THE HIGHLAND COUNCIL

Agenda Item	6.3
Report No	PLN/012/14

NORTH PLANNING APPLICATIONS COMMITTEE
24 March 2015

14/03964/FUL: Kilmac Energy LLP (Glen Ullinish) Limited
Land 1800m south east of Balmeanach, Glen Ullinish, Skye

Report by Head of Planning and Building Standards

SUMMARY

Description: The proposal is for a wind farm comprising 14 wind turbines (height to hub 78m, height to tip 119m, rotor diameter 82m), sub-station building, access tracks, crane hard standings, borrow pits, concrete batching plant and water crossings (Glen Ullinish Wind Farm).

Recommendation: GRANT planning permission.

Ward: 11 – Eilean A'Cheò

Development category: Major.

Pre-determination hearing: None

Reason referred to Committee: Major development.

1.0 PROPOSED DEVELOPMENT

1.1 It is proposed to erect 14 wind turbines each of up to 3MW power rating (42MW in total) and associated infrastructure including control building, cabling, access tracks, watercourse crossings and hard standings.

1.2 The proposed wind turbines are Enercon E82 turbines with a maximum overall height of 119 metres to blade tip, rotor diameter of 82m and a 78m hub height. These will be finished in a pale grey colour.

1.3 A new site access will be constructed directly from the A863 approximately 1km to the north of the Eabost junction. Within the site boundary around 9.5km of new access track will be constructed. The track will have a typical running surface width of 5m (including shoulders) within straight sections rising to 6.5m at corners.

1.4 The construction of five new watercourse crossings will also be required. The first four of these are over minor watercourses for which pipe culverts will be installed. The fifth crossing spans a larger burn and therefore has been designed as a bottomless arch, indicative details of which only have been provided at this stage.

1.5 The power produced by the turbines will be fed to a control building, located to the north-east of the site adjacent to T14 (grid ref 135933, 843383). Only indicative details of the proposed control building have been given but it is envisaged that this will be a single storey structure with a pitched roof. While no indication of size of footprint has been given, the applicant has specified finishing materials as render for walls and concrete tiles for the roof. The control building will house switchgear, control and monitoring computers as well as welfare provision. Cabling connecting wind turbines to the switch room is anticipated to be laid alongside access tracks.

1.6 Connection to the grid will be via an on-site sub-station, the location of which is yet to be determined. Much of this connection will be dependent upon SHETL. This will be subject to a separate application under s37 of the Electricity Act 1989. Having said that, a wooden pole type arrangement is most likely.

1.7 There are four borrow pits proposed on the site. It is estimated that 66,500m^3 of material would be available for use within track construction and for crane hardstandings.

1.8 The development has an anticipated operational life of 25 years whereupon the turbines would be removed from site. The applicant intends to leave access tracks in-situ. Turbine foundations would be reduced by a minimum of 500mm and the remaining foundations and hardstandings covered with soils and reseeded.

1.9 As the proposal involves Environmental Impact Assessment development, the application is supported by an Environmental Statement (ES).

2.0 SITE DESCRIPTION

2.1 The wind farm site covers some 587 hectares of grassland, heath and blanket bog situated approximately 2.4km east of Ose and 3km north of Struan. The land which is predominantly used for grazing lies on the south westerly side of Glen Ose/Glen Colbost through which runs the River Ose; this watercourse forming the western boundary of the site. Ground levels rise from around 40m to 130m AOD with the eastern boundary formed by the shoulder of a Ben Scudaig (220m) and Beinn na Cloiche (232m).

2.2 The site lies within the River Ose catchment; the River Ose running approximately 400m to the north of the closest wind turbine. A number of smaller water courses are present with the site; most notably the Croglan and Meashader Burns both of which are tributaries of the Ose. The Ose, although not designated, is a locally important trout and salmon river. Spawning gravels, spawn and juvenile salmon are protected from disturbance/injury/destruction under the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003.

2.3 There are no statutory natural heritage designations on the site. However, parts of the site, for example those adjacent to the principal watercourses, are likely to support otter, which is a European Protected Species (EPS). There is evidence of the site being used by foraging bats, particularly adjacent to the woodland along the northern edge of the site.

2.4 There are a number of statutory designated sites in the wider area (i.e. within 15 km of the proposed wind farm):

- Cuillins Special Protection Area (SPA) lies 12km to the south-east; the features of which are its breeding population of Golden Eagle.

- Ascrib, Isay and Dunvegan Special Area of Conservation (SAC) lies 11km to the north-west of the site. The designated features are harbour seal.

- Talisker Site of Special Scientific Interest (SSSI) lies 9km to the south; the notified features of which are largely geological but also relate to the presence of Burnet moth.

- Sligachan SSSI is situated 14km to the south-east of the site. The notified features include upland bog, standing open water and canals and vascular plants.

- An Cleireach SSSI lies 1.2km to the north-west of the site. The notified features are its geological qualities.

2.5 The proposed wind farm site is not covered by any national or local landscape designation. The Cuillin Hills National Scenic Area (NSA) is situated 17km to the south-east of the site. Trotternish NSA lies approximately 18km to the north-east.

2.6 There are a number of Special Landscape Areas (SLAs) within 35km of the site; the coastal SLAs of North West Skye, which lies directly to the south-west of the site, and Greshornish, which is 7km to the north, being of particular note. The Tianavaig and Trotternish SLA, which includes the iconic Storr, lies 11km to the east. Further afield, at around 20km, lies the Rona and Raasay SLA.

2.7 There are two Wild Land Areas within 35km of the site; WLA 22 - Duirinish, which includes MacLeod's Tables, is 8km and WLA 23 - Cuillin is 15km from the application site.

2.8 The majority of the site is located within a landscape character type (LCT) described as 'Stepped Moorland' in the Skye and Lochalsh Landscape Character Assessment (SNH 1996) with the northern part of the site, which contains five turbines, falling within 'Smooth Moorland' LCT. Key characteristics of the Stepped Moorland LCT are the stepped and undulating landform that has rugged appearance and sense of openness. It is a sub-type of the Smooth Moorland LCT the key characteristics of which are the gently undulating or sloping landform with smooth texture and is its exposure that results in extensive visibility.

2.9 There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the site. Within 10km of the site there are eighteen Scheduled Ancient Monuments and one listed building:

- Dun Mor Fort (SM-918) ~ 2.1km
- Dun Beag Broch (SM-90325) ~ 2.6km

- Dun Beag Cairn (SM-7930) ~ 2.7km
- Dun Garsin Broch (SM-912) ~ 3.3km
- Knock Ullinish (SM-2139) ~ 2.7km
- Dun Feorlig Broch (SM-3494) ~ 4km
- Ullinish Lodge Cairn (SM-903) ~ 3.7km
- Stuanmore Cairn (SM-7929) ~ 3.5km
- Ullinish Fort (SM-930) ~ 4.3km
- Dun Ardtreck (SM-7120) ~ 5.4km
- Dun Neill (SM-3885) ~ 5.6km
- Ardmore Chapel (SM-3884) ~ 5.4km
- Barpannan Chambered Cairns (SM-893) ~ 4.6km
- Skeabost Island/Columba's Church (SM-947) ~ 7.7km
- Ard Clach (SM-935) ~ 8.5km
- Dun Suladale Broch (SM-921) ~ 8.9km
- Dun Cruinn Fort (SM-910) ~ 9.6km
- Kensaleyre Church (SM-3417) ~ 9.8km

- Dunvegan Castle (HB-501) - Category A ~ 11.3km.

2.10 194 individual cultural heritage features were identified within a walkover survey of the site. These features include:

- Post medieval farmsteads
- Enclosures
- Historic peat cutting
- Rig and furrow
- A Broch (remains)

2.11 Dunvegan Castle Gardens is within the Inventory of Gardens and Designed Landscapes.

2.12 29 residential properties in the area were considered as sensitive noise receptors. The nearest sensitive receptors are:

- Glen Vic Askill (H1) ~ 940m
- Balmeanach Road (H2/3) ~ 2-3km
- Gearymore (H12) ~ 1.5km
- Gearymore (H19) ~ 1.8km

2.13 Other relevant wind farm development in proximity to the site include:

<u>Built and / or Consented</u>

Ben Aketil ~ 3.5km to the north-west
Edinbane ~ 1km to the north

3.0 PLANNING HISTORY

3.1 26.10.2011 - EIA Scoping Opinion submitted.

3.2 21.12.2012 - Pre-application Advice provided.

4.0 PUBLIC PARTICIPATION

4.1 16.10.2012 – Proposal of Application Notice submitted (12/04070/PAN). A Public Exhibition took place on 06 September 2012.

4.2 Advertised: 14 November 2014 in the West Highland Free Press and Edinburgh Gazette.

Representation deadline: 12 December 2014

Representations against:	1
Comments:	1 from RSPB
Representations in support:	54

4.3 Material considerations raised against can be summarised as follows:

- Potential impact on spawning beds for migratory fish during construction
- The scale of the turbines should be reduced to be comparable to those at Edinbane and Ben Aketil (64m to hub rather than the 78m proposed)

4.4 The comment from RSPB is to request that the applicant carry out a further 12 months of vantage point work in order to review the population modelling using updated collision risk predictions.

4.5 One letter of support received is essentially a response to RSPB from a member of the public. The essential points raised can be summarised as follows:

- General support/need for energy (particularly green energy)
- White-tailed eagle reintroduced by man and population thriving
- Studies indicate that birds learn to avoid wind farms

In addition 53 letters from members of the local community support the development on the basis that:

- This is a significant investment in the community
- Potential for construction jobs
- Potential for training and apprenticeship opportunity
- Scheme will help meet UK and Scottish governments targets
- Scheme will have limited impact on amenity and the environment

4.6 A list of all those who made representation is provided in Appendix 1 of this report. All letters of representation can be viewed via the Council's e-planning portal http://wam.highland.gov.uk.

5.0 CONSULTATIONS

5.1 Dunvegan and District Community Council: No response received.

5.2 Minginish Community Council: No response received.

5.3 Struan Community Council: No response received.

5.4 Transport Planning Team identifies that, notwithstanding the use of borrow pits on the site, a significant increase in HGV traffic on the Council maintained A863 road is likely as a result of the proposal. It is advised that the pre and post route condition surveys will be required (with associated S96 wear and tear agreement), that a comprehensive Construction Traffic Management Plan be submitted and that arrangements are put in place for liaison with the communities as part of this.

5.5 Environmental Health initially had concerns regarding the background survey carried out at Glen Vic Askill and therefore requested that the applicant use the background survey from the Edinbane application at Glen Vic Askill to identify the noise limits at this property for Glen Ullinish alone. It was noted that while the noise levels at any given time may comply with noise limits, the residents at the property Glen Vic Askill would experience wind turbine noise more often as a result of this proposal.

Similarly this request was made for the properties at Balmeanach to identify the noise limits and then apportion these for Glen Ullinish assuming a 5dB increase to the Edinbane predicted levels to accommodate uncertainty, wear and tear etc.

