

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

28 MARCH 2016

**APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT
1989**

ITEM:	REFERENCE NUMBER: 14/00417/S36
OFFICER:	John Hiscox
WARD:	Leaderdale and Melrose
PROPOSAL:	Erection of 7 No. wind turbines 100m-110m high to tip
SITE:	Long Park Wind Farm, Bow Farm, Stow
APPLICANT:	Wind Prospect Developments 2 Ltd
AGENT:	As per applicant

1.0 PURPOSE OF REPORT

- 1.1 To advise the Scottish Government of the response from Scottish Borders Council on the application by Wind Prospect to:
- (i) construct a 7-turbine extension to the existing Long Park Wind Farm near Stow and;
 - (ii) to enable the existing Long Park Wind Farm to be retained along with the proposed extension turbines for a period of 25 years (operational lifespan of the combined wind farm – existing and proposed components).

2.0 PROCEDURE

- 2.1 Scottish Borders Council (SBC) is a consultee as a 'relevant authority'. All of the turbines and new infrastructure would be sited within Borders.
- 2.2 The views of SBC will be provided to the Energy Consents and Deployment Unit at Scottish Government (ECDU), the body responsible for processing onshore Section 36 planning applications. In this instance, the application is required to be determined via Section 36 because the wind farm would have an output of more than 50MW. The ECDU advertises the application and carries out direct consultation with other interested bodies. There is, therefore, no need for Scottish Borders Council to undertake a tandem process although consultation has taken place with relevant officers within the Council.
- 2.3 It should be noted that if permission is granted, the local authority (rather than the ECDU) would become the relevant enforcement authority responsible for monitoring compliance with the terms of an approval and any conditions imposed thereon.
- 2.4 It is essential for Members to note that the last round of Further Environmental Information (FEI) from February 2016 includes references (including visualisations) to an alternative 5-turbine scheme that omits the turbines shown as T23 and T25 in submitted documentation. The applicants have indicated a willingness to delete T23 and T25, on the basis that this would have the potential to overcome concerns stated by SBC officers and SNH regarding landscape and visual impacts. However, the applicants have not formally revised the scheme and have instead stated that they

will accept a planning condition that effectively strikes them out of any approved scheme.

- 2.5 Following discussion with ECDU, and notwithstanding the acceptability or otherwise of such a reduced scheme, it has been established that it would be very unlikely that partial approval of the scheme that drops the output to less than 50MW (deletion of T23 and T25 would reduce to 48MW) would still be considered under the 1989 Electricity Act. It is only schemes of 50MW or above that can be considered via the Electricity Act. Anything below that power output would fall to be considered via the Town and Country Planning Act(s). It is considered that it is beyond the scope of the Electricity Act to consent, or partially consent a development that is under 50MW.
- 2.6 This means that the option to consider a 5-turbine scheme, as identified as an acceptable option to the applicants within the FEI, is not available to consultees unless a new, separate application is submitted to the planning authority under the 1997 Planning Act.
- 2.7 Therefore, although commentary within this report alludes to the benefits of a scheme that does not include T23 and T25, as compared to a scheme that does include them, it is only appropriate to provide a conclusion on the basis of the acceptability or otherwise of the 7-turbine scheme. The material included within the FEI relating to landscape and visual impacts must be discounted.
- 2.8 The remainder of the material within the FEI however, may be taken into consideration.

3.0 SITE DESCRIPTION:

- 3.1 The site is that of the current Long Park Wind Farm, which is located a little under 2km south south-east of the village of Stow and approximately 1km east of the A7 road where that road meanders in alignment with the Gala Water between Bowland and Torsonce, south of Stow. The north-west fringes of Galashiels are approximately 4km to the south.
- 3.2 The current wind farm occupies predominantly grazed farmland above Halkburn Farm and includes 19 turbines with blade tip heights of 100m and 110m plus access road, tracks, infrastructure, apparatus and buildings. It is laid out in a grid pattern, ostensibly 3 rows of 5 turbines and 1 row of 4 turbines. Existing turbines are positioned between 280m and 370m above ground level (above Ordinance Datum). The existing site retains plantation woodlands here and there between the development components.

Landscape Character:

- 3.3 The development is situated entirely within the (Lauder Common) Plateau Grassland Landscape Character Type (LCT), but is very close to Pastoral Upland Valley LCT situated to the west, and the Undulating Grassland LCT situated to the east.
- 3.4 The 1998 Borders Landscape Character Assessment describes the LCA as follows:
 - An upland plateau landscape of smooth gently rolling hills covered by coarse acid grassland
- 3.5 Its Key Characteristics are listed as:

- Large scale, rolling plateau topography with gentle slopes and smooth relief.
- Vegetation cover dominated by coarse grassland with localised patches of heather moorland, rush pasture and scattered small coniferous plantations and shelterbelts
- Low density settlement with widely dispersed farm buildings
- Open, panoramic views.

3.6 The following positive attributes of the LCA are further described:

- strong definition of topographic boundaries
- traditional identity of 'Common' land use retained in name
- unity of land cover type
- large scale
- distinctive and unified field boundary style (dykes)
- remote, isolated quality
- relative absence of visual detractors or detractors from tranquillity
- unobstructed distant views.

3.7 Under 'Negative Attributes' the following are mentioned:

- absence of visual enclosure
- relatively low diversity of landscape elements and features
- plateau margins visually sensitive to views from A7 and A68 road corridors
- vulnerable isolated remnants of heather moorland.

Landscape Designations:

3.8 The site itself is not within any designated landscape areas. However, the following designations relate to the site:

- Eildon and Leaderfoot National Scenic Area (7km to south-west)
- Thirlstane Castle Historic Garden/Designed Landscape (HGDL) (6.5km to north-east)
- Bowland HGDL (2.5km to south-west)
- Carolside and Leadervale HGDL (6.5km to east)
- Fairnilee HGDL (7km to south)
- Tweed, Ettrick and Yarrow Confluences Special Landscape Area (SLA) (just over 5km to south & south-west)
- Tweed Valley SLA (just over 5km to the south-west)
- Lammermuir Hills SLA (7km to north-east)

4.0 PROPOSED DEVELOPMENT:

4.1 The scheme currently under consideration has been revised from an original scheme submitted in 2014 that proposed an additional 10 no. new turbines, infrastructure and apparatus including an anemometry mast.

4.2 Further to the revisions, it is now proposed to add 7 no. new turbines to the existing wind farm, along with new tracks (2.6km) and infrastructure, including borrow pits and a temporary construction compound. A new switchgear building (to serve the overall development) is also proposed. The combined total installed capacity would be 52 Megawatts (MW), with each of the proposed 7 turbines producing 2MW. Two of the turbines originally proposed to the east of the existing wind farm (T28 and T29)

have been deleted from the scheme. A further turbine has been deleted from the northern extension area (T24) and in the western extension area, turbines have been re-sited and an anemometry mast deleted.

- 4.3 The remaining 7 turbines would be sited at the following heights above Ordnance Datum:

Turbine	AOD
T20	265m
T21	285m
T22	316m
T23	333m
T25	349m
T26	348m
T27	354m

Turbines T20 and T21 would be 110m to tip, 69m to hub and have a rotor diameter of 82m; whilst turbines T22, T23, T25, T26 and T27 would have the same rotor diameter, but would have 59m hubs and 100m tip heights.

- 4.4 The development would use the current access from the A7 for all construction traffic.
- 4.5 A micrositing allowance of 30m for turbines and 50m for internal access tracks is requested to enable minor changes to be made to layout in response to ground constraints encountered during construction. This is detailed in the original ES at Paragraph 2.5.4.
- 4.6 It is important to note that the application is for a 25-year operational period, but that the overall development period, including construction and decommissioning, is proposed at 28 years.
- 4.7 It is also important to note that the applicants are seeking to extend the operational period of the existing wind farm to align with that of the extension, meaning that the existing turbines (which became operational in 2009) would in theory remain in situ for approximately 34 years altogether prior to removal.

