplies and no peat is present on the site.

Scottish Natural Heritage (SNH): The proposal will not affect any sites designed for their nature conservation interest. The proposal will have a degree of localised landscape and visual impact in addition to the Drone Hill/ Penmanshiel/ Moorhouse combined wind energy development. The nature of the additional effects of the proposal by way of increasing the extent, linkage and intensification of the existing array are primary considerations. The proposals are considered to meet their guidance for siting and designing windfarms and SNH recommend that it represents an appropriately designed extension to the combined array in landscape and visual terms. On reaching this recommendation, a range of observations are noted within SNH's appraisal of the proposal. In summary, these are:

- Concerns about the landscape and visual impact of the Drone Hill and Penmanshiel developments have been raised. These proposals will not adversely alter the design or appearance of the combined development or landscape character.
- The proposal relates to the skyline impacts of existing arrays
- A coherent relationship with the design and operation of the existing turbines in the array is recommended, particularly heights and rotational speeds which will be evidence from close range.
- Proposal bridges a narrow gap between wind farms
- Proposed landscaping in Figure 7.7e is welcomed and should be secured as part of any consent
- The location of the substation control building is prominent and an alternative layout re-positioning the building behind the existing stone wall should be explored and further details of earthworks and planting to mitigate landscape impact should be agreed.
- Support proposals for a Construction Management Plan (CEMP), mitigation measures in the ES and support use of an Ecological Clerk of Works.

A detailed Appendix describing/expanding upon landscape and visual impacts and their significance is included with the planning consultation response.

Transport Scotland: No objection, but recommends conditions relating to transportation/management of abnormal loads and nature of proposed signage/traffic control.

DEVELOPMENT PLAN POLICIES:

SESplan Strategic Development Plan June 2013:

Policy 1B	The Spatial Strategy: Development Principles
Policy 10	Sustainable Energy Technologies

Local Development Plan 2016 (LDP):

Policy Reference	**Policy Name**
PMD1	Sustainability
PMD2	Quality Standards
ED9	Renewable Energy Development
HD3	Protection of Residential Amenity
EP3	Local Biodiversity
EP5	Special Landscape Areas
EP7	Listed Buildings
EP8	Archaeology
EP9	Conservation Areas
EP10	Gardens and Designed Landscapes
EP15	Development Affecting the Water Environment
IS2	Developer Contributions
IS5	Protection of Access Routes
IS8	Flooding

OTHER PLANNING CONSIDERATIONS:

Adopted SBC Supplementary Planning Guidance (SPG) and other documents:

- Renewable Energy (2007)
- Wind Energy (2011)
- Visibility Mapping for Windfarm Development (2003)
- Biodiversity (2005)
- Local Landscape Designations (2012)
- Developer Contributions (2010)

- Ironside Farrar Study (2013) on Wind Energy Consultancy Landscape Capacity and Cumulative Impact

Scottish Government Policy and Guidance:

- Scottish Planning Policy (SPP) (June 2014)
- National Planning Framework for Scotland (3) (June 2014)

Scottish Government On-line Renewables Advice:

- Circular 3/2011 Environmental Impact Assessment (S) Regulations 2011

- PAN 60 Planning for Natural Heritage 2008
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 1/2011 Planning and Noise
- PAN 2/2011 Planning and Archaeology
- PAN 1/2013 Environmental Impact Assessment

Historic Scotland Publications:

- Scottish Historic Environment Policy (2011)

SNH Publications:

- Siting and designing windfarms in the landscape (2014)
- Visual Representation of Wind Farms (2014)
- Assessing the cumulative impact of onshore wind energy developments (2012)

Other Publications:

ETSU-R-97 - The Assessment and Rating of Noise from Wind Farms

KEY PLANNING ISSUES:

- Land use planning policy principle
- Economic benefits attributable to the scheme
- Benefits arising in terms of renewable energy provision
- Landscape and visual impacts including residential amenity visual impacts, arising from turbines and infrastructure
- Cumulative landscape and visual impacts with other wind energy developments
- Physical and setting impacts on cultural heritage assets
- Noise impacts
- Ecological, ornithological and habitat effects
- Impact on road safety and the road network
- Shadow flicker
- Developer contributions

ASSESSMENT OF APPLICATION:

Planning Policy Principle

Scottish Government Policy, regional strategic policy and local planning policy/guidance are supportive of the principle of constructing wind energy projects unless, with regard to the specific circumstances, the environmental harm caused outweighs the benefits of energy provision.

Policy ED9 of the Local Development Plan 2016 (LDP) is specifically concerned with Renewable Energy Development. This policy promotes the need for assessments to be made against the principles set out in Scottish Planning Policy 2014 (SPP), in particular the Spatial Framework set out in Table 1.

Considered against Table 1 of SPP, the proposed development is not located within a Group 1 area by being located in either a National Park or National Scenic Area. Group 2 lists various designations and interests where there will likely be a need for

significant protection from wind farms. One of the listed sensitivities of the Group to is the provision of 2km separation of the development from a recognised settlement in the LDP. Turbine No. 8 (T8) is located 1.94km Gransthouse meaning that the site does fall within a Group 2 Area of Significant Protection. Where wind farms fall within categories of significant protection listed within Group 2, their development *may* still be appropriate however in this case, the development must demonstrate that its visual impact on Grantshouse is not adverse or the impact can be mitigated.

Considered against the Council's Wind Energy SPG Spatial Strategy, adopted in 2011, the turbines would be situated in an Area of Search with Minor Constraints. This can be qualified as a site which is outwith areas of protection such as national or local planning designations.

Having tested the proposal against national and local spatial framework considerations for wind farm developments, the site is not located within an area which would automatically preclude the development of a wind farm. The precise impacts of the proposal must however be assessed against relevant LDP policy criteria to establish if the development of a wind farm at this site is suitable. This assessment will be carried out within the remainder of this report.

Design Methodology

The layout has attempted to follow the linear pattern of the developments at Drone Hill and Penmanshiel and responds to the shape of the ground. The height of the turbines, including their hub height to blade length correspond with those being used at Penmanshiel but will differ from those used at Drone Hill Wind Farm. SNH have advised that the proposals broadly satisfy the principles in their guidance on "Siting and Designing Wind Farms in the Landscape" and responds to the existing Drone Hill/Penmanshiel/Moorhouse (hereinafter referred to as the Drone Hill Cluster) in landscape and visual terms.

Landscape and Visual Impacts:

Landscape Character

Figure 7.8a illustrates that the development site is situated at the north western corner of Landscape Character Type (LCT) 19Co: Coastal Farmland: Coldingham as indicated in the Borders Landscape Assessment 1998. This assessment describes the LCA as being;

"a diverse coastal landscape of rolling farmlands and rugged sea cliffs."

The site is very close LCT 21CM: Coastal Moorland: Coldingham Moor which is another coastal type which lies immediately to the north and contains the majority of the wind farms at Penmanshiel and Drone Hill. Immediately to the west lies LCT 26EyW: Pastoral Upland Fringe Valley: Eye Water, which is described as an 'Upland fringe type'. The development will have direct effects on both these LCTs, particularly LCT 21CM.

The applicants have presented the opinion at Fig 7.8b in the ES and supplemented by further information that by accounting for existing wind farm developments in the immediate area that the receiving LCT now displays the characteristics of Coastal Moorland. This is a reasonable suggestion to make, however the site contains improved grassland and includes enclosed fields which is a defining characteristic of LCT 19Co and not 21CM. Because the site is located at an intersection of three

LCTs, there are overlaps in character. It is considered that it is reasonable to conclude that, as advised by the Landscape Architect, the site is located within LCT 19Co but that, because it is located on the edge of the LCT, it should be recognised the location does display features of neighbouring LCTs. Ultimately, the LCT of the receiving landscape is of secondary importance to whether the proposal is suitable in landscape terms and it is this that will be discussed within this report.

