

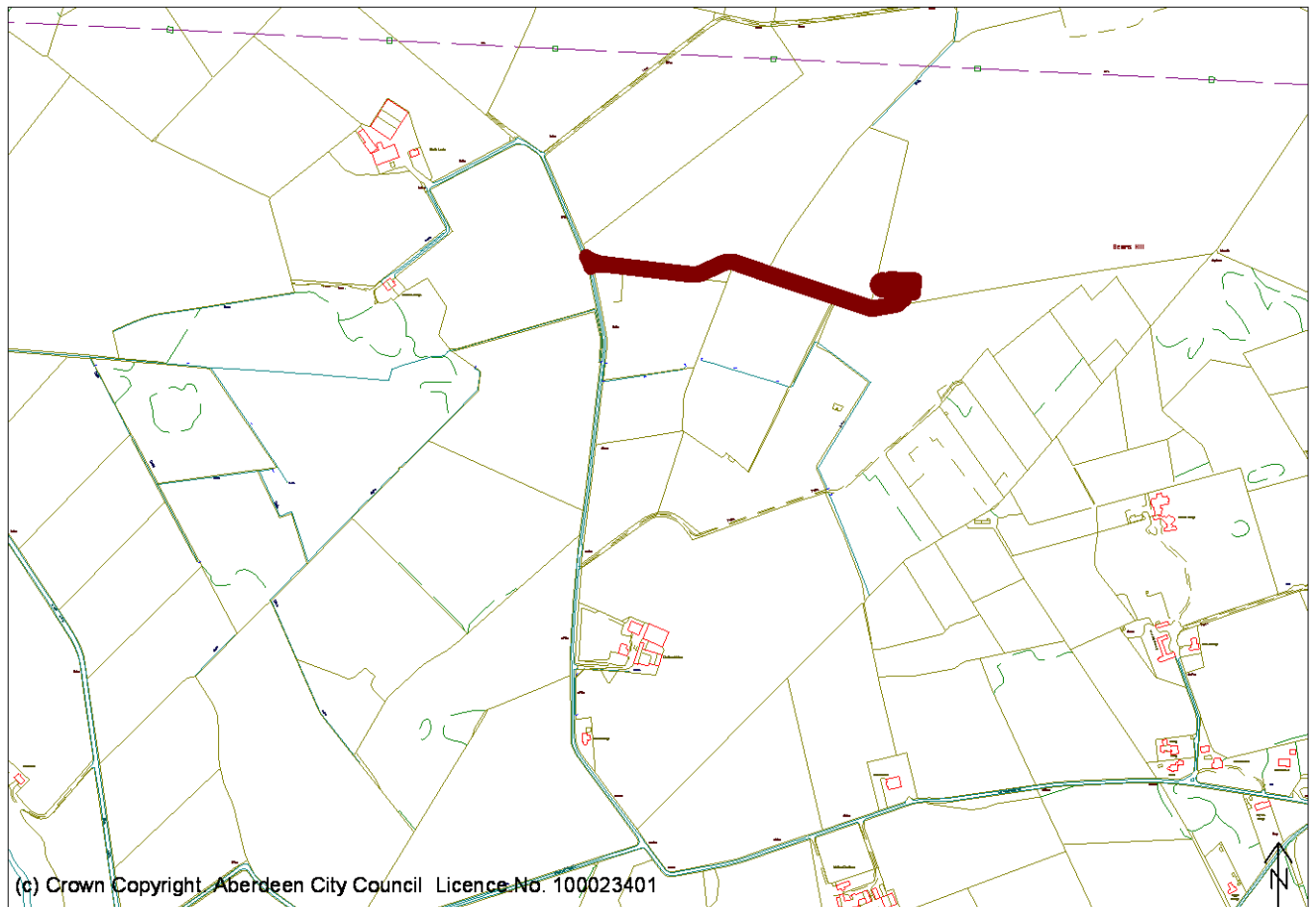
SOUTH LASTS FARM, CONTLAW ROAD,  
MILLTIMBER

PROPOSED ERECTION OF A SINGLE 800  
KW WIND TURBINE AND ASSOCIATED  
ANCILLARY EQUIPMENT AND ACCESS  
TRACK.

