PURPOSE OF REPORT

Since this proposal has received six or more letters of representation from separate parties, which contain matters which are material planning considerations, this application cannot be dealt with under delegated powers and is presented to Committee for a decision.

COMPETENCE

1.1 There are no legal, financial or other constraints to the recommendation being implemented.

SