

THE HIGHLAND COUNCIL
CAITHNESS, SUTHERLAND & EASTER ROSS
PLANNING APPLICATIONS COMMITTEE
15 MARCH 2011

Agenda Item	5.1
Report No	PLC/012/11

07/00020/S36SU - SSE Generation Ltd
STRATHY NORTH FOREST, STRATHY, SUTHERLAND

Report by Head of Planning and Building Standards

SUMMARY

Description	This is an application under Section 36 of the Electricity Act 1989 for a 33 turbine wind farm within Strathy (North) Forest.
Recommendation	Raise no objections to the application subject to conditions and a legal agreement securing funding to safeguarding the local road network and final site restoration.
Ward	1 - North, West and Central Sutherland
Development category	Major Development
Hearing	Not Required
Reason referred to Committee	Section 36 application. More than 5 Objections.

1 PROPOSAL

- 1.1 The application is for a wind farm within Strathy (North) Forest, Sutherland. It has been submitted to the Scottish Government as an application under Section 36 of the Electricity Act 1989. As a statutory consultee the Council is required to submit its views to Ministers by **18 March 2011**. Should Ministers ultimately approve the development, it will carry deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997.
- 1.2 The application is for the development of a wind farm, with a design capacity of 76 MW and comprises the following main elements: -
- 33 (amended from 35) wind turbines – hub height 70m and maximum blade tip height of 110m
 - 2 permanent anemometer masts (70m)
 - new (17.7km) or improved (10.7km) access tracks with a new access off the A836.
 - Control and telecom cabling ducts (16.2km) primarily adjacent access tracks.
 - Electricity substation and control building.
 - temporary site construction compound including mess facilities.

- a lay down area (100m*100m).
- 4 borrow pits delivering 120,000m³ of stone.
- Temporary on-site concrete batching plant.

1.3 The operational lifespan of the wind turbines is 25 years after which time the development will be decommissioned, with above ground facilities being removed and site restoration being undertaken.

2. **SITE DESCRIPTION**

- 2.1 Strathy (North) Forest extends to approximately 950 hectares comprising semi – mature commercial (conifer) woodland. The wind farm site is positioned within the forest, south of Loch Nam Breac Mhor on undulating topography between the 100m to 180m contours. The land generally slopes / drains eastwards to the River Strathy. The surrounding area, beyond the forest, is open and undulating in nature, characterised by lochs, pools and blanket bog which forms part of the Caithness and Sutherland Peatlands. Hills in the surrounding area include Beinn nam Bo (229m AOD) and Cnoc Meala (211m AOD) 2km to the west and Beinn Ruadh (254m AOD) to the north east.
- 2.2 The nearest properties to the proposed wind farm are Bowside Lodge and Cottage located to the north east of the site, 2.4km to nearest turbine (T3). Dallangwell is located adjacent to the north east corner of the site, 1.4km to nearest turbine (T3) and Braerathy Lodge is located to the south east, 1.0km to nearest turbine (T22). Five kilometres to the north of the site lies Strathy Village.
- 2.3 When considering a wind farm development site consideration of similar developments within a 60km distance of the site is required. The list below presents the projects in operation, approved or have been submitted but are not yet determined around this development site.

Operational

1. Forss, by Thurso
2. Forss Phase II,
3. Buolfruch, Houstry, Dunbeath
4. Causeymire
5. Kilbraur, Strath Brora
6. Achairn, Wick
7. Flex Hill, Bilbster
8. Achany, Lairg

Approved or Under Construction

1. Gordonbush, Brora
2. Lairg
3. Melness
4. Kilbraur Extension, Strath Brora
5. Rosehall
6. Baillie Hill, Westfield
7. Causeymire Extension
8. Stroupster, Nybster
9. Wathegar
10. Camster

Not yet Determined

1. Burn of Whilk, East Clyth

2. Spittal Hill, Spittal
3. Forss Wind Farm Extension (Phase III)
4. Strathy South, Strathy
5. Bower Quarry
6. Dunbeath
7. Bettyhill
8. Hill of Lieurary, Westfield
9. Halsary
10. Upper Smerral

3. PLANNING HISTORY

- 3.1 **24 February 2003** Temporary planning permission granted for 50m and 10m anemometer test masts and associated equipment (02/00341/FULSU).
- 19 January 2006** Temporary planning permission granted for continued siting of meteorological equipment (05/00426/FULSU).
- 11 November 2006** Temporary planning permission granted for Erection of 40m tall anemometer mast and associated met' equipment (06/00256/FULSU).
- 18 May 2009** Temporary planning permission granted for meteorological equipment on 70m mast (09/00119/FULSU).
- 12 August 2010** Temporary planning permission granted for 80 metre Met. mast (10/02071/FUL).
- 12 August 2010** Temporary planning permission granted for met mast with height of up to 80 metres (10/02074/FUL)
- 12 August 2010** Temporary planning permission granted for anemometer within Strathy North along with portable generator for power supply (10/02140/FUL).

4. PUBLIC PARTICIPATION

- 4.1 The application was registered and advertised in the Northern Times on 16 January 2007 as a development under the Electricity Act 1989, Town and Country Planning (Scotland) Act 1997 and The Electricity (Environmental Impact Assessment (Scotland) 2000. A 28 day period was allowed for comments to be submitted to the Scottish Government's Energy Consents Unit. An addendum to the application was subsequently advertised on 12 November 2010 allowing a further 28 days for public comment.
- 4.2 A total of 169 letters of representation against the development have been lodged with the Scottish Government and 6 letters in support of the development. Copies of representations have been copied to the Council by objectors by the Scottish Government. Appendix 1 provides the details of those making representations.
- 4.3 Objections have focused on the following matters: -
- The development is contrary to the Council's Structure Plan, Policy G1 in that it will not promote and enhance the social and environmental wellbeing of the people of Strathy. Also policies T6 Scenic Views, L4 Landscape Character, N1 Nature Conservation.
 - The development would adversely affect the area's internationally important Sites of Special Scientific Interest (SSSI's) also designated as Special Protection Area (SPA), Special Areas of Conservation (SAC) and Ramsar.
 - The development would adversely affect numerous protected species and valued habitat important to these protected species including pine-marten, badgers, bats, water vole, otters, Atlantic Salmon, Brown Trout and birds including Hen Harrier, Golden Eagle, Short Eared Owl, Merlin, Red Throated Divers, Black Throated Diver, Golden Plover, Dunlin, Wood Sandpiper, Greenshank, etc.
 - The detrimental visual and landscape impact across northwest Sutherland and Caithness, including routes important to travelling tourist, (A836).
 - The proposals would be detrimental to local tourism, with income from walkers, climbers, fishers, shooters and general tourists dropping.
 - There is cumulative impact with other proposals in the area.
 - The development will destroy the wilderness of Sutherland.
 - The development would see the loss of important and valued peat.
 - The development introduces a potential risk of peat slide.
 - The development could adversely affect local hydrology, leading to the drying out of important wetlands.
 - The impact on peat / carbon storage will be greater than predicted.
 - The development does not include the off site grid connection.
 - The development will affect local radar and the turbines will impact on low flying requirements of the Royal Air Force (RAF).
 - The development could impact adversely on the local road network / bridges.
- 4.4 Letters of representation are available for inspection in the Planning and Development Service at Headquarters, Glenurquhart Road, Inverness and will be available at the Committee meeting.