Development Visibility:

- 4.8 SEI Figure 8.1.14 demonstrates existing visibility (of the existing wind farm), combined visibility (i.e. where both existing and proposed turbines would be visible simultaneously) and areas where only the new turbines would be visible.
- 4.9 Essentially the areas of visibility would not significantly change. The existing wind farm and the extended wind farm would be visible as one entity from the vast majority of viewpoints throughout the local landscape.
- 4.10 The only noteworthy changes to the visibility scenario result from new areas of visibility in and around Stow, and also areas situated west of a stretch of the A7 from Stow along to Bowland. As the turbines spread further away from the wind farm's centre, and closer to platform/plateau edges, their upper sections become visible

from positions close to valley bottoms/low lying land where previously there was lesser or no visibility.

5.0 NEIGHBOURING SITES/SCHEMES RELEVANT TO CONSIDERATION OF CURRENT PROPOSAL:

5.1 **Toddleburn:** an operational wind farm situated approximately 9.5km north of the northernmost Long Park turbine. Planning permission granted on appeal following refusal by SBC. Comprises 12 turbines with a tip height of 125m.

5.2 **Dun Law/Dun Law Extension:** Describable broadly as 'Dun Law', this wind farm is the northernmost of those in the Lauder Common character area and begins approximately 11.5km north of the Long Park site. Within the Scottish Borders, it is something of an end-stop to wind farms, but beyond is the smaller Pogbie Wind Farm and a further development is consented known as Keith Hill – these are not within Borders (within East Lothian).

5.3 **Rowantree (Longmuir Rigg):** scheme for potential 9-11 turbines with a tip height of 130m, presently at pre-application (Scoping) stage. Highly likely to be a major planning application (not Section 36) if pursued. The site is approximately 7km north of the nearest proposed Long Park turbine. The Committee will recall that the Section 36 planning application for Rowantree (23 turbines) was dismissed following a public inquiry by Scottish Ministers in 2014.

5.4 The proposed wind farms at **Girthgate** and **Muircleugh**, both of which would have been relevant to consideration of the Long Park Extension, are no longer influential because the former site's application was withdrawn; the latter was the subject of an unsuccessful appeal.

6.0 PLANNING HISTORY:

6.1 **04/00317/FUL** – Formation of wind farm comprising 19 wind turbines, two anemometry masts, switchgear building, construction compound, the excavation of two borrow pits for sourcing stone, site and access tracks and ancillary works.

6.2 The application was refused by the Planning Committee in agreement with the recommendation of the planning officer in August 2005; however, a subsequent planning appeal was successful.

7.0 REPRESENTATION SUMMARY:

7.1 The Committee is asked to note that third party representations are not considered by the local planning authority in relation to Section 36 applications. All such submissions are considered by the Energy Consents and Deployment Unit in their reporting to Ministers.

7.2 However, it may be noted that at the time of writing of this report, the ECDU has only made SBC aware that 48 objections have been received in total, three of which were received after the first Addendum was submitted. No letters of support have been received.

8.0 APPLICANTS' SUPPORTING INFORMATION:

8.1 The application is accompanied by an Environmental Statement. It was revised in April 2015 and submitted as 'Further Environmental Information' (FEI), otherwise

described as an Environmental Statement Addendum. Principally, this round of FEI dealt with removal of 3 turbines from the scheme and adjustment of the layout of the remaining development.

8.2 Both the 2014 and 2015 versions of the ES comprise:

Volume 1: Non Technical Summary
Volume 2: The Environmental Statement Text
Volume 3: Figures (Part 1 and Part 2)
Volume 4: Appendices

8.3 The application is also accompanied by a Planning Statement (updated in May 2015) and a Pre-Application Report.

8.4 In September 2015, a further round of FEI was submitted, relating only to matters of noise.

8.5 In February 2016, a further round of FEI was submitted, relating to matters of noise (raw noise data released) and to potential changes to the overall scheme, as discussed in Section 2 of this Report, under 'Procedure'. Material relating to habitat management was also submitted.

8.6 It may be noted that a draft Unilateral Undertaking was provided with the last round of FEI, which would result in a commitment by the applicants to procure (if possible) the turbine tower sections from within Scotland.

9.0 CONSULTATION RESPONSES:

Scottish Borders Council Consultees:

Forward Planning Section:

9.1 **22.5.15:** Explains national, regional and local planning policy position, which confirms that a positive approach should still be taken towards wind energy developments but that a precautionary approach should be taken in acknowledgement of sites being suitable in perpetuity, as per SPP Paragraph 170. The response also gives coverage to the SESplan (South East Scotland Strategic Development Plan), within which there is specific commentary relating to cumulative wind farm impacts in Borders.

9.2 Describes status of and contribution made by the Landscape Capacity and Cumulative Study 2013 prepared by Ironside Farrar, and its relevance to consideration of the proposals. The study acknowledges the possibility for opportunities for turbines within the locality, but also makes specific reference for the need to consider cumulative impact issues of new proposals and extensions of existing approvals given the high number of applications submitted in the area.

9.3 Specifically mentions the potential for impacts on the Bow Castle broch monument requiring to be taken into account as it is a relevant constraint.

9.4 Summarises that there may be an opportunity to extend the existing wind farm, although the location and height of any such turbines should be determined by other internal parties with particular consideration to overall cumulative impact issues.

9.5 On **26.2.16** the consultee issued an updated reply based on the position at the time the last FEI was submitted in February. The response has been updated to reflect

changes brought forward through FEI and the current policy position. In the latter regard, the status and progression of the Local Development Plan is explained.

- 9.6 Requirements to produce Supplementary Guidance (to replace/update the current 2011 Wind Energy SPG) and an updated Landscape Capacity Study are discussed.

Archaeology Officer:

- 9.7 **1.10.14:** Indicates that the application is supported in principle, but that the impacts on Bow Castle Broch should be mitigated by removing turbines T20, T21 and T22, associated infrastructure and the anemometry mast to minimise impacts on the setting. Suggests that assessment of significance of views to the east of Bow Castle has not been properly undertaken, and also that impacts within the setting have not been justified.
- 9.8 Indicates range of conditions necessary relating to the subterranean archaeological resource and to above ground assets including Historic Buildings, and a condition requiring elements of the development to be removed if consent is granted.
- 9.9 Confirms that unless the aforementioned turbines, mast and infrastructure are removed, the application should be refused as it does not accord with Policy BE2 of the 2011 SBC Local Plan and Policy EP8 of the Local Development Plan.
- 9.10 **17.7.15:** Indicates that the changes to the scheme have alleviated concerns to the extent that the scheme can now be accepted, because the impacts on the Bow Castle Broch have been partially mitigated.
- 9.11 Advises that condition no longer required relating to Historic Buildings as changes have mitigated in that regard.
- 9.12 **8.3.16:** Indicates no change to advice given previously.

Roads Planning Manager:

- 9.13 No consultation responses provided.

Ecology Officer:

- 9.14 **1.7.14:** Indicates no objection to the proposal because there is unlikely to be a significant adverse impact on the ecological interest providing mitigation is implemented as identified in the Environmental Statement; makes recommendations which would translate into conditions if consent is granted, in relation to the following items:
- supplementary ecological surveys required prior to development
 - scheme of compensatory planting required/nature of scheme
 - species mitigation and management plan required
 - Habitat Management and Enhancement Plan required
 - appointment of Ecological Clerk of Works (ECoW) required
 - production and implementation of Construction Method Statement, Environmental Management Plan and Decommissioning Method Statement
 - Before-After-Control-Impact (BACI) monitoring programme required

- 9.15 Note that recommendations were also made in this consultation response which would lead to relocation of 3 no. turbines. T28 and T29 would be 'micrositable' (movement required to increase separation from potential bat habitat), whereas it is unclear whether micrositing would address the position of T24 in relation to the habitat it would be sited upon (relocate from acid grassland to less sensitive habitat).
- 9.16 **28.7.15:** Revisions have mitigated concerns relating to positioning of T24, T28 and T29 (with them having been deleted). Otherwise, no influential change to the position of this specialist.
- 9.17 **4.3.16:** Acknowledges material submitted with the latest FEI but confirms that overall no change to position – response of 28.7.15 still stands.