Landscape Capacity

Policy ED9 gives significant weight to The Landscape Capacity and Cumulative Impact Study 2013 by Ironside Farrar being an initial reference point for landscape and visual assessments for wind energy developments. This study is based on the LCT's which are also referenced as Landscape Character Areas (LCAs) of Borders Landscape Assessment (ASH Consulting Group for SNH, 1998).

The section above covering Landscape Character advises that the applicants and the Planning Authority do not necessarily agree on the classification of the receiving Landscape Character Area (LCA). To address this difference of view, the application has been considered against both corresponding LCTs of Ironside Farrar's study: LCT19 ii and 21. Both of these LCTs fall within a wider landscape area identified as the Coastal Zone. Table 6.1(iv) considers the potential for further windfarm development in LCT's within this area. It is revealing that both LCT 19ii and 21 are recommended to only have some capacity for medium sized turbines. Medium sized turbines are qualified within the study as being turbines between 25 – 50m high. Both study areas are noted to have increased capacity for potential wind energy development towards the west of their areas which is where this site is located, but this does not necessarily recommend that there is capacity for larger turbines. (*N.B. Ironside Farrar's study was approved prior to the determination of Penmanshiel Wind Farm, but the study made reference to the submission of this application.)*

To help consider the landscape impacts of this application, is it important to outline key views on the landscape impact which were expressed as part of the assessment of neighbouring wind farm schemes. These are as follows;

- The Council opposed the development of a wind farm containing 76m high turbines at Drone Hill and 100m high turbines at Penmanshiel. Central to the Council's opposition to these schemes were concerns that these developments would have adverse landscape and visual impacts and the Council defended these views at appeals.
- In their response to this application, SNH have made reference to the serious concerns they raised against Penmanshiel which was based on the landscape and visual impact of the combined Drone Hill and Penmanshiel developments.
- On determining the last application for wind turbines in this landscape where consent was obtained for two 76m high turbines at the P&BS Committee on 3rd March 2014, Members observed that the landscape had reached saturated point, noting in the minute that;

"In approving the application Members asked that it be recorded that they considered that this landscape had now reached capacity in terms of the number of turbines which could be accommodated."

Information gathered about the Council's recommendations on neighbouring wind farm proposals and recommendations within Ironside Farrar's Study clearly suggest

that this landscape does not have the capacity to support large turbines. It is however material to consider the decision's by the Reporter to approve windfarm developments at Drone Hill and more latterly Penmanshiel. These approvals have introduced large turbines into the landscape and both of these wind farms are now in existence. The prevailing character of the landscape which would receive this proposed development is now different to the landscape when applications at Drone Hill and Penmanshiel were being considered. The current proposal must be considered against these prevailing circumstances. Consideration of the landscape, visual and cumulative impacts will determine whether this landscape has further capacity for the additional turbines proposed.

Theoretical Visibility

The submitted Zone of Theoretical Visibility (ZTV) mapping (refer to Figure 7.6a and 7.6b) shows the areas which will be affected by the development. The Council's Landscape Architect has suggested that the main visual impacts are expected to be within a 10km range of the development, therefore this assessment is generally focused on the impacts within this area.

According to the ZTV, there is a spread of visibility to the west extending onto the slopes of Ecclaw Hill through to Horseley Hill in the south. The valley corridor which contains the A1 and East Coast Railway Line limits the views of the development except from a couple of stretches within the 10km area. There are immediate views of the development towards the east however the rising coastal slope screens views from the coastline. Figure 7.8a suggests that 5-6 different LCAs in and around the 10km radius will have varying degrees of visibility of the development. The applicant indicates that within the 30km study area of the ZTV, 58.3% of the area will have visibility of the development; much of this is suggested to be attributed to the North Sea. It is advised that the land based visibility is 15.1% of the study area.

Cumulative impacts will be considered later in this report but because the development is directly adjacent to an existing complex of wind energy developments at the Drone Hill Cluster, it is important to note the findings of the Cumulative ZTV, shown in Figures 7.2a and 7.2b of the submission. The applicant states that Howpark Wind Farm would only add 1.1% of new areas of theoretical visibility, that is, additional areas where the Drone Hill Cluster is not already theoretically visible. The additional visibility of the proposal in association with its existing cluster is very minimal.

Landscape Impact

The landscape is not an "upland type" where the siting of wind farms would normally be preferred. The introduction of eight 100m high turbines will affect the character of the receiving landscape and other areas where the development will be visible from. Critically, the landscape character of the area has been changed by the presence of wind farms on sites adjacent to this application. This means that large wind turbines are now a feature of this landscape. Whatever one's view on the visibility of the Drone Hill Cluster, the acceptability of landscape (and visual) impacts of this proposal depends on the level of change of the existing character 'pre-development' weighed against the 'post-development'.

The existing Drone Hill Cluster is prominent from many viewpoints. The vertical nature of the turbines contrasts with the landscape. This is particularly apparent from Viewpoint (VP)5 where there is an important view across the A1 corridor. The present gap between the two schemes provides both windfarms with their own

identity and they do appear separate from one another. From VP5, this proposal fills the gap between the two schemes. The scale and positioning of this development acts as a link between the existing Drone Hill and Penmanshiel windfarms to create a larger cluster which arguably sits more comfortably in the landscape than the existing, separate wind farms. This unifying effect can also be viewed from other western VPs; VP7, VP11 and to a degree, VP2.

VP5 also encapsulates the setting of landscape setting of Grantshouse. The VP illustrates how the rising landform above Grantshouse is already affected by turbines. This proposal will intensify the number of turbines behind the settlement. The closest turbine of this proposal is no closer to Grantshouse than the closest turbine at Penmanshiel to the settlement. The proposal retains level of separation presently afforded to Grantshouse from turbine development and because the turbines are of a similar typology to those at Penmanshiel the proposal is not considered to have an adverse effect on the setting of Grantshouse.

The proposal will increase the extent of the Drone Hill Cluster across Coldingham Moor from both the east and west as shown in VP4 and VP6. The Howpark turbines will be apparent from these VPs as the turbines are viewed in near and middle ground. Although the extent of the Drone Hill cluster is increased as a result of this proposal, the additional turbines do generally relate to the skyline of the existing array which helps produce a level of coherency.

Turning to the impact of the proposal on landscape designations, the application site is not designated for its scenic value but it does lie close to the Berwickshire Coast SLA. The focus of the designation is the coastline stretch. VP3 is located within the SLA and VP14 looks along the coast from East Lothian. From VP3 the development is only visible through the existing wind development where the turbines in the foreground will remain the most apparent. VP14 provides an important panorama along the coastal headland of the SLA which is an important skyline. The proposal has limited impact on this view and both SNH and ELC are satisfied that the development does not impact on striking character of the landscape from VP14.

VP15 shows the development from the Eyemouth Coastal path which is within the SLA. The proposal does extend and intensify the array on the skyline. This view is distant and the development extends away from the coastline area.

The effect of the proposal on the SLA is considered to be limited. This judgement aligns with the observation of the Reporter during the determination of Penmanshiel where that development was not viewed to have an adverse effect on the SLA. The proposal is not viewed to adversely affect the setting of any other landscape designation or affect an area of wild land.

Visual Impact

The ZTV analysis confirms that the proposed development will almost always be visible alongside the existing Drone Hill Cluster. A selection of key viewpoints (VPs) has been selected to illustrate the visual effects of the development from important public locations.