5. CONSULTATIONS

- 5.1 Strathly Community Council does not oppose the proposals for a windfarm.
- 5.2 Melvich Community Council, which is an adjacent Community Council to the east of the development has not objected to the application. A number of issues have been highlighted for the Scottish Government to address including requirement for appropriate road survey work, future nature designations, cumulative impact with other wind farms, flight lines for buzzards, landscape mitigation, decommissioning and with regard to Local Plan policy. Suggest all trees being commercial trees be removed and the area re seeded with native species.
- 5.3 Bettyhill, Strathnaver and Altnaharra Community Council which is an adjacent Community Council to the west of the development, initially opposed the wind farm, but following the addendum have indicated their support for the project.
- 5.4 Council's Archaeology Unit notes that any approval would require an archaeological watching brief on all site clearance and excavation works within the wind farm development area.
- 5.5 TEC Services (Environmental Health) has no objections subject to appropriate conditions to be applied to any permission. There may be noise complaints from Braerathy when background noise levels (river flows) are low. It is noted that the applicant offers curtailment (turbine shut down) to address potential concerns.
- 5.6 TEC Services (Roads) has no objections subject to road condition assessments being carried out on both the carriageway and structures on the A836 road prior to construction starting, prior to the start of and after abnormal road movements and at the completion of the works. Road condition surveys need to be carried out jointly with the Council with all costs being borne by the developer. Timing of construction must be phased with other potential projects and programmes in the area to ensure single contractor responsibility. The A897 is not an acceptable route for any HGV's associated with the development or the A836 west of the new site access.
- 5.7 Scottish Environment Protection Agency (SEPA) has highlighted that the proposal involves water crossings and abstractions which will require formal authorisation. No objections are raised to the current application subject to planning conditions in respect of micro-siting, particularly Turbine 31, pollution prevention, waste management and provision of a method statement for the borrow pit workings being attached to any approval.
- 5.8 Scottish Natural Heritage objects to the application on account of its potential impact on Caithness and Sutherland Peatlands Special Area of conservation (SAC). However it has recognised that amendments brought forward by the applicant overcome some of their concerns and that the impacts on the SAC could be avoided with suitable planning conditions being attached to any approval of the current proposal. It has set out conditions to overcome potential adverse impacts on protected species and habitats. As it does not affect a nationally important landscape resource It has not raised any objection to the application in relation to landscape and visual impacts.

- 5.9 Scottish Water does not object to the proposal.
- 5.10 Historic Scotland does not object to the application which is not seen as having direct impact on any designated site nor on the setting of the schedule ancient monument which will have visibility of the development.
- 5.11 Forestry Commission Scotland (FCS) does not object to the proposal.
- 5.12 Defence Estates has no concerns regarding this proposed development.
- 5.13 Highland and Islands Airports Ltd notes the development is outwith the Safeguard Area around Wick Airport.
- 5.14 Civil Aviation Authority has no objection to the development. Should the development be approved there may be a requirement for aviation / obstruction lighting. Information on the final structures (as built) must be supplied for charting purposes.
- 5.15 National Air Traffic Safeguarding (NATS) has no objection to the development.
- 5.16 Office of Communications (OFCOM) has no objection to the development.
- 5.17 Health and Safety Executive (HSE) has no objection to the development.
- 5.18 British Telecommunications has no objection to the development.
- 5.19 Northern District Salmon Fishery Board object to the application as submitted. A full and independent baseline survey of salmon and trout in the Strathy River system should be undertaken. The Board would be open to the development of an agreement with SSE that would ensure protection of Salmon and Sea Trout and the fisheries associated with the Strathy River system.
- 5.20 Association of Salmon Fishery Boards has concerns over the potential impact of development on water courses, water quality and migratory and other fish species. Proper consultation should be undertaken with the Northern Fisheries Board.
- 5.21 Marine Scotland has not objected to the application. The development has however the potential to increase low pH measurements within the local watercourses, valued salmonoid river systems. In addition, levels of nitrate and phosphate may increase as a result of felling activities. Additional mitigation is requested in respect of securing water quality, with monitoring during and after construction being requested and agreed with Marine Scotland.
- 5.22 Crown Estate has no objection to the proposed development.

6. POLICY

6.1 The following Development Plan policies are relevant to the assessment of the proposals: -

Highland Council Structure Plan (March 2001)

- 6.2
- | | |
|------------|---|
| Policy G1 | Sustainable Economic Growth |
| Policy G2 | Sustainable Development |
| Policy G 3 | Impact Assessments |
| Policy G4 | Community Benefit and Commitment |
| Policy G6 | Conservation and promotion of Highland Heritage |
| Policy G8 | Precautionary Principle |
| Policy A2 | Farm Income Diversification |
| Policy F1 | Forestry Development |
| Policy L4 | Landscape Character |
| Policy T5 | Strategic Tourist Routes |
| Policy E2 | Wind Energy Development |
| Policy N1 | Nature Conservation |
| Policy BC1 | Preservation of Archaeological Sites |

Highland Wide Local Plan (Proposed Plan September 2010)

- 6.3
- | | |
|-----------|---|
| Policy 29 | Sustainable design |
| Policy 31 | Physical Constraints |
| Policy 32 | Developer Contributions |
| Policy 37 | Wider Countryside |
| Policy 52 | Trees and Development |
| Policy 53 | Principle of Development in Woodland |
| Policy 54 | Minerals |
| Policy 56 | Peat and Soils |
| Policy 57 | Travel |
| Policy 58 | Natural, Built and Cultural Heritage |
| Policy 59 | Protected Species |
| Policy 60 | Other Important Species |
| Policy 61 | Other important Habitats |
| Policy 62 | Landscape |
| Policy 68 | Renewable Energy Developments |
| Policy 70 | Electricity Transmission Infrastructure |

Sutherland Local Plan (adopted 24 June 2010)

- 6.4
- | | |
|-----------|--------------------------------------|
| Policy 3 | Wider Countryside |
| Policy 4 | Natural, Built and Cultural Heritage |
| Policy 6 | Designing for Sustainability |
| Policy 10 | Physical Constraints |
| Policy 11 | Protected Species |
| Policy 12 | Other Important Species |
| Policy 13 | Important Habitats |
| Policy 15 | Developer Contributions |

National Planning Policy

6.5 Scottish Planning Policy (SPP) February 2010 contains policies relevant to this proposed development including: -

- Rural Development
- Historic Environment
- Landscape and Natural Heritage
- Renewable Energy
- Minerals

6.6 Circulars also provide statements of the Scottish Government's policy. Statements of Scottish Government policy in the SPP, NPF and Circulars may be material considerations which should be taken into account in development management decisions.

Highland Renewable Energy Strategy (HRES) (adopted May 2006)

6.7 HRES is currently being reviewed to take account of Scottish Planning Policy (Feb 2010). Meanwhile it remains the approved Highland Council strategy on which wind energy proposals are assessed. Relevant policies include: -

Policy E7 presumes against a major onshore wind farm in this location.

Policy N1 local content (jobs) of the works required to be secured as mitigation.

7. PLANNING APPRAISAL

Determining Issues

7.1 Section 25 of the Town and Country Planning (Scotland) act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2 The determining issues are whether:

- The proposal accords with the development plan?
- If they do accord, are there compelling material considerations for not approving them?
- If they do not accord, are there any compelling material considerations for approving them?

Assessment

7.3 In order to address the determining issues, the Committee must consider the following issues: -

- a) Development Plan Policy
- b) National Policy
- c) Highland Renewable Energy Strategy and Planning Guidelines
- d) Services (Road access, water & drainage).
- e) Design Layout and Amenity

- f) Noise
- g) Visual and Landscape Impact (including cumulative impact)
- h) Natural Heritage
- i) Cultural Heritage.
- j) Tourism
- k) Construction impacts
- l) Other Material Considerations raised within representations.