Outdoor Access Officer:

- 9.18 **23.4.14:** Indicates no comment to make regarding acceptability of proposals – confirms that Chapter 14 of the Environmental Statement addresses the access issues.
- 9.19 **17.7.15:** Position updated significantly, in that it is now requested that a yearly developer contribution is provided towards maintenance of the public path network, as affected by the development.

Environmental Health Officer:

- 9.20 **5.6.14:** Indicates a range of matters outstanding in relation to noise assessment and management during operation of the wind farm, and that further information is required before the application is determined.
- 9.21 **2.6.15:** Indicates that there remains a range of matters outstanding and that further information is still required, despite the provision of updated material relating to noise in the SEI/Addendum.
- 9.22 **21.9.15:** Refers to updated information provided by the applicants in response to the 2.6.15 consultation reply, and advises that cumulative issues have still not been adequately addressed. On this basis, the objection is maintained.
- 9.23 It may be noted that the main concerns described within the 21.9.16 consultation reply refer to cumulative issues of the proposal with the Muircleugh scheme, which is no longer to be taken into consideration following dismissal of the Muircleugh appeal.
- 9.24 On **15.3.16** the consultee confirmed in an email that with Muircleugh now having been refused and dismissed at appeal, the outstanding issues relating to cumulative noise are inevitably no longer relevant or concerning.

Flood Risk Officer:

- 9.25 **7.5.14 & 19.5.15:** Indicates no objection to the proposals as long as further detail is submitted to address the following areas of concern:
- management of sediment entering watercourses
 - management of surface water run-off rates
 - maintenance of water crossings and drains to reduce surface water run-off impact

Landscape Architect:

- 9.26 **21.10.14:** This consultee did not support the proposal in its original form. The main reasons for this were:
- increased visibility of wind farm and detriment to its appearance due to siting and prominence of T23, T24 and T25 on the northern side of the site and T26, T27, T28 and T29 on the eastern side
 - adverse residential amenity impacts on Allanshaws properties due to proximity and placement of turbines T26, T27, T28 and T29
- 9.27 **5.8.15:** Despite the changes made, the consultee continues to identify significant concerns relating primarily to T23 and T25. Removal of T28 and T29 have rendered effects of eastern extension acceptable (including impacts on residential amenity), but support not given to the overall extension unless T23 and T25 are removed.

Other Important Statutory Consultee Responses to Scottish Government (ECDU):

Scottish Environmental Protection Agency (SEPA):

- 9.28 **19.5.14:** Indicates no objection as long as conditions are applied.
- 9.29 **9.6.15:** The consultee has revised its position and now **objects** to the proposed development. The following advice is given:

“In respect of the new information relating to the Private Water Supply at Wooplaw, we note that the proposed mitigation i.e. monitoring and potential replacement supply, is not an approach we can support and in any case would presumably require the agreement of the PWS user. Consequently we **object** to the proposal on the grounds that an unacceptable impact may arise associated with the new access track and turbine foundation.”

- 9.30 A final consultation reply on **11.3.16** confirmed no new comments (all previous comments apply)

Scottish Natural Heritage (SNH):

- 9.31 **11.7.14:** While not constituting an objection, the original SNH response highlighted key issues considered to be important in the consideration of the application by the determining authority:
- if proposal carried out in strict accordance with mitigation measures described in the ES, then the proposal will not adversely affect the integrity of the River Tweed Special Area of Conservation
 - overall appearance of additional turbines could be revised to improve landscape fit, improve their relationship to the existing wind farm, and reduce (visual) impacts on sensitive receptors
 - consideration to be given to reduction in height of T21 and T20, removal of T23, T24 and T25 from the northern group, and re-design of all turbines in the eastern group
 - consideration to be given to moving T23, T28 and T29 further away from bat habitats

- consideration to be given to moving T24 off heathland, and onto less sensitive acid grassland
- concern that ES does not adequately cover the existing wind farm site and confirmation that the SNH response therefore only relates to the proposed new development area
- provides detailed commentary on the landscape and visual impacts of the scheme, which conclude that changes could be made to improve development and reduce/ameliorate visual effects
- provides detailed advice relating to the potential cumulative landscape and visual effects, in the context of schemes 'in the planning system' at that time.

9.32 **7.8.15:** This second response, in respect of the revised scheme, makes it clear that no new advice is offered in respect of species and habitat. It is limited to landscape and visual effects.

9.33 In that regard, the following summarises issues of relevance to matters being considered by the Council:

- revised proposal does not fully reflect advice given in first response, and still presents key issues relating to landscape and visual impact, and related matters of design consistency between the proposed extension and the existing development
- advises that it may be of merit to consider a partial consent which focusses approval on the turbines causing lesser landscape and visual impacts
- suggests that any extension to the existing wind farm should strongly relate to the form and pattern of the existing wind farm layout and adhere to the siting and design principles established by the existing wind farm, particularly with regard to the relationship of development to the topography and with regards the careful consideration of the nature of impacts on key sensitive views
- identifies 5km distance from site as containing particularly sensitive views, especially those relating to Stow village, Lauder Common and the Southern Upland Way, plus more distant views from Eildon and Leaderfoot National Scenic Area
- advises that there would be merit in extending consent period of existing wind farm if new proposals are accepted (landscape and visual grounds)
- continues to advise that consideration be given to reduction in height of western turbines (T20, T21, T22) to minimise new visibility
- acknowledges reduction in magnitude of effect by northern turbines with T24 having been deleted, but continues to advise that broad nature of new effects is undesirable and worthy of further consideration (i.e. for T23 and T25 to be deleted)
- discusses reduced effects of eastern turbines further to deletion of T28 and T29, confirming that while effects promote some concern, these may be accepted without further revision
- discusses combinations of cumulative landscape and visual effects with other wind farms.

9.34 **10.3.16:** The third response also clarifies that no further comment is added in relation to ecology.

9.35 In respect of landscape and visual impacts, the consultee refers to the potential for a 5-turbine scheme as depicted within the FEI, indicating that the revisions secured through such a scheme would result in an improved scheme. The response implies

that a 5-turbine scheme as shown would address the principal concerns/key issues described in previous responses.

- 9.36 The response does, however, indicate that there remain some issues of landscape and visual impact to consider. It is likely that this comment refers to the aforementioned visual impacts associated with T20, T21 and T22 (mentioned in the 7.8.14 reply).
- 9.37 It is restated that there would be merit in extending consent the period of the existing wind farm if new proposals are accepted, in order to ensure appropriate co-ordination of the appearance of the combined wind farm and the decommissioning process for all turbines on the site.

Ministry of Defence:

- 9.38 **9.5.14:** Indicated that it objected to the original proposal on the following grounds:
- impact on the operation of Eskdalemuir Seismic Recording Station in terms of noise vibration

Further advice was given in respect of lighting and potential conditions required if consent were to be granted.

- 9.39 **4.6.15:** Consultee indicated that it does not object to the modified scheme. The previous Eskdalemuir objection is not mentioned in this second response.

Historic Environment Scotland:

- 9.40 **19.5.14:** The original response did not constitute an objection to the proposal, but did give advice about how the proposal could be revised to lessen visual impacts on the heritage resource. The advice related principally to impacts on a scheduled ancient monument, that being Bow Castle broch, situated 500m west south-west of the nearest turbine.
- 9.41 Discusses impacts of T20, T21 and T22 plus the anemometry mast upon the setting of the monument, the potential reduction to appreciation and understanding of the monument, and the contribution that its setting makes to its significance. Indicates that concerns identified prior to application have not been fully addressed and recommends in particular that siting of the locations for T21 and the anemometry mast be re-evaluated.
- 9.42 **4.6.15:** The revisions to the scheme do not alter the overall position of this consultee. The response includes the following advice: "We do not consider that the alterations to the scheme will result in a change in the level of impact on heritage assets covered by our remit."

Community Councils:

- 9.43 Committee should note that the Community Councils of Lauderdale, Heriot, and of Stow and Fountainhall (the latter two combined to submit a joint response) objected to the original scheme, whereas the Melrose and District and Galashiels and Langlee Community Councils did not raise objections. In respect of the revised/Addendum scheme, a revised joint objection by Heriot, Stow and Fountainhall Community Councils was submitted and Lauderdale continued to object, whereas Galashiels and Langlee retained its position of no objection.

9.44 The views of the Community Councils, as statutory consultees, may be viewed in full on Public Access. However, these responses are not matters for consideration by the Council and will be considered by the ECDU in its assessment.

RSPB:

9.45 **4.6.14:** No objection to the proposal, but makes comments relating to birds and habitat that would potentially give rise to planning conditions.

9.46 **22.5.15:** Confirms that it does not object, and advises as follows: "We submitted a number of observations and recommendations regarding the original extension application in a letter to you of 4 June 2014. The applicant has addressed these to our satisfaction. Nevertheless, our letter remains pertinent and we would wish it to be retained in the assessment of this application."

9.47 **9.3.16:** Endorses intentions and commitments within the ecological material submitted with the February 2016 FEI.

Transport Scotland:

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

Scotways (The Scottish Rights of Way and Access Society):

9.49 **3.6.14:** The consultee did not raise an objection.

9.50 **12.6.15:** The consultee has revised its position and now **objects** to the submitted scheme as per the 2015 addendum. The objection relates to

- (i) impacts on recreational amenity, with particular specific reference to the Girthgate route, Lauder Common and the Southern Upland Way
- (ii) cumulative impacts; and
- (iii) uncertainty relating to heritage assessment of a possible variant line of the Girthgate path/route

10.0 DEVELOPMENT PLAN POLICIES:

SES Plan Strategic Development Plan 2013:

10.1 Policy 10 – Sustainable Energy Technologies

Consolidated Scottish Borders Local Plan 2011:

10.2 Principle 1 – Sustainability

Policy G1 – Quality Standards for New Development

Policy G4 – Flooding

Policy G5 – Developer Contributions

Policy BE1 – Listed Buildings

Policy BE2 – Archaeological Sites and Ancient Monuments

Policy BE3 – Gardens and Designed Landscapes

Policy BE4 – Conservation Areas

Policy NE1 – International Nature Conservation Sites

Policy NE3 – Local Biodiversity
Policy NE5 – Development Affecting the Water Environment
Policy H2 – Protection of Residential Amenity
Policy Inf2 – Protection of Access Routes
Policy Inf6 – Sustainable Drainage
Policy D4 – Renewable Energy Development

Proposed Scottish Borders Local Development Plan:

- 10.3 The LDP has been the subject of an Inquiry by Scottish Ministers and the result of the Inquiry was published on 4 November 2015 on the SBC website. Whilst the Plan is not yet an adopted document Scottish Ministers have given the Council clearance to proceed to adopt and therefore the document, as amended by the Reporter's recommendations, has significant weight in the deliberations on this application. It is envisaged that the formal adoption processes will be completed by the end of April 2016.
- 10.4 Notwithstanding the above, Policy D4 of the Scottish Borders Local Plan 2011 currently remains the primary specific planning policy against which the application should be considered. This will be the case until the LDP is adopted.
- 10.5 The following Policies of the LDP are relevant to consideration of this application:

Policy PMD1 – Sustainability
Policy PMD2 – Quality Standards
Policy ED9 – Renewable Energy Development
Policy HD3 – Protection of Residential Amenity
Policy EP1 – International Nature Conservation Sites and Protected Species
Policy EP3 – Local Biodiversity
Policy EP7 – Listed Buildings
Policy EP8 – Archaeology
Policy EP9 – Conservation Areas
Policy EP10 – Gardens and Designed Landscapes
Policy EP15 – Development Affecting the Water Environment
Policy IS2 – Developer Contributions
Policy IS5 – Protection of Access Routes
Policy IS8 – Flooding
Policy IS9 – Waste Water Treatment Standards and Sustainable Urban Drainage

11.0 OTHER PLANNING CONSIDERATIONS:

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

- Renewable Energy (2007)
- Wind Energy (2011)
- Biodiversity (2005)
- Local Landscape Designations (2012)
- Developer Contributions (2010)

11.2 Scottish Government Policy and Guidance:

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

11.3 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

11.4 Historic Scotland Publications:

Scottish Historic Environment Policy (2011)

11.5 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)

11.6 Other Publications:

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

12.0 **KEY PLANNING ISSUES:**

- land use planning policy principle
- economic benefits attributable to the scheme
- benefits arising in terms of renewable energy provision
- significance of extending the lifespan of the existing wind farm
- 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

13.0 **ASSESSMENT OF APPLICATION:**

Land Use Planning Policy Principle:

- 13.1 National, regional and local planning policy positively supports the principle of delivering renewable energy via implementation of on-shore wind farms. Unless there are overriding environmental effects, consent should be given for well located and designed wind farms, in particular if mitigation measures are in place to address environmental effects. This approach aligns with strategy adopted by Scottish Government within the National Planning Framework (NPF3) for sustainable economic growth.
- 13.2 Consideration must be given to the suitability of a site in perpetuity rather than temporarily; the revised SPP published in 2014 confirms this. This acknowledges the

potential to re-power sites as they reach the end of their intended operational life. It has heightened relevance to this proposal due to the intention to extend the life of the existing wind farm, so that it aligns to the lifespan of the new turbines.

- 13.3 This site is on upland farmland/moorland (highly similar to the landscape occupied by the current development), is not within a National Scenic Area and has no other designations that would prevent the principle being considered. It is not designated as a Special Landscape Area within the SBC Supplementary Guidance (Local Landscape Designations).
- 13.4 In terms of the SBC Wind Energy SPG Spatial Strategy adopted in 2011, the two eastern turbines T26 and T27 would lie within an Area of Moderate Constraint (lower). The northern turbines (T23 and T25) are where the Area of Moderate Constraint (lower) meets an Area of Moderate Constraint (Higher) and the western 3 turbines (T20, T21 and T22) are more clearly within that higher constraint area.
- 13.5 However, as noted in the consultation responses of the SBC Forward Planning Team, it should be noted that the Spatial Framework within the SPG 2011 (Appendix E) has now been replaced by the more general and simplistic requirements of Table 1 of the SPP.
- 13.6 The location of the development in relation to the Landscape Capacity and Cumulative Study 2013 prepared by Ironside Farrar on behalf of the Council - a background document to the Local Development Plan indicates that there may be capacity (low) for development of turbines over 100m in height specifically at Longpark Wind Farm. Figure 6.4 'Wind Turbine Development Opportunities and Constraints' also identifies that the existing and proposed site areas lie within an 'area where cumulative impacts limit development'.