On provision of further information and a statement from the owner of Glen Vic Askill to indicate that it now had a financial involvement, Environmental Health advised that it no longer had any objection subject to a standard condition being attached with a noise limit of 45dB LA90 applied at Glen Vic Askill and 35dB LA90 at all other properties.

5.6 Historic Environment Team generally concurs with the findings of the assessment, including the potential indirect impacts on nationally important archaeological assets. It also concurs with the proposed recommendations to mitigate the potential for direct impacts on archaeological features, remains and deposits.

Having said that, it advises that Dun Arkaig broch is notably absent from indirect impact assessment. The Team consider that the broch is a significant heritage feature in the landscape occupying a prominent knoll and that the sensitivity of Dun Arkaig is High. As the nearest turbine is c.230m distant it considers that all turbines would clearly visible from the broch and that therefore the magnitude of change must also be considered High. This in its view leads to the conclusion that the proposal would have a Major and therefore significant impact on the feature.

This advice is based on the fact that the Council has put the broch forward to Historic Scotland as a candidate for scheduling. However, even if, following assessment by Historic Scotland, the broch is not considered to meet the criteria

for scheduling, the Historic Environment Team consider that it is still of regional importance and that the magnitude of change would still be high, resulting in an impact of major/moderate which is still significant in EIA terms.

While it does not object to the proposal, the Historic Environment Team, requests that a significant package of mitigation is put in place in addition to that identified within the ES. In particular it requests submission of a Cultural Heritage Interpretation, Access and Management Plan.

5.7 Access Officer identifies that there are no significant paths or tracks within the area of the development and generally the area is not used for recreational access. During the construction phase therefore public access can be restricted without the need for diversion routes although only in so far as such measures are required to meet health and safety regulations. Post construction phase, enhanced access provision would benefit the community, in particular disabled ramblers, who are already making use of the generally higher standard of finished surface and gentler gradients of other wind farm tracks in the area. Consideration should be given to the potential of linking the wind farm network of tracks to Core Path SL28.01 Loch Caroy to Glen Vic Askill.

If new gates are proposed on new or existing tracks there should be appropriate gates installed beside them to accommodate walkers, cyclists, disable rambler scooters and horse riders.

5.8 Scottish Water: No objection.

5.9 Scottish Environment Protection Agency (SEPA) has no objection subject to conditions including provision of a detailed Construction Environmental Management Plan, including information on avoiding areas of deep peat and peat storage, a Decommissioning and Restoration Plan, the employment of an ECoW, and a limitation on micrositing within 50m of water courses.

5.10 Scottish Natural Heritage (SNH) advice is that the proposal is unlikely to have a significant effect on the qualifying feature (golden eagle) of the Cuillins SPA and agree with the conclusions within the ES that the regional golden eagle population will remain at Favourable Conservation Status.

With regard to white-tailed eagle, SNH advise that there is sufficient information for it to determine the likely population level impacts of the proposal. SNH considers that the proposal would not have a significant effect on the Scottish and Regional populations of white-tailed eagle, even if eagle mortality through collision was in excess of that identified within the ES. SNH recognises however that the site may experience higher usage prior to construction and is of the view that pre-commencement surveys will be required and will further inform any mitigation.

From a landscape perspective, SNH advise that the proposal will have no adverse effect on the special qualities of the Trotternish or Cuillin Hills NSA. It advises that the smooth and stepped moorland landscape character types that the proposal is located in are large scale and have a simple visual composition. It recognises that the Ben Aketil and Edinbane wind farms have already introduced prominent

features which act as scale factors in a landscape where it was previously difficult to judge distance and scale and the addition of a third wind farm would not significantly alter the perception of scale. It considers that while the turbines would inevitably alter the character of the landscape by increasing the proportion of the views where turbines are present, in most views (and certainly most distant views) it remains a wide open landscape with a strong horizontal emphasis that is not dominated by the turbines.

In respect of European protected species, SNH agrees with the applicant that the risks to bats from this proposal are likely to be low. While signs of otter were recorded along the River Ose, no breeding or resting sites were identified in the submission. SNH considers that it is possible that this protected species may still be present on the site when construction starts. SNH therefore recommends that pre-construction surveys are undertaken for otter, that should an otter holt be found at any time during construction all works within 250m of the holt should stop immediately and SNH's Portree office contacted for advice, and that contractors will either cover excavations at the end of the day or leave ramps in the excavations to allow animals to escape.

Turning to habitats, SNH considers that it should be possible to avoid the most sensitive habitats through micro-siting, and these aspects should be addressed in the Construction and Environmental Management Plan (CEMP). In addition to the mitigation measures proposed in the ES, SNH identifies that the habitat impacts associated with the construction of this wind farm could be further off set and the general biodiversity of the site improved by providing positive habitat management. It therefore recommends that a habitat management plan is produced to improve the condition of the blanket bog and other Annex 1 habitats on the site.

5.11 Transport Scotland (Trunk Roads and Bus Operations) has no objection subject to conditions relating to the movement of abnormal loads and signalisation required on the trunk road network.

5.12 Historic Scotland advises that the development proposal does not raise issues of national significance sufficient to warrant an objection for our historic environment interests.

5.13 Civil Aviation Authority (Directorate of Airspace Policy) advises that as the height (maximum tip height 119m) of the proposed turbines there is no CAA requirement for the turbines to be lit, although if an aviation stakeholder (including the MOD) made a request for lighting it is highly likely that the CAA would support such a request.

5.14 Ministry of Defence: No objection subject to the condition that aviation lighting (25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration) is provided and that it is notified of the commencement date, final turbine locations and maximum height of construction equipment.

6.0 DEVELOPMENT PLAN POLICY

6.1 The following policies are relevant to the assessment of the application:

Highland Wide Local Development Plan (April 2012)

Policy 28 Sustainable Development
Policy 29 Design, Quality and Place Making
Policy 53 Minerals
Policy 55 Peat and Soils
Policy 56 Travel
Policy 57 Natural, Built and Cultural Heritage
Policy 58 Protected Species
Policy 59 Other Important Species
Policy 60 Other Important Habitats
Policy 61 Landscape
Policy 63 Water Environment
Policy 64 Flood Risk
Policy 67 Renewable Energy
- Natural, Built and Cultural Heritage
- Other Species and Habitat Interests
- Landscape and Visual Impact
- Amenity at Sensitive Locations
- Safety and Amenity of Individuals and Individual Properties
- The Water Environment
- Safety of Airport, Defence and Emergency Service Operations
- The Operational Efficiency of Other Communications
- The Quantity and Quality of Public Access
- Other Tourism and Recreation Interests
- Traffic and Transport Interests

Policy 72 Pollution
Policy 77 Public Access

West Highland and Islands Local Plan (As Continue in Force 2012)

6.2 The general polices and land allocations of the Local Plan pertinent to this application have been superseded by the policies of the Highland-wide Local Development Plan.

Supplementary Guidance

6.3 The following Supplementary Guidance forms a statutory part of the development plan and are considered pertinent to the determination of this application.

- Flood Risk and Drainage Impact Assessment (January 2013)
- Highland Historic Environment Strategy (March 2013)
- Managing Waste in New Developments (March 2013)
- Sustainable Design Guide (January 2013)
- Trees, Woodlands and Development (January 2013)
- Highland Statutorily Protected Species (March 2014)

7.0 OTHER RELEVANT PLANNING POLICY

Onshore Wind Energy: Interim Supplementary Guidance (March 2012)

7.1 The document provides a spatial framework to guide the location of large wind farms, development guidelines for all locations and additional guidance on the policies and principles set out in Policy 67 – Renewable Energy Developments of the Highland-wide Local Development Plan. The proposed development is mainly within an area of search with a limited part of the site within an area of potential constraints.

Highland Renewable Energy Strategy (HRES) (May 2006)

7.2 While superseded as location guidance by the Interim Supplementary Guidance above, HRES is still relevant as a strategy document. HRES sets out the Council's on-shore wind energy installed capacity targets. These are 1200MW by 2015, 1400MW by 2020 and 2900MW by 2050.

7.3 Relevant policies to the current application, not otherwise superseded by the above noted Supplementary Guidance, include:

- Policy H1 Education and Training
- Policy K1 Community Benefit
- Policy N1 Local Content of Works

Scottish Government Planning Policy and Guidance

7.4 The Scottish Government has recently published its updated policy statement and advice. It advances principal policies on Sustainability and Place-making, and subject policies on A Successful, Sustainable Place; A Low Carbon Place; A Natural, Resilient Place; and A Connected Place. It also highlights that the Development Plan continues to be the starting point of decision making on planning applications. The content of the SPP is a material consideration that carries significant weight, although it is for the decision maker to determine the appropriate weight to be afforded to it in each case.

7.5 The SPP sets out continued support for onshore wind in a similar manner to the previous SPP. It requires Planning Authorities to progress, as part of the Development Plan process, a spatial framework identifying areas that are most likely to be most appropriate for onshore wind farms as a guide for developers and communities. It also list likely considerations to be taken into account relative to the scale of the proposal and area characteristics, which in summary comprise the following: -

- Net economic impact;
- Contribution to renewable energy targets;
- Effect on greenhouse gas emissions;
- Cumulative impacts;
- Impacts on communities and individual dwellings;
- Landscape and visual impacts, including wild land;

- Natural heritage;
- Carbon rich soils;
- Public access;
- Historic environment;
- Tourism and recreation;
- Aviation and defence interests;
- Telecommunications;
- Road traffic;
- Trunk roads;
- Hydrology and flood risk;
- Decommissioning;
- Energy storage;
- Planning obligations for site restoration.

7.6 In addition to the above, the Scottish Government sets out further advice on Renewable Energy in a number of documents and web based information regularly updated including: -

7.7
- National Planning Framework for Scotland 3
- PAN 56 – Planning and Noise
- PAN 58 – Environmental Impact Assessment
- PAN 60 – Planning for Natural Heritage
- Scottish Government policy on Woodland Removal
- 2020 Routemap for Renewable Energy
- Onshore Wind Turbines
- Wind Farm developments on Peat Lands

8.0 PLANNING APPRAISAL

8.1 Section 25 and of the Town and Country Planning (Scotland) Act 1997 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this case comprises the Highland wide Local Development Plan (approved April 2012).

Determining Issues

8.2 The determining issues are:

- do the proposals accord with the development plan?
- if they do accord, are there any compelling reasons for not approving them?
- if they do not accord, are there any compelling reasons for approving them?

Planning Considerations

8.3 In order to address the determining issues, the Committee must consider a) compliance with development plan policy, b) interim supplementary guidance, c) Highland Renewable Energy Strategy, d) national policy, e) the impact on roads and transport, f) the effects on peat, peat stability and carbon balance, g)

construction impacts and pollution control, h) the impact on natural heritage, i) the impact on built and cultural heritage, j) the visual impact and impact upon landscape resource, k) noise and vibration, l) aviation, m) radio/television and other networks, n) decommissioning and restoration, o) access and recreation, p) the socio-economic impact, and q) any other material considerations.

Development Plan

8.4 The Development Plan comprises the adopted Highland wide Local Development Plan (HwLDP) and the West Highland and Islands Local Plan (As continued in force). There are no site specific policies affecting this application site within the West Highland and Islands Local Plan (As Continued in Force).

8.5 The Development Plan recognises the potential for renewable energy development in Highland. Policy 67 (Renewable Energy Developments) of the Highland-wide Local Development Plan gives general support to this type of renewable energy development and is the key policy consideration in assessing this application. However, various considerations and safeguards are built into the policy wording. Policies 28 (Sustainable Design), 57 (Cultural and Built Heritage), 58 (Protected Species) and 61 (Landscape) are all relevant to this application and require to be given due weight.

8.6 The development plan supports the broad principle of renewable energy development in this location. Providing that the impacts of the development are not considered to be **significantly detrimental**, either individually or cumulatively with other developments, the proposals would accord with the Development Plan.

Interim Supplementary Guidance

8.7 Following the publication of the most recent SPP in June 2014, the Onshore Wind Energy: Interim Supplementary Guidance is currently under review. Until the finalisation of this the Interim Supplementary Guidance on On-shore Wind Energy (March 2012) will continue to assist with the consideration of on-shore wind energy development.

8.8 The proposed development sits within an Area of Search. This is the least constrained of areas. The guidance expands on the considerations/criteria set out within the Development Plan, including Criterion 1 (Natural, Built and Cultural Heritage); 2 (Other species and Habitat Interests); and, 3 (Landscape and Visual Impact). These are key issues to be examined in this assessment. If these matters can be satisfied then the application will accord with the Interim Supplementary Guidance.

Highland Renewable Energy Strategy (HRES)

8.9 The Development Plan references HRES, which was developed by the Council for a range of Renewable Energy technologies. In particular the additional benefits from such investment including for example ‘Education and Training,’ ‘Community Benefit’ and ‘Local Content’ which are important considerations when assessing

individual project proposals. For the avoidance of any doubt only those parts of the Council's HRES which are compliant with Scottish Government SPP remain in force.

National Policy

8.10 There is strong support for renewable energy development in national policy. The Scottish Government has a target of 50% of Scotland's electricity demand generated from renewable resources by 2015 and 100% of demand by 2020. These targets are not a cap. As the technology is well developed it is expected that the majority of this energy will come from on-shore wind farms.

8.11 Notwithstanding the overarching context of support, SPP recognises that the need for energy 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 in securing appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy. National policies highlight potential areas of conflict but also advise that detrimental effects can often be mitigated or effective planning conditions can be used to overcome potential objections to development.

8.12 Criteria outlined within SPP for the assessment of applications include landscape and visual impact; effects on heritage and historic environment; contribution to renewable energy targets; effect on the local and national economy and tourism and recreation interests; benefits and dis-benefits to communities; aviation and telecommunications; noise and shadow flicker; and cumulative impact.

8.13 The Council is responding positively to the Government's renewable energy agenda and specifically to the recently revised targets. The Scottish Government advised that operational onshore wind energy capacity at 30 June 2014 was 6,823MW; equating to ~40% of Scotland's Gross electricity consumption. Highland onshore wind energy projects in operation as of April 2014 have a capacity to generate 1,632MW; approximately 25% of the national installed capacity. There is a further 1,030MW of consented on-shore wind and 2,500MW off-shore wind in Highland.

8.14 In view of this record and that Highland has substantial areas that may be capable of satisfactorily absorbing renewable developments without such significant effects, the Council could take a more selective approach to determining which wind farm developments should be supported, consistent with national and local policy. This is not treating targets as a cap or suggesting that targets cannot be exceeded; simply recognition of the balance that is called for in both national and local policy.

8.15 Assuming that the impacts of the proposed development do not have a significant impact upon the landscape resource, amenity and heritage of the area then the development could be seen to compatible with Scottish Government policy and guidance and make a useful contribution to the Government, UK and European energy targets.

Roads and Transport

8.16 It is anticipated that the turbine components will arrive at Kyle then be transported to site via the A87(T) to Sligachan, then via the A863 Sligachan-Dunvegan local road. This tried and tested route, which was used for the Ben Aketil development, is also expected to be the route for most construction vehicles.

8.17 The development will result in an increase in traffic on the road network during construction; somewhere in the region of 49 vehicle movements per day. The impact on total traffic flows on the A87(T) is considered low as a whole and medium when considering HGV flow. For the local road network however this increase in HGV activity is considered to be high.

8.18 Subject to conditions relating to the movement of abnormal loads and signalisation required on the trunk road network, Transport Scotland has no objection to the proposal. Neither does the Council's Transport Planning Team. In recognising the potential impact however, it has requested that should permission be granted that it is on the basis that the applicant enter into a 'wear and tear' agreement, with before and after survey, confirmation that structures along the length of the route have capacity for the development, and that a construction traffic management plan be put in place, including measures for community liaison.

Peat, Peat stability and Carbon Balance

8.19 Peat is found at all turbine locations. Having said that, all but two of these turbines would be located within peat greater than 1m in depth; Turbine 14 is positioned within peat depth of 2.3m and Turbine 10 within peat depth of 1.1m. A Peat Management Plan is proposed to deal with the temporary storage of excavated peat.

8.20 In terms of peat stability, while naturally occurring peat slide events are relatively rare in Scotland, they are not unknown. A study of the site with regard to potential peat slide has been carried out. This has included a desk study, site visit and peat slide risk assessment. Turbines 5, 8 and 9 are located on peat where there is a moderate risk of slide with Turbines 11 and 14 on the periphery of similarly identified areas. Careful construction methodology and sound management of stored peat will be essential to minimising effects.

8.21 The applicant has assessed the potential impact on climate change, providing carbon balance calculations as requested by SEPA. This shows that annual carbon savings will be around 43,940 tonnes of CO_2 through the displacement of grid electricity. This appears consistent with similar projects within similar soil conditions elsewhere in Highland.

Construction impacts and pollution control

8.22 The most significant sensitive receptors during construction are the peat habitat within the site and the River Ose, and its tributary's which, although not designated is nonetheless, as identified by an objector to the scheme, an important local

fishing river with Atlantic Salmon/Sea Trout populations. Care is therefore needed to avoid particulate or chemicals entering the groundwater which could affect the spawning grounds.

8.23 The applicant has committed to a number of mitigation measures relating to pollution prevention. These are set out within a draft Construction Environmental Management Plan (CEMP) and Peat Management Plan. SEPA has no objection to the proposals subject to conditions to secure the mitigation proposed. This can be achieved by the submission of a comprehensive Construction Environmental Management Document (CEMD), to include proposals for effective monitoring, and individual Construction Environmental Management Plans (CEMPs), including proposals for peat management, to be finalised and submitted prior to the commencement of work on site. This can be secured by condition.

8.24 In addition to the effects on watercourses and habitat, there is some potential for construction related noise and activity impacts that could affect near neighbours. While the ES assesses the effect on neighbouring sensitive properties as not significant, the ES sets out mitigation to reduce the potential impact. These measures include:

- Limiting audible construction work and HGV deliveries to 07:00 – 19:00 Monday to Friday and 07:00 – 13:00 on Saturday, with no work being carried out on a Sunday;

- Adherence to British Standard 5228 best practice, including proper maintenance of equipment and the use of noise attenuation apparatus;

- Liaison with neighbours on work schedule.

8.25 While it is no longer considered suitable to control construction hours through planning conditions, bespoke powers for regulating construction noise exist within the Control of Pollution Act 1974; powers which enable Environmental Health to specify working hours where problems exist. A condition can, however, be applied placing a restriction on vehicles entering/existing the development during certain times, as proposed in the ES, in order to reduce the potential for impact on residents. This, in conjunction with a construction traffic management plan, as requested by Transport Planning will assist in regulating activity on the public road network in the interests of amenity.

8.26 Noise impact mitigation measures (which may include workings hours) will also form part of a Construction Environmental Management Document (CEMD).

Natural Heritage

8.27 There are no natural heritage designations on the wind farm site. The Cuillins Special Protection Area (SPA), the features of which are its breeding population of golden eagle, lies 12km to the south-east. While the Ascrib, Isay and Dunvegan Special Area of Conservation (SAC) is also nearby, it is the Cuillins SPA that is of most interest to this application since there is direct connectivity with the designation given that the site lies with the golden eagle range, with the nearest

nesting site only 3km distant. The effect on golden eagle has been the most significant single consideration in the planning process for Edinbane and Ben Aketil wind farms. Experience gained from these developments has however provided an essential insight into eagle activity and behaviour in Skye and this has been used to good effect with this application.

8.28 The ES predicts that over the lifetime of the development a maximum of one golden eagle would be affected by collision. With a current breeding population of 30 pairs in Skye and 67 pairs in the Western Seaboard Natural Heritage Zone (NHZ), a single mortality is not considered by the applicant to be significant. The applicant adds that since there have been no reported collision induced golden eagle fatalities in Scotland that this figure is precautionary.

8.29 From a cumulative perspective, the predicted mortality arising from Ben Aketil and Edinbane is 8 over the lifetime of those schemes. This would result in a theoretical cumulative loss of 9 eagles. The ES identifies that the breeding success of the golden eagle within the NHZ is such that there is capacity to absorb this. SNH considers that the proposal is unlikely to have a significant effect on the on golden eagle and on this basis has no objection.

8.30 As required when considering development that may affect a Natura site the competent authority must assess the likely impact before coming to its decision. It is SNH's opinion that the proposal is unlikely to have a significant effect on the qualifying interest of the Cuillins SPA and therefore it advises that the Council need not undertake an appropriate assessment. This view has been reached as the site lies beyond the 6km connectivity distance for golden eagles and that there is a non-SPA eagle territory between the development and the SPA so direct impacts on territorial eagles within the SPA is very unlikely. In addition SNH agrees with the assessment in the Environmental Statement which indicates that the regional golden eagle population will remain at favourable conservation status.

8.31 Turning to ornithological interests more generally, as opposed to specific designations, the site surveys indicate that moorland bird assemblage is limited to low numbers of common sandpiper and snipe. With regard to raptors, the site is used by buzzard and sparrowhawk but to a low level. Hen harrier, which is an Annex 1 (EU Birds Directive) species, and peregrine, protected by Schedule 1 of the Wildlife and Countryside Act 1981, were observed over the site but not at potential risk height. The effect on these species is considered negligible.