Development Plan Policy

- 7.4 The Development Plan comprises the policies of both the approved Structure Plan and adopted Sutherland Local Plan. The Structure Plan is supportive of on shore wind developments provided that their impacts are not shown to be significantly detrimental (Policy E1 and E2). Assessment of proposals must have regard for Visual Impact; Noise; Electro Magnetic Interference; Roads Bridges and Traffic; Aircraft flight-paths / MOD operations and Cumulative Effects.
- 7.5 The policies of the Structure Plan are expected to be superceded by the Highland Wide Local Plan a draft version of which was out for public consultation during October / November 2010. The policies within this draft plan are material, but remain to evolve to a level where they can be given full weight in the consideration of development proposals. Policy 68 of the draft plan is supportive of renewable energy projects which will not be significantly detrimental when assessed against a number of significant natural, cultural and other material considerations.
- 7.6 The adopted Sutherland Local Plan acknowledges the position on wind farm projects within the Structure Plan, but also identifies the site under its Wider Countryside (Policy 3). In such locations development may be supported where it:
- helps to maintain and strengthen local population and services, particularly within communities currently experiencing difficulty (fragile areas);
 - is sympathetic to existing patterns of development in the area;
 - is compatible with landscape character and capacity;
 - is located, if possible, to avoid the loss of locally important croft land;
 - is of an acceptable design and;
 - is adequately serviced (to address drainage constraints and avoid undue public expenditure or infrastructure out of keeping with the rural character of the area).
- 7.7 The Development Plan is supportive of this type of development. Providing that the impacts of the development are not considered to be “**seriously adverse**” or “**significantly detrimental**,” particularly in relation to issues in the locality of the site, the application would comply with the Development Plan. This is consistent with the policies contained within the emerging Highland Wide Local Development Plan.

National Policy

- 7.8 The Scottish Government in responding to climate change and advancing sustainable development has emphasised in Scottish Planning Policy (SPP) its commitment to a target of 50% of Scotland’s electricity to be generated from renewable resources by 2020. The aim of the policy is to assist the planning

system in the process of encouraging, approving and implementing renewable energy proposals when preparing development plans and processing planning applications. Representations that argue against investment in this type of renewable energy technology can only be given limited weight given the very positive stance set by the Scottish Government.

- 7.9 SPP highlights that support for renewable energy projects and the need to protect and enhance Scotland's natural and historic environment must be regarded as compatible goals. The planning system has a significant role to secure appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy. National policies highlight potential areas of conflict however it also advises that detrimental effects can often be mitigated and or effective planning conditions can be used to overcome potential objections to development.
- 7.10 SPP highlights a key role of the planning system is to ensure that society's requirements are met in ways which do not erode environmental resources, landscape and natural heritage. The protection of landscapes and natural heritage may sometimes impose constraints on development, particularly within designated sites including for example Sites of Special Scientific interest (SSSI) or a National Scenic Area. However with careful planning the potential for conflict can be minimised. Planning authorities are to have full regard to natural heritage considerations in determining individual applications. Authorities should always consider whether environmental concerns could be adequately addressed by modifying the development proposal or attaching appropriate planning conditions.
- 7.11 Assuming that the impacts of the application do not have a significant impact on the amenity and natural heritage of the area then the development could be seen to be compatible with Scottish Government policy and guidance and make a useful contribution to the Government, UK and European energy targets.

Highland Renewable Energy Strategy (HRES) (May 2006)

- 7.12 The Highland Renewable Energy Strategy (HRES) does not identify this site for a major onshore wind farm development. Indeed the proposal farm lies within an area where there is a "presumption against" major scale onshore wind development where a precautionary approach to development should be taken. The Strategy is not intended to be a site specific planning tool, but a strategic tool for the siting of renewable energy developments in the Highlands.
- 7.13 At this level the strategy cannot be prescriptive but it does nevertheless provide a starting point for the assessment of a major onshore wind farm proposal. Factors such as Annex 1 birds, designated nature conservation sites and commercial woodland / moorland are highlighted as possible constraints on development. OS grid squares, further to the north (1km) are identified within HRES as possible development areas.
- 7.14 HRES is under review following the more recent publication of the Scottish Government's Scottish Planning Policy (SPP), including supportive statements on Renewable Energy that requiring Council's to identify within Development Plans the potential for wind farm developments of all scales. This limits the weight that

can be given to the policies within the current strategy, which is out for public consultation.

Services including Road Access, Water & Drainage.

- 7.15 Traffic generated by the proposal, particularly at construction which includes a degree of forestry clearance / timber extraction, can be split into three main categories. These include staff travel / van deliveries, HGV movements and abnormal movements involving turbine components. The applicant's traffic impact assessment advises that almost all HGV traffic and abnormal loads will arrive from the east from the A9(T) road, either from Scrabster Harbour or south of Thurso arriving to the site access via the A836. Notwithstanding the concerns raised within representations the existing Roads Authorities are content that the development can be accommodated subject to securing some advance inspections and provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1989. The agreement and conditions can also ensure that HGV traffic associated with the development does not use the A897 (Forsinard Road) or the A836 west of the new site access.
- 7.16 The delivery of turbine components to the development site can cause particular impact on the local road network potentially affecting the journey times of road users. For this reason it is important that the developer establishes good community liaison networks to ensure the particular concerns of local communities along the delivery route can be taken into account in the planning of turbine deliveries. This can be secured by condition.
- 7.17 SEPA had a number of concerns relating to this application in respect of the likely impact on the local water environment particularly during construction. Concerns related to the proximity of turbine construction to local watercourses; impact on deep peat deposits; waste management through the construction period including forestry clearance and mulching as well as the handling of surplus peat; site restoration including the on site borrow pits. Further information provided by the applicant has allowed SEPA to remove its objections on account of design changes taking development away from local water courses and deep peat as well as more information on particular construction methods to be deployed in this project. SEPA have requested that these latter aspects be secured using appropriate conditions allowing their input at the final design (micrositing) stage.
- 7.18 The Scottish Government has asked SEPA to audit the carbon balance calculations for Section 36 applications on sites with peat. Although the precise remit for this subject remains to be agreed a working framework may be in place by 1 April 2011 which will allow this aspect to be considered by the determining authority. Renewable energy projects are expected to offer a real benefit over other technologies on this matter. The assessments of risk in respect of the peat stability has given a good degree of comfort with the final addendum presenting information highlighting the risk as being negligible or low.
- 7.19 The project is proposed using on-site batching of concrete which will assist in reducing traffic impact. However approval will require conditions to be attached to ensure control over the use of water resources (abstractions), treatment of waste, vehicle washing, protection of private water supplies etc. confirming adherence to

the approach to development as set out in the supporting ES. SEPA has also drawn the developer's attention to the need to secure licences for a number of water crossings.

- 7.20 There are no outstanding technical objections to the application subject to appropriate conditions being attached.

Design, Layout and Amenity

- 7.21 The site is designed principally upon the hill / ridge line on which the southern half of Strathy (North) Forest sits. The turbines are located in a compact grid like formation which can be read approximately as either four columns or seven rows. The final layout has been amended to recognise valued nature conservation interests (see later) which lie adjacent to the site, to avoid areas of deep peat and to maintain 70m separation from local water courses.
- 7.22 Much of the existing forestry (672ha) will be removed, part harvested and part mulched, leaving a more open area of ground, consistent with the open peat-lands in the wider area. The development will bring about a programme of ecological enhancement which aims to restore the majority of the site as blanket peat bog. Some areas of the site are to be retained as woodland with the establishment of new clumps of deciduous scrub and woodland that will soften areas of the retained conifer woodland, particularly adjacent to local watercourses.
- 7.23 The turbines are 70m to hub height with maximum blade tip height of 110m. Given their siting they will appear larger within the immediate area which is generally open peatland set 50 metres or so below the base height of each turbine. The applicant proposes to deploy turbines which will have external transformers within separate housing adjacent each turbine. The Council is not supportive of this turbine & transformer design, which is seen as presenting unnecessary clutter, albeit in a remote and isolated location. The Council's Highland Renewable Energy Strategy seeks to secure developments that result in the lowest possible environmental impact. The developer should be requested to select a turbine model with an internal transformer.
- 7.24 There are a small number of properties (4) which lie close to the development at a distance of 1 – 2.5kms from the nearest turbine – see para 2.2 for details. At these distances householders of these properties will experience impact from the development including visual impact, noise (see below), lighting, and disturbance during construction (see later). Aviation interests have requested safety lighting on all turbines with 25 candela omni-directional red lighting or infrared lighting at the highest practicable point. Notwithstanding safety concerns, emergency lighting can have impact on the surrounding area, unless infra-red, particularly given that the area is generally free of night light / glare. Any agreed lighting scheme should be kept to a minimum and not necessarily on every turbine.