Economic Benefits:

- 13.7 The renewable energy industry is important nationally, leads to employment and investment during construction and during the lifespan of the development.
- 13.8 It is likely that the level of employment activity in particular during implementation would be significant. 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.
- 13.9 Whether the implementation of wind farms promotes benefits or disbenefits to local economies (or, indeed national economies) in terms of potential to affect tourism and visitation is a matter still under scrutiny. The Scottish Borders is visited because of its attractiveness and for the recreational opportunities it offers. Whether the implementation of wind farms is harming, or has harmed Borders' tourism economy is not qualified. 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. At the present time, no published information describing potential tourism effects is material to the consideration of an application of this type.
- 13.10 It may therefore be concluded that in terms of economic benefits, there would be some mentionable gain, but not so significant as to be a major determining factor.

Benefits arising in terms of renewable energy provision:

- 13.11 The proposed wind farm would provide an additional output of up to 14MW, on the basis that each turbine would have the potential to generate 2MW.
- 13.12 This proposed additional generating capacity might be described as a modest contribution to national targets. However, it is acknowledged that the development would make a contribution to renewable energy provision first in Scotland and also in UK terms.

Significance of extending the lifespan of the existing wind farm:

- 13.13 There is no obvious planning reason why in principle it would be inappropriate to allow the existing wind farm's lifespan to be extended. If the turbines are in good condition, and if the new extension/turbines are permitted, it is logical to retain the entirety of the wind farm. The extension has been designed to fit with the existing development and would not, given the layout, present an acceptable appearance in the absence of the existing turbines.
- 13.14 An alternative would be to consider whether, if the proposed additional development is consented, it would be appropriate to limit the lifespan of the new development to the number of years remaining on the existing wind farm. However, that would be likely to limit the life of the new turbines to around 15 years prior to decommissioning, which would not be reasonable and which would be highly inconsistent with the permitted lifespan of all other wind farm sites.
- 13.15 It is considered that the proposal to extend the life of the existing wind farm would not give rise to overriding concerns and would be acceptable in principle. However, it is critical to note that this part of the proposal is dependent on the acceptability of the extension. Caution must be exercised to ensure that any recommendation reflects that the two issues as they overlap in planning terms.

Landscape and visual impacts

- 13.16 The ES is supported by a range of graphical material that seeks to portray the potential landscape and visual impacts of the development from a range of areas and/or receptors, represented by photomontage information taken from a total of 26 viewpoints.
- 13.17 Although landscape and visual effects may be evident in all visualisations, if they have not been analysed in the following section of this report it is because any visible effects are unremarkable, or at best not influential.
- 13.18 Consideration should be given to the following observations, which relate to viewpoints identifying significant matters:

Viewpoint 3 – Crossroads/War Memorial in Stow:

- 13.19 The location of this viewpoint, within the heart of Stow village, is approximately 1.9km from the nearest new turbine. Although the blades of the 2 northernmost turbines remaining in the scheme are screened by vegetation in this picture, it should be noted that elsewhere in the village those blades would be visible.
- 13.20 It is evident from the visualisations that this sort of screening would occur from many parts of the village where buildings, other structures and vegetation intervene to

screen the turbines from low-level viewing points within the village core. However, users of the village moving from location to location will not always benefit from that screening effect.

- 13.21 This visual impact is worthy of comment, as it is a new visual effect, and whereas the existing wind farm (most strongly associated with the settlement of Stow) is well screened by topography and landform, these two new turbines are not. Said turbines would have a significant visual relationship with the (conservation) village.

Viewpoint 5 – B6362 NE of Stow:

- 13.22 This viewpoint is approximately 2.1km from the nearest Long Park extension turbine. T23 and T25 would be nearer to the viewpoint than any turbines within the existing wind farm.
- 13.23 The viewpoint is situated on the Lauder Common (Stow-Lauder) road and from here the existing wind farm can clearly be seen for a relatively short period of time if passing in a vehicle, horse, bicycle, on foot etc.
- 13.24 The development would cause both visual impacts and impacts on landscape character.
- 13.25 In terms of visual impacts, firstly the development would add breadth to the wind farm, spreading it further eastwards and westwards so that it occupies more of the horizon. That in itself is a visual effect which is noticeable but perhaps not remarkable.
- 13.26 The second visual effect is that caused by changing the character and appearance of the development, from one which to some extent has consistency in that the horizon provides landform containment and reduces the apparent scale of the turbines (making them the subservient component) to one which incorporates 2 noticeably disharmonious turbines which sit up and close to the horizon. This is occurring due to the siting of the 2 turbines on the edge of the plateau.
- 13.27 The impact on landscape character occurs due to the increase visibility and prominence of the wind farm as a result of the introduction of the 2 turbines. This view is characterised by the presence of gently rolling low hills, substantial plantations, a heather-flanked cleugh and stone dykes. Each of these attributes relates in terms of scale and orientation to the view, including the existing wind farm (notwithstanding the more prominent existing T12, T4 and T8). The 2 new turbines, however, do not because they appear larger and more incongruous, drawing attention to the development and making it more eye-catching than the landscape itself. This is an unfortunate characteristic of the extended wind farm – these turbines cause similar effects from elsewhere as will be discussed in later paragraphs.

Viewpoint 6 – East side of Stagehall:

- 13.28 This viewpoint, on the fringes of Stow village and fairly representative of potential visibility of the wind farm from the new Waverly train line, is approximately 2.1km from the nearest new turbine.
- 13.29 T23 and T25 have already been discussed in relation to VP3 and VP5, and here again they appear above the horizon and in a visual context of Stow village. While T23 benefits from some screening by woodland, T25 would project substantially

above it as it comes closer to the containing landform edge. This is an undesirable and harmful visual effect.

Viewpoint 7 – A7 North of Stow:

- 13.30 T23 and T25 again appear in the view above vegetation unlike the existing wind farm, from a position within the village. It continues to reflect an undesirable, new visual impact and one which was avoided in designing the existing development.

Viewpoint 8 – Craigend Cottages:

- 13.31 In this montage, at a distance of 3km on a minor road (with residences) and in a position representing visibility from the north, similar effects as those discussed for VP5 are evident. T23 and T25 again sit up substantially above the horizon and well above all existing turbines, because these 2 new turbines would be sited closer to the edge of containing landform.

Viewpoint 9 – Lauder Common:

- 13.32 The viewpoint is approximately 3.3km from the nearest new turbine and is positioned on the B6362 Lauder Common Road towards its eastern end (nearer to Lauder).
- 13.33 T26 and T27 (the latter in particular) add to the visibility of the wind farm but arguably not to such an extent that the new impacts are majorly adverse. Views towards the wind farm would change from this general area as viewed when travelling westwards, but not in a particularly noticeable manner.

Viewpoint 10 – A7 NW of Stow (Galabank):

- 13.34 From this viewpoint, at a distance of approximately 3.6km to the nearest turbine, T25 in particular again sits up disharmoniously with the remainder of the wind farm, and although T23 is at this point shrouded by woodland, it should be noted that the VP represents a potential 2km stretch from where the development is visible, heading south-east. Although the effects of T23 may not be as stark, it would potentially cause similar changing effects to the appearance of the wind farm.
- 13.35 The effects demonstrated in this montage are mainly visual effects in that the development would reduce the acceptability of the wind farm's overall appearance.
- 13.36 However, there is also an impact on landscape character visible in this picture, with the village of Stow tucked into the valley and surrounded by landform and topography, these items characterise the locality. While the existing wind farm benefits from an apparent reduction in turbine height because it uses the containing landform to a reasonably successful degree, T25 in particular is more prominent and eye-catching, with more of it being visible and with a 'perching' effect caused in part by its protrusion above the woodland plantation(s) in front of it. Making the overall development more visible and eye-catching detracts from the underlying landscape character identifiable in the composition of the photography.

VP11 – SW of Cathpair hamlet:

- 13.37 3.4km from nearest new turbine, and T23 and T25 again appearing more prominent than the remainder of the development (turbines). Refer to VP8 and VP5 for more detailed comments where similar effects occur.