8.32 The population of white tailed eagle within Skye, which is afforded the highest protection under Schedule 1 of the Wildlife and Countryside Act 1981, has been steadily increasing over recent years. Since their reintroduction into Scotland in 1985, there are now over 70 breeding pairs in Scotland and 40 breeding pairs within the Western Seaboard NHZ. Skye alone has somewhere around 15 breeding pairs. The ES identifies that until 2013 there were no known white tailed eagle nests within 5km of the development and that a nest has been located within a plantation approximately 750m from the nearest turbine. This most recent nest has however failed to produce young. It is possible that wind farm activity and operation may deter future breeding.

8.33 While no wind farm collisions for this species have been experienced in Scotland, the estimated theoretical collision risk to white tailed eagle as a result of this wind farm is predicted to be one loss every 7.7 years. This is considered to be of low magnitude. When considering cumulative effect, in much the same way as with golden eagle, the relevant schemes are Ben Aketil and Edinbane. The combined theoretical mortality is estimated to be six over the operation of the wind farm. This is considered unlikely to have significant impact on the regional population. While RSPB is of the opinion that further survey work should have been undertaken, SNH considers that there is sufficient information in which to come to a conclusion on the scheme. SNH agrees with this applicant's conclusion.

8.34 No mitigation is proposed for golden eagle but the applicant suggests that throughout the year regular searches for fallen stock and deer will be carried out within 200m of any turbine to reduce the likelihood of white tailed eagle collision. SNH agrees with this mitigation and suggests that it should be a condition of any planning permission granted.

8.35 Looking to European Protected Species (EPS), there is potential for the habitat within and adjacent to the site to support two species in particular; otter and bat.

8.36 In respect of bat, pipistrelles were recorded foraging the woodland edge to the north. Given that the turbines are located within open moorland, it is unlikely that these bats would forage over the wind farm site itself. The applicant considers that there would be no significant impact on bat species resulting from the development. SNH agrees that the risk to bat would be low.

8.37 With regard to otter, the ES identifies that there were signs of otter along the River Ose but no breeding or resting sites were observed. The applicant considers that there will be no significant impact to this species. SNH recommends, on the basis of the length of time between the surveys having been undertaken and the likely date of construction, that mitigation measures are incorporated into any permission granted. This includes:

- Pre-construction surveys using a suitably qualified ecologist and following the standard methodologies specified on our website should be undertaken for otter within 12 months of construction works starting
- All contractors are to be made aware of the possible presence of protected species frequenting the site and the law relating to their protection
- Should an otter holt be found at any time during construction all works within 250m of the holt should stop immediately and SNH's Portree office contacted for advice.
- The contractors will either cover excavations at the end of the day or leave ramps in the excavations to allow animals to escape.

8.38 In terms of site habitat, the site is predominantly wet heath and blanket bog, which are listed under Annex 1 of the European Habitats Directive, with patches of acid grassland and dry heath. The ES states the applicant considers the impact on habitat resource to be of minor significance since effort has already been taken to

design the scheme to minimise effects on blanket bog and Ground Water Dependent Terrestrial Ecosystems (GWDTE), which are distinct water based ecosystems protected under the EU's Water Framework Directive.

8.39 SNH considers that it should be possible to further avoid the most sensitive habitats through micro-siting and that this should be addressed in the Construction and Environmental Management Plan (CEMP). SNH advises that the 2012 habitat survey also highlights the poor condition of the blanket bog through chronic overgrazing and burning. It suggests that the habitat impacts associated with the construction of this project could be further offset, and the general biodiversity of the site improved, by providing positive habitat management and recommends that a Habitat Management Plan is produced to improve the condition of the blanket bog and other Annex 1 habitats on the site.

8.40 SEPA is content that, with appropriate mitigation, the impacts on GWDTEs are acceptable. As with SNH, SEPA requests that within the CEMP it should be demonstrated how micro-siting has been used to minimise impacts on highly groundwater dependant flush and marsh/marshy habitats in particular.

Built and Cultural Heritage

8.41 While there are no scheduled monuments within the site there are 18 within 10 kilometres. Of these, 5 would have some theoretical visibility of the wind farm:

- Dun Feorlig Broch (SM-3494) ~ 4km
- Ullinish Lodge Cairn (SM-903) ~ 3.7km
- Ullinish Fort (SM-930) ~ 4.3km
- Ardmore Chapel (SM-3884) ~ 5.4km
- Barpannan Chambered Cairns (SM-893) ~ 4.6km

8.42 The applicant has assessed the indirect effects upon the setting of these scheduled monuments. This concludes that the effects would be at worst moderate. Historic Scotland agrees with the assessment.

8.43 Although not of national interest, 194 archaeological features were identified within the site boundary. Significant effort has been made to design the layout to avoid direct impact on archaeology. Only two features, an old quarry and a peat cutting, would be affected by the proposal arising from the construction of the access track to the first turbine. It is not recommended by the consultant archaeologist that these be preserved.

8.44 Assessment of indirect effects on features within the site has however been limited, a point picked up by the Historic Environment Team (HET). In its response HET advises that the effect on Dun Arkaig broch, which sits in the middle of the scheme, has not been appropriately considered. It believes that the proposal would have a major impact on a feature that has potential to be of national importance. Having said that, subject to mitigation in the form of Cultural Heritage Interpretation, Access and Management Plan the Team has no objection.

8.45 Dunvegan Castle, which is Category A listed, and it's Inventory Garden and Designed Landscape lies approximately 11.3km north-west of the proposed turbines. The turbines will not be visible from the castle or grounds. They may however be seen in the same view as the castle, particularly when viewed from higher ground to the west. The applicant's assessment of this impact from MacLeod's Table is moderate/minor. Historic Scotland considers that at this distance significant adverse impacts are unlikely. Historic Scotland has no objection.

Visual impact and impact on landscape resource; including cumulative effects

8.46 The form and layout of the development as presented in the application has been subject to an iterative design process. Early iterations were for an 18 turbine scheme straddling the River Ose. The applicant is of the view that placing turbines to one side of the glen only will have significantly less impact on the local landscape character and the amenity of residents, particularly those on the Balmeanach Road. Notwithstanding that the height of turbines, 119m to tip, is 19.5m higher than Edinbane the applicant is of the view that these are compatible with the scale of the landscape and are arranged in such a way as to compliment the neighbouring Ben Aketil and Edinbane developments.

8.47 Fundamental to assessing both landscape and visual impact of the proposed layout is Chapter 7 of the ES, Landscape and Visual Impact, along with the associated figures and appendices, which together comprise the Landscape and Visual Impact Assessment (LVIA) element of the ES. The purpose of LVIA is to identify and record the potential significant effects of the proposed development on the receiving environment, including the landscape, landscape character, special designations, views and amenity. Impacts are assessed both in terms of the proposal itself and cumulatively with Edinbane and Ben Aketil, which are the only other significant consented or proposed developments within a 35km radius.

8.48 The wind farm is situated within a landscape character type (LCT) described as 'Stepped Moorland' in the Skye and Lochalsh Landscape Character Assessment (SNH, 1996) with the northern part of the site, which contains five turbines, falling within 'Smooth Moorland' LCT that the adjacent Edinbane wind farm lies within. Defining characteristics of the Stepped Moorland LCT are the stepped and undulating landform that has rugged appearance and sense of openness. It is a sub-type of the Smooth Moorland LCT, the key characteristics of which are the gently undulating or sloping landform with smooth texture and is its exposure that results in extensive visibility.

8.49 The Skye and Lochalsh Landscape Character Assessment recognised that this landscape character is more favourable than others for wind farm development due *"to its consistent wind speeds, open space and unrestricted landform."* It suggests that a wind farm would appear most appropriate where it is located in wide open areas of this landscape type so as not to dominate the surrounding space.

8.50 With regard to design it considers that the layout of a wind farm will appear most rational where it is arranged in a clearly ordered manner of its own. This suggests that wind farm development is likely to be more successful as a single cohesive

focal element, i.e. on its own, than as part of a cluster of turbines that affect an entire area. However, SNH states: "*The addition of a third wind farm into this landscape would not significantly alter the perception of scale. The turbines would inevitably alter the character of the landscape by increasing the proportion of the views where turbines are present. Nevertheless, in most views (and certainly most distant views) it remains a wide open landscape with a strong horizontal emphasis that is not dominated by the turbines."*

8.51 It is considered that the design of the proposed scheme, in particular the location, alignment, spacing and height of the turbines, will complement the existing Edinbane and Ben Aketil developments albeit that the schemes are all of distinctly different character. Given the extent of this landscape type within this part of Skye, the proposed development is unlikely to have a significant effect on landscape character, particularly when viewed from afar and the applicant's conclusion, that there will be no significant impact on landscape character, is accepted.

8.52 The 'zone of theoretical visibility' (ZTV) contained within the Environmental Statement (ES) indicates that the turbines, while relatively contained to the west/south-west, will be visible at higher elevation on the Trotternish peninsula and the Cuillins. SNH considers that although visible from key viewpoints within the Cuillin Hills National Scenic Area (NSA) and Trotternish NSA that the proposal will not adversely affect the qualities for which they have been designated or the integrity of either NSA.

8.53 The main areas of visibility will be within 15km of the site. At its closest point the wind farm is 2km from the North West Skye Special Landscape Area (SLA) the key qualities of which are the dramatic coastline, crofting landscapes and distinctive terrain (prominent flat toped hills). Visibility of the wind farm would be extensive within this SLA. The proposed development would appear in the background of many views which exhibit special qualities of the SLA, such as from Idrigill point across the seascape of Loch Bracadale. However, in SNH's view *"the fact that the foreground interest would be unaffected, and there is already existing wind farm development in the background, means that any adverse effects on the special qualities of the SLA would be very localised. In our view the integrity of the SLA would be maintained."* This opinion is accepted.

8.54 The effects on visual amenity relate to changes to available views rather than perceived changes to whole areas of a distinctive landscape character. 14 viewpoints (VPs) were selected in order to assess visual and landscape impact, following discussion with the Council and SNH and the preparation of the ZTV diagram. Visualisations in line with Highland Council Standard have been produced for all viewpoints.

8.55 The conclusion in the ES is that there will be no significant effect from the majority of viewpoints, with significant adverse impact being restricted to four VP's only; at Balmeanach (VP1), Harlosh (VP2), Ose (VP7), A863 Gearymore (VP8). These are all within 5km of the development. However, it is considered that the ES underplays the significance of effects across the board by considering a 'moderate' impact as not significant. This impact would normally be considered significant. Taking this approach, the experience from a further seven viewpoints would be

considered to be of significant impact. These viewpoints are all within 12km of the development and include Feorlig (VP3), Roag (VP4), Glen Heysdal (VP5), Broan (VP6), Fiskivaig (VP9), Idrigill Point (VP10) and VP(12) MacLeod's Tables.

8.56 While it must be recognised that the visualisations do not provide the entire context when not viewed on site, they do however demonstrate the predicted effects well. The following VPs are considered further:

- VP1 – Balmeanach
- VP2 – Harlosh
- VP3 – Feorlig
- VP5 – Glen Heysdal
- VP7 – Ose
- VP8 - A863 Gearymore
- VP10 - Idrigill Point
- VP12 - MacLeod's Table

VP1 – Balmeanach

8.57 This view is chosen to represent the effect of the proposed development on sensitive receptors, in this case residents, on the Balmeanach Road. The nearest turbine is approximately 2.2km from the viewpoint which is just outside the property known as Allt Ruairidh.