Visual Impacts – Roads and Paths

The A1107 which also forms part of National Cycle Route 78 is a significant tourist route within Eastern Berwickshire. The ZTV demonstrates that the development will be visible along the stretch of this road which crosses Coldingham Moor and in

particular will be visible traveling towards the development from the south east. VP4 along with the Sequential Route Assessment at Figure 7.11 illustrates the impact on this route. VP4 shows the turbines alongside those at Drone Hill and in front of Penmanshiel. As stated above the proposed turbines generally relate to the skyline from this VP, except Turbine 4 which visually sits up more than any other in the array. In particular from this VP the differences from this scheme against Drone Hill will be apparent with the following differences noticeable;

- Turbine designs
- Layout, where turbines at Drone Hill stack behind one another against the lateral spread of Howpark
- Operational, i.e. rotational speed and blade sweep

VP5 was identified as an important landscape viewpoint and because it is on the A6112 Duns to Grantshouse Road increases its significance. The siting of the turbines helps to fill in the gap at the existing cluster and their height corresponds well to the turbines at Penmanshiel. From this VP the extent of the development from Penmanshiel across the south western slope of Coldingham Moor is increased. Visually, the scale of the proposed turbines will be accentuated from this VP because they are positioned in front of the smaller than those at Drone Hill. It is also noticeable that T4 appears as an outlier from this VP and because it sit up in front of Drone Hill a highlights the eastern spread across Coldingham Moor.

The ZTV identifies that there will be visibility of the development from the Southern Upland Way (SUW). VP6 to the west of the site shows that the proposed development will extend the spread of the Drone Hill Cluster across the skyline. This could impinge further on the attractiveness of the route when traveling east.

The identified impacts at the VPs are new visual impacts and will be experienced across a number of other VPs to differing levels. These impacts will be noticeable, especially from close proximity and create elements of visual confusion, more often between the differences of Howpark and Drone Hill.

To understand the level of noticeable changes, further details of the proposed turbines were requested; however, the choice of turbine type is not yet available which is not uncommon at this stage of a wind farm development. It is perceived that the turbine type should closely match those used at Penmanshiel, given the design similarities between the two to minimise visual disruption. The adverse visual impacts caused by T4 were identified to the applicants. It has been suggested that this turbine could be micro-sited. Provided micro-siting was on a lower ground level, this may address its prominence as an outlier.

Cumulative Landscape and Visual Impacts

The existing wind farm developments at Drone Hill and Penmanshiel have changed the character of the landscape. Again, it is important to consider the level of change arising specifically as a result of this proposal. Crucial within this deliberation is the Cumulative ZTV which confirms that Howpark Wind Farm would only add 1.1% of new areas of theoretical visibility to areas where there is visibility of the Drone Hill Cluster. In comparison, Penmanshiel Windfarm provided significantly more additional theoretical visibility at a level of 10.9% to its baseline which was set by the visibility of Drone Hill Wind Farm. This development would lead to the Drone Hill Cluster being more visible in the landscape; however the level of additionality is marginal.

The proposal will increase visibility of the Drone Hill Cluster. This is particularly apparent from the west and south east and the effects for this have already been discussed above. The addition of the proposed scheme is not considered to introduce windfarm development on LCAs which are not already impacted by the existing array.

The design differences of the turbines which would be used in this development, particularly alongside Drone Hill turbines has been a criticism of the proposal within the visual impact section. There are already locations where visibility of both Penmanshiel and Drone Hill wind farms reveal noticeable differences in appearance and operations of these two wind farms. It is not suggested that the addition of Howpark would resolve any visual issues between the existing schemes. Nevertheless, the addition of 8 additional turbines which relate to the positioning of turbines in the existing array may not appear visually discordant in the landscape. This view is shared by SNH who advise that; "we do not consider that the addition of the Howpark turbines will substantially or adversely alter the design or appearance of the combined development".

The manner in which the proposal is added to the existing wind farms conforms with the 'cluster and space' concept which is often promoted with large wind energy development. There are other large wind energy developments in the areas that will create further cumulative impacts notably to Quixwood to the south and large turbines at Hoprigshiels, Neuk Farm and Ferneylea. These schemes are on the opposite side of the A1 corridor. The windfarms at Crystal Rig and Aikengall add to the cumulative and sequential effects which will be experienced within the wider landscape. This proposal maintains the existing separation distances from these other large consolidated windfarm sites and does not unacceptably alter the pattern of wind farm development in Berwickshire.

The assessment of this application has found that the existing Drone Hill Cluster is a reoccurring visual feature within the affected landscape. The cumulative impacts caused by this application are minimised as a result of the majority of the impacts already being evident in the affected area and by the limited additionality attributed to this proposal.

Conclusion in respect of Landscape and Visual Impacts (not including residential amenity and cultural heritage)

The assessment of landscape and visual assessment is complex and this has been illustrated by the various considerations posed by this proposal. The observation made by Members on determining the development at Moorhouse which added to this cluster is acknowledged but legislation requires that the Council is required to determine the application against the provisions of the LDP, unless material considerations indicate otherwise. Policy ED9 recommends that wind development should be supported unless there are "unacceptable significant adverse effects".

In an undeveloped landscape this type, the introduction of eight 100m high turbines would be difficult to support. This view would be consistent with the view of Officers expressed in response to wind farm developments at Penmanshiel and Drone Hill. However, these wind farms are now present and their existence significantly alters the character of the landscape and backdrop which this proposal will be viewed against.

Unquestionably, this latest proposal does result in further adverse impacts on the landscape and visual amenity which are particularly apparent within the local

landscape around the development. The proposal will extend and intensify views of the existing cluster and give rise to noticeable operational differences between the different schemes. These impacts need to be balanced against the principle of this proposal helping to unify the existing Drone Hill Cluster within the landscape and evidence that the development will add only a limited amount of new visibility of the existing cluster in the affected area. The new adverse impacts caused by this development would not be necessarily be welcome, but they are significantly diluted by the proposal being added to a backdrop of two existing wind farms. On considering the impacts of this application, SNH have stated that;

"we do not consider the proposal significantly compromises the form or legibility of the existing combined development and its current relationship to the landform and features of local landscape character."

Consideration of the landscape and visual impacts of this development is finely balanced. Weighing the identified impacts which would be caused by this proposal, against the impacts of the established Drone Hill Cluster it will be located beside, the new visual impacts are not judged to be significantly adverse. It is the view of officers and SNH that that proposed development does not warrant objection on landscape and visual grounds against the requirements of Policy EP9.

Visual Impacts – Residential Receptors

It has already been identified that the proposal lies within an Area of Significance of SPP because T8 lies within 2km of Grantshouse. The typography between Grantshouse and the development site does rise quite significantly and a planting belt encloses the north eastern edge of the settlement. Because of the intervening landform and planting, there should not be any visibility of the development from Grantshouse itself. On that basis, the proposal is not considered to have an adverse visual impact on residential receptors within this settlement.

The ZTV suggests that there would be visibility from Oldhamstocks in East Lothian. This village is close to 9km to the northwest. VP12 shows the view from Oldhamstocks. The proposal is only seen through Penmanshiel and as a result of this against the distance the proposal does not have an adverse visual impact on this settlement. The other settlements around 10km for the site which are suggested to have a degree of visibility are part of Chirnside and Eyemouth. Both these settlements are over 10km from the development so any visual impacts on each of these settlements would be negligible.

Within 3km of the site, the ZTV suggests that 36 residential properties or groups of properties (which includes Grantshouse) will be affected by this development. This is a high number of properties which would be theoretically affected by this development. It should be acknowledged that visibility of the development would be experienced in the context of the existing Drone Hill Cluster. Because of the landform and the layout of the proposal alongside the existing cluster, it is considered that it is properties towards the south which will be more affected by this proposal because the development occupies their skyline.

The nearest property to the development is a bungalow known as Hazelfield (Property No 1 on Fig 7.12) which is 720m to the nearest turbine. An additional wireline was provided to illustrate the impact of the development on this dwelling and also the site immediately to its north west which has planning permission for one dwellinghouse. This VP demonstrates that Penmanshiel is already visible and Howpark, in particular T7 will extend towards and increase the magnitude of turbine

development from this property. The applicants have suggested the introduction of a planting strip along the field boundary to the north of Hazelfield which would help to provide some mitigation to the affected outlook from this property.

Renton Barns (No 6 on Fig 7.12), 1–5 Renton Cottages (No7 on Fig 7.12) and Renton House (No 22 on Fig 7.12 will all be affected by this proposal to varying degrees. VP2 from Renton Barns shows how the proposal fills in part of the gap between the existing development and its correlation to the scale of Penmanshiel, however it also demonstrates the extension of turbines towards these receptors which dominates their outlook. This view will be experienced from 1-5 Renton Cottages as well. It is also important to note the finding of Figure 11.10e from the upper floor of Renton House which although has been carried out for cultural heritage purposes reveals the scale and lateral spread of the development. This particular view will only be experienced from the upper floor of Renton House however its affect is considerable.

Properties towards the east and north eastern areas within the 3km area will be affected by this proposal as well. These properties will see the increased extent of the cluster and some properties may perceive the operational differences between the different developments noted above. To a degree, this impact is already visible between Penmanshiel and Drone Hill for properties on this side. The properties located on this side of the development are located on higher grounds level on Coldingham Moor than those to the south so impact on their visual amenity is not quite as severe.

The introduction of turbines of the scale proposed will often impact on the amenity of residential receptors. SPP gives weight to recognised settlements which this proposal does not adversely affect. The proposed development does raise some new visual impacts on individual residential receptors, particularly those to the south of the proposal. The proposal may diminish the outlook and the attractiveness of these properties but more often than not this impact is already experienced by windfarms which are already present in the environment. Weighing the present impact of existing windfarm upon the amenity of existing houses against the impacts of this proposal, the new impacts are not judged to be significantly adverse to warrant refusal against LDP policy provision covering residential amenity. If Members are minded to approve this proposal it is recommended that plating to mitigate some of the impact on Hazelfield can be secured by condition.

Visual Impacts of Associated Infrastructure

The positioning of the substation and control building is fairly prominent adjacent to Howpark Road, this impact is and associated work is localised. The design of the control building generally appears acceptable, however its precise siting and associated works such as fencing, hardstanding and lighting may increase its prominence in the local landscape. A feature of the LCA is the division of the land with drystone walls which are apparent at the location of the substation, in particular the control building should respect these boundaries. The principle of this aspect of the proposal is not objectable however further details to ensure that the proposals do not harm the local landscape are required. This can be achieved by suitably worded planning conditions.

It is the intention that the majority of the associated infrastructure is to be removed at the end of the operational life of the wind farm. To avoid unnecessarily lasting impacts suitably worded planning conditions can agree the eventual removal of these components.

The Council's Landscape Architect welcomes the structure planting across the site which provides some landscape mitigation. As advised by SNH the precise detail of the planting and all other earthworks can be agreed by condition.

Turbine Micro-siting

The ES states that a micro-siting allowance of 20m is appropriate for the turbines. The Council's Ecology Officer has recommended the micro siting is required for T5 and potentially T8 and micro-siting is required for T4 for visual reasons. The issue of micro-siting is important to consider and a degree of flexibility is suitable after investigations of the ground conditions. Due to the design methodology of this proposal any micro-siting should account for the linear pattern of the development and it coherence in the skyline beside the Drone Hill Cluster.

A micro-siting planning condition would require the applicant to undertake wireframe analysis of any micro-siting requirements to illustrate that each turbine's revised position can be tolerated in the landscape without adverse visual impacts.

Residential Amenity (Noise)

A noise assessment for the proposed development has been carried out and extended to include the cumulative noise effects from wind farms in the existing Drone Hill cluster. Environmental Health Officers are satisfied with the findings of the noise assessments which have been carried out. Noise generated by the development of Howpark is not considered likely to detrimentally affect the amenity of affected residential properties subject to the imposition of planning conditions to set appropriate noise levels and proper investigation and resolution of noise complaints.

Shadow Flicker, Interference and Aviation

The applicants have applied a test under national guidance on Shadow Flicker provided by the Scottish Government. This investigation has revealed that Howpark Farm Cottage will be affected by shadow flicker for 23 minutes between 04:44 and 05:07 hrs from the 15th to 21st of July. This assessment is accepted and it is acknowledged that this impact is not significant due to the time of day when the effect would occur.

Shadow flicker from the development will theoretically occur for 26 minutes at High View Caravan Park between the hrs of 19:00 and 20:00 from 8th to 10th of May and 1st to 2nd of August. This impact would occur at a time of day when it would be noticeable. The affected time period is short and limited to a small number of days but because it affects a holiday park this could detract from a person's visit, especially if they are only there for a short period of time. This can be mitigated by shutting down the turbine in question (T4) during the period it would affect the caravan park as suggested in the ES.

The assessment does not predict that any cumulative shadow flicker impacts will take place as a result of this development. Overall, the shadow flicker impacts are limited and mitigation to avoid adverse impacts on High View Caravan Park can be controlled via condition.

It was originally suggested that the proposed development would adversely affect an aeronautical radio station at St Abbs. Further investigations have been carried out by NATS and it has been confirmed that the development will not harm its operation.

Ecology and Habitat Impacts

The proposed development is not located within an international or nationally important area of nature conservation and known protected species.

SEPA originally objected to the proposal due to the potential for T8 to impact on wetland ecology. Further investigation into the ground condition around T8 has confirmed that there is not significant ground water present. This assessment has allowed SEPA to remove their objection. They have recommended that pollution from T8 could infiltrate the watercourse particularly during the construction process however this can be mitigated through a Construction Environmental Management Plan. To further mitigate the impact of the development on wetland ecology, conditions to restrict the siting of a SUDS or settlement lagoon in areas of Groundwater Dependent Terrestrial Ecosystems and methods of dewatering turbine foundations are recommended.

SEPA are satisfied that peat should not be present in this site and that the siting of the development is far sufficiently far enough away from private water supply sources so that runoff from the development should not interfere with these supplies.

The Council's Ecologist has scrutinised the range of habitat and species surveys which have been submitted. The development would impact on certain species and habitats however there are no significant impacts where the proposed development would be considered unacceptable against Policy EP3. It is recommended all ecological impacts can be mitigated through conditions covering;

- Micro-siting
- The appointment of an independent Ecological Clerk of Works to monitor compliance with ecological and hydrological commitments provided within the ES
- Agreement of a Construction Environmental Management Plan (CEMP)
- Protection plans for identified protected species
- Habitat Management Plan to compensate for the loss of habitat and enhance existing habitats (including wet modified bog)
- An Ecological Monitoring Programme
- Decommissioning and after care strategy to suitably remove the development from the affected environment

The suggested biodiversity enhancement programmed illustrated at Fig. 7.7e is welcomed by both the Ecologist and SNH. This programme could further enhance other habitats which are affected by this development and this can be secured by a condition agreeing a Habitat Management Plan. The Ecologist sought for further information to complete the ornithological assessment of the EIA. To date, this information has not been submitted in this manner, but the Ecologist has advised that this should not delay the determination and can be sought as supplementary information and it is suggested that this can be requested as an informative.