VP16 – Meigle Hill:

- 13.38 This viewpoint is located a little under 6km of the nearest new turbine. Meigle Hill is a local walking destination and gives good visibility of the landscape including the existing wind farm. The montage shows that the wind farm is situated within a panorama which includes low, undulating hills in the middle ground and a long, relatively flat (in this context) horizon beyond.
- 13.39 Any effects from this viewpoint are likely to be landscape effects. Effects are caused to some extent by broadening the wind farm, in part by bringing it closer to the viewpoint and further by adding turbines which accentuate the apparent height compared to horizons.
- 13.40 The additional impacts on landscape character by virtue of these additions are noticeable and are significant, in that they increase the level of visibility, slightly intensifying the presence of the wind farm in its landscape setting. However, any such impacts are not of such magnitude that they would be problematic when the wind farm is viewed from this locality. On the whole, the relationship between the wind farm and its environs would not substantially change.

Viewpoint 21 – Three Brethren:

- 13.41 The Three Brethren viewpoint is well known and visited and is a stopping/reference point on the Southern Upland Way national trail. It offers exceptional panoramic views to the north within which the existing wind farm is seen. The viewpoint is 10.4km from the nearest new turbine.
- 13.42 The picture does not substantially change overall, although at the western end the introduction of T21, T22 and T23 slightly extends the spread of the wind farm and presents a triple stacking effect where T21 and T23 overlap in front of and behind T1 of the existing development. This is unfortunate and is an attribute alien to this particular wind farm, because although in terms of the existing wind farm's siting Long Park was a challenging project to deliver due to its relative lack of visual containment, a lot of work went into the design which gave rise to a fairly well-spaced and uncluttered appearance.
- 13.43 This may not be a factor which significantly influences the recommendation in the end, but it goes against the grain of the existing development so is a consideration and a regrettable impact.

Viewpoint 23 – Eildon Hills:

- 13.44 This viewpoint is situated approximately 12km to the south-east of the nearest turbine, on the peak of the mid-hill. It provides a further panoramic view which includes the existing wind farm.
- 13.45 Although in terms of turbine scale and placement the slight intensification of the development is significant. In terms of landscape character impact there is minimal effect.
- 13.46 However, in this view, which is a very important view from the National Scenic Area, T26 and T27 appear as outliers, not well connected to the main body of the wind farm. Their placement leaves a significant gap that detracts from the overall appearance.

Viewpoint 27 – A68, SE of St Boswells:

- 13.47 This photomontage, although 17.4km distant from the nearest new turbine, is significant in that it shows the Eildon Hills in profile in the National Scenic Area with the wind farm just right of the skirts of Eildon north hill. T26 and T27, even at this distance would be visible in certain weather conditions and would interact with the NSA as a visual distraction. However, at this distance (and bearing in mind that vegetation would rule out visibility from most vantage points in this locality) it is unlikely to be influential. The scale and massing of the Eildons is so great compared to the turbines that there is no visual challenge to the Hills' primacy.

Cumulative Landscape and Visual Impacts (not including residential amenity and cultural heritage):

- 13.48 Long Park is sufficiently distant from other wind farm sites (for example, Toddleburn) that the influence of other schemes. In the main, this is because the Long Park Extension proposal works with the land areas immediately adjacent and peripheral to the existing wind farm, and in no way bridges the gap between Long Park and any other established scheme.
- 13.49 In considering the extension to Long Park, essentially it is the differences to the existing picture which are most important to consider. For example, it must be questioned whether the changes are harmonious in terms of landscape and visual impact. Do the additional turbines change the baseline substantially and alter the character and appearance of the existing wind farm?

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

- 13.50 In terms of cumulative landscape and visual impacts, it is considered that only those associated with the existing and proposed Long Park phases is of utmost importance. To consider other schemes is unnecessary for reasons given above. Focus can therefore be fully diverted to the landscape and visual impacts caused by the changes to the wind farm following its augmentation.
- 13.51 In principle, it is logical to seek to increase the productivity of a wind farm by adding further generating capacity. In terms of proportion of turbines to the existing wind farm, adding a further 7 is reasonably modest, increasing from 19 to 26. The existing visual baseline can be used to enable additional effects to be minimised and offset. In theory, keeping additional landscape and visual effects to a minimum, where they are difficult to discern (especially if the augmented wind farm looks not a great deal different from the existing) this should prevent adverse landscape character and visual impacts from occurring.
- 13.52 The challenge with this project is that attempting to extend its turbine area in any direction pushes towards sensitivities, on this occasion including towards a scheduled monument, residential properties, the A7 Tourist Route and the village of Stow. It also pushes turbines out towards edges of containing landform. What results is an overall development which has heightened visibility, less harmony with its surroundings and less containment. It would also include new turbines which do not respond to the scale and flow of the existing development.
- 13.53 The main issues relating to landscape and visual impact, taking into account the analysis of viewpoints above, are as follows:

- T23 and T25 do not relate well to the existing wind farm because they seem to sit up in relation to existing development, topography and landform, cause visual impacts where presently there are none, accentuate visibility of the wind farm overall and most noticeably visually detract from Stow village and its setting
- T21 and T23 combined give rise to triple stacking of turbines when viewed from the south (along with existing T1)
- T26 and T27 together give rise to an outlying effect when viewed from the south-east, meaning that they do not harmonise with the existing wind farm (not well integrated)
- T22 in particular from the western extension causes new effects due to the blade and hub becoming visible above containing landform and topography.

13.54 In general terms, from a landscape and visual point of view the proposed development has some merit although the deletion of T23 and T25 would make a major positive difference by removing new and harmful visibility affecting Stow and the A7 in particular. The remainder of the issues are less significant in comparison, and in any event by removing T23 for the principal reasons it would lessen the stacking affect and render that acceptable. T26 and T27 having an outlying effect is only seen from the south (represented by the Eildon Hills viewpoint) and is not considered a major adverse effect.

13.55 SNH advised the applicants in its original consultation response that removal of all three turbines on the northern side would be a positive step in terms of reconciling landscape and visual impacts. This position is supported; indeed, the decision not to follow this advice has given rise to the only major landscape and visual (non-residential) adverse impacts remaining.

13.56 The visual impacts in relation to Stow and the A7, and the impacts on landscape character all caused by T23 and T25 are of such significance that the scheme is not supported in its current form.

Visual Impacts Relating to Residential Amenity:

13.57 Within the Further Environmental Information a refreshed and complete assessment on visual amenity impacts has been provided. This begins (in terms of Figures) in the latter half of Volume 3 Part 2 of the FEI.

13.58 It assesses not only individual residential receptors but also a range of non-residential, but sensitive receptors including open spaces and the Borders Railway line.

13.59 It has helpfully included wireline diagrams and in some cases photomontages to demonstrate likely effects. These are provided to represent the visual effects promoted in relation to receptors out to a distance of approximately 5km; the following comments are of most relevance, and where comment has not been made in relation of identified and represented receptors, it may be assumed that any effects portrayed, while potentially of significance, are not highly influential in terms of consideration of this subject (i.e. they do not merit specific comment).