Noise

- 7.25 The assessment within the ES highlights that background noise levels at some of the above noted nearby properties can be high on account of the River Strathy, although background noise rates can be much lower during periods of low / no

rainfall. The assessment of potential noise impact as set out in the supporting ES predicts that two properties in particular could potentially experience noise in excess of day and night time noise limits as set out in Scottish Government Planning Advice Notes (PAN 45 & 56) when down wind of the development, when the river flow is low and wind speed are high. During such occasions the applicant has advised that nearby turbines can either be shut down or run in a reduced noise mode. This should be requested by condition, also ensuring that the turbines perform within parameters set by the manufacturer, which are not in excess of those used within the assessment presented within the ES. The owner of the Braerathy Lodge, the property which would be most affected by the proposal is in agreement with the development use of the existing Strathy forests.

Visual and Landscape Impact

- 7.26 The ES has identified, within a 30km radius, the areas around the wind farm site, which will have visibility of the development – the Zone of Theoretical Visibility (ZTV). From this plan the degree to which households from surrounding settlements and by the public (receptors) including tourists, motorists, cyclists, rail travellers, walkers, climbers, etc, within valued locations in the wider area may see the development (or not) is highlighted.
- 7.27 Within the initial 10km radius of the site, the development will be seen from locations mainly to the north and south of the development, with only limited impact to the west and east on account of the intervening topography. Receptors to the east and west of the development such as within Strath Halladale and Strathnaver also will not have sight of the development, with communities to the north at Strathy, Lednagullin, Armadale and Kirtomy seeing the development but at distances generally in excess of 5km. The assessment as presented within the ES is accepted that within the immediate 10km area of the development the overall impact of the development on recognised receptors will not in overall terms be significant.
- 7.28 Within the remaining ZVI, extending between the 10km radius and the 30km radius, the impact of the development is principally upon areas of higher ground including hill tops such as Ben Loyal (ES viewpoint 2), Ben Griam Beg (ES viewpoint 1), Beinn Ratha (ES viewpoint 11) and on the A837 East of Melvich (ES viewpoint 12). The exception to this is that the development will be seen from Forinsard (ES Viewpoint 6), which lies to the south east at a distance of 17.3km from the nearest turbine. Each of these locations has been assessed with viewpoints which demonstrate that the development will appear at a distance, set within an area generally of open moorland (with turbines often appearing below the skyline). The overall impact on the receptor interests as assessed within the ES are not regarded as significant.
- 7.29 In landscape terms, the site does not fall within or close to any landscape designations although the turbines will be visible from the Kyle of Tongue National Scenic Area (NSA) 10 km to the west, Strathy Point Area of Great Landscape Value (AGLV) 4km to the north, Ben Griam AGLV 12km to the south, Ben Kilbreck AGLV 26 km to the southwest, Flow Country / Peatlands AGLV 22km to the south east and several areas of search identified by SNH for Wild Land. SNH have concluded that the development will not be an adverse impact on the NSA. SNH

has also accept the development will sit within the “sweeping moorland” landscape character type of the area as noted within the ES, which will be able to be accommodated the development without significantly impacting upon the landscape’s key characteristics. The features of the Areas of Great Landscape Value, particularly those focused upon the northern coastline and closest to the site, are quiet intimate and thereby the impact of development sitting back from this coastline is not seen to be significantly detrimental.

- 7.30 Consideration also requires to be given to the potential cumulative impact of this development propose within projects of a similar nature. Guidance advises that it is necessary to consider the potential cumulative impact of similar developments within a 60km distance of the site. (List of projects highlighted with Section 2 of this report). The impact of these projects can be grouped into four potential impacts, including: -
- the two relative small scale projects 7- 20km to the west at Melness (3 turbines) and Bettyhill (2 turbines),
 - sites that lie 10 – 40km to the east particularly within Caithness,
 - sites that lie 40 – 60km to the south / south east within Sutherland, and
 - the potential largescale project (Strathy South) immediately to the south.
- 7.31 Information of the expected impact arising from these developments is presented within the supporting ES, but some observations have also been drawn from the supporting ES’s of more recent applications submitted to the Council. The key concerns are whether or not the development would present adversely in respect of “simultaneous impact” from a particular location or range of locations, or present adversely to receptors in a “sequential manner” when moving across an area.
- 7.32 The development at Melness and the application at Bettyhill which has been approved by committee are very much smaller in scale to the current proposal. SNH although not raising any landscape objection, has commented that there is the potential for the erosion and loss of distinctive regional landscape character of the area should a series of wind farm proposals emerge along the North Sutherland seaboard. This area provides a traveller with rhythm of experiences – dropping down to enclosed sea lochs then rising up onto open moorland plateau. The development of the Strathy North proposal SNH advise is not likely to add in a significantly adverse sequential way to the experience of travellers through the area, given the remoteness of the site and its separation from other similar developments. Should this proposal be approved SNH consider there would be limited capacity for further such developments along the wider Sutherland coastline.
- 7.33 Should this development be approved it would present the first largescale development into the local area, with similar scale developments having only been developed or approved much further to the east / south east as noted above. Given the separation, the development is not seen to present adversely in terms of simultaneous impact with other major onshore wind farm developments. Examples of these are presented and assessed within the ES as viewed from Ben Loyal (ES Viewpoint 2) or near Borgie (ES Viewpoint 8) or Kirtomy (ES Viewpoint 5).
- 7.34 Proposals have been submitted by the same applicant for the development of a

large wind farm (Strathy South Forest) close to current application, requiring some consideration of the potential cumulative impact of two nearby developments. The application at Strathy South proposes a 77 turbine wind farm significantly larger than that within Strathy North Forest. The southern proposal remains very similar in nature with the current application, in that it extends over ground currently managed for forestry which would have to be felled. Surrounding the Strathy South site are the same nature conservation designations. The two developments from more distant locations would be very similar, appearing as if a single, very large wind farm development. The Council has not determined its response to Scottish Ministers on this larger development, on account of the applicant wishing to table some further information prior to its determination.

Natural Heritage

- 7.35 The site has been specifically designed to remain outside designated sites for nature conservation purposes. However the site is almost surrounded by significant designations including the Caithness and Sutherland Peatlands - Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar status, an extensive designation which contains many related Sites of Special Scientific Interest (SSSI's). The site and adjacent areas contains some valued and designated habitats which if opened up for development need protection, for example from the potential displacement of deer. It also accommodates wildlife which includes a number of the protected species that are significant to the qualifying interests of the adjoining designated sites as noted above including birds such as the red throated diver, black throated diver, hen harrier, greenshank and greylag goose but also mammals / fish including otter, wild cat, bats, badgers, vole and Atlantic salmon. Many public representations have highlighted concerns in respect of these interests.
- 7.36 The existing coniferous woodland that currently makes this site of less value to local wildlife, offering little in the way of food and or shelter. Whilst Scottish Natural Heritage (SNH) maintains an objection to the application it recognises that the 2010 amended scheme does address many of its initial concerns. SNH accepts that its concerns would be overcome with appropriate conditions being attached to any decision to approve the development as amended, ensuring: -
- Restrictions on construction near identified Hen Harrier breeding and feeding areas;
 - Confirmation that the required grid connection from the wind farm site will run along the access track and avoid the SAC;
 - Final Site Environmental Management Plans and the Construction Method Statement also be agreed with Scottish Natural Heritage, elements of which have been drafted and set out within the ES final addendum;
 - A deer management plan is developed in agreement with Scottish Natural Heritage taking into account a compensatory cull, removal of deer fencing and monitoring to identify the effects from displacement;
 - The offered mitigation in respect of otter, peat, wildcat, bat, badger, pine martin, water vole and Atlantic salmon are secured by condition:
- 7.37 In addition to concerns from SNH, Marine Scotland has highlighted potential impacts on the River Strathy a valued river and catchment for salmon and other

aquatic interests. For example the proposed felling of trees, with residual branches being mulched could impact on the acidic qualities of the river that may be critical for salmonoid survival. It is clear that any construction, including site preparation works, particularly in areas of peat would have to be undertaken in a manner to best protect the qualities of the existing water environment. A request has been made for appropriate surveys on the water environment be undertaken before, during and after construction to ensure that the developer has taken proper regard of this natural resource. It has been acknowledged by Marine Scotland that the current baseline data fish data as presented in the ES is of a high standard. The local fisheries board whilst also objecting to the application highlighted it was open to the development of an agreement with the developer to ensure measures to protect water quality interests within the Strathy River system for salmon, sea trout and the associated fisheries.