For: G & B Renewables Ltd

Application Ref. : P120166  
Application Date : 14/03/2012  
Officer : Robert Forbes  
Ward: Lower Deeside (M Boulton/A  
Malone/M Malik)

Advert : Section 34 -Proj. Pub.  
Concern  
Advertised on : 28/03/2012  
Committee Date : 19 July 2012  
Community Council : Comments



**RECOMMENDATION: Approve subject to conditions**

## **DESCRIPTION**

This site comprises part of an existing farm located in open countryside about 2.5km north of Peterculter and 4 km south-west of Kingswells. It lies about 1km from the western edge of the city boundary at an altitude of between 100m and 125m above sea level. The summit of Beans Hill lies approximately 500m to the east of the site, at an elevation of 137m, although there is higher ground to the south of this between the site and Peterculter / Milltimber, where a group of 3 wind turbines has recently been developed.

The site contains no rights of way or recreational paths. The site and adjacent farmland is relatively devoid of natural vegetation or landscape features of special interest. It is used as arable farmland and improved grassland and the field boundaries are defined by fencing / low drystone dykes. There are no established trees, woodland or hedgerows within it. There is also a lack of mature / amenity woodland in the surrounding area, with the closest trees being an area of coniferous woodland to the east of the site close to the summit of Beanshill and an area of deciduous woodland to the south of South Lasts Cottages, on lower lying ground approximately 500m west of the site. There are more extensive plantations of conifer woodland with forest walks at Blacktop, Gairnlea and Foggieton, approximately 2-3km to the north-east of the site. Approximately 325m to the north of the site is a high voltage overhead electricity transmission line supported by lattice steel pylons. This runs in an east west axis and forms part of the National Grid. A low voltage pole mounted overhead line runs along the southern site boundary. The site is accessed by a tarred private road, approximately 3m wide, leading north from the junction with the public road (Contlaw Road), which lies approximately 800m to the south of the turbine.

The farmland at Contlaw, to the south of the site contains some impressive consumption dykes, but these are not scheduled ancient monuments and have no statutory protection. The closest house (Beanshill Cottage) lies over 500m to the south east of the turbine. The surrounding area is a relatively sparsely populated part of the city. Drum Castle, which is a listed building and on Historic Scotland's inventory of designed landscapes and gardens, lies approximately 5km to the south-west of the site. Cullerlie Stone Circle, which, although reconstructed in modern times, is a scheduled ancient monument of prehistoric origin, lies about 6km to the west.

## **HISTORY**

A request for a screening opinion under the EIA regulations was made in 2011 and it was determined that formal environmental assessment was not required for the proposed development at the site ( ref. 111491).

Planning permission for erection of 3 wind turbines at Upper Beans Hill, approximately 500m to the south of the site, was granted at Committee in June 2011 and has subsequently been implemented. The turbines are 20.5m high and have a power rating of 10KW.

Planning permission for the development of a wind farm consisting of 12 x 850 KW turbines at Mickle Carewe, about 12 km to the south of the site was granted at appeal in 2011, following refusal of the application by Aberdeenshire Council.

This site lies on moorland about 250m – 260m above sea level, and the development is currently under construction.

A number of other identical turbines to that currently proposed have been erected in Aberdeenshire, including clusters near Turriff (Cairnhill) and Peterhead (Red Bog).

The AWPR is proposed to be constructed in nearby countryside. It would lie about 700m to the east of the turbine at its closest point.

## **PROPOSAL**

This is an application for full planning permission to erect a single 800kw (i.e. 0.8MW) wind turbine and undertake associated development. The turbine would have an overall height of 74m above ground level (revised from 86m as originally submitted). The rotor diameter would be 48m. The supporting column would have a maximum diameter of 3.5m at the base, narrowing to 1.3m at the turbine. It would be mounted on a buried concrete pad foundation that would be constructed on site. An access track to the turbine would be constructed from the tarred private road at the western edge of the site. The track would be located to the north of an existing drystone dyke, following the line of an existing overhead pole mounted electricity line and would be about 500m long. It would have a width of about 2m, rising to the east.

## **REASON FOR REFERRAL TO SUB-COMMITTEE**

The proposal has been advertised as a project of public concern due to its height.