- 13.60 From **Mitchelston Farm Cottages** (see Fig 5a), 5km to the north, it is worthy of note that the introduction of T23 and T25 renders the overall wind farm more prominent and the appearance less satisfactory as these 2 turbines noticeably sit up in relation to the horizon and to all other turbines.
- 13.61 A similar, although less marked effect is observed from **Watherston North Cottage**, approximately 4.5km north-west of the development (Fig 6a).
- 13.62 The introduction of T26 and T27 increases the visual spread of the turbines when viewed from **Springfield House/Hawksnest** to the south-east approximately 2km away (Fig 8a) so increases the magnitude of visual effect (especially on approach from the south-east) but in a manner which is broadly consistent with the pattern and character of the existing wind farm, although noting that T27 in particular increases the proportion of support column visible above the horizon.
- 13.63 Fig 9a at **Ferniehirst** just under 2km away (and on the west side of the A7) demonstrates that the extension would give rise to visual effects for the first time from here, with substantial visibility of the blades of T22 and in particular T23 above the hilltop. This effect is exacerbated as shown in Fig 10a from the **Minor Road near Lugate Bridge**, with the hub of T22 coming into vision for the first time. This type of new effect is not ideal and within these visualisations it is being demonstrated that, compared to the existing wind farm, visual containment (even within 1.6km) is much less successful.
- 13.64 It is interesting to note that from the new **Borders Railway** line, new and significant visual effects would be encountered. This is apparent in Fig 11a, from which T25 would sit up noticeably in relation to the remainder of the development, and in Fig 12a which shows a substantial blade projecting above the skyline at 1.3km distance (T22). Considering the prominence of the existing wind farm from many locations, it is remarkable that this new type of effect is occurring regularly, as it demonstrates that opportunities to utilise landform to contain the development are not as great this time around.
- 13.65 Very significant visual effects occur in relation to properties at **Allanshaws** (see Fig 1a), a little over 1km to the north-east. In particular, said effects are evident from Allanshaws Farmhouse, whose principal elevation and open front garden face towards the site.
- 13.66 The existing situation is that 13 turbines are visible, that the wind farm is prominent from here and that several turbines (T16, T12, T8 and T4) cause a significant adverse visual impact, with the closest of those being 1.5km away. The introduction of T26 and T27, the closest of these being 1.1km from the receptor/viewpoint, exacerbates the adverse visual impacts quite substantially. T26 in particular causes a new visual effect because the column base would be situated in front of the horizon whereas all other turbines either appear to stand on the horizon or to be behind it. T27 does not come forward of the horizon, but it does sit up in relation to the left-hand end of the wind farm – it appears to tower above T19, T16, T18, T15 and T17 although bears at least some comparison with T12.
- 13.67 It is of note that the former T28 and T29, included in the original scheme, have been removed in acknowledgement that the potential adverse effects upon Allanshaws would have been even more substantial (and adverse) than those in evidence on the reduced scheme. It is highly likely that the potential effects of the grouping of T26, T27, T28 and T29 would have promoted an objection on visual impact grounds due

to the magnitude of impact – the separation distance was down to 0.84km in relation to T28 and around 1km for T29, with the overall effect being one of major encroachment into the amenity area and frontage of Allanshaws.

- 13.68 Although the introduction of only T26 and T27 in the revised scheme still gives rise to substantial adverse effects with the distance to the nearest turbine reduced by 400m (a significant proportional reduction, given the already limited separation) and although the new effect of seeing the column base this side of the horizon is far from ideal, overall the visual effect is increased but not overwhelmingly so, having regard to the existing circumstances for residents of Allanshaws. In part, this is because the picture has quite a strong level of horizontality which spreads the visual load of Long Park quite successfully, even with the additional, closer turbines introduced.
- 13.69 The assessment includes locations and residences within **Stow**, intended to represent the potential visual impacts associated with the village. These are seen on Fig 5a, 5b, 5c, 6a, 6b, 6c, 7a, 7b and 7c.
- 13.70 The effects here are related to those discussed under landscape and visual impacts earlier in this report, in respect of Viewpoints 3, 5, 6, 7, 8 and 10. Essentially, T23 and T25 make appearances within the village/conservation setting, or at least to the hills providing the backdrop to the village whereas currently vegetation and landform screen the wind farm in the context of Stow.

Conclusion in respect of residential visual amenity impacts:

- 13.71 Of those properties affected by substantial and adverse visual impacts, the houses at Allanshaws would experience the greatest change. This is due to turbine proximity and the open nature of the view towards the site. Residents at Halkburn Cottages would also experience strong views of new turbines but in both cases, the changed effects are within close reach of those tolerances already in effect. It is considered that there are no overriding effects relating to residences, in particular further to removal of T28 and T29.
- 13.72 However, T23 and T25 cause new and adverse effects relating to the conservation village of Stow in a manner which is highly concerning, as described in the consultation responses of both SNH and the SBC Landscape Architect. Many residents living within, and using the environs of Stow would experience the presence of those turbines from approaches to and spaces within the village, and likely in some cases from residences/curtilages. The placement of these turbines does not respect the importance of separation of the wind farm from the village, especially when there is adequate landform available, as was utilised in ensuring the design of the original wind farm did not have this effect.
- 13.73 As these effects relate to the village as a whole rather than one or two residences, the significance of the intervention is heightened. As a result, the magnitude of the visual effects that T23 and T25 would have on the village are deemed to be unacceptably great and promoting a reason to object to the scheme as it stands.

Visual Impacts Relating to Cultural Heritage:

- 13.74 The FEI includes visualisations relating to a range of heritage assets, i.e. Scheduled Monuments. These are located within the latter part of Volume 3 (Part 2) to the revised ES.

- 13.75 The principal advisors on such matters, which are regularly influential on planning recommendations, are Historic Environment Scotland and the Council's Archaeology Officer.
- 13.76 Both advisors agree that the principal asset of interest, affected by the proposed development is Bow Castle Broch, a Scheduled Ancient Monument approximately 0.9km from the existing wind farm (nearest turbine) and to be 0.6km from the nearest new turbine.
- 13.77 The nature of the responses of both Historic Scotland and the Archaeology Officer in respect of the original extension scheme would have been likely to promote an objection by SBC. While the revised visualisations demonstrate that there remains a high level of intrusion to the eastern outlook of the Broch and a substantial impact on setting, the implications of the visual effects have been carefully considered and are not found to be overriding. The level of change that would now be encountered would be acceptable on balance.
- 13.78 Although in relation to other heritage assets significant visual impacts arise, none have promoted discussion by either heritage specialist and therefore it may be concluded that none would influence the position of the Council in a heritage context.

Physical Impacts on Cultural Heritage:

- 13.79 The consultation response of the SBC Archaeology Officer confirms that there are no overriding concerns relating to subterranean archaeology. The 2015 response confirms an improvement in terms of the potential impacts and a reduction in mitigation required via condition if consent is obtained. There are no issues in this respect which would influence the SBC recommendation.

Impacts on Residential Amenity Arising from Noise:

- 13.80 In this respect, the planning service takes specialist advice from the Environmental Health Officer.
- 13.81 Within all consultation responses other than the most recent from 15.3.16, it can be seen that there were a significant number of issues remain required to be addressed prior to determination. Unless noise information was improved and clarification given, the noise specialist for SBC felt he/she could not make the full assessment and would not be in a position to indicate precisely what noise issues were, what their implications were and whether mitigation/control of noise would be achievable.
- 13.82 However, all outstanding matters pertaining to potential noise from the development related to the Longpark Extension combined with the Muircleugh scheme, which has now been refused and dismissed on appeal, appear now to have been addressed. Potential noise from the extended wind farm is not considered to give rise to outstanding concerns.
- 13.83 The question of potential noise impacts is one that has continued to be raised and challenged by local residents and it is hoped that an Environmental Health Officer can attend the Committee meeting to answer specific queries members may have on this issue.

Ecological, Ornithological and Habitat Effects:

- 13.84 Although no consultees have identified any fundamental concerns relating to biodiversity and habitat, SNH, SEPA and the SBC Ecology Officer have all highlighted potential issues that could be addressed through mitigation. Such mitigation would not involve relocation of the remaining components of the scheme.
- 13.85 Although, in the event of planning permission being granted it would be essential to ensure that appropriate conditions are imposed, there are no overriding adverse effects in this subject area that would influence the decision in principle.