8.58 There is no direct view of the turbines from Allt Ruairdh but the visualisations demonstrate the prominence of the turbines, sitting just below the ridge of the landform, within the principal view of two properties along this road. Having said that, the orientation of the majority of the properties on Balmeanach Road is to the south-west and not south-east towards the development. Residents will however be aware of the presence of turbines when going about their daily lives. The effects on visual amenity to residents on the Balmeanach Road will be both direct and indirect and significant. There is no visual relationship between this scheme and the Edinbane wind farm in this view.

VP2 – Minor Road, Harlosh

8.59 This view is approximately 4.6km to the west of the proposed development on the east side of the community of Harlosh looking over Loch Caroy. The view is representative of the experience of road users and residents within a small number of properties that face east.

8.60 The visualisations illustrate that the development will add to the horizontal extent of wind turbine development within this generally open vista. There is an element of overlapping of turbines but this reinforces the design and layout i.e. linear positioning along the length of the glen. A significant proportion of the view would be occupied by the development. Some of the Edinbane turbines would be within the wider view to the north. The applicant considers the effect to be significant. This is considered an appropriate assessment.

VP3 – Feorlig

8.61 This view is chosen to represent the effect of the proposed development on the experience of residents and particularly the small cluster of residential properties at this location. The viewpoint is approximately 4km from the development and 1km north of VP2. It sits at a lower elevation than VP2.

8.62 The visualisations demonstrate that, as was the case with VP2, the development will appear within a significant proportion of the available view. Again in wider views turbines from the Edinbane scheme will be visible. Two properties here will look directly onto the scheme. The scheme is located behind the skyline in this view but with hubs and blades evident. It is questionable whether this reduces or increases the impact on visual amenity. The applicant considers the effect on this view as not significant. Given the distances involved and the introduction of such a scheme at relative close proximity it is considered that this impact is somewhat underplayed. It is considered significant.

VP5 – Glen Heysdale

8.63 Viewpoint 5 is located just off the A863, approximately 4.6km from the closest turbine. Although not on the A863 this view is fairly representative of the experience one would have of the wind farm if travelling south on this route. The ZTV indicates that it is around this point on the A863 when the wind farm would become most visible when travelling south.

8.64 The development will occupy a prominent position behind the ridgeline in the middle of the view. From this elevation it will be back-clothed to an extent by the hills beyond but as one travels downhill the benefit of this will be lost. The landscape here is relatively intimate, which although containing the impact nonetheless emphasises the prominence of the turbines.

8.65 From the perspective of residents, there are very few properties with an aspect towards the development. It is likely that residents would on the whole have oblique views. However, residents would be aware of the presence of turbines when going about their daily lives. Some residents, particularly those further up the glen, would be aware of the Ben Aketil and Edinbane turbines in addition to the proposed wind farm while going about their daily activity. Again, notwithstanding the applicant's assessment, the visual effect on the viewpoint is considered to be significant.

VP7 – Ose

8.66 This view is within the small settlement of Ose, which sits to the north-east of the A863, 2.2km from then nearest turbine. It is representative of the views likely to be experienced by residents and, given that at least one property is a B&B, tourists. The orientation of the properties is such that there will be no direct views of the proposed wind farm; any views would be oblique. However, the wind farm would have a significant presence. Although not intended to be, this viewpoint is a reasonable proxy for the visual effect from the A863 at this point. The Edinbane wind farm is not present within the view but is visible from within the community.

8.67 From this perspective the visualisations demonstrate a less satisfactory visual relationship between turbines, with a number overlapping in the centre of the view, although the strong linear form remains evident. As with VPs 1 and 3, the turbines sit behind the ridgeline in the middle distance, with in the main only hubs and blades showing. However, perhaps either as a result of appearing more contained within the landscape or not being back-clothed by hills beyond results in a less significant effect. The applicant considers that the impact is significant. Given the proximity to residents and those travelling on the A863 this is not disputed.

VP8 - Gearymore

8.68 This viewpoint is located just off the A863 at the settlement of Gearymore. It is representative of the views experienced by residents and road users and is 2.2km from the nearest turbine. None of the properties would have direct views of the wind farm. The viewpoint is approximately 1km from where the wind farm would most likely become noticeable when heading north on the A863. The schemes visibility with Edinbane overlaps within this area.

8.69 The effect of the development is similar to that at VP7 but more contained within the landscape. Edinbane wind farm is more evident in this view but back-clothed and therefore generally recessive. The applicant considers that the impact of the scheme is significant. It is considered that, given the prominence and proximity of the turbines, this is an appropriate conclusion.

VP11 - Idrigill Point

8.70 This view is on the coastal path to the north of Idrigill Point on the eastern edge of the Duirinish peninsula. The viewpoint lies within the North West SLA and is 9km from the nearest turbine. It is representative of views experienced by walkers.

8.71 In this view, the extent and openness of the smooth landscape character type in which the turbines sit is evident. Edinbane wind farm is in the wider view but again back-clothed and recessive. The Glen Ullinish scheme is not only closer but also more prominently located within the landscape when viewed from this point. A significant proportion of the view would contain wind farm development albeit those schemes will not coalesce. While not adversely impacting upon the qualities of the SLA, the prominence of the wind farm development in the view results in a magnitude of change greater than that stated by the applicant. Accordingly the impact is considered to be significant.

VP12 - MacLeod's Tables

8.72 This view is from MacLeod's Tables, which sits within the North West SLA, at a distance of approximately 11km from the nearest turbine. It is representative of views experienced by walkers.

8.73 The strong linear grid layout is evident in this view. The turbines are entirely back-clothed by the hills within the middle distance. Views are to the mountains beyond. The visualisations illustrate the extent of the smooth landscape character type within this part of Skye and, even taking into consideration the combined effect with

Ben Aketil and Edinbane, that this development would have relatively low impact on the landscape resource. However, from the perspective of visual effect the applicant's assessment is that the impact would be 'moderate' and thereforein its opinion not significant. Even at 11km distance and with existing wind farm activity within close proximity turbines of this scale will introduce a more substantial change than credited. It is considered that the effect is more appropriately identified as significant.

8.74 It is considered that the magnitude of change identified by the applicant for many of the viewpoints has been wrongly categorised; noted as 'low' as opposed to 'medium' in many instances. In addition, many effects on viewpoints are identified as 'moderate' which is normally in EIA terms a threshold for an effect to become significant. The consequence of this is that the significance of effect is considered to be underplayed, particularly within views within the 5 - 10km distance range. So, of the eight viewpoints within 15km of the site that have been considered in the preceding paragraphs the wind farm is considered to have a significant effect on views. Although not detailed above, the effects on visual amenity should also be considered significant from Roag (VP4), Broan (VP6) and Fiskivaig (VP9).

8.75 Having said this, the overall conclusions that the impact on visual amenity is of greatest significance at Balmeanach and within and around the Ose, Gearymore and Glen Heysdal corridor is accepted. The scheme has a generally confined visual influence set within an open landscape that is already influenced by wind turbine development. While there is a cumulative effect, Ben Aketil, Edinbane and Glen Ullinish will maintain their individual design and identity at the same time as managing to compliment one another within their setting without altering the overall character of the landscape.

Noise and vibration, including cumulative effects

8.76 The development will result in additional noise and activity during construction. The effect of this is however assessed as not significant given that the nearest noise sensitive receptor is over 940m from the turbine working areas. Good site practices will minimise the potential effects of noise and vibration.

8.77 An operational noise prediction assessment based on actual noise monitoring was carried out for the nearest noise sensitive receptor which is at Glen VicAskill (940m to the north-west); the owner of which has a financial interest in the Edinbane wind farm which is situated 1km behind the property. In addition, a predicted noise assessment was carried out for other properties within 3km of the development along Balmeanach Road and at Ose and Gearymore. These predictions indicate that the operational noise of the development could meet with the simplified 35dBA_{LA90} limit at all properties except for Glen VicAskill which would have a predicted level of 38.2dBA_{LA90}.

8.78 Environmental Health had questioned the applicant's cumulative noise assessment which appears to factor in the available 'headroom' from the existing schemes of Ben Aketil and Edinbane to reach acceptable cumulative limits. In reality, only Glen Ullinish in combination with Edinbane is likely to be of significance and only then this effect will be on the property at Glen VicAskill. It has been confirmed that

the owner has a financial involvement in Glen Ullinish as well as Edinbane and therefore the maximum limit of 45dBA_{LA90} would be permissible. The applicant considers this to be achievable.

8.79 Environmental Health has no objection to the application subject to conditions.

Aviation

8.80 Neither the MOD nor CAA object to the proposals but a request has been received for aviation lighting. This is requested for all turbines. An appropriate lighting scheme, using infrared lighting where possible, to reduce the introduction of light within a largely undeveloped and light-free area, is a matter that can be addressed by planning condition.

Radio/TV and other Networks

8.81 The ES includes an assessment on local telecommunication services including TV and radio. No fixed link telecommunications systems are likely to be affected.

8.82 With regard to the impact on TV reception, the ES states that with the digital switchover now complete for Scotland that the likelihood of picture interference is significantly reduced. The ES accepts that if an effect does occur that mitigation can be put in place. The Council has a standard practice of requiring developers to address adverse impacts that may emerge during construction and over the initial year of operation when problems may be detected and/or experienced.

Decommissioning and Site Restoration

8.83 At this stage, the applicant proposes that, other than the access tracks, all elements of the proposal will be decommissioned at the end of its operational life. While the access tracks are proposed to be left to facilitate public access, it is not current preference to retain all tracks and even then not without significant reduction in scale. The ES considers that site decommissioning is likely to take around 2-4 months. Adding restoration to the timescale however will likely result in the development taking something in the order of 12 months to appropriately decommission.

8.84 A Decommissioning & Restoration Plan to manage removal of the development upon the expiration of the consent, as requested by SEPA, is standard practice and can be secured by condition.

8.85 In addition, the Council seeks a bond or financial mechanism to cover the full costs of site restoration. While the mechanism for securing this has on occasion been secured through planning conditions, the applicant has agreed to enter into an agreement under S75 of the Act which is the preferred approach.

Access and Recreation

8.86 The Council's access officer considers that the site of the wind farm is not generally used for recreational access. Public access during the construction phase can therefore be more easily managed. In the opinion of the Council's access officer the enhanced access provision brought about by the development would benefit the community, in particular disabled ramblers, who are already making use of the generally higher standard of finished surface and gentler gradients of other wind farm tracks in the area. A request is made for linking the wind farm network of tracks to Core Path SL28.01 - Loch Caroy to Glen Vic Askill. Although this lies outwith the site area, any link would be within the applicants control since it lies within land controlled by the same landowner(s). Such enhancement can therefore appropriately be sought via planning condition.