- 7.38 Notwithstanding the nature conservation interests of this area the application also needs to be considered with regard to the Scottish Government's forestry policy. The proposed development involves the removal of almost all woodland within the application boundary. This is a significant loss of commercial woodland within an area which may impact on longer term local employment and timber supply. The Scottish Forest Strategy's objective is to increase Scotland's forest cover from 17% to around 25% by the second half of the century and this proposed loss of woodland is contrary to this particular aim.
- 7.39 The Scottish Government's recently published its policy on the 'Control of Woodland Removal'. Windfarms are recognised as being one of the principal causes of woodland removal in recent times. The policy gives criteria for determining the acceptability of woodland removal both with and without a requirement for compensatory planting. Where woodland removal will enhance priority habitats and their connectivity within the boundaries of priority habitats, compensatory planting is not always considered necessary. However, where woodland removal facilitates the development of renewable energy projects, this may be considered an acceptable change in land use, subject to compensatory planting. The current application was submitted for consideration before the emergence of the above policy. It nevertheless presents a solution which is directed at enhancing the site's habitat for specific species rather than replacement planting. A small amount of native woodland will be replanted adjacent to the principle watercourses running into and along side the River Strathy.

Cultural Heritage

- 7.40 The wind farm will not have a direct impact on any designated monument. Historic Scotland is content that the visibility of the wind farm upon a Schedule Ancient Monument (SAM 1836) will not have an adverse impact on its setting. Furthermore the development is situated approximately 10km from the Strathnaver, which has an important archaeological landscape. However, due to the topography of the area restricting visibility it accepts that there is not likely to be any adverse impact from the development. Listed buildings within Strathy will have some visibility of the development however the ES's assessment concludes that the development farm will have very limited impact on the features and setting of these buildings.
- 7.41 The wind farm falls within an area that is archaeologically sensitive given that parts

of the Strath was extensively settled and farmed prior to the early 19th century. As archaeological remains could survive within or under the peat and below the horizons disturbed by modern planting an archaeological watching brief should be carried out on all site clearance and excavation works within the proposed wind farm area.

Tourism

- 7.42 The proposed development site is located within an area with established recreational and tourism interests which benefit many local bed and breakfast and other visitor accommodation businesses. The surrounding moorland is used for sports and numerous lochs and rivers are used for angling. It is also a popular bird watching area and the RSPB reserve at Forsinard lies to the south and east of the site. Nearby roads, including the A836, (which is also signposted as part of the National Cycle Network), the A897, and the Far North Railway line from Inverness to Wick are all recognised tourist routes. The wider area also contains a number of hills popular with walkers including the two 'Munros' (mountains over 3,000ft), Ben Hope and Ben Klibreck. Local beaches along the coast are popular with surfers.
- 7.43 The introduction of the proposed wind farm has the potential to impact upon shooting activities in the area surrounding the site. It will be seen by birdwatchers, hill walkers and other tourists in the area, where turbines would appear either in views from peaks or transitory views from roads / rail-lines. General activity on site will also impact on these activities for the period of construction. Assessment within the supporting ES advises that the potential impacts of the development on these activities and associated business are anticipated to be low, given the distances between the development site and the location where the above activities principally take place. This assessment has not been challenged.
- 7.44 Research for the Scottish Government has suggested that the impact of wind farm developments during the last 10 years on tourism is minimal. At a regional scale tourists appear to be unaffected by the current levels of wind farm developments. Well located developments can be seen as positive features by tourists. Younger tourists are more accepting of the need for such renewable energy projects. Other research has clearly recognised that wind farms are unpopular to some people and this can be seen from some of the representations made in response to this application.

Construction Impact

- 7.45 The construction period is estimated at 10 months subject to favourable weather conditions with four key phases including: -
- site establishment and preparation including felling, mitigation works,
 - borrow pit opening and access track construction,
 - turbine erection, and
 - testing, commissioning and construction site restoration.
- 7.46 The principal impacts on local communities will be the initial delivery of construction vehicles, offices and materials, the movement of the workers and then the delivery of turbine parts as abnormal loads. The use of on-site borrow pits will considerably

lessen the import of construction material for the access tracks improvement and extension. Although the construction impact of the development will impact on a few roadside communities the experience will be short lived.

- 7.47 Conditions addressing the construction practices near watercourses, working within peaty and or muddy environments, dust or waste creation, etc. can minimise the environmental impact within acceptable levels. SNH, SEPA and the Council have a common approach to such matters which is set out in the Council's published Construction and Environmental Management Document (CEMD). Conditions can effectively restrict the operating hours of construction to ensure that the impact on local communities are contained within acceptable levels. Community liaison can also assist with the planning of abnormal load deliveries to ensure least impact on local traffic and other interests with safety concerns (school traffic).

Other Material Considerations

- 7.48 In relation to economic impact arising from the project this is likely to be greatest during the construction phase to the benefit of some local people and businesses. The levels of expenditure in the local economy during construction are considered to have a temporary positive impact. It is estimated that the on-site construction workforce would total approximately 96 individuals, split between approximately 16 foresters, 52 civil engineering contractors, 11 turbine contractors, 14 electrical contractors, and 3 project management staff. Manning levels will vary according to the phase of construction, with the highest levels needed at the point where civil works are nearing completion and the first turbines are being installed. On average the manning level will be approximately 32 individuals. Non- local construction personnel would be accommodated off the site, typically in local hotels and guest houses which may have a short term positive impact locally but is unlikely to be of wider significance.
- 7.49 Public representations have raised concerns over the impact of the project on the Royal Air Force who is known to use the area for tactical training purposes. Following consultations with Defence Estates initial objections to this project were withdrawn.
- 7.50 There are no other material considerations raised by representations that have not otherwise been addressed within this report.

8 CONCLUSION

- 8.1 This application, under Section 36 of the Electricity Act 1989, is for a 33 turbine wind farm development. If approved it would contribute towards helping the Scottish Government meet its target of generating 50% of Scotland's electricity from renewables by 2020.
- 8.2 Although the Council's Development Plan is supportive of renewable energy projects within certain key parameters, this particular application does not fall within one of the Council's preferred locations for major onshore wind farm development within its Highland Renewable Energy Strategy (HRES). It does however lie close to an area (to the north) which was identified as having some possible development potential.

- 8.3 The Council identified key constraints within its HRES strategy criteria such as designated sites and Annex 1 birds. These factors have indeed proven to be important issues to address in the consideration of this application. The ES assessment as submitted with this application has identified that these concerns can be overcome through appropriate design and mitigation both during and after construction.
- 8.4 Scottish Natural Heritage maintains its objection to the application, although it also has highlighted conditions which could be applied to an approval that would overcome its concerns in respect of protected species and habitat including the culling of deer. This also includes the development of an environmental management plan and construction management plan. The Local Fisheries Board has adopted a similar position in objecting to the development, but highlighting the potential for an agreement to resolve fishery concerns. A substantive number of the public representations against this application are in relation to the nature conservation and ecological issues which have been addressed by SNH. Scottish Planning Policy recognises that renewable energy projects can be supported if effective planning conditions can be used to overcome potential objections to development.
- 8.5 Public representations have also focused upon the potential visual impact of the development on the surrounding countryside and its general discord with the open landscape of the north and central areas of Sutherland. The ES does highlight that the development will from some areas be seen from afar, however its impact will not be adverse or significant upon valued landscape by virtue of its designation or generally by a range of receptors (residents / hill walkers, etc.) that live or prevail in this area. The development is not anticipated to adversely affect the range of activities which use or enjoy the landscape of North Sutherland. Another major wind farm development has been submitted in the immediate locality, but remains to be determined. Accordingly limited weight can be given to the cumulative issues that could arise from the development of both proposals during the determination of this initial proposal.
- 8.6 Policy E2 of the Structure Plan is supportive of development where particular safeguards can be maintained or remain unaffected. Provided there are no conflicts with key interests as noted within the Countryside Policy (Policy 3) the application would also accord with the Sutherland Local Plan. Accordingly the application complies with the Development Plan. There are no material considerations to suggest that consent should be withheld. It is recommended that in the response to Scottish Ministers no objection be raised, subject to conditions as detailed below be attached to any project approval.