## **CONSULTATIONS**

ROADS SECTION – No objection;

ENVIRONMENTAL HEALTH – No comments received;

EDUCATION, CULTURE AND SPORT – Request that a condition be imposed to allow archaeological investigation of the site;

SNH – No objection. Advise that it is unlikely that the proposal will significantly affect the qualifying ecological interests of the River Dee or the Loch of Skene and that appropriate assessment in terms of the EU Habitats Regulations is not required;

SEPA – No objection. Note that no formal EIA is required;

NERL (NATS)– No safeguarding objection;

MoD (Defence Infrastructure Organisation)– No objection to the proposal as amended;

BAA – No objection;

CAA – No objection.

COMMUNITY COUNCIL – Object on the basis of green belt policy, visual / landscape / amenity impact, adverse effect on recreational amenity, and creation of an adverse precedent. Their comments are circulated herewith;

## **REPRESENTATIONS**

A total of 53 letters of objection have been received, primarily from local residents and residents of Aberdeenshire. Letters from adjacent Community Councils and the RSPB have also been received.

The concerns identified are visual / landscape impact (e.g. turbine height / visibility); contravention of planning policy / guidance; adverse effect on recreational amenity; adverse impact on wildlife (e.g. birds / bats / badgers); hydrological impact / affect on private water supplies; adverse impact on residential amenity (e.g. noise / vibration / shadow flicker / human health, particularly when considered in conjunction with the AWPR); proximity to future housing areas; impact on road / public safety; adverse effect on air safety; impact on oil and gas pipelines; insufficient notification of adjacent residents / businesses; absence of community / social benefits; adverse impact on tourism; inefficient form of energy generation; adverse effect on property values; adverse effect on views from private houses; adverse impact on TV reception; insufficient environmental information; alleged procedural anomalies; frightening of horses / adverse effect on livestock and creation of an undesirable precedent.

One of the objectors threatens to take legal action against the Council if the proposal is granted. Many of the objectors claim not to be opposed to wind turbines in principle, but would wish them constructed elsewhere.

### **PLANNING POLICY**

The key priority of the Scottish Government is sustainable economic growth. The Scottish Government's support for the principle of developing renewable energy supplies is now well established. Scottish Planning Policy (SPP) sets a target for 50% of Scotland's electricity to be generated from renewable sources by 2020. This does not prevent the installation of capacity for renewable generation above this figure. Paragraphs 187 to 191 of SPP relate to wind farms, and state that planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. Topic specific advice regarding onshore wind turbines was produced by the Scottish Government in March 2011 and is of particular relevance in identifying relevant issues.

Paragraphs 159 – 164 of SPP regarding green belts is also relevant. It states that:-

“The purpose of green belt designation in the development plan as part of the settlement strategy for an area is to:-

- direct planned growth to the most appropriate locations and support regeneration,
- protect and enhance the quality, character, landscape setting and identity of towns and cities, and
- protect and give access to open space within and around towns and cities.

Certain types and scales of development may be appropriate within a green belt, particularly where it will support diversification of the rural economy. These may include development associated with agriculture... and essential infrastructure such as ...electricity grid connections. “

The sustainable development and climate change objective within the approved structure plan has a target that the city region's electricity needs be met from renewable resources by 2020.

The site lies within the green belt as defined in the adopted local plan of 2012. Policy NE2 (Green Belt) states that :-

“No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal. The following exceptions apply to this policy:-

1. Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:-

- a) the development is within the boundary of the existing activity.
- b) the development is small-scale.
- c) the intensity of activity is not significantly increased.
- d) any proposed built construction is ancillary to what exists.

2. Essential infrastructure, such as electronic communications infrastructure and electricity grid connections, transport proposals identified in the Local Development Plan, such as the Aberdeen Western Peripheral Route, as well as roads planned through the masterplanning of new housing and employment allocations, which cannot be accommodated other than in the green belt.”

Other local plan policies of relevance include policy NE6(Flooding and Drainage), NE8(Natural Heritage), NE9(Access and Informal Recreation), D5(Built Heritage), D6(Landscape), BI4 (Aberdeen Airport), I1 (Infrastructure Delivery and Developer Contributions) and R8 (Renewable and Low Carbon Energy Development).

The Council's Draft Supplementary Planning Guidance (SPG) regarding Wind Turbine Development in Aberdeen City (November 2011) is of particular relevance. This identifies areas of constraint for the development of wind turbines with regard to a number of factors. The guidance produced by SNH regarding “Assessing the impact of small scale wind energy proposals on the natural heritage” (March 2012) is also relevant.

## **EVALUATION**

This application requires to be determined in accordance with the development plan, unless outweighed by other material considerations. The development plan consists of the approved structure plan and the adopted local plan. Other material considerations include Scottish Government planning policy (SPP) and related advice and the Council's emerging SPG.

The Scottish Government's support for the principle of developing renewable energy supplies is now well established. SPP sets a target for 50% of Scotland's electricity to be generated from renewable sources by 2020. This does not prevent the installation of capacity for renewable generation above this figure.

The proposal would contribute to achievement of this target and the more specific and ambitious target within the Structure Plan. It is also consistent with local plan policy R8 which encourages the development of renewable energy development in principle.

### Green Belt Policy

It is clear that the proposal is associated with the existing activity on the site. It satisfies the relevant criteria regarding being within the boundary of and being ancillary to the existing activity, and it would not significantly increase the intensity of agricultural activity there. As there is no definition in the local plan of what constitutes small scale development in the context of local green belt policy, this is essentially a matter of judgement.

The topic specific guidance produced by the Scottish Government, SNH and the Council is of particular relevance in this regard. The former indicates that the power rating of turbines can be up to 3MW (with 5MW turbines in development), whereas the power rating of the proposed turbine is approximately  $\frac{1}{4}$  of this (0.8MW). SNH regard the development of groups of 3 or fewer turbines to be "small scale wind energy" as opposed to a "wind farm", so that the proposal falls within this definition. In terms of turbine height, the Council's Draft Supplementary Planning Guidance regarding Wind Turbine Development in Aberdeen City (November 2011), define the proposal as "small scale renewable". The planning application does not fall within the category of major development as defined by the Scottish Government. Therefore, in terms of green belt policy and visual / landscape assessment, the development can be regarded as small scale, notwithstanding the fact that the turbine is a large structure.

In any event, whether or not the development is regarded as small scale, it would help to sustain the viability of the existing agricultural enterprise at the site, to the benefit of the amenity and function of the wider green belt area. Its landscape and visual impacts are considered in detail below. Although local plan green belt policy is silent as regard the specific issue of wind turbine development, given the wider expectations and encouragement contained within the development plan (e.g. local plan policy R8) and Scottish Planning Policy regarding exploitation of renewable energy, and given that the Council's draft SPG does not identify green belt as a constraint to wind turbine development, it could be considered to be perverse to refuse wind turbine development in the green belt in principle. In the event of refusal on such grounds, the Council could therefore be vulnerable to an appeal for costs. This is particularly given that other turbines have been approved within and adjacent to the green belt. The other non domestic turbines of smaller scale that have previously been approved in the Aberdeen green belt have been regarded as being compliant with similar policy wording.

Although the proposed turbine may effectively sterilise the potential for further housing development within a radius of approximately 480m of the turbine, this is not considered to conflict with the objectives of green belt policy (indeed this would assist in the objective of urban regeneration and direction of planned growth to more appropriate locations). It is also significant that no land within or in the vicinity of the site has been identified for possible future release for longer term / major development.

The proposed electricity connection between the turbine and the existing grid line would accord with part 2 of green belt policy (NE2). It can therefore be concluded that the proposal accords with the objectives and function of green belt policy at both local and national level .

### Recreational Impact

The proposal would not conflict with the potential use of the site and wider land for agricultural, forestry, or recreational purposes. Experience of other similar wind turbines located in the countryside would tend to indicate that they are compatible with agricultural operations, including grazing by animals. There is no evidence to suggest that horses would react differently to its presence. There is evidence within the city to suggest that the development of a wind turbine is compatible with recreational uses such as golf courses and does not therefore compromise such potential.

The proposal would cause no severance or disturbance to existing rights of way or recreational footpaths or bridleways. Indeed the proposed access track would improve the potential use of the surrounding land for public recreation and would facilitate appropriate access to the countryside, including public access to Beans Hill, in accordance with the objective of policy NE9.

### Landscape and Visual Impact

It is considered that the Landscape and Visual Impact Assessment undertaken for the proposal was carried out in accordance with accepted methodology, specifically SNH Guidelines for Landscape and Visual Impact Assessment. Other than Green Belt, the site is not covered by any formal landscape designation (such as Areas of Outstanding Natural Beauty, National Park or National Scenic Area). The site does not lie within an area of Prime Landscape or Secondary Landscape as identified by the Council or other area of constraint as identified in the Council's draft SPG.