Taking into account these consultation responses, the proposal does not give rise to any significant biodiversity impacts that cannot be resolved by planning conditions covering the aforementioned matters.

Cultural Heritage Impacts

The Council's Archaeologist is generally content that the design mitigates the majority of direct the impacts on known heritage assets. Part of the Atton settlement Scheduled Ancient Monument (SAM) is located within the buffer of the site access track meaning the development may interfere with this SAM. The development of windfarms in neighbouring sites has led to archaeological discoveries. To mitigate the known and potential loss of the archaeological resources within the development site, it is recommended that a watching brief is conducted at all times during excavations required for development.

The proposed development will impact the setting of the Winding Cairn SAM which is located approximately 700m to the south west of T8 and the Category A listed Renton House which is 1.8k to T5. HES have expressed concerns that the proposed development will have degrees of moderate adverse impact on the setting of both of these national heritage assets.

In terms of impact on the SAM the turbines will appear obvious from the cairn, but does not challenge its dominance on the spur it is found or disrupt its relationship with other contemporary monuments in the surrounding area. Turing to Renton House, the impact will be on views from the house rather than views to this listed building. The development will impact on views from the upper level of the building as highlighted in VP2 however HES advise that the impacts do not cause sufficient harm to the setting of the house.

The Archaeologist agrees that with the recommendations of HES that the impact on the Winding Cairn is moderately adverse and while this should not preclude development, to achieve compliance with policy provision this impact should be mitigated. It is recommended that mitigation can be achieved through a developer contribution towards the North Berwickshire landscape archaeology project which will increase the understanding, appreciation and experience of the affected historic environment. Contributions to this scheme have been agreed as mitigation to archaeological setting implications of neighbouring wind energy developments which sets precedence for this form of mitigation in this area. The developers have agreed in writing to enter into this agreement.

The recommendations of the archaeologist that the impacts of the development upon the Drone Hill Chain Home Radar Station have been underestimated in the ES are accepted. It would be desirable to pursue the mitigation which is suggested by the Archaeologist. The station and surrounding pill boxes are located on third party land which is presently quite overgrown. Delivery of the improvements would require considerable engagement and agreement with a third party. This is outwith the control of the developers. Additionally, no mitigation was sought from Drone Hill wind farm which would has had a similar impact on the Chain Home Radar Station. In this context is it recommended that this mitigation would not be appropriate to pursue through the means of any planning permission.

The development does not detrimentally affect the setting of any other listed building or Conservation Areas.

On balance it is the view of Officers that the proposal will not have a significant enough impact on the affected cairn or any other heritage assets to warrant objection against LDP Policy ED9 or EP8 subject to the mitigation suggested above.

Economic and Socio-Economic Benefits

The renewable energy industry is important nationally, leads to employment and investment during construction and during the lifespan of the development.

It is likely that the level of employment activity in particular during implementation would be notable. This would have the potential to promote use of local facilities and services including accommodation, shopping and recreation. Following implementation of development, it would be likely that a relatively low level of employment would occur on a day-to-day basis; whereas at decommissioning stage there would again be a high level of activity.

Eastern Berwickshire is recognised as being a popular tourist area. The number of caravan and camping facilities within the area are evidence of this with visitors often attracted by the areas attractiveness and recreational opportunities. Whether the implementation of wind farms is harming, or has harmed Borders' tourism economy is not quantified. It would be true to state, however, that their implementation divides opinion – the presence of wind farms causes some to be deterred, some to be ambivalent and some to respond positively.

High View Caravan Park on Drone Hill is a significant visual receptor directly to the east of the proposal. Because this site is a caravan site and not a residential development, it is not afforded the same level of protection under Policy HD2 which protects residential amenity. Turbines are however already significantly visible from High View Caravan Park. VP1 illustrates that the development will bring large turbines closer into the western view from this tourist facility. At the present time, no published information describing potential tourism effects is material to the consideration of an application of this type.

It may be concluded that in terms of economic benefits, there may be some gain. Conversely there may not be any socio-economic benefits, as suggested by third party representations. The potential impacts of the development upon these considerations are noted; nevertheless neither is viewed to be significant enough to be a major determining factor against the policy provision.

Renewable Energy Benefits

NPF3 is clear that the planning system must facilitate the transition to a low carbon economy and facilitate the development of technologies that will help to reduce greenhouse gas emissions from the energy sector. The efficient supply of low carbon and low cost heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities. SPP contains the following targets:

- 30% of overall energy demand from renewable sources by 2020;
- the equivalent of 100% of electricity demand from renewable sources by 2020.

SPP supports the development of a diverse range of electricity generation from renewable energy technologies.

This proposed development would have a total installed capacity of 20MW. This level of benefit is moderate compared to other schemes and its contribution is noted.

Public Access / Path Network

There are no Rights of Way or Core Paths which are located within the site which will be affected by this development.

The Access Ranger has raised concerns that the development gives rises to an increased visibility of turbines which detrimentally affects the experience of users using recreational routes within 6km of the site. Most notably this includes the SUW and National Cycle Route 78 and to a lesser extent the Berwickshire Coastal Path. The landscape and visual impacts of the development from these well used accesses area highlighted within Figure 7.11, VP4, VP6 and VP15 respectively. It is regrettable that the development will detract from the outlook from these recreational routes. These routes are already significantly affected by wind farm development in this area. Bearing this in mind, the detrimental impact of the proposal in wider land use planning terms in not judged to be significantly adverse in its own right to recommend refusal of this proposed development against Policy ED9.

It has been recommended that developer contributions should be sought to mitigate the impact of the development on the core path network however this is not considered to be appropriate as this will affect land outwith the developer's control. Mitigation to improve public access throughout the site is however feasible and could relate to access through the existing Drone Hill wind farm.

Traffic Management and Road Safety

The site benefits from being close to the A1 which take the majority of traffic movements associated with this development, limiting the impact on non-trunk roads.

There are no reasons why the development would not comply with LDP Policy ED9 in relation to trunk road and traffic impacts with no overriding concerns raised by Transport Scotland or the Council's Roads Planning Officer (RPO). Planning Conditions can seek the agreement for a Traffic Management Plan which will also require the provision of mitigation measures to cater for abnormal loads using the route and a separate condition will ensure that the junction from the public road into the site can appropriately cater for vehicles accessing the development.

CONCLUSION

Scottish Borders Council remains positive towards the principle of wind energy development, as reflected in its policies and guidance. As required by policy considerations, the benefits of energy production, and the disbenefits of environmental impact must be weighed carefully against one another. This is made clear in the 2014 SPP and reflected within the primary LDP Policy considerations for this development, Policy EP9.

Wind farm developments exist in locations immediately next to this proposal. It is acknowledged that this proposal has been designed as an extension to the existing wind farm array, which provide the background position for the current application. This proposal does give rise to adverse impacts, most notably landscape and visual impacts, but these are limited, with very few locations from where turbines are not already visible. All environmental disbenefits attributed to this proposed development have been thoroughly assessed against the impacts of the established windfarm developments in this location. It is considered, on balance, that the scale of change is

not so significant as to warrant refusal. A range of planning conditions and a legal agreement is recommended to provide further mitigation to the environmental, community and cumulative impacts of this development.

The matters raised in representations have been evaluated as part of this assessment however there are no material considerations that would justify a departure from policy provision in this specific case.

RECOMMENDATION BY CHIEF PLANNING OFFICER:

I recommend the application is approved subject to a legal agreement addressing contribution towards North Berwickshire landscape archaeology project and the following conditions:

Commencement and Conformity

1. This consent is for a period of 25 years from the date of Final Commissioning. Written confirmation of the date of First Commissioning shall be provided to the Planning Authority no later than one calendar month after that date.
   Reason: To define the duration of the consent.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

3. This consent may not be assigned without the prior written authorisation of the Planning Authority. The Planning Authority may authorise the assignation of the consent (with or without conditions) or refuse assignation as they may, in their own discretion, see fit. The consent shall not be capable of being assigned, alienated or transferred otherwise than in accordance with the foregoing procedure. The Company shall notify the local planning authority in writing of the name of the assignee, principal named contact and contact details within 14 days of written confirmation from the Planning Authority of an assignation having been granted.
   Reason: To safeguard the obligations of the consent if transferred to another company

Micro-siting

4. No development shall comment until a revised location for Turbine No 4 has been submitted to and agreed in writing with the Planning Authority and thereafter the development shall be undertaken in strict accordance with the agreed details.
   Reason: Turbine No 4 requires to be repositioned so that it is appears less obtrusive in the landscape.

5. All wind turbines, buildings, masts, areas of hardstanding and tracks shall be constructed in the location shown on plan reference Figure 4.1, except Turbine No 4. Wind turbines, buildings, masts, areas of hardstanding and tracks may be adjusted by micro-siting within the site. However, unless otherwise approved in advance in writing by the Planning Authority (in consultation with SEPA and SNH) micro-siting is subject to the following restrictions:

i. No wind turbine foundation shall positioned higher, when measured in metres Above Ordinance Datum (Newlyn), than the position shown on the aforementioned Figure 4.1 unless a scheme of details including wirelines showing the alternative positioning of the turbine have been to and agreed in writing by the Planning Authority (in consultation with SNH) and thereafter no development shall take place in strict accordance with the agree
ii. No micro-siting shall take place within areas of peat of greater depth than the original location;
iii. No wind turbine, building, mast, access track or hardstanding shall be moved more than 20m from the position shown on the original approved plans;
iv. No micro-siting shall take place within areas hosting Ground Water Dependent Terrestrial Ecosystems
v. All micro-siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works (ECoW).

No later than one month after the date of First Commissioning, an updated site plan must be submitted to the Planning Authority showing the final position of all wind turbines, masts, areas of hardstanding, tracks and associated infrastructure forming part of the Development. The plan should also specify areas where micrositing has taken place and, for each instance, be accompanied by copies of the ECoW or Planning Authority's approval, as applicable.

Reason: to control environmental impacts while taking account of local ground conditions, and to restrict Micrositing to a reasonable distance to ensure that any movement of turbines or infrastructure does not give rise to significant change to the layout and appearance of the development.

Turbine Model

6. No development shall commence until, precise details of the actual turbine intended for use at the site shall be submitted to and agreed in writing by the Planning Authority. These details shall include a technical specification which includes noise output. Only the turbines agreed in response to this condition shall be used, unless further consent to vary the turbine model has been agreed in writing by the planning authority.
   Reason: to ensure that the turbines are compatible with the locality in terms of their appearance and noise output, to protect both visual and residential amenity.

Substation and Ancillary Equipment

7. No development shall commence until final details of the siting, external appearance, dimensions, and surface materials of the substation building, associated compounds, any construction compound boundary fencing, external lighting and parking areas have been submitted to and approved in writing by the Planning Authority. The substation building, associated compounds, fencing, external lighting and parking areas shall be constructed in accordance with the approved details.
   Reason: To ensure that the environmental impacts of the sub-station and ancillary development forming part of the Development conform to the impacts assessed in the environmental statement and in the interests of the visual amenity of the area.

Air Traffic Safety:

8. Prior to the erection of the first wind turbine, the developer shall provide written confirmation to the Planning Authority and the Ministry of Defence of the anticipated date of commencement of and completion of construction; the maximum height above ground level of construction equipment, the position of each wind turbine in latitude and longitude and the maximum height above ground level of each turbine and anemometry mast. The developer shall give the Planning Authority and the Ministry of Defence notice as soon as reasonably practicable if any changes are made to the information required by this condition.
   Reason: In the interests of aviation safety.

9. Prior to the erection of the first wind turbine, a scheme for aviation lighting for the wind farm shall be submitted for the written approval of the Planning Authority in consultation with the MOD. The turbines shall be erected with the approved lighting installed and the lighting shall remain operational throughout the duration of this consent.
   Reason: In the interests of aviation safety.

Turbine Failure/Removal:

10. In the event of any wind turbine failing to produce electricity supplied to the local grid for a continuous period of 12 months, not due to it being under repair or replacement then it will be deemed to have ceased to be required, and unless otherwise agreed in writing with the Planning Authority, wind turbine foundation to a depth of 1.2m below ground level, the wind turbine and its ancillary equipment shall be dismantled and removed from the site and the site restored to a condition to be agreed by the Planning Authority. The restoration of the land shall be completed within 6 months of the removal of the turbine, or any such longer period agreed by the Planning Authority.
    Reason: to safeguard against the landscape and visual environmental impacts associated with the retention of any turbines that are deemed no longer to be operationally required.

Signage:

11. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, no symbols, signs, logos or other lettering (other than those required for health and safety reasons) shall be displayed on the turbines, other buildings or structures within the site without the written approval of the Planning Authority.
    Reason: To ensure that the development does not unduly prejudice public amenity

Construction Hours:

12. Construction work which is audible from any noise-sensitive receptor shall only take place on the site between the hours of 07.00 to 19.00 on Monday to Friday inclusive and 07.00 to 16.00 on Saturdays, with no construction work taking place on a Sunday or on national public holidays. Outwith these specified hours, construction activity shall be limited to concrete pours, wind turbine erection, maintenance, emergency works, dust suppression, and the testing of plant and equipment, unless otherwise approved in advance in writing by the Planning Authority.

HGV movements to and from the site (excluding abnormal loads) during construction of the wind farm shall be limited to 07.00 to 19.00 Monday to Friday, and 07.00 to 16.00 on Saturdays, with no HGV movements to or from site taking place on a Sunday or on national public holidays.
Reason: To protect the amenity of the local area and localised ecological interests.

Road Safety:

13. There shall be no Commencement of Development unless a traffic management plan has been submitted to and approved in writing by the Planning Authority. The traffic management plan shall include:

a) All construction traffic must be restricted to access via the A1. A sign in/sign out procedure must be in place to prevent vehicles exiting via the Howpark road.
b) Swept path analysis of the junctions and the minor public road leading to the site for the abnormal loads including details of tree pruning (this will require the agreement of the owners.
c) A detailed engineering drawing of the proposed access from the minor public road.
d) The junction with the minor public road must be to the following specification for the first 10 metres: 'a 40mm layer of 14mm size close graded bituminous surface course to BS 4987 laid on a 100mm layer of 28mm size dense base (roadbase) to the same BS laid on a 310mm layer of 100mm broken stone bottoming blinded with sub-base, type 1'.
e) Temporary over-run areas must be constructed to the above specification.
f) Detailed engineering drawing of the proposed access across the Howpark Road including traffic management measures.
g) Road condition surveys to be carried out prior to works commencing and upon completion of the construction phase. Any remedial works required as a result of damage/deterioration by construction traffic must be rectified at the expense of the developer. This will ideally be by way of a section 96 agreement.
h) No additional site access to be constructed without prior approval of the Planning Authority.
i) A programme for the works is required to ensure the avoidance of conflict between key stages of construction.
j) The proposed route for any abnormal loads on the trunk road network must be approved by the trunk roads authority prior to the movement of any abnormal load. Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved.

The approved traffic management plan shall thereafter be implemented in full, unless otherwise agreed in advance in writing with the Planning Authority and all work within the public road boundary must be undertaken by a contractor first approved by the Council.
Reason: In the interests of road safety and to ensure that abnormal loads access the site in a safe manner.

Shadow Flicker:

14. No development shall commence until a programme to mitigate the Shadow Flicker which would affect High View Caravan Park as identified within Chapter 14 of the ES has been submitted to and agreed in writing with the Planning Authority and thereafter the development shall be operated in strict accordance with the agreed details.
    Reason: To safeguard the amenity of the tourist facility.

15. No development shall commence until a written scheme shall be submitted to and approved in writing by the Planning Authority setting out a protocol for the assessment of shadow flicker in the event of any complaint to Local Planning Authority from the owner or occupier of a dwelling which lawfully exists or had planning permission at the date of this permission. The written scheme shall include remedial measures to alleviate any shadow flicker attributable to the development. Operation of the turbines shall take place in accordance with the approved protocol unless the Planning Authority gives its prior written consent to any variations.
    Reason: For the protection of amenity of local residents

Television interference:

16. Prior to the First Export Date a scheme providing for a baseline survey and the investigation and alleviation of any electro-magnetic interference to terrestrial television caused by the operation of the turbines shall be submitted to and approved in writing by the Planning Authority. The scheme shall provide for the investigation by a qualified independent television engineer of any complaint of interference with television reception at a lawfully occupied dwelling (defined for the purposes of this condition as a building within Use 9 of the Use Classes Order) which lawfully exists or had planning permission at the date of this permission, where such complaint is notified to the wind farm operator by the Planning Authority within 12 months of the First Export Date. Where impairment is determined by the qualified television engineer to be attributable to the wind farm, mitigation works shall be carried out in accordance with the scheme which has been approved in writing by the Planning Authority.
    Reason: For the protection of amenity of local residents.

Noise:

17. At wind speeds not exceeding 10m/s at rotor centre height, the maximum cumulative wind turbine noise emissions level at each noise sensitive property shall not exceed the levels listed in Table 1 of SBC's Environmental Health Officers Response dated 22nd February 2017.
    Reason: to protect nearby residents from undue noise and disturbance.

18. At wind speeds not exceeding 10m/s at rotor centre height, the maximum wind turbine noise emissions level from the development only at each noise sensitive property shall not exceed the levels listed in Table 2 of SBC's Environmental Health Officers Response dated 22nd February 2017.
    Reason: to protect nearby residents from undue noise and disturbance.

19. The mitigation measures detailed in the Applicant's Noise and Vibration Assessment Chapter 10, shall be used to ensure that the Development operates within the above noise limits at all times.

Reason: to protect nearby residents from undue noise and disturbance. To ensure that noise limits are not exceeded and to enable prompt investigation of complaints.

20. Prior to the commencement of operation of the site a methodology for the investigation of noise complaints shall be agreed with the Planning Authority. Reason: To ensure that noise limits are not exceeded and to enable prompt investigation of complaints

Archaeology:

21. No development shall take place until fencing has been erected, in a manner to be agreed in writing by the Planning Authority, about the identified area of archaeological interest and no works shall take place within the area inside that fencing without the prior written consent of the Planning Authority. Reason: To safeguard a site of archaeological interest.

22. No development shall take place until the applicant has secured a programme of archaeological work in accordance with an approved Written Scheme of Investigation (WSI) outlining a Watching Brief. Development and archaeological investigation shall only proceed in accordance with the WSI. The requirements of this are:
    - The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA) approval of which shall be in writing by the Planning Authority.
    - If significant finds, features or deposits are identified by the attending archaeologist(s), all works shall cease and the nominated archaeologist(s) will contact the Council's Archaeology Officer immediately for verification. The discovery of significant archaeology may result in further developer funded archaeological mitigation as determined by the Council.
    - Development should seek to mitigate the loss of significant archaeology through avoidance in the first instance according to an approved plan.
    - If avoidance is not possible, further developer funded mitigation for significant archaeology will be implemented through either an approved and amended WSI, a new WSI to cover substantial excavation, and a Post-Excavation Research Design (PERD).
    - Initial results shall be submitted to the Planning Authority for approval in the form of a Data Structure Report (DSR) within one month following completion of all on-site archaeological works. These shall also be reported to the National Monuments Record of Scotland (NMRS) and Discovery and Excavation in Scotland (DES) within three months of on-site completion
    - The results of further mitigation of significant archaeology shall be reported to the Council following completion for approval and published as appropriate once approved.

    Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

Ecology:

23. No development shall commence until an Ecological Clerk of Works (ECoW) shall be appointed to carry out pre-construction ecological surveys, to inform

a Construction Environmental Management Plan and to oversee compliance with the Construction Environment Management Plan (CEMP), Species Protection Plan, Ecological Monitoring Plan and Decommissioning, Restoration and Aftercare Plan ("the ECoW works"). The terms of the appointment shall be submitted for the approval in writing by the Planning Authority in consultation with SEPA and SNH. The terms shall include the requirement to a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the Environmental Statement and other information lodged in support of the application, the Construction Environmental Management Plan and other plans; and b) Require the ECoW to report to the Company's nominated construction project manager, the Planning Authority and SEPA any incidences of non-compliance with the ECoW works.
Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.

24. No development shall commence until a Construction Environment Management Plan shall be submitted for the approval in writing by the Planning Authority. The CEMP shall include
a) Risk assessment of potentially damaging construction activities,
b) Identification of "biodiversity protection zones".
c) Method Statements to avoid or reduce impacts during construction, to include the location and timing of sensitive works to avoid harm to biodiversity features, the times during construction when specialist ecologists need to be present on site to oversee works, include the use of protective fences, exclusion barriers and warning signs.
d) A Drainage Management Plan which shall include details of turbine foundation dewatering.
e) A Site Waste Management Plan
f) An Accident Management Plan
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW)

The approved CEMP shall be implemented throughout the construction period and operational phase as appropriate, strictly in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority in consultation with SEPA.
Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the Environmental Statement accompanying the application, or as otherwise agreed, are fully implemented.

25. No development shall commence until a Species Protection Plan (including measures for bats, otter, badger, red squirrel, breeding birds, reptiles and amphibia as appropriate) is to be submitted to for the approval in writing by the Planning Authority. Any works shall thereafter be carried out in accordance with the approved scheme.
Reason: To ensure that the species affected by the development are afforded suitable protection from the construction, operation and decommissioning of the development.

26. No development shall commence until a Habitat Management Plan, including measures to compensate for habitat loss and enhance existing habitats including wet modified bog, farmland and woodland habitats to be submitted for the approval in writing by the Planning Authority. Any works shall thereafter be carried out in accordance with the approved scheme.
Reason: To mitigate the loss of habitats as a result of this development.

27. No development shall commence until an ecological monitoring programme, including monitoring in years 1, 3, 5, 10 and 15 following construction, breeding waders, passage and wintering geese. This should also include proportionate post-construction monitoring of protected mammals (bats, otter, badger and red squirrel as appropriate) and habitats is to be submitted for the approval in writing by the Planning Authority. Any works shall thereafter be carried out in accordance with the approved scheme.
Reason: To ensure suitable procedures are in place to monitor the impact of the development on ecological interests

28. No SUDS ponds or settlement lagoons shall be placed in areas of deemed Groundwater Dependent Terrestrial Ecosystem.
Reason: To avoid impacts on wetland ecology.