9 Legal Agreement

- 9.1 It is normal practice when approving a wind farm development to secure certain matters by way of a legal agreement in addition to conditions particularly where financial bonds are to be provided.
- 9.2 It would be appropriate to request a Section 75 legal agreement to be agreed with the Highland Council in advance of any decision by Scottish Ministers to secure: -

- the provision of a bonded sum for the final restoration of the site.
- a "wear and tear" agreement with the provision of a bonded sum to cover the costs of any damage to the local road network arising from construction traffic associated with the proposed development.

9.3 Members may care to note in relation to Structure Plan Policy G4 Community Benefit that the applicant is supportive of the policy and discussion on these matters progress in parallel to but separate of the application process.

RECOMMENDATION

Raise **no objection** to the application for the development of a 33 turbine (amended from 35) wind farm comprising: -

- turbines design with maximum hub height 70m and blade tip height of 110m
- 2 permanent anemometer masts (70m)
- new (17.7km) or improved (10.7km) access tracks with a new access off the A836.
- Control and telecom cabling ducts (16.2km) primarily adjacent access tracks.
- Electricity substation and control building.
- temporary site construction compound including mess facilities.
- a lay down area (100m*100m).
- 4 borrow pits delivering 120,000m³ of stone.
- Temporary on-site concrete batching plant.

subject to securing a legal agreement as outlined in para 9.2 above and the following conditions: -

Conditions

1. The development shall be undertaken in accordance with the application and Environmental Statement (ES) and ES Addendum except in so far as amended by the terms of this consent or as subsequently agreed in writing by the Planning Authority.

Reason: to ensure the development is carried out in accordance with the application documentation.

2. The permission granted shall endure for a period of 25 years from the date when electricity is first exported from any of the wind turbines to the electricity grid network ("First Export Date"). Written confirmation of the First Export Date shall be provided to the Planning Authority within 1 month of the First Export Date.

Reason: In recognition of the expected lifespan of the wind farm.

3. The development permitted shall be commenced within three years of the date of any consent.

Reason: pursuant to Sections 58 & 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006.

4. Not later than 12 months before the end of the consent period, a decommissioning and

site restoration scheme shall be submitted for the written approval of the Planning Authority, such scheme to include the removal of above-ground elements of the development, management and timing of any works, environmental management provisions and a traffic management plan to address any traffic impact issues during the decommissioning period. The scheme shall be implemented as approved.

Reason: To ensure the decommissioning and removal of the development in an appropriate and environmentally acceptable manner and the restoration of the site, in the interests of safety, amenity and environmental protection.

5. If any wind turbine fails to supply electricity to the grid for a continuous period of 6 months then, unless otherwise agreed in writing with the Local Planning Authority, a scheme for the removal of that wind turbine and any surface ancillary works solely relating to that wind turbine shall be submitted in writing for the approval of the Planning Authority. The scheme shall then be implemented as approved.

Reason: To ensure that any redundant wind turbine is removed from site, in the interests of safety, amenity and environmental protection.

6. Turbines may be micro-sited within 25 metres of the positions shown on Revised Layout, Fig 3, submitted with the application, as amended. Such micro-siting of the turbines and access tracks immediately leading to each turbine must maintain a 70m buffer from any existing watercourse. Turbine 31 must be micro-sited to a location where peat depths are as shallow as possible.

Reason: To take account of local ground condition and protect the existing water environment.

7. No wind turbine, transformer unit or anemometer mast shall be erected or installed on site until final design details have been submitted to and approved in writing by the Planning Authority. The approved turbines shall operate with internal transformers. All wind turbine towers, nacelles and blades, shall incorporate a semi-matt finish (RAL colour 7035) and shall be identical in the terms of this condition unless otherwise agreed in writing by the Planning Authority. No name, sign or other logo shall be displayed on any external surfaces of the wind turbines or external transformer units save as required by law.

Reason: For the avoidance of doubt and in the interests of visual amenity

8. Construction of the substation building and compound shall not commence until final details of the external appearance, dimensions, and surface materials of the building and any associated compound or parking area have been submitted to and approved in writing by the Planning Authority. The development shall be implemented in accordance with the approved details

Reason: In the interests of visual amenity

9. Prior to the commencement of development, arrangements for an archaeological watching brief to be carried out on site clearance and excavation works shall be submitted to and require the approval in writing of the Planning Authority. No site clearance or excavation works shall take place until that approval has been given and

all such works shall thereafter be implemented in accordance with the approved arrangements.

Reason: To ensure archaeological interests that may remain on the site are not destroyed without being recorded.

10. No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with SNH providing the final mitigation measures (elements of which have been drafted and set out within the ES - final addendum) to be deployed ensuring: -

- Final Site Environmental Management Plans (SEMPs)
- Restrictions on construction near identified Hen Harrier breeding and feeding areas;
- A deer management plan taking into account a compensatory cull, removal of deer fencing and monitoring to identify the effects from displacement; and
- mitigation in respect of peat habitats, otter, wildcat, bat, badger, pine martin, water vole and Atlantic salmon.

Reason: To protect and enhance local nature conservation interests.

11. Development shall not commence until a final Construction Traffic Management Plan (CTMP) has been submitted to and agreed in writing by the Planning Authority. The CTMP shall include proposals for construction vehicle routing, the design of accesses from the public highway onto the site, management of traffic at junctions to and crossings of the public highway and other public rights of way, the scheduling and timing of movements, details of escorts for abnormal loads, temporary warning signs, temporary removal or replacement of highway infrastructure and street furniture, off-site road works and banksman details, etc. This shall also include measures to ensure HGV traffic associated with the development does not use the A897 (Forsinard Road) or the A836 west of the new site access. The approved CTMP shall be implemented as approved in writing by the Planning Authority. For the avoidance of any doubt this will include details to advise the public including road users on the A836 and those living along the access route of the expected abnormal loads associated with the delivery of turbine parts.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way

12. At least one month prior to commencement of development a community liaison group will be established by the applicant / developer, in collaboration with Highland Council and local community councils, to discuss the arrangements on the phased delivery of all road mitigation measures required for the development of the wind farm. This should include the developer sharing details of any review on the timing of the delivery of turbine parts (blades, turbine tower sections and hubs) using the A836 road.

Reason: To minimise the potential hazard to and conflict with road users, pedestrians and school pupils travelling to and from local schools.

13. Development shall not commence until an agreement dealing with liability for remedial work required as a result of any damage to the local road network directly attributable

to the Wind Farm construction and providing for pre and post construction surveys of the said local road network has been submitted to and agreed in writing with the Planning Authority. Road condition surveys need to be carried out jointly with the Council with all costs being borne by the developer. Timing of construction must be phased with other potential projects and programmes in the area to ensure single contractor responsibility.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way

14. Development shall not commence until a Construction and Environmental Management Plan (CEMP) is submitted to and approved in writing by the Local Planning Authority in consultation with SNH and SEPA. Construction of the development shall proceed in accordance with the approved Plan, unless otherwise agreed in writing by the Planning Authority. The Plan shall address the following matters (and shall be implemented as approved):

- Environmental Policy – Statement of responsibility for all environmental features, safeguards and mitigation.
- Details of construction works, the construction methods and surface treatment of all hard surfaces and tracks.
- Details of temporary site compounds for storage of materials and machinery (including areas designated for car parking).
- Details of the timing of works and methods of working for cable trenches and foundation works.
- Details of the timing of works and construction of the substation/ control buildings and anemometry masts.
- Details of the bridges and culverts for all new water crossings.
- Details of Borrow Pit working methodology including soil handling, drainage, blasting operations and noise controls.
- Peat Stability including implementation of mitigation requirements contained within Peat Stability Risk Assessment.
- Dust management.
- Cleaning of site entrances, site tracks and the adjacent public highway and the sheeting of all HGVs taking spoil or construction materials to / from the site to prevent spillage or deposit of any materials on the highway.
- Pollution control arrangements, including protection of water courses and ground water and soils, bunding of fuel storage areas and sewage disposal.
- A water monitoring regime for identified private water supplies and proposed mitigation measures.
- Disposal of surplus materials.
- Post construction restoration/reinstatement and aftercare of the temporary working areas and borrow pits.
- Construction noise management plan (including identification of access routes, locations of materials lay-down areas, details of equipment to be employed, operations to be carried out, mitigation measures and a scheme for the monitoring of noise in the event of complaints)
- Appointment and scope of work for a Project Ecologist who shall have responsibility for monitoring compliance with the provisions of the approved Plan and who shall report all breaches of the approved Plan to the Planning Authority.

Reason: To protect highway safety, water assets, amenity and the environment.

15. No development shall start on site until the completed Notice of Initiation of Development (NID) form attached to this decision notice has been submitted to and acknowledged by the Planning Authority. Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

Reason: In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

16. The hours of construction work during the development and any traffic movements to or from the site associated with the construction of the development shall be: -

- April - September – weekdays 0700 – 1900 hrs & Saturdays only – 0700 – 1400hrs
- October – March – weekdays 0730 – 1700 hrs & Saturdays only – 0730 - 1400hrs
- There shall be no Sunday workings without the prior written approval of the Planning Authority
- There shall be no working on 25th and 26th December, 1st and 2nd January or during the Saturday and Sunday of the Easter Weekend.

Reason: For the protection of residential amenity

17. Notwithstanding the provisions of condition (above), delivery of turbine and crane components may take place outside the hours specified subject to not less than 24 hours prior notice of such traffic movements being given to the local Planning Authority and such deliveries first being approved in writing by the local Planning Authority.

Reason: For the protection of construction employees, highway safety and road users.

18. No wind turbine shall be erected until a scheme to secure the investigation and alleviation of any electro-magnetic interference to TV reception at residential properties lawfully existing at the date of this permission caused by the operation of the turbines has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To safeguard the current services available to local residents

19. The Wind Farm Operator shall log wind speed and wind direction data continually and shall retain the data which has been obtained for a period of no less than the previous 12 months. The data shall include the average wind speed in metres per second for each 10 minute period. The measuring periods shall be set to commence on the hour or in 10 minute increments thereafter. The wind speed data shall be made available to the Planning Authority on request. The data shall be provided on a Microsoft Excel spreadsheet in electronic format. In the case where the wind speed is measured at a height other than 10 metres, the data shall be supplemented by adjusted values which allow for wind shear, normalised to 10 metre height. Details of the wind shear calculation shall be provided.

At Wind Speeds not exceeding 12 metres/second, as measured or calculated at a height of 10 metres above ground level at the wind farm at a grid reference or grid references to be approved by the Planning Authority, the Wind Turbine Noise Level at any dwelling or other noise sensitive premises shall not exceed:-

during Night Hours, 38dB LA90,10min, or the Night Hours LA90,10min Background Noise Level plus 5 dB(A), whichever is the greater;
during Quiet Waking Hours, 35 dB LA90,10min or the Quiet Waking Hours LA90,10min Background Noise Level plus 5 dB(A), whichever is the greater.

providing that this condition shall only apply to dwellings or other Noise Sensitive Premises existing at the date of this Planning Permission.

At the request of the Planning Authority, following a valid complaint to the Planning Authority relating to noise emissions from the wind turbines, the Wind Farm Operator shall measure, at its own expense, the level of noise emissions from the wind turbines. The measurement and calculation of noise levels shall be undertaken in accordance with "The Assessment and Rating of Noise from Wind Farms", September 1996, ESTU report number ETSU-R-97 having regard to paragraphs 1-3 and 5-11 inclusive, of The Schedule, pages 95 to 97; and Supplementary Guidance Notes to the Planning Obligation, pages 99 to 109. In comparing measured Wind Turbine Noise Levels with Background Noise Levels, regard shall be had to the prevailing Background Noise Levels as measured at specified properties and shown by the best fit curves in the Environmental Statement submitted with this planning application. In the event of a complaint from a property other than one of the specified properties in the Environmental Statement, the measured Wind Turbine Noise Levels at that other property shall be compared to the prevailing Background Noise Levels at the specified property which is most likely to have similar background noise levels.

"Wind Turbine Noise Level" means the rated noise level due to the combined effect of all the Wind Turbines, excluding existing background noise level but including any tonal penalty incurred under the methodology described in ETSU-R -97, pages 99 – 109.

"Background Noise Level" means the ambient noise level already present within the environment (in the absence of noise generated by the development) as measured and correlated with Wind Speeds.

"Wind Speeds" means wind speeds measured or calculated at a height of 10 metres above ground level on the site at a specified Ordnance Survey grid reference agreed with the Planning Authority.

"Night hours" means 23:00 – 07:00 hours on all days.

"Quiet Waking Hours" means 18:00 – 23:00 hours on all days, plus 07:00 – 18:00 on Sundays and 13:00 – 18:00 hours on Saturdays.

"Noise Sensitive Premises" means existing premises, the occupants of which could be exposed to noise from the wind farm and includes hospitals, residential homes, nursing homes, etc.

Should the noise levels be exceeded, the Wind Farm Operator shall take immediate steps to ensure that noise emissions from the Wind Farm are reduced to the aforementioned noise levels or less, to the written satisfaction of the Planning Authority.

Reason: - In order to ensure satisfactory noise control arising from operation of the development.

20. Prior to the commencement of development the applicant will set out a scheme to be adopted by the operator of the wind farm which will ensure that noise levels at Dallangwell and Braerathy Lodge will not exceed the limits as set out in Condition 18 above. This is expected to include arrangements for turbine shut down during periods of low rainfall and wind speeds are high.

Reason: - In order to ensure satisfactory noise control arising from operation of the development.

21. Two months prior to the commencement of development the applicant will provide both the Ministry of Defence and the Defence Geographic Centre (AIS Information Centre) with a statement, copied to the Planning Authority and Highland and Islands Airport Authority Ltd, containing the following information:

- The date of commencement of the construction;
- The exact position of the turbine towers in latitude and longitude;
- A description of all structures over 300 feet high
- The maximum extension height of any construction equipment;
- The height above ground level of the tallest structure; and
- Details of a scheme for air navigation safety lighting to be agreed with the Planning Authority and other relevant parties.

Reason: To raise awareness of the site with aviation interests.

For Information: -

1. SEPA has advised that authorisation under CAR will be required for some activities proposed.
2. Contact should be made with TR-NMD Bridges Branch (Tel No 0131 244 4363) as to the feasibility of abnormal load movements from the nearest suitable port.
3. Maintenance issues, requiring HGV or Abnormal traffic movements to the site, may be necessary throughout the 25 year lifetime of the development. Such access issues need prior discussion with the Council's TEC Services.
4. The required grid connection should avoid any impact upon the designated Caithness and Sutherland Peatlands SAC.