The natural landscape context of the site has been significantly modified since prehistoric times due to removal of the natural woodland cover to create farmland and in more recent times by upgrading / erection of farm buildings and infrastructure such as roads, overhead power lines and wind turbines. There is likely to be significant landscape change in the future due to the construction of the AWPR to the east of the site as this will require significant earth movement due to the creation of cuttings and embankments. It is recognised that this road will have a significant urbanising effect on the existing rural landscape character due to both its construction and use.

Although any wind turbine is going to have an impact on the landscape, there is no policy embargo against development or landscape change within the green belt. Indeed, the use of land for intensive agriculture results in continuous landscape change, and has resulted in the erection of large buildings of industrial appearance. It is essentially a matter of subjective opinion whether one considers the effect of wind turbines to have a positive or negative impact on landscape character. It is considered that wind turbine development is more appropriate to be developed in an intensive arable landscape which has already experienced a

significant degree of landscape change, such is the case here, than a landscape with a high degree of wildness and relative absence of obvious human influence (such as the Cairngorms plateau, or, on a more local scale, Elrick Hill).

Whilst the proposed turbine would clearly be visible from many public places and parts of the surrounding countryside, it is considered that it would not compromise the enjoyment of countryside as a visual or recreational asset. It is considered that the proposed turbine is of a relatively simple form and subtle design typical of those used in wind farms. The undulating landscape context and extent of afforestation nearby provides significant screening from the main urban areas, the existing main road network and from woodland paths. Additionally, the relatively modest 74 metres to blade tip height is in keeping with the fairly low relief of the undulating farmland in the vicinity of the site and it would not dominate nearby hills in the way that the largest modern turbines, which are about 150m high, could.

It is therefore considered that the overall landscape has the capacity to contain the proposed scheme in terms of its visual impact and it is compatible with the existing open farmland character of the site. Although the proposal would result in the creation of a new landmark feature, it is considered that the proposal would not obstruct views of the City's townscape, landmarks and features when seen from roads, paths and recreation areas, including the main road approach to the city from the west. As the proposal would not be intervisible with, or seen in relation to, other consented wind farms or turbines of similar scale, cumulative impact is not considered to be a significant concern. Conditions are suggested in order to minimise the visual impact of the structure. The effect of the proposal on views from private houses is not a material planning consideration.

It is therefore considered that the impact of the turbine on landscape character and visual amenity would be acceptable and that it accords with local plan policy D6. As regards the visual and landscape impact of the access track, it is considered that this can be mitigated by the use of a condition requiring the implementation of landscape planting within the site.

#### Built Environment / Cultural Heritage / Tourism Impact

Other than march stones, which would not be directly impacted, there are no listed buildings within the vicinity of the site. It is considered that the setting of the march stones would not be affected. The site does not lie within or near to any conservation area. Taking into account the visual impact information supporting the application and the presence of existing tree groups and other landscape features, such as electricity pylons, it is considered that the proposed turbine would be sufficiently distant from existing cultural heritage assets (such as Drum Castle / Garden and Cullerlie Stone Circle) that their setting would not be affected. The proposal would not require the removal of any dykes of heritage value and no features of archaeological interest would be directly impacted. There is no evidence that the proposal would have adverse impact on tourism. It is therefore considered to accord with local plan policy D5.

#### Natural Heritage / Ecological Impact

The site does not lie within a designated nature conservation site. Whilst



several of the objectors claim that inadequate survey information has been provided, the proposal is supported by a comprehensive non statutory environmental statement which is unusually detailed. It is noted that survey information has been gathered over an extensive period of time with numerous site visits having been undertaken to gather ecological data. This also considers the potential impact of the development on a range of species including birds, bats and badgers. The statement is therefore considered to be robust. One of the objectors notes the decline in bird diversity in the area since the second world war due to changing agricultural practices and provides anecdotal evidence that endangered species such as Black Grouse, Capercaillie and Corncrake are no longer present in the area. This appears to be confirmed by the survey findings and records available to the Council. Given the absence of trees, woodland, hedgerows, water features or buildings in the immediate vicinity of the site and its exposed nature, it can be concluded that the site does not currently provide suitable roosting or foraging habitat for bats. There would be no impact on peat soils.

Given that SNH (i.e the Scottish Government's expert advisor regarding nature conservation matters) have no objection to the proposal and the site contains no features of particular ecological interest, it is considered that any impact would be limited and does not justify refusal. SNH have also confirmed that there is no requirement for appropriate assessment under the habitats directive. The provision of hedgerow planting along the access track would serve to create new habitat of particular ecological benefit in a highly cultivated arable setting. The proposal would therefore accord with local plan policy NE8.

#### Hydrological Impact

Given that SEPA have no objection to the proposal and given its significant distance from the site to existing water bodies and the River Dee, it is considered that any impact on water quality during construction would not be significant and can be addressed by condition. This would satisfy the requirements of local plan policy NE6.

#### Air Safety

As the proposal would have no adverse impact on navigation associated with Aberdeen Airport, or en route to it, it would comply with policy BI4 and there is no requirement for any associated mitigation measures. The proposed turbine has been reduced in height due to an initial objection from the MoD due to possible impact on a radar facility in Buchan. The effect of the proposal on helicopter operations associated with a private helicopter training facility at Lower Baads, Anguston, located about 3.6 km to the west of the site, is not considered to be a matter of significant public interest in this case as that facility lies outwith the relevant consultation zone and the operator of this facility would be fully aware of the presence of the turbine.

#### Public / Road Safety

The Council's roads officers have no concern regarding possible distraction to drivers or other road users (due to the moving nature of the turbine blades) and any risk to the public as a result of potential turbine failure, or ice throw, is

considered to be insignificant given its distance from any existing road or path. It is likely that users of the AWPR would, if it is constructed, accept the turbine as an established landmark feature rather than a distraction, given it would be in excess of 700m from that road.

#### Residential Amenity

The turbine would be sufficiently distant from existing houses (>500m) and of a size that, in terms of the Council's draft guidance and related Scottish Government guidance, there would be no need for mitigation measures or monitoring to address concerns regarding shadow flicker. A similar conclusion can be reached as regards concerns regarding noise / vibration impact and the findings of the noise assessment provided by the applicant have not been questioned by the Council's Environmental Health Officers. Neither have they expressed any concerns regarding any impact on human health. Given the recent digital switchover in the Aberdeen area, there is no need to impose conditions to address the issue of impact on TV reception. Any future occupants of any proposed development within closer proximity would be aware of the presence of the turbine and its associated noise / other impacts and it is unlikely that their amenity would be fatally compromised, particularly given noise levels and disturbance routinely experienced by urban dwellers.

#### Insufficient Information

The proposal is supported by a comprehensive non statutory environmental statement. It is considered that this was carried out in accordance with accepted methodology, specifically SNH Guidelines for Landscape and Visual Impact Assessment, and other guidance. It provides sufficient information to be able to determine the planning application.

#### Planning Gain /Developer Contributions

As the development would be accompanied by the infrastructure and facilities required to support the scale and type of development proposed (i.e. the access track and electricity connection to the grid) it would comply with local plan policy I1. The application is not of a type or scale where developer contribution is sought and there is no evidence that it would have adverse external impacts, or off site road improvements, which require to be mitigated by planning gain contribution. The recent appeal decision in relation to the approved wind farm at Meikle Carewe makes clear that it is not appropriate to seek planning gain contributions unrelated to the direct impact of the development, or contributions to a community fund for wider social benefit, through the planning application process.

#### Precedent

Given that other wind turbines, albeit of significantly different scale, have recently been developed in the vicinity of the site, at Upper Beanshill, and previously elsewhere within the Green Belt, at Chapelcroft, Bucksburn, with the approval of the planning authority, and given the wider expectations and encouragement contained within the development plan and Scottish Planning Policy regarding exploitation of renewable energy, it is considered that approval of this proposal would not establish an undesirable precedent for wind turbine development in the green belt. Recent appeal decisions and decisions of the Scottish Government in

relation to development of wind farms within Aberdeenshire also lend weight to the approval of this proposal. It is recognised that there is an emerging trend towards the development of individual or small clusters of wind turbines in lowland farmland, and there is evidence of similar developments in similar countryside within Aberdeenshire. Such future development proposals will continue to be considered on their merits taking account of relevant policy and guidance and the specific impacts associated with such development.

### Other Issues

The site lies outwith the consultation zones relating to the oil and gas pipelines which lie to the north and west of the site and would not result in any physical disturbance to them. The effect on property values and views from private property are not material planning considerations. It is considered that the effect of the turbine on the use of nearby privately owned land for horse riding and any private water supplies are not matters of public interest. The site does not lie within the green space network or a business area as defined in the Adopted Local Plan, so that policies NE1 and BI1 are not relevant in this case. There would be no adverse impact on air quality and the other criteria specified in local plan policy R8 would be satisfied. The policies and guidance of Aberdeenshire Council are also not relevant to determination of this proposal. The efficiency or appropriateness of the development of wind energy, as opposed to other forms of electrical energy generation, is not a matter for the planning authority to consider. As regards the alleged procedural inadequacies, the relevant advertisement of the application has taken place. Neighbour notification is not required in this case as there are no notifiable premises adjacent.

### Conclusion

Drawing these points together and taking into account the proposal is in an area with a presumption in favour of wind energy developments and that the potential to develop larger scale wind energy schemes within much of the city boundary is constrained by other factors such as proximity to housing, opportunity sites, air safety, prime landscape designation and areas of ecological interest / wildlife value (as evidenced by the Council's draft SPG), it is considered that the impact of the proposal would be acceptable and that it accords with the development plan. The other material considerations do not warrant refusal and can be addressed by condition.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

Subject to imposition of conditions to address the environmental / amenity impacts of the development, it would accord with the Development Plan, with the Council's draft supplementary guidance regarding wind turbine development and with the objectives of the Scottish Government in relation to sustainable economic growth.

**it is recommended that approval is granted with the following conditions :-**

(1) No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site.

(2) Prior to work commencing on site, full colour details of the proposed turbine shall be submitted for the further written approval of the Planning Authority and the development shall be implemented in accordance with the approved details - in order to minimise its impact on the visual amenity of the surrounding area

(3) No development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in nearby watercourses and to ensure that the development can be adequately drained.

(4) No development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(5) All planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(6) Prior to the commencement of development on the site, the developer shall obtain written approval from the planning authority, following consultation with Transport Scotland - Trunk Road Network Management Directorate (the trunk roads authority) and Grampian Constabulary, for a traffic management plan. This plan shall include details of:

- i) routing of construction traffic and construction workers' traffic;
- ii) provision of any temporary car park;

- iii) controlled routing of heavy vehicles;
- iv) arrangements for police escort or other escort approved by Grampian Constabulary of abnormal loads;
- v) any speed restrictions required; and
- vi) temporary site signage identifying routes for all site vehicles and advising drivers of all necessary information.

Such provisions in the approved plan shall be fully implemented, unless otherwise agreed in writing by the planning authority.

Reason: to minimise disruption arising as a result of traffic movements.

(7) Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, no symbols, signs, logos or other lettering (other than those required for health and safety reasons) shall be displayed on the turbines, other buildings or structures within the site without the written approval of the planning authority.

Reason: to prevent advertisements being displayed on the turbines, buildings and structures, in order to protect the amenity of the area.

(8) In the event that this turbine becomes obsolete or redundant, it must be removed within 6 months of such event. In the event that the turbine and associated equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the Planning Authority, within 1 month of such removal – to minimise the level of visual intrusion and ensure the reinstatement of the site to a satisfactory condition.

(9) Unless otherwise agreed in writing by the planning authority, noise from the wind turbine should be limited to a rating level, measured under free-field conditions, of 40 dB LA90, or 5 dB above the pre-established prevailing background noise level, for sensitive day-time hours, whichever is the greater, at any residential property lawfully occupied at the date of this consent. Sensitive day-time hours are defined as Monday-Friday 1800 to 2300 hours; Saturday 1300 to 2300 hours and Sundays 0700 to 2300 hours. The rating level shall be calculated from the measured noise level plus a correction to account for any tonal components in the noise, to be derived according to the procedure outlined in ETSU-R-97.

Reason: To ensure acceptable noise levels are achieved, in the interests of the amenity of adjacent residents and the public accessing the area.

(10) Noise from the wind turbine should be limited to a rating level, measured under free-field conditions, of 43 dB LA90, or 5 dB above the pre-established prevailing background noise level for night-time hours, whichever is the greater, at any residential property lawfully occupied at the date of this consent. Night-time hours are defined as 2300 to 0700 hours. The rating level shall be calculated from the measured noise level plus a correction to account for any tonal components in the noise, to be derived according to the procedure outlined in ETSU-R-97. Noise limits should be set at the nearest noise sensitive property.

Reason: To ensure acceptable noise levels are achieved, in the interests of the amenity of adjacent residents and the public accessing the area.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.