Environmental Management:

29. No development shall take place until the precise detail of the location, specification, implementation and maintenance of the site landscaping and off site landscaping improve mitigate the impact on the property known as Hazelfield (and the adjoining site) has been submitted to and agreed in writing by the Planning Authority (in consultation with the Landscape Architect and the Ecology Officer) and thereafter the development shall take place in strict accordance with the agreed details.
Reason: To improve the landscape structure and provide protection to the visual amenity of Hazelfield.

Access:

30. No development shall take place until a study of the existing path network within development site has been undertaken and shall include measures to improve access for all users (i.e. pedestrian, cycle, horse, all ability routes) and link in with neighbouring routes has been submitted to and agreed in writing with the Planning Authority and thereafter the improvements shall be undertaken in accordance with the agreed details.
Reason: To improve recreational resources which are in close proximity to the Core Path Network.

Decommissioning and Financial Guarantee:

31. The Development will be decommissioned and will cease to generate electricity by no later than the date falling twenty five years from the date of Final Commissioning. The total period for restoration of the Site in accordance with this condition shall not exceed three years from the date of Final Decommissioning without prior written approval of the Scottish Ministers in consultation with the Planning Authority.

    No Development shall commence Commencement unless a decommissioning, restoration and aftercare strategy has been submitted to

and approved in writing by the Planning Authority in consultation with SNH and SEPA. The strategy shall outline measures for the decommissioning of the Development, restoration and aftercare of the site and will include, without limitation, proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works, and environmental management provisions.
Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

32. There shall be no Commencement of Development unless the Company has delivered a bond or other form of financial guarantee in terms acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations contained in condition 31 to the Planning Authority. The financial guarantee shall thereafter be maintained in favour of the Planning Authority until the date of completion of all restoration and aftercare obligations.

    The value of the financial guarantee shall be determined by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning , restoration and aftercare obligations contained in condition 31. The value of the financial guarantee shall be reviewed by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with restoration and aftercare obligations and best practice prevailing at the time of each review.
    Reason; to ensure that there are sufficient funds to secure performance of the decommissioning, restoration and aftercare conditions attached to this deemed planning permission in the event of default by the Company

Informatives

1. The applicant is advised that the EIA remains incomplete and that they should seeks to resubmit a revised chapter with a complete cumulative ornithological assessment in order to properly record its findings. This information should be provided before development commences.

DRAWING NUMBERS

Figure 1.2	The Application Site
Figure 4.1	Site Layout
Figure 4.2	Typical Turbine Elevations
Figure 4.3	Typical Turbine Foundation
Figure 4.4	Typical Crane Standing
Figure 4.5	Typical Access Track Detail
Figure 4.6	Control Building and Compound Plan
Figure 4.7	Control building Elevation
Figure 4.8	Cable Trench
Figure 4.9	Typical Internal Access Track Watercourse Crossing
Figure 4.10	Indicative Site Access Arrangement
Figure 5.1	Indicative Construction Compound and Batching Plant

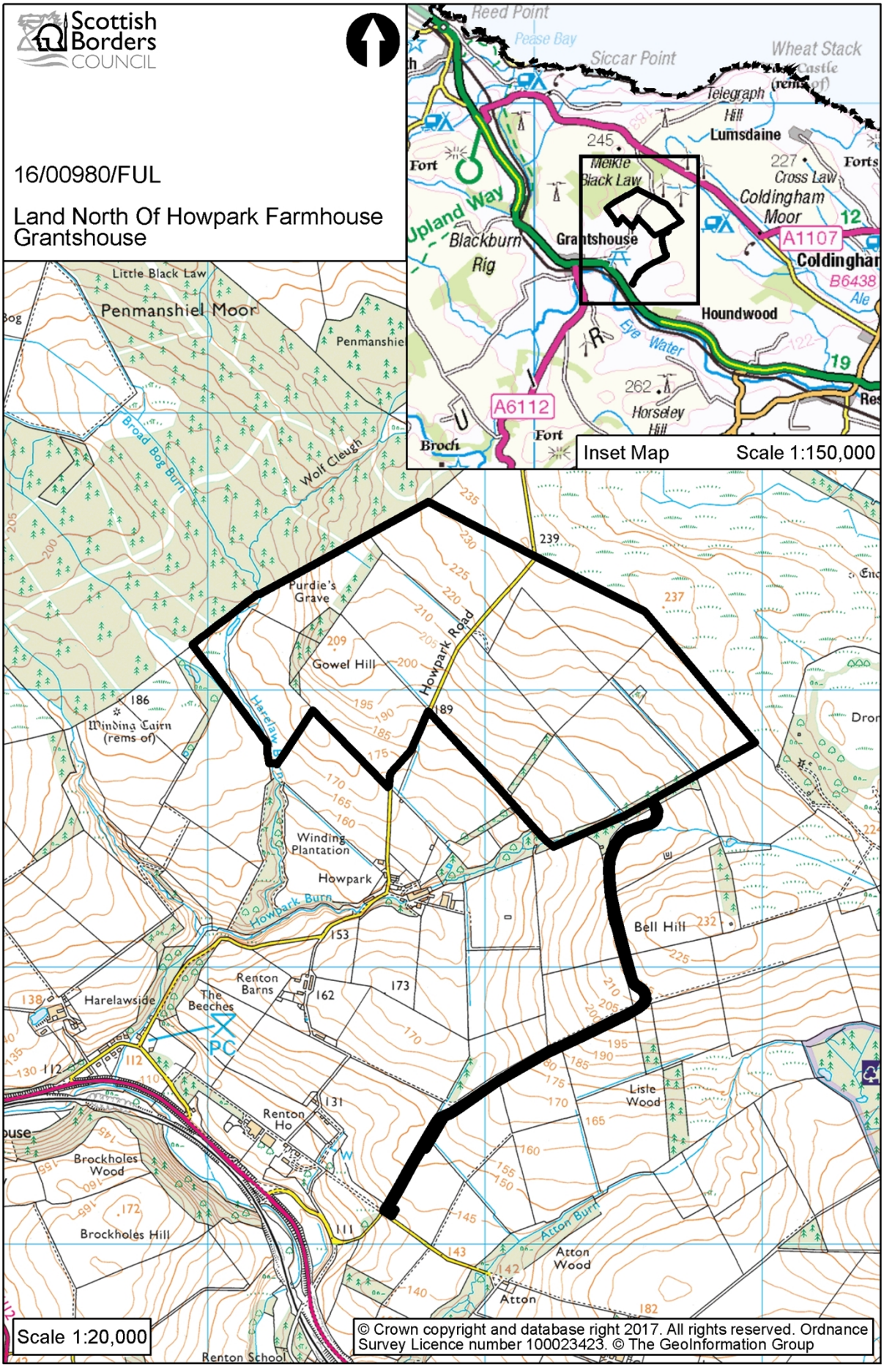
Approved by

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
Scott Shearer	Assistant / Planning Officer


Scottish Borders COUNCIL
16/00980/FUL
Land North Of Howpark Farmhouse Grantshouse
Inset Map
Scale 1:150,000
Scale 1:20,000
Howpark Road
Howpark
Howpark Burn
Harelaw Burn
Broad Bog Burn
Wolf Cleugh
Penmanshiel Moor
Little Black Law
Purdie's Grave
Gowel Hill
Winding Cairn (rems of)
Winding Plantation
Harelawside
The Beeches
Renton Barns
Renton Ho
Brockholes Wood
Brockholes Hill
Renton School
Bell Hill
Liste Wood
Atton Burn
Atton Wood
Atton
Upland Way
Blackburn Rig
Grantshouse
Melkie Black Law
Lumsdaine
Cross Law
Coldingham Moor
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