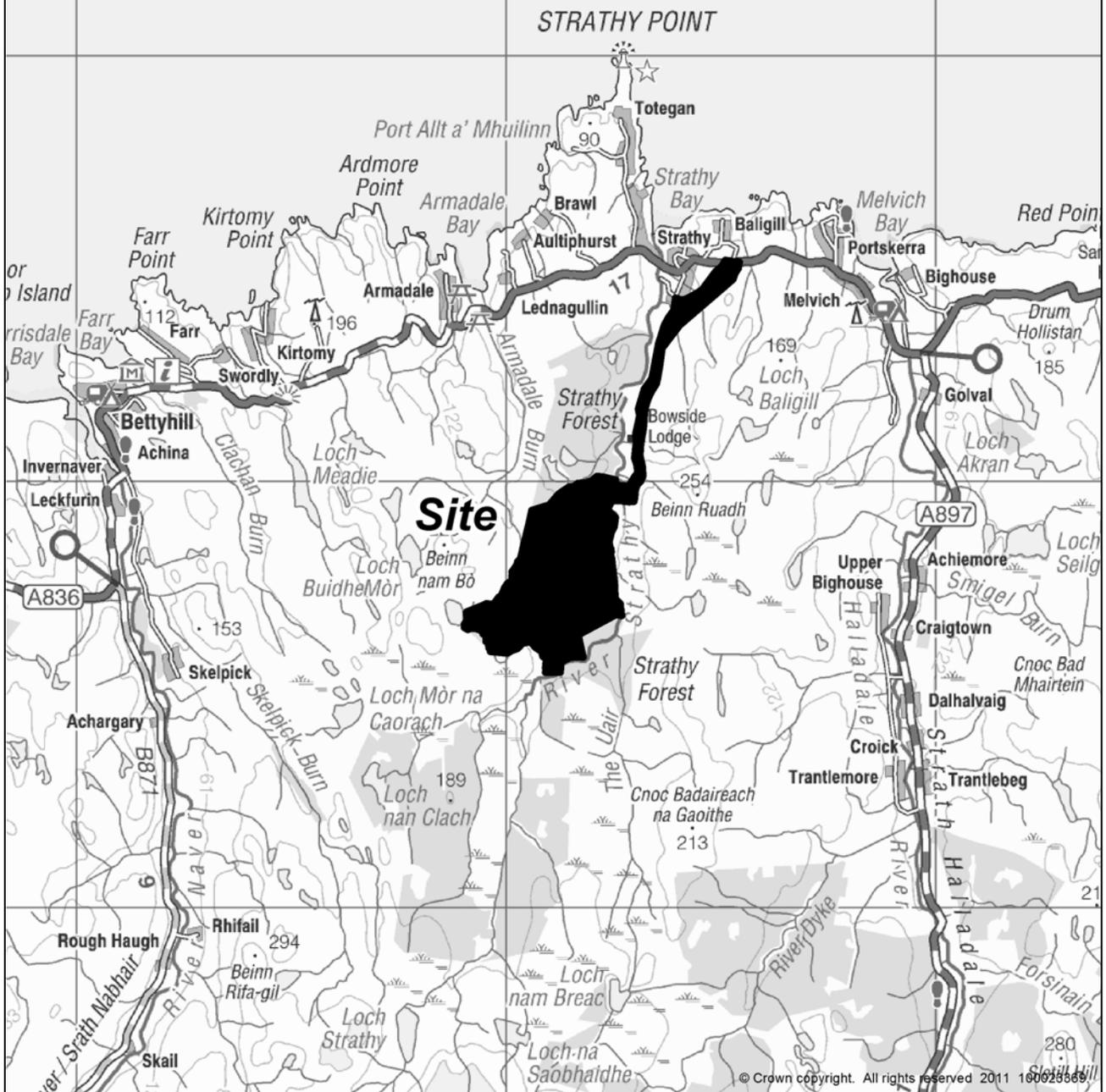
Signature:

Designation: Richard Hartland Head of Planning and Building Standards

Author: Ken McCorquodale, Principal Planner, (01463 702256)

Background Papers: File Reference 07/00020/S36SU

Location Plan



PLANNING & DEVELOPMENT SERVICE

Stuart Black
Director of Planning & Development

Ref: 07/00020/S36SU

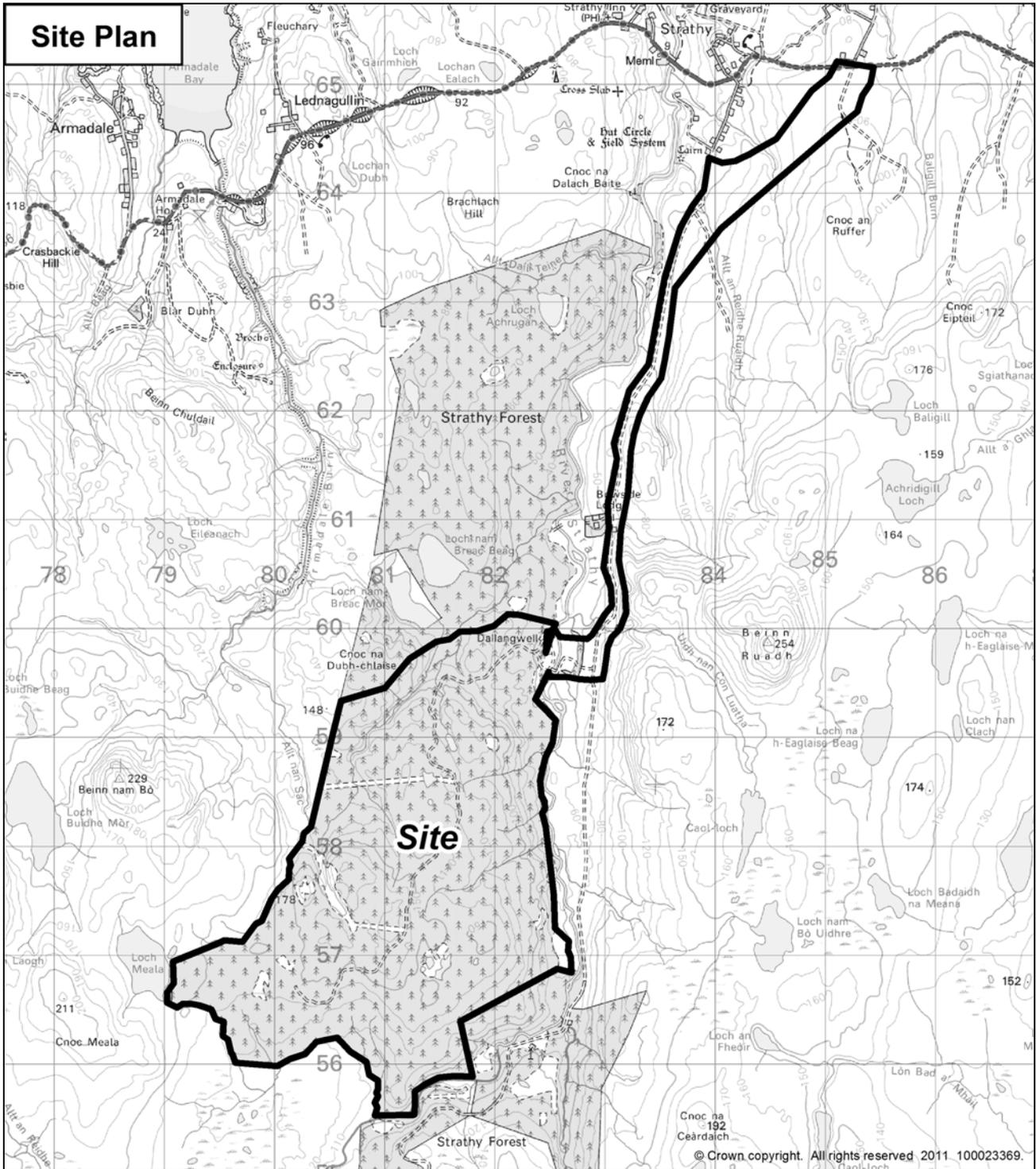
PROPOSAL:
33 TURBINE WIND FARM
SSE GENERATION LTD

ADDRESS:
STRATHY NORTH FOREST,
STRATHY, SUTHERLAND

1 cm approx 1.5 kms

1:150,000





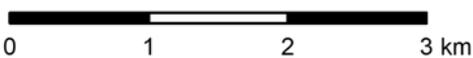
PLANNING & DEVELOPMENT SERVICE
Stuart Black
Director of Planning & Development

Ref: 07/00020/S36SU
33 TURBINE WIND FARM
SSE GENERATION

Address:
STRATHY NORTH FOREST
STRATHY
SUTHERLAND

1 cm approx 0.55 kms

1:55,000



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