

Dear Sir/Madam,

Planning Ref: 15/00179/FUL

Name/Location: Clackmae Farmhouse

Turbine at NGR/IGR: 355703 639152

Micro-siting Allowance: 5m

Hub Height: 23m Rotor Radius: 12m

(defaults used if not specified on application)

Cleared with respect to radio link infrastructure operated by:-

Scottish Power and Scotia Gas Networks

JRC analyses proposals for wind farms etc. on behalf of the UK Fuel & Power Industry and the Water Industry in north-west England. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Regards

Wind Farm Team

The Joint Radio Company Limited
Dean Bradley House,

52 Horseferry Road,
LONDON SW1P 2AF
United Kingdom

NOTICE:

This e-mail is strictly confidential and is intended for the use of the addressee only. The contents shall not be disclosed to any third party without permission of the JRC.

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.
Registered in England & Wales: 2990041

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully,

Sarah Allen
Technical Administrator
On behalf of NERL Safeguarding Office

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NATS means NATS (En Route) plc (company number: 4129273), NATS (Services) Ltd (company number 4129270), NATSNAV Ltd (company number: 4164590) or NATS Ltd (company number 3155567) or NATS Holdings Ltd (company number 4138218). All companies are registered in England and their registered office is at 4000 Parkway, Whiteley, Fareham, Hampshire, PO15 7FL.

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2008 S.I. 2008 No 432 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Scottish Borders Council Environment and Infrastructure Newtown St Boswells Melrose TD6 0SA	Council Reference:-	15/00179/FUL
	TS TRBO Reference:-	SE/20/2015

Application made by Mr Alex Wilson per VG Energy, Per Siobhan Wolverson Thainstone Agricultural Centre Unit 7 Ground Floor Thainstone Agricultural Centre Inverurie AB51 5WU and received by Transport Scotland on 25 February 2015 for planning permission for erection of wind turbine 34.4m high to tip and associated infrastructure located at A68 Land South West Of Clackmae Farmhouse, Earlston affecting the A68 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-	Route Manager (A68) 0141 272 7100 Network South, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	SOUTH EAST
Address:-	6a Dryden Road, Bilston Glen Industrial Estate, Loanhead, Edinburgh, EH20 9LZ
Telephone Number:-	0800 0420188
e-mail address:-	OCCR.SESCOTLAND@amey.co.uk

DETAILS of works necessary within the trunk road boundary:-

Any temporary improvement of trunk road junctions to allow transportation of exceptional loads.

CONDITIONS to be attached to any permission the council may give:-

1	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.
2	Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the trunk road authority before delivery commences.

REASON(S) for Conditions (numbered as above):-

1	To maintain safety for both the trunk road traffic and the traffic moving to and from the development
1	To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network
2	To minimise interference with the safety and free flow of the traffic on the trunk road.

ADVISORY NOTES (to be passed to applicant):-

The applicant should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Any works required and contact details are provided on Transport Scotland's response to the planning authority and is available on the Council's planning portal

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation

Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

Transport Scotland Response Date:- 05-Mar-2015
Transport Scotland Contact:- Fred Abercrombie

Transport Scotland Contact Details:-
Trunk Road and Bus Operations, Network Operations - Development Management
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Telephone Number: 0141 272 7382
e-mail: development_management@transportscotland.gsi.gov.uk

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

REGULATORY SERVICES



To: **Development Management Service**
FAO Stuart Herkes

Date: 4th March 2015

From: **Roads Planning Service**

Contact: **Ashley Hogg**

Ext: **5396**

Ref: **15/00179/FUL**

**Subject: Erection of wind turbine 34.4m high to tip and associated
infrastructure
Land South West of Clackmae Farmhouse Earlston**

The limited size of the turbine will not create any abnormal loads, nor will it create any significant traffic generation which concerns me. To access the site, I can confirm the existing junction onto the minor public road is suitable, and that the unmade track to the site is of adequate construction.

No roads objections.

DJI

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	15/00179/FUL
Uniform Ref	15/00331/PLANCO
Proposal	Planning Application. Erection of wind turbine 34.4m high to tip and associated infrastructure
Address	Land South West Of Clackmae Farmhouse Earlston Earlston Scottish Borders
Date	10 th March 2015
Amenity and Pollution Officer	Mary Rose Fitzgerald
Contaminated Land Officer	Reviewed No Comment

Amenity and Pollution

Assessment of Application

The application is for single turbine with a hub height of 22.6m.

A non site specific report has been provided from ARCUS. A VG Energy report has been provided but relates to a turbine in Stirling.

In order to carry out a noise assessment I require the following information as a minimum:

1. Turbine co-ordinates.
2. Receptor co-ordinates and distances to receptors.
3. Turbine sound power levels utilised in the noise predictions including use of octave band data and uncertainty should be clearly highlighted.
4. The turbine model to be used for the assessment.
5. Reference to the Institute of Acoustics *Good Practice Guide on the application of ETSU-R-97*
6. Noise model input parameters.
7. A table of turbine noise immissions (at noise sensitive premises) at integer wind speeds.
8. Cumulative noise
9. An explanation should also be regarding the financially involved properties, what involvement do they have in this proposed wind turbine.

Recommendation

Further Information Required Before Application is Determined

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	15/00179/FUL
Uniform Ref	15/00331/PLANCO
Proposal	Planning Application. Erection of wind turbine 34.4m high to tip and associated infrastructure
Address	Land South West Of Clackmae Farmhouse Earlston Earlston Scottish Borders
Date	13 th March 2015 – 2 nd Response
Amenity and Pollution Officer	Mary Rose Fitzgerald

Amenity and Pollution

Assessment of Application

Following my response on 10th March the applicant has provided an report for the proposed turbine at Clackmae. This has been prepared by VG Energy and the noise assessment is contained in Chapter 7 of the Environmental Report.

The application is for single NPS 100/24 turbine with a hub height of 22.6m.

The report does not provide all of the information I requested in order to assess the noise ans has raised other questions.

Below I provided a list of information required so that I can verify that the calculations carried out were done in line with best practice and are accurate.

1. Turbine co-ordinates
2. Receptor co-ordinates
3. Turbine sound power levels utilised in the noise predictions
4. How was uncertainty applied
5. Where was the octave band spectrum obtained from and was it scaled
6. I note that the hub height of the turbine in the Arcus report is 36.8 and the hub height for the proposed turbine is 22.6m. A correction should be carried out to account for wind shear
7. A table of turbine noise immissions (at noise sensitive premises) at integer wind speeds

It appears that there are no other wind energy developments in the area that need to be considered in this assessment.

Recommendation

Further Information Required Before Application is Determined



**Defence
Infrastructure
Organisation**

Miss Rachel Evans
Assistant Safeguarding Officer
Ministry of Defence
Safeguarding – Wind Energy
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Your Reference: 15/00179/FUL

Telephone [MOD]:

Facsimile [MOD]:

Our Reference: DIO/SUT/43/10/1/20306

E-mail:

Mr Stuart Herkes
Scottish Borders Council
Council Headquarters
Newtown St Boswells
Melrose
Scottish Borders
TD6 0SA

16th March 2015

Dear Mr Herkes

Please quote in any correspondence: 20306

Site Name: Land South West Of Clackmae Farmhouse

Proposal: Erection of 1 Wind Turbine

Planning Application Number: 15/00179/FUL

Site Address: Earlston, Scottish Borders

Thank you for consulting the Ministry of Defence (MOD) on the above Planning Application in your communication dated 25th February 2015.

I am writing to tell you that the MOD has no objection to the proposal.

The application is for 1 turbine at 34.4 metres to blade tip. This has been assessed using the grid references below as submitted in the planning application or in the developers' or your pro-forma.

Turbine	100km Square letter	Easting	Northing
1	NT	55703	39152

In the interests of air safety the MOD will request that the development should be fitted with aviation safety lighting. The turbine should be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

If planning permission is granted we would like to be advised of the following prior to commencement of construction;

- the date construction starts and ends;
- the maximum height of construction equipment;
- the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

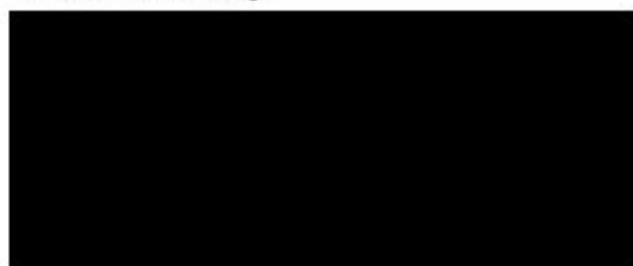
If the application is altered in any way we must be consulted again as even the slightest change could unacceptably affect us.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding>

Yours sincerely



Miss Rachel Evans
Assistant Safeguarding Officer – Wind Energy
Defence Infrastructure Organisation

SAFEGUARDING SOLUTIONS TO DEFENCE NEEDS

PLANNING CONSULTATION

To: Rights Of Way Officer

From: Development Management

Date: 25th February 2015

Contact: Stuart Herkes ☎ 01835 825039

Ref: 15/00179/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 18th March 2015, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 18th March 2015, it will be assumed that you have no observations and a decision may be taken on the application.

Name of Applicant: Mr Alex Wilson

Agent: VG Energy

Nature of Proposal: Erection of wind turbine 34.4m high to tip and associated infrastructure
Site: Land South West Of Clackmae Farmhouse Earlston Scottish Borders

OBSERVATIONS OF: Rights Of Way Officer

CONSULTATION REPLY

ACCESS OFFICER REPLY:

Thank you for your request to receive an outdoor access consultation response. You should note the following:

LEGISLATION

National Access Legislation

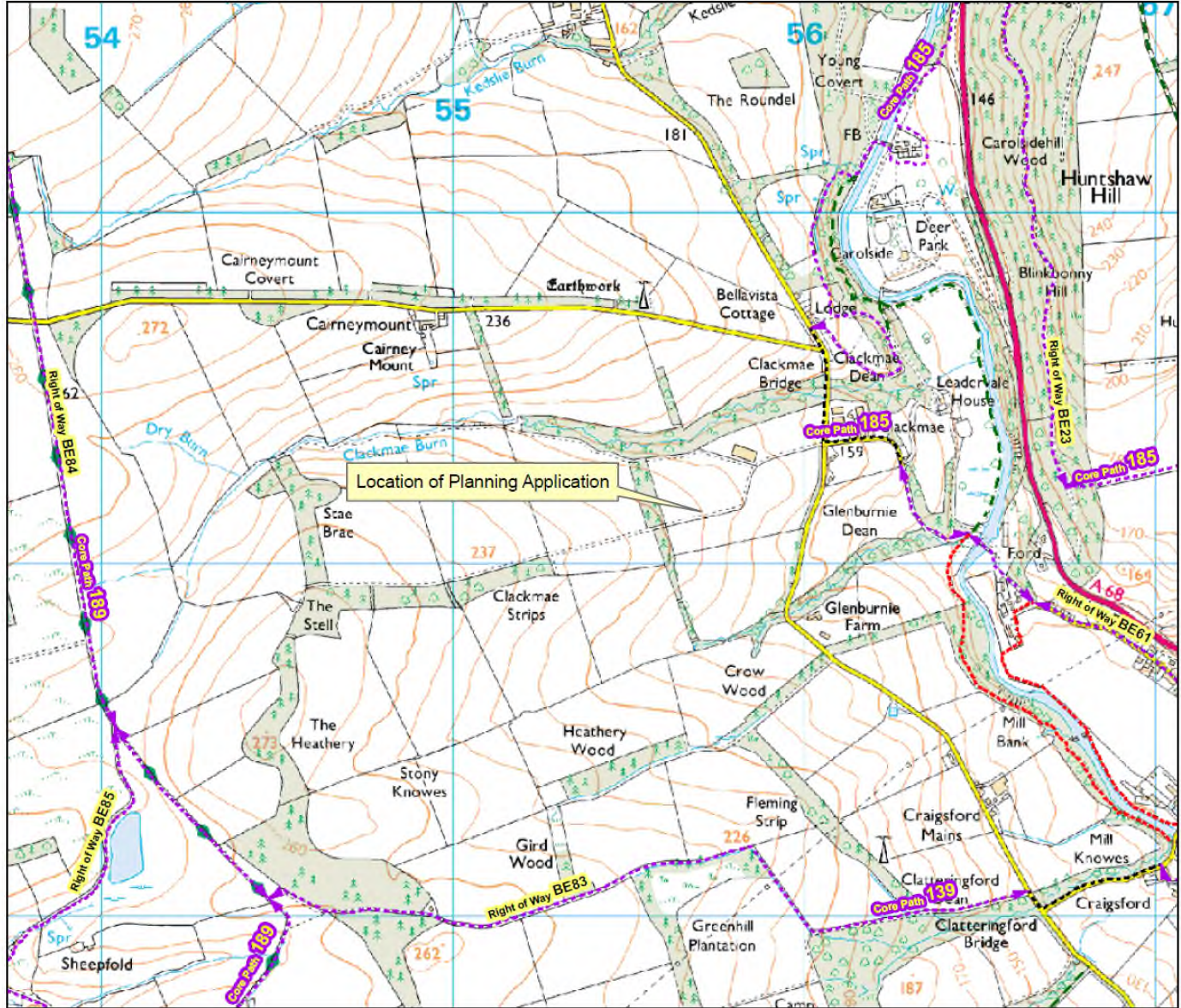
It is the duty of local authority to uphold access rights, under the [Land Reform \(Scotland\) Act 2003](#), in doing so to, protect and keep open and free from obstruction or encroachment any route, waterway or other means by which access rights may reasonably be exercised.

Rights of Way are specifically protected by law under the [Countryside \(Scotland\) Act 1967](#) sec. 46 *'It shall be the duty of a, planning authority to assert, protect, and keep open and free from obstruction or encroachment any public right of way which is wholly or partly within their area.'*

COMMENTS

According to our records, as outlined on the enclosed plan, there are no known Core Paths / Promoted Paths / Rights of Way that are directly affected by this proposal. There are however core paths, rights of way and promoted routes which may be indirectly affected from a visual perspective, which should be accounted for in any decision.

Please note that Scottish Borders Council does not have a definitive record of every claimed right of way within its area. The Scottish Rights of Way and Access Society, the community council and local residents may have evidence of existence of claimed rights of way that have not yet been recorded by SBC.



Clackmae,
Scottish Borders
 Ref: 15/00179/FUL

Legend

- Managed Path (Local Community)
- Managed Path SBC (Core Path, Promoted Route; Aspirational Core Path)
- Other (Right of Way; Permissive/ Customary Path; Longer-term Aspirational Path)
- - - - Path Link on SBC Adopted Road (No Pavement) (Core Path Link and Promoted routes)

Scale: 1:14,426

This map has been prepared by the Countryside Access Ranger Service of Scottish Borders Council.

For further details contact: outdooraccess@scotborders.gov.uk
 01835 826509

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PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 25th February 2015

Contact: Stuart Herkes ☎ 01835 825039

Ref: 15/00179/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 18th March 2015, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 18th March 2015, it will be assumed that you have no observations and a decision may be taken on the application.

Name of Applicant: Mr Alex Wilson

Agent: VG Energy

Nature of Proposal: Erection of wind turbine 34.4m high to tip and associated infrastructure

Site: Land South West Of Clackmae Farmhouse Earlston Scottish Borders

OBSERVATIONS OF: Archaeology Officer

CONSULTATION REPLY

Thank you for requesting an archaeology consultation. There are no known implications for this proposal.

From: McDermott, Siobhan
Sent: 01 April 2015 16:43
To: Clarke, Carlos
Subject: 15/00179/FUL 34.5m turbine SW of Clackmae Farm, Earlston

Carlos,

I have been able to review the photomontage information supplied in support of the above application and have visited the various viewpoints. despite this been a small/ medium turbine in what is a medium scale landscape. I really only have concerns about the visibility from Viewpoint 1 - from Earlston - as the turbine clearly 'skylines' from this viewpoint and probably from other areas of the settlement. At only 1.7km from the settlement I consider this might appear as 'fairly prominent' in many views from Earlston, and I wonder if the applicant could consider an alternative location on the farm that would not be quite so prominent and elevated on the valley side.

Hope this is helpful .

regards

Siobhan McDermott
Landscape Architect

Built and Natural Heritage
Regulatory Services
Scottish Borders Council
Newtown St Boswells, Melrose TD6 0SA
tel: 01835 824000 ext 5425
fax: 01835 825071
email: smcdermott@scotborders.gov.uk



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Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	15/00179/FUL
Uniform Ref	15/00331/PLANCO
Proposal	Planning Application. Erection of wind turbine 34.4m high to tip and associated infrastructure
Address	Land South West Of Clackmae Farmhouse Earlston Earlston Scottish Borders
Date	22 nd April 2015 – 4 th Response
Amenity and Pollution Officer	Mary Rose Fitzgerald

Amenity and Pollution

Assessment of Application

Following my response on 13th March the applicant has provided updated information in the form of a letter and spreadsheet dated 16th April 2015

1. Turbine co-ordinates – have now been provided and verified
2. Receptor co-ordinates – have now been provided and verified
3. Turbine sound power levels utilised in the noise predictions - provided
4. How was uncertainty applied – provided and applied correctly
5. Where was the octave band spectrum obtained from and was it scaled – it has been scaled
6. I note that the hub height of the turbine in the Arcus report is 36.8 and the hub height for the proposed turbine is 22.6m. A correction should be carried out to account for wind shear – wind shear correction has been applied
7. A table of turbine noise immissions (at noise sensitive premises) at integer wind speeds - this has now been provided and reproduced below.

RECEPTOR	ADDRESS (COORDINATES)	4m/s	5m/s	6m/s	7m/s	8m/s	9m/s	10m/s	11m/s	12m/s
H1	3-4 CLACKMAE FARM COTTAGES (356061, 639247)	24	29	30	30	30	28	29	29	29
H2	1-2 CLACKMAE FARM COTTAGES (356069, 639307)	23	28	29	29	29	27	29	29	29
H3	GLENBURNIE FARMHOUSE (356051, 638802)	21	26	27	27	27	25	27	26	26
H4	CLACKMAE FARMHOUSE (FI) (356187, 639377)	20	25	26	26	26	24	26	26	26
H5	WEST LODGE, CAROLSIDE (355998, 639714)	18	24	25	25	24	22	24	24	24
H6	NETHER CAIRNIE (355969, 639764)	18	23	24	24	24	22	24	23	23
H7	CAIRNEY MOUNT (354977, 639704)	15	20	21	21	21	19	20	20	20

FI = FINANCIALLY INVOLVED PROPERTY

The proposed turbine meets the criteria specified in the ETSU simplified condition. In the proposed condition below the higher limit for financially involved properties has not been afforded to Glenburnie farmhouse, this is due to properties closer to the turbine having a lower limit.

The figures in table 1 below are the figures from the noise immission table provided by VG Energy with 2dB added to ensure the turbine can comply with the condition. By including a table like this it will be easier to assess cumulative noise should there be more applications in this area in the future.

Recommendation

Agree with application in principle, subject to conditions

1. At wind speeds not exceeding 10m/s at rotor centre height, the wind turbine noise level at each noise sensitive property shall not exceed the levels in table 1

Table 1

Location		Wind speed at rotor height in m/s averaged over 1 minute periods. Sound pressure levels in dB LA90, 10mins						
Property Name	Map ref	4	5	6	7	8	9	10
3-4 CLACKMAE FARM COTTAGES	356061, 639247	26	31	32	32	32	30	31
1-2 CLACKMAE FARM COTTAGES	356069, 639307	25	30	31	31	31	29	31
GLENBURNIE FARMHOUSE	356051, 638802	23	28	29	29	29	27	29
CLACKMAE FARMHOUSE	356187, 639377	22	27	28	28	28	26	28
WEST LODGE, CAROLSIDE	355998, 639714	20	26	27	27	26	24	26
NETHER CAIRNIE	355969, 639764	20	25	26	26	26	24	26
CAIRNEY MOUNT	354977, 639704	17	22	23	23	23	21	22

2. At the request of the Planning Authority, following a complaint to Scottish Borders Council relating to noise immissions from the wind turbine, the wind turbine operator shall shut down the turbine not later than 24 hours after receipt of the request and at his own expense employ an independent consultant, approved by the Planning Authority, to assess the level of noise emissions from the wind turbines (inclusive of existing background noise). The background noise level shall also be measured without the wind turbine operating. The noise of the turbine alone can then be calculated by logarithmic subtraction. If requested by the Planning Authority the assessment of noise immissions shall include an investigation of amplitude modulation in a manner agreed with the Authority.
3. Should the wind turbine sound pressure level exceed the level specified in the above conditions the turbine shall cease operation until such time as it has been demonstrated to the Planning Authority that the sound pressure level, referred to in condition 1, can be achieved.

residential receptors in the Earlston settlement and have also looked at the viewpoints on Black Hill and Southern Upland Way (SUW). I suggest that the turbine is not out of scale with the receiving landscape when seen from either Black Hill or this section of the SUW.

- 5(i) This criterion deals with impact on landscape character and areas exhibiting remote qualities. The scale of the turbine is not inappropriate to the scale of the landscape and the features that give it its particular character nor could the site be regarded as in any way remote. I therefore consider this criterion satisfied.
- 5(ix) This deals with cumulative impact of turbine development. Although there are a number of single turbines within the 5km study area there is relatively few locations where more than one or two are seen coincidentally. This turbine will generally be seen in isolation. However there will be increased sequential cumulative effects as a turbine in this location will increase the area of the Leader valley from which a turbine can be seen. The A68 follows travels the length of the Leader valley and a turbine at this location will extend the sequential cumulative effects that currently receptors on the A68 experience. While this is the case, the additional sequential cumulative effect is not deemed to be significant as the proposed turbine will be only potentially visible for relatively short sections of the road within the 5km study area.

Consultation Summary

Having considered the further correspondence from the agent, I must advise that while a turbine of this typology largely fits with our current guidance, I continue to have concerns about the skylining effect when seen from the Earlston settlement. For that reason I am not happy to support this proposal in its current form.

Siobhan McDermott
LANDSCAPE ARCHITECT