Impact on Road Safety and the Road Network:

- 13.86 Although the wind farm extension would give rise to significant additional traffic both at construction and decommissioning phases, the traffic would use a route already established for the existing wind farm and an existing road network which is adequate to accommodate abnormal loads. With the re-use of the existing access off the A7 trunk road as the primary access to the overall site, no new or unacceptable traffic and/or transport issues arise in relation to the principal route into the site.
- 13.87 It should be noted that the eastern extension involves a new spur track that crosses the minor public road that leads northwards to Stow. However, with no issues arising from consultees in respect of this principle, it would be appropriate to impose a condition to manage the (temporary) crossing.

Shadow Flicker:

- 13.88 The conclusions drawn in Chapter 12 of the revised ES, are agreed in that it is very unlikely that mitigation relating to shadow flicker would be required. No condition was applied in relation to the current scheme, and with the likelihood of nuisance through shadow flicker being very low a condition relating to flicker would not be advocated.

Developer Contributions:

- 13.89 With regard to developer contributions, these might be necessary to enable mitigation already identified as necessary within the ES/FEI, or to provide offset mitigation where development impacts require mitigation not yet covered. These might relate to a wider strategic ambit responding to cumulative wind farm impacts (for example, to contribute to mitigation against habitat, archaeological impacts) or to site specific impacts caused by the development. Generally, it is anticipated that applicants will wish to consider contributions relevant to development impacts as part of an overall suite of mitigation.
- 13.90 The primary impacts of the proposed development in this context relate potentially to:
- existing habitat for birds, mammals, river species and the potential requirement to secure improved/replacement habitat
 - existing path network including national trails and the potential requirement to help maintain the attractiveness of paths for users despite effects caused by development on user amenity
 - the known and unknown heritage resource and the potential requirement for a range of survey/study/recording/publishing to enhance understanding of the heritage resource; and

13.91 Having regard to the nature of the development and its predominantly occurring effects, i.e. those which are most significant to the recommendation of the application, it is considered that it would be appropriate to seek developer contributions in respect of the following matters, in the event of consent being granted:

- financial contribution towards the upkeep and maintenance of the public path network and areas of public access in particular where those paths/areas relate to important walking destinations and are most impacted by the development

13.92 The nature of a potential level, frequency and relevance is discussed in the revised consultation response of the SBC Access Officer.

14.0 CONCLUSION:

14.1 In relation to national, regional and local planning policy, applications for onshore wind development are to be supported unless there are overriding reasons to refuse. There is no cap to the amount of energy that may be produced by wind generation in mainland Scotland. 14MW is relatively little compared to the potential output of many of the wind farms operational or approved in Borders, but when combined with the output of the existing wind farm it makes a valid contribution. Because much of the infrastructure required for the wind farm exists already, logic is added to the principle of the extension because as a general rule, adding further turbines to an existing wind farm will be less of an intrusion than an introduction of a new wind farm. It is acknowledged that implementation, operation and decommissioning of the development would give rise periodically to employment and investment.

14.2 The existing Longpark Wind Farm is frequently criticised due to its lack of topographical containment, its visibility from a wide range of places and its visual relationship with sensitive environs, including the National Scenic Area at the Eildon Hills. However, despite its situation, the existing wind farm is considered to have been laid out quite well, taking into consideration the challenges presented by the site. Much work was undertaken between the developer and consultees to ensure this.

14.3 The principal concern relating to the application, as reflected within this report, is whether the proposed additions give rise to new, unacceptable impacts. While there may be cumulative impacts with other wind farm schemes, these do not have a great influence on the consideration of the proposal. More, it is what the additions do to the existing wind farm, in terms of changing its nature so that new, adverse effects are caused.

14.4 That, in essence, is fundamental to the position of SBC as consultee. In all regards except one, there are no overriding concerns.

14.5 The overriding concerns relate to the landscape and visual impacts caused by the scheme, and as highlighted in the consultation responses of SNH and the Council's Landscape Architect, T23 and T25 give rise to the main unacceptable effects. These two turbines are on higher ground as witnessed in a range of visualisations, and are so close to the edge of the topography providing containment to the existing wind farm that they appear strongly out of kilter in relation to what is there now. T23 and T25 repeatedly can be identified as those two turbines causing visual disharmony and adverse landscape effects. In relation to Stow and the A7 northern approach to

Stow in particular, these two turbines clearly appear discordantly in relation to the village and its setting, in a way that the existing wind farm does not.

- 14.6 This proves to a great extent that the opportunities to site the existing farm were optimised in terms of ensuring that landscape and visual effects were rendered acceptable and responsive to concerns about impacts on key receptors.
- 14.7 SNH in its first consultation response highlighted T23, T24 and T25 along the northern side of the site as most problematic and recommended they be deleted; and in the subsequent response advises that in only deleting T24 the effects of the remaining northern extension remain largely the same. SBC is very much aligned with this opinion.
- 14.8 In matters of landscape and visual effects, T23 and T25 render the scheme unacceptable; it seems clear that deletion of these two turbines would alleviate much of the concerns of SNH and the SBC Landscape Architect, i.e. leaving the scheme in a supportable form. With T23 and T25 still in situ, the adverse landscape and visual effects are not outweighed by the benefits the scheme would bring, having particular regard to those two turbines.
- 14.9 In other respects, it is considered that further to the revisions no overriding planning concerns remain.

15.0 RECOMMENDATION BY CHIEF PLANNING OFFICER:

- 15.1 I recommended that the Council object to the application in its current form for the following reasons:
- 15.2 1. The proposed development would be contrary to Policies G1, BE4 and D4 of the Scottish Borders 2011 Local Plan, in that the development would unacceptably harm the Borders landscape due to:
- (i) the siting of turbines T23 and T25 on ground at a higher level than adjacent turbines, and closer to the edge of containing topography and landform, so that the overall wind farm would have an unbalanced and more prominent appearance, with increased visibility and less visual coherence of the wind farm noticeable from a range of vantage points and with two specified new turbines that relate poorly to the remainder of the development, so that it detracts from the underlying character of the landscape; and
 - (ii) the siting of turbines T23 and T25 in such a manner that they interact with and harm the setting of Stow Conservation Area, in particular as witnessed on approach from the north on the A7 where elements of the conservation village are seen with tree-covered hills as backdrop, above which the turbines project substantially.
- 15.3 2. The proposed development would be contrary to Policies G1, D4, BE4 and H2 of the Scottish Borders 2011 Local Plan, in that the development would give rise to unacceptable visual and residential amenity effects due to:
- (i) the increased level of visibility of the development and lack of good topographical containment of turbines T23 and T25 from a range of viewpoints including the Borders Railway and the A7 Trunk Road/Tourist Route; and
 - (ii) harmful and inappropriate visual impacts on the residential amenity of Stow village due to the siting and prominence of T23 and T25 which are not well

served by topography and landform, and which strongly interact with the residential setting/core of the village and the Conservation Area, from within which the new turbines would be visible above topography that currently provides screening to existing turbines.

DRAWING NUMBERS

SEI Figure 2.1 (16.10.14)	Local Context
SEI Figure 2.2 (3.11.14)	Detailed Site Layout
ES Figure 2.3 (25.7.13)	Proposed Turbines
ES Figure 2.5a (25.7.13)	Gravity Turbine Foundation
ES Figure 2.5b (25.7.13)	Piled Turbine Foundation
ES Figure 2.6a/b (25.7.13)	Typical Hardstanding Details
ES Figure 2.7 (25.7.13)	Typical Road Construction
ES Figure 2.10 (26.7.13)	Switchgear Building
ES Figure 2.11 (26.7.13)	Temporary Construction Compound
ES Figure 2.12 (4.9.13)	Typical Borrow Pit

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

The original version of this report has been signed by the Service Director (Regulatory Services) and the signed copy has been retained by the Council.

Author(s)

Name	Designation
John Hiscox	Planning Officer (Major/Wind Energy Development)



14/00417/S36
 Longpark Wind Farm
 Bow Farm
 Stow