Socio-economic impact/tourism

8.87 Separate studies have been carried out by industry and the Scottish Government into the effects of wind farm developments on tourism and public acceptability respectively, for example; The Scottish Government commissioned report *Economic Impact of Wind Farms on Tourism in Scotland* (2008) undertaken by Glasgow Caledonia University/Cogent Si and more recently a questionnaire survey *Wind Farm Consumer Research* (2011) conducted by OnePoll for Visit Scotland. These studies have indicated both benign and positive effects.

8.88 The applicant recognises the importance of tourism to Skye and has taken this into consideration in the assessment of socio-economic impacts. There is however limited statistical information on visitor origin, activity and length of stay for Skye therefore the applicant has used more generic information for the Highlands and Islands area as a whole. Whether domestic of foreign visitors, the main reason for visiting is for a holiday with an average length of stay of 4.2 nights.

8.89 The main reason to visit Skye is to undertake activities such as walking/mountaineering, fishing, shooting, sailing, sightseeing and visiting destinations for their wildlife or historical/cultural interest. The application site or immediate environs are not really a destination in themselves in respect of tourism and therefore the effects are indirect and more related to perception of the landscape and visual amenity when travelling through the area. While the applicant views the effect on visual amenity to be moderate from significant landscape features such as MacLeod's Tables given the distance and context, in a lower lying landscape which has existing wind farm development, it is unlikely that this would impact significantly on tourism. Even where visual impacts are considered to be more significant, such as from the A863, this impact is over a short duration.

8.90 Within the ES, the applicant refers to the positive socio economic impacts that the construction of a wind farm can have. Until such time as a viable turbine manufacturing base is established within the Highlands, it is unlikely that schemes will be capable of meeting with the agreed guideline levels for local content identified within HRES. While the developer is Scottish based, not Highland based, it is anticipated that the Skye economy will benefit directly during construction.

8.91 The applicant has provided an assessment of the value to the local economy. Of a total construction investment of approximately £55M, the applicant estimates that around £5M of this is likely to go directly to local contractors and may directly support as many as 10 Skye jobs during the 12 month construction period. The applicant intends to create positions for 2 new apprentices and it is hoped that these individuals will be recruited from the local area. The applicant also estimates that during the lifetime of the project (25 years) a further 2 full time equivalent jobs may be created in Skye through operation and maintenance activity.

Other material considerations

8.92 There are no other material considerations.

9.0 CONCLUSION

9.1 The Development Plan and national policy support renewable energy development, with a range of differing technologies, where projects can be located without undue environmental or amenity impact. Remarkably there are very few representations against the proposal that highlighted conflict with protected species, loss of peat, the effects on wilderness/landscape resource and the visual impact/scenic quality of the area whether as a result of this development on its own or in combination with the neighbouring Edinbane and Ben Aketil operational wind farms. Indeed there is a considerable body of local support for the development.

9.2 As is evident from the assessment, many of the impacts of the proposed development, even those connected with protected habitat and species and designated sites, will not be significantly detrimental and could be adequately controlled through both the mitigation measures proposed or through conditions. The major residual issues for the Council in this case relate to the impact on landscape and in particular visual amenity.

9.3 The acceptability of a proposal with regard to its visual impact is largely a subjective matter. It is considered in this case that there will be additional adverse visual effects to properties within the communities closest to the scheme. This will also be the case for those who travel the A863. However, for the latter the extent of this visibility and effect is very localised. The wider visual influence is no greater than for that of the existing neighbouring schemes at Edinbane and Ben Aketil.

9.4 While it is acknowledged that the existence of other wind farms within an area should not in itself justify overcrowding an area with yet more development, the visualisations demonstrate that the three neighbouring schemes will maintain their individual character yet work well as a cluster that will maintain as far as possible the open views over the remainder of the landscape resource. The advice from SNH, which does not object to this proposal, supports this.

9.5 The benefits of the proposal must be weighed against potential drawbacks and then considered in the round. The project carries considerable support in principle by virtue of the Government's policy and targets towards greater renewable energy production. With a generating capacity of up to 42MW the proposal would make a useful contribution to meeting both national and The Highland Council's own

renewable energy targets. The proposal will create a number of construction jobs, albeit short term, as well as providing wider economic benefits to the local economy during the construction of the wind farm. The applicant has been able to demonstrate that many of the potential adverse impacts can be adequately addressed and that there will be benefits also.

9.6 In summary, while the development will become a significant feature of the local area, it is considered that the proposed layout is acceptable in terms of design and layout and the Glen Ullinish, Edinbane and Ben Aketil schemes can co-exist in the landscape. The visual impact, while significant from many of the viewpoints, is not considered to be significantly detrimental either on its own or when taken cumulatively with other developments in the area.

9.7 In view of this, it can be concluded that the proposals would comply with the Development Plan.

10.0 RECOMMENDATION

It is recommended the application be **GRANTED** subject to:

A. The prior conclusion of a legal agreement to secure;

i. A financial bond to address site restoration,
ii. A financial bond to address 'wear and tear' on the public road; and

B. The following conditions and reasons:

1. For the avoidance of doubt, unless amended by the terms of this permission, the development shall be constructed and operated in accordance with the provisions of the application, the submitted plans, and the Environmental Statement. This permission shall be for 14 turbines, with a maximum height to tip of 119m, to be sited as shown on the Development Layout Plan (APP-001) dated 18.06.2014.

Reason: In order to clarify the terms of permission.

2. This planning permission shall expire and cease to have effect after a period of 30 years from the date when electricity is first exported from any of the approved wind turbines to the electricity grid network (the "First Export Date"). Upon the expiration of a period of 25 years from the First Export Date, the wind turbines shall be decommissioned and removed from the site, with decommissioning and restoration works undertaken in accordance with the terms of Condition 2 of this permission. Written confirmation of the First Export Date shall be submitted in writing to the Planning Authority within one month of the First Export Date.

Reason: Wind turbines have a projected lifespan of 25 years, after which their condition is likely to be such that they require to be replaced, both in terms of technical and environmental considerations. This limited consent period also enables a review and, if required, reassessment to be made of the environmental impacts of the development and the success, or otherwise, of noise impact,

species protection, habitat management and mitigation measures. The 30 year cessation date allows for a 5 year period to complete commissioning and site restoration work.

3. No development shall commence until a draft Decommissioning and Restoration Plan (DRP) for the site has been submitted to, and approved in writing by, the Planning Authority in consultation with SNH and SEPA. Thereafter:

   i. No later than 3 years prior to the decommissioning of the development, the draft DRP shall be reviewed by the Wind Farm Operator and a copy submitted to the Planning Authority for their written approval, in consultation with SNH and SEPA; and

   ii. No later than 12 months prior to the decommissioning of the development, a detailed DRP, based upon the principles of the approved draft plan, shall be submitted to, and approved in writing by, the Planning Authority, in consultation with SNH and SEPA.

   For the avoidance of doubt, unless otherwise stated within this decision notice, the DRP shall include the removal of all aboveground elements of the development, all new access tracks, the treatment of disturbed ground surfaces, management and timing of the works, environmental management provisions and a traffic management plan to address any traffic impact issues during the decommissioning period. The detailed Decommissioning and Restoration Plan 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.

4. The Wind Farm Operator shall, at all times after the First Export Date, record information regarding the monthly supply of electricity to the national grid from each turbine within the development and retain the information for a period of at least 12 months. The information shall be made available to the Planning Authority within one month of any request made by them. In the event that:

   i. any wind turbine installed and commissioned fails to supply electricity on a commercial basis to the grid for a continuous period of 6 months, then the wind turbine in question shall be deemed to have ceased to be required. Under such circumstances, the wind turbine, along with any ancillary equipment, fixtures and fittings not required in connection with retained turbines, shall, within 3 months of the end of the said continuous 6 month period, be dismantled and removed from the site and the surrounding land fully reinstated in accordance with this condition; or

   ii. the wind farm fails to supply electricity on a commercial basis to the grid from 50% or more of the wind turbines installed and commissioned and for a continuous period of 12 months, then the Wind Farm Operator must notify the Planning Authority in writing immediately. Thereafter, the Planning Authority may direct in writing that the wind farm shall be decommissioned

and the application site reinstated in accordance with this condition. For the avoidance of doubt, in making a direction under this condition, the Planning Authority shall have due regard to the circumstances surrounding the failure to generate and shall only do so following discussion with the Wind Farm Operator and such other parties as they consider appropriate.

All decommissioning and reinstatement work required by this condition shall be carried out in accordance with the approved detailed Decommissioning and Reinstatement Plan, or, should the detailed Decommissioning and Reinstatement Plan not have been approved at that stage, other decommissioning and reinstatement measures, based upon the principles of the approved draft DRP, as may be specified in writing by the Planning Authority.

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

5. No development shall commence until details of the proposed wind turbines have been submitted to, and approved in writing by, the Planning Authority.

These details shall include:

i. The make, model, design, power rating and sound power levels of the turbines to be used; and

ii. The external colour and/or finish of the turbines to be used (incl. towers, nacelles and blades) which should be non-reflective pale grey semi-matt.

Thereafter, development shall progress in accordance with these approved details and, with reference to part ii above, the turbines shall be maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned. For the avoidance of doubt, all wind turbine blades shall rotate in the same direction.

Reason: To ensure that the turbines stated in the application are used in the development and are acceptable in terms of visual, landscape noise and environmental impact considerations.

6. No development shall commence until final details of the location, layout, external appearance, dimensions and surface materials of all control and/or substation buildings, welfare facilities, compounds and parking areas, as well as any fencing, walls, paths and any other ancillary elements of the development, have been submitted to, and approved in writing by, the Planning Authority (in consultation with SEPA and SNH, as necessary). Thereafter, development shall progress in accordance with these approved details. For the avoidance of doubt, details relating to the control, substation and welfare buildings shall include additional architectural design, LVIA and other relevant assessment work, carried out by suitably qualified and experienced people, to ensure that they are sensitively scaled, sited and designed.

Reason: To ensure that all ancillary elements of the development are acceptable in terms of visual, landscape noise and environmental impact considerations.

7. No development shall start on site until a Construction Environmental Management Document is submitted to and agreed in writing by the Planning Authority in consultation with SNH and SEPA. The Document shall include:

- An updated Schedule of Mitigation (SM) including all mitigation proposed in support of the planning application, other relevant agreed mitigation (e.g. as required by agencies) and set out in the relevant planning conditions;

- Processes to control / action changes from the agreed Schedule of Mitigation;

- The following finalised specific Construction and Environmental Management Plans (CEMP):

  i. Peat management plan – to include details of all peat stripping, excavation, storage and reuse of material
  ii. Pollution prevention plan
  iii. Chemical pollution plan
  iv. Site waste management plan
  v. Otter protection plan, including specific measures to be taken to make site staff aware of species and minimise disturbance and/or capture
  vi. Plan for minimisation of impacts on GWTDE habitats M6, M4 and M32 (through micro-siting) to include the following: the original layout, the mico-sited layout, and M6, M4 and M32 habitats.
  vii. Noise and vibration mitigation plan
  viii. Construction Traffic Management Plan – providing details on the proposed route for any abnormal loads, any accommodation measures required and any additional signing or temporary traffic control measures deemed necessary;

- Details of the appointment of an appropriately qualified Environmental Clerk of Works with roles and responsibilities which shall include but not necessarily be limited to:

  i. Providing training to the developer and contractors on their responsibilities to ensure that work is carried out in strict accordance with environmental protection requirements;

  ii. Monitoring compliance with all environmental and nature conservation mitigation works and working practices approved under this consent;

  iii. Advising the developer on adequate protection for environmental and nature conservation interests within, and adjacent to, the application site;

iv. Directing the placement of the development (including any micro-siting, if permitted by the terms of this consent) and the avoidance of sensitive features; and

v. The power to call a halt to development on site where environmental considerations warrant such action.

- Details of any other methods of monitoring, auditing, reporting and communication of environmental management on site and with the client, Planning Authority and other relevant parties.

- Statement of any additional persons responsible for 'stop the job / activity' if in potential breach of a mitigation or legislation occurs.

Unless otherwise agreed in writing by the Planning Authority the development shall proceed in accordance with the agreed Document.

Reason: To protect the environment from the construction and operation of the development.

8. No development shall commence until a Habitat Management Plan (HMP) has been submitted to, and approved in writing, by the Planning Authority in consultation with SNH and SEPA. The HMP, which shall be implemented in full and in accordance with any timescales outlined therein, unless otherwise agreed in writing, shall include the following elements:

- Measures to minimise the potential for white tailed eagle collisions, such as regular surveys for and removal of fallen stock and/or deer within 200m of each turbine;
- The improvement and future management of the blanket bog and other Annex 1 habitat on the site.

Reason: To protect and enhance the nature conservation interests of the area, including the management of vegetation and peat land within the site, mitigate any effects on statutorily protected species and their habitat and avoid adverse effects on other species of nature conservation interest.

9. No development shall commence until pre-commencement surveys to locate the presence or absence of otter and is undertaken and a report of survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall be carried out in the year preceding the commencement of development and the report of survey shall inform any mitigation measures identified in the Species Protection Plan required as part of the Construction Environmental Management Document/Plan(s) approved under Condition 7.

Reason: To protect and enhance nature conservation from construction activities.

10. No development shall commence until the applicant has provided the Ministry of Defence (Defence Estates - Safeguarding) with the following information; a copy of which shall be submitted to the Planning Authority:

- proposed date of commencement of the construction;
- estimated date of completion of the construction;
- height above ground level of the tallest structure;
- maximum extension height of any construction equipment;
- position of the turbines in latitude and longitude plus eastings and northings;

Reason: In order to ensure the safety of low flying military aircraft.

11. No development shall commence until details, including a timescale for provision, for an appropriately designed footpath to link the wind farm network of tracks to Core Path SL28.01 Loch Caroy to Glen Vic Askill has been submitted to, and agreed in writing by, the Planning Authority. The footpath shall thereafter be constructed in accordance with the approved details and timescale for provision.

Reason: To safeguard and maximise the opportunities for continued public access to the countryside during the construction and operation of this wind farm.

12. No development shall commence until a TV and radio reception mitigation plan has been submitted to, and approved in writing by, the Planning Authority. The plan shall provide for a baseline TV reception survey to be carried out prior to the commencement of turbine installation, the results of which shall be submitted to the Planning Authority. Within 12 months of the Final Commissioning of the development, any claim by any individual person regarding TV picture loss or interference at their house, business premises or other building, shall be investigated by a qualified engineer appointed by the developer and the results shall be submitted to the Planning Authority. Should any impairment to the TV signal be attributable to the development, the developer shall remedy such impairment so that the standard of reception at the affected property is equivalent to the baseline TV reception.

Reason: To ensure local TV and Radio Services are sustained during the construction and operation of this development.

13. No development or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, all in accordance with the attached specification, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interest of the site.

14. No development or work (including site clearance) shall commence until a Cultural Heritage Interpretation, Access and Management Plan has been submitted to, and approved in writing by, the Planning Authority. The approved Heritage and Access Plan shall be implemented prior to the first use of the development hereby approved, or, if different, in accordance with the approved Plan.

Reason: In order to promote the archaeological/historical interest of the site.

15. Where ground conditions specifically require it, wind turbines, areas of hardstanding and tracks may be micro-sited within the application site boundary. However, unless otherwise approved in writing by the Planning Authority (in consultation with SEPA and SNH), micro-siting is subject to the following restrictions:

    i. No wind turbine, hardstanding or track shall be moved:

        a. More than 50m from the position shown on the original approved plans;
        b. and in any case to a position within 50m of any watercourse.

    All micro-siting permissible under this condition without requiring the approval of the Planning Authority must be approved by the development's Environmental Clerk of Works (ECoW) identified under Condition 7. A written record must be kept of any such ECoW approval and shall be maintained for a period extending to no less than four years following the First Export Date.

    Within one month of the wind farm being commissioned, the developer must submit an updated site plan to the Planning Authority showing the final position of all wind turbines, masts, areas of hardstanding, tracks and associated infrastructure within the site. The plan should also highlight areas where micro-siting has taken place and, for each instance, be accompanied by copies of the ECoW or Planning Authority's approval, as applicable.

    Reason: To minimise the effect of the development on the water environment and species and habitat contained therein.

16. The proposed route for any abnormal loads on the trunk road network must be approved by the trunk roads authority prior to the movement of any abnormal load. Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved.

    Reason: To maintain safety for both the trunk road traffic and the traffic moving to and from the development ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network

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

    Reason: To minimise interference with the safety and free flow of the traffic on the trunk road

18. Prior to the delivery of turbine components along the A863 applicant shall undertake a review of:

    - the maximum axle loading on structures along the access route;

- overhead services along the access route;
- roadside vegetation, in summer conditions, along the access route and detail the clearance of any vegetation that may interfere with construction traffic;
- road works or road closures that could affect the movement of construction traffic;
- new or diverted underground services that may be at risk from construction traffic.

This information, along with proposals for any mitigation, shall be submitted to, and agreed in writing by, the Planning Authority prior to the delivery of the first turbine to site.

Reason: In the interests of protecting the public road infrastructure and ensuring the safety and free flow of traffic on the public road.

19. Access to the site by heavy goods vehicles and any noisy construction activity (e.g. piling, blasting, rock-breaking) shall be restricted to 07.00 to 19.00 on Mondays to Fridays and from 07.00 to 13.00 on Saturdays with no such access on Sundays unless otherwise agreed in advance in writing by the Planning Authority.

Reason: In order to control noise in the interest of amenity.

20. All turbines shall be fitted with appropriate aviation warning lights, the details of which shall be submitted to, and agreed in writing by the Planning Authority in consultation with the MoD, prior the erection of the first turbine on site.

Reason: In order to ensure the safety of low flying military aircraft.

21. The rating level of noise immissions from the combined effects of the wind turbines hereby granted (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed 35 $dB_{LA90,\ 10\text{-}min}$ at any wind speed up to 10m/s at any noise sensitive property existing or with the benefit if planning permission at the time of this permission. The exception to this is the property at Glen Vic Askill where the rating level of noise immissions shall not exceed 45 $dB_{LA90,\ 10\text{-}min}$ at any wind speed up to 10m/s and:

(A) Prior to the First Export Date, the wind farm operator shall submit to the Planning Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Planning Authority.

(B) Within 21 days from receipt of a written request of the Planning Authority, following a complaint to it alleging noise disturbance at a dwelling, the wind farm operator shall, at its expense, employ an independent consultant approved by the Planning Authority to assess the level of noise immissions from the wind farm at the complainant's property in accordance with the procedures described in the attached Guidance Notes. The written request from the Planning Authority shall set out at least the date, time and location to

which the complaint relates. Within 14 days of receipt of a written request from the Planning Authority made under this paragraph (B), the wind farm operator shall provide the information relevant to the complaint logged in accordance with paragraph (H) to the Planning Authority in the format set out in Guidance Note 1(e).

(C) Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the wind farm operator shall submit to the Planning Authority for written approval the proposed measurement location identified in accordance with the Guidance Notes where measurements for compliance checking purposes shall be undertaken. Measurements to assess compliance with the noise limits or approved by the Planning Authority pursuant to paragraph (B) of this condition shall be undertaken at the measurement location approved in writing by the Planning Authority.

(D) Prior to the submission of the independent consultant's assessment of the rating level of noise immissions pursuant to paragraph (E) of this condition, the wind farm operator shall submit to the Planning Authority for written approval a proposed assessment protocol setting out the following:

(i) The range of meteorological and operational conditions (the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.

(ii) A reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component.

The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the information provided in the written request from the Planning Authority under paragraph (B), and such others as the independent consultant considers necessary to fully assess the noise at the complainant's property. The assessment of the rating level of noise immissions shall be undertaken in accordance with the assessment protocol approved in writing by the Planning Authority and the attached Guidance Notes.

(E) The wind farm operator shall provide to the Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Planning Authority made under paragraph (B) of this condition unless the time limit is extended in writing by the Planning Authority. All data collected for the purposes of undertaking the compliance measurements shall be made available to the Planning Authority on the request of the Planning Authority. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Planning Authority with the independent consultant's assessment of the rating level of noise immissions.

(F) Where a further assessment of the rating level of noise immissions from the wind farm is required pursuant to Guidance Note 4(c) of the attached Guidance Notes, the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (E) above unless the time limit for the submission of the further assessment has been extended in writing by the Planning Authority.

(G) The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1(d). These data shall be retained for a period of not less than 24 months. The wind farm operator shall provide this information in the format set out in Guidance Note 1(e) to the Planning Authority on its request, within 14 days of receipt in writing of such a request.

Note: For the purposes of this condition, a "dwelling" is a building within Use Class 9 of the Use Classes Order which lawfully exists or had planning permission at the date of this permission.

Reason: To ensure that the noise impact of the as built turbines does not exceed the predicted noise levels in the interest of amenity, that the noise immissions will be monitored over time and that there is sufficient scrutiny and assessment in the event that a complaint is received.

22. A community liaison group shall be established by the developer prior to development commencing, in collaboration with The Highland Council and local Community Councils. The group shall act as a vehicle for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision of all transport-related mitigation measures and to keep under review the timing of the delivery of turbine components; this should also ensure that local events and tourist seasons are considered and appropriate measures to coordinate deliveries and work to ensure no conflict between construction traffic and the increased traffic generated by such events/seasons. The liaison group, or element of any combined liaison group relating to this development, shall be maintained until wind farm has been completed and is operational.

Reason: To assist with the provision of mitigation measures to minimise the potential hazard to road users, including pedestrians travelling on the road networks.

Signature: Malcolm MacLeod

Designation: Head of Planning & Building Standards

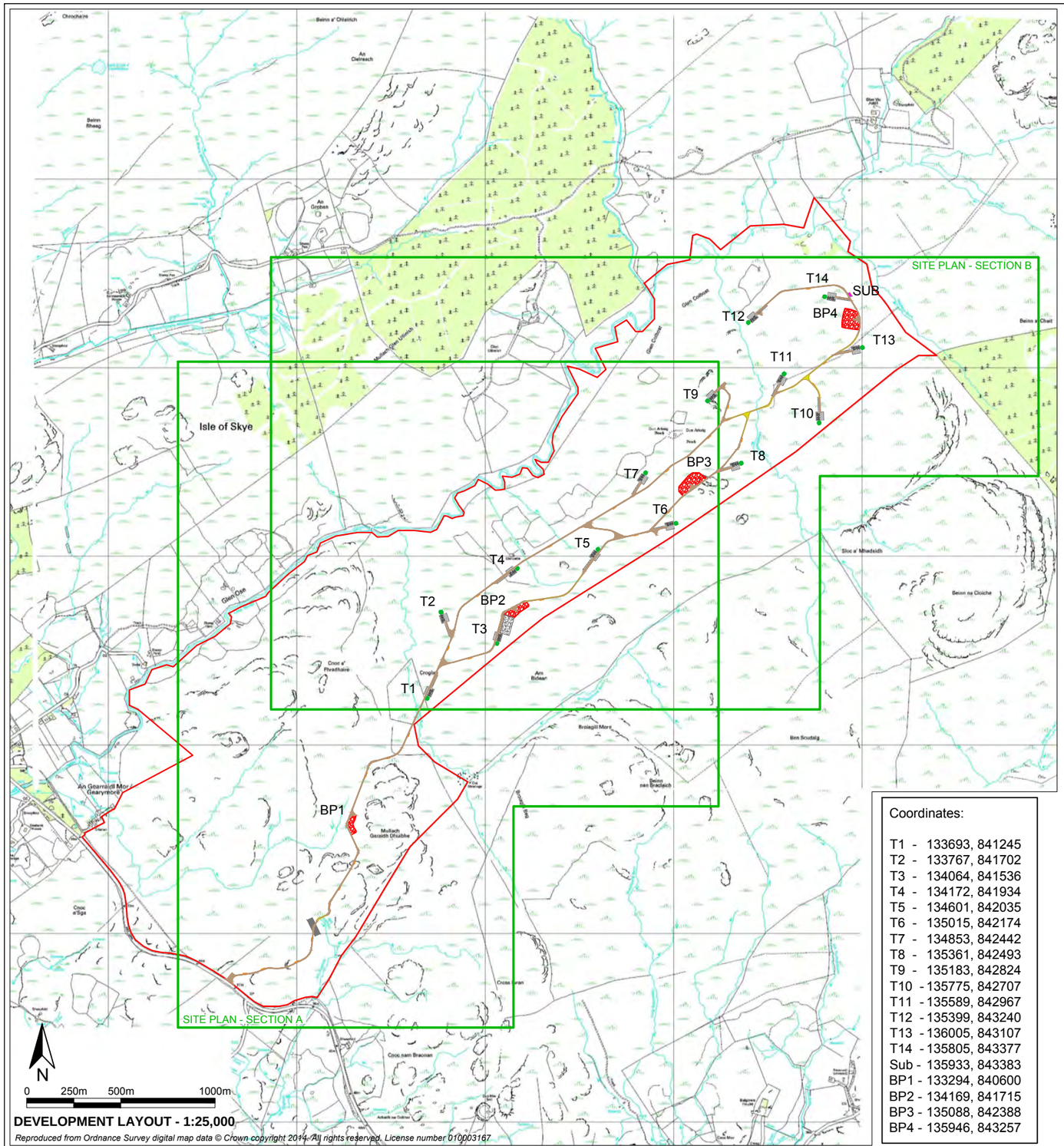
Author: David Mudie (01463) 702255

Date: 13 March 2015

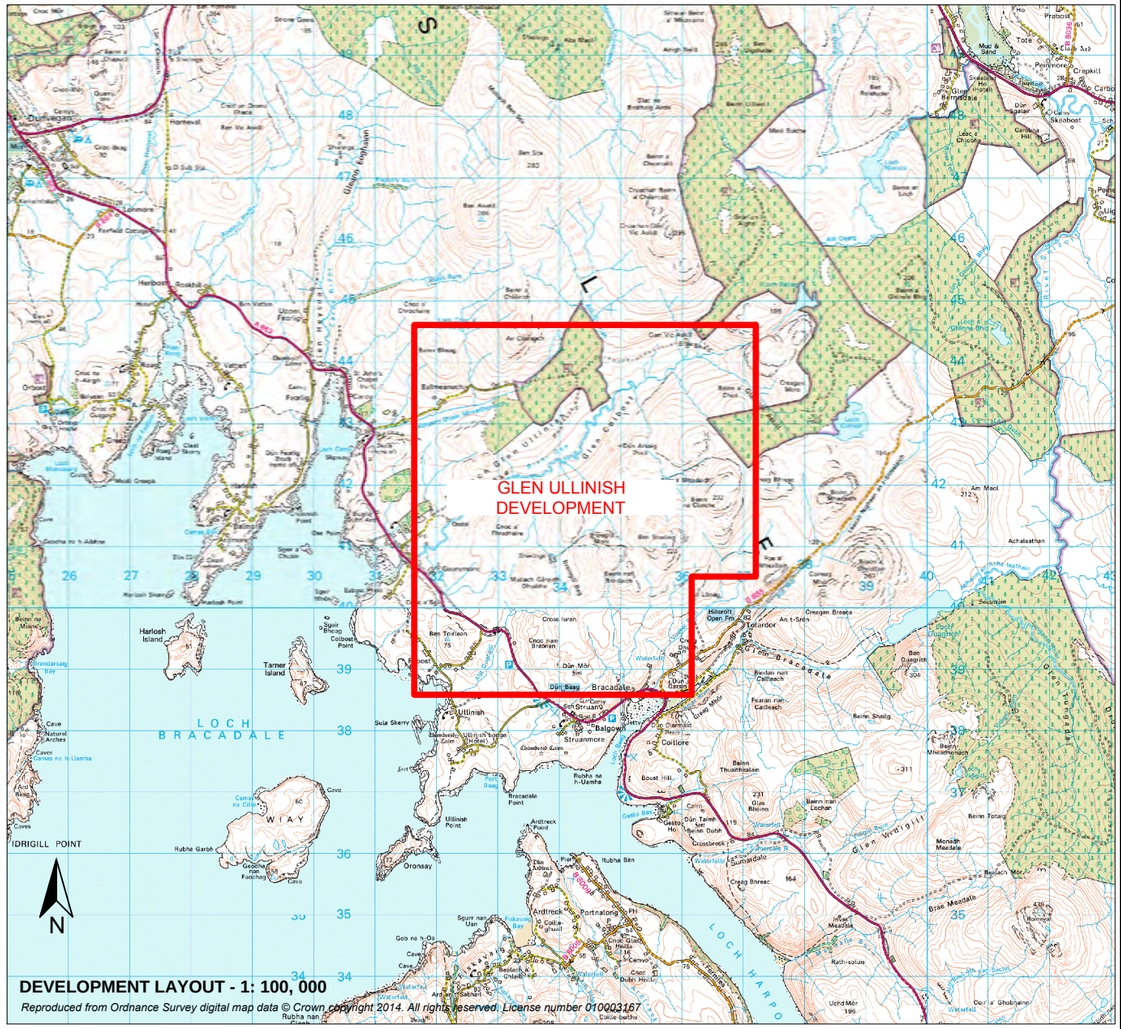
Background Papers: Documents referred to in report and in case file.

Appendix 2 – Abbreviations

CEMD – Construction Environmental Management Document
CEMP – Construction Environmental Management Plan
CMS – Construction Method Statement
EIA – Environmental Impact Assessment
ES – Environmental Statement
EPS – European Protected Species
FCS – Forestry Commission for Scotland
GWDTE - Ground Water Dependent Terrestrial Ecosystems
HRES – Highland Renewable Energy Strategy and Planning Guidelines
HMP – Habitat Management Plan
LCA – Landscape Character Assessment
LCT – Landscape Character Type
LVIA – Landscape and Visual Impact Assessment
MW – Megawatt
MOD – Ministry of Defence
NHZ – Natural Heritage Zone
NSA - National Scenic Area
SM – Schedule of Mitigation
SNH – Scottish Natural Heritage
SAWL – Search Area for Wild Land
SPP – Scottish Planning Policy
SSSI – Site of Special Scientific Interest
SAC – Special Area of Conservation
SLA – Special Landscape Areas
SPA – Special Protection Area
ZTV – Zone of Theoretical Visibility



DEVELOPMENT LAYOUT - 1:25,000



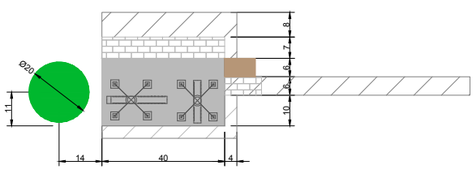
DEVELOPMENT LAYOUT - 1: 100, 000

Coordinates:

T1	133693, 841245
T2	133767, 841702
T3	134064, 841536
T4	134172, 841934
T5	134601, 842035
T6	135015, 842174
T7	134853, 842442
T8	135361, 842493
T9	135183, 842824
T10	135775, 842707
T11	135589, 842967
T12	135399, 843240
T13	136005, 843107
T14	135805, 843377
Sub	135933, 843383
BP1	133294, 840600
BP2	134169, 841715
BP3	135088, 842388
BP4	135946, 843257

KEY

- PROPOSED TURBINE / FOUNDATION
- HARDSTANDING
- NEW CUT ACCESS TRACK
- NEW FLOATED ACCESS TRACK
- SUB-STATION / METERING POINT
- PROPOSED BORROW PIT LOCATION
- APPLICATION BOUNDARY (182Ha)
- BATCHING PLANT
- CONSTRUCTION COMPOUND



E82 Hardstanding
1:2000

Project Title:
GLEN ULLINISH WIND FARM

Drawing Title:
SITE OVERVIEW

Scale: AS STATED @ A3

Date drawn: 18.06.14
Stage: Planning
Drawn by: CM
Checked by: JB
Approved by: SW

Rev.	Date	Description	Chk'd

Client:
Killmac Energy (Glen Ullinish) LLP

Job No. C0426-163
Drng No. APP-001

GREEN CAT RENEWABLES LLP
Midlothian Innovation Centre, Pentlandfield, Edinburgh, EH25 9RE.
Tel:0131 440 9053
www.greencatrenewables.co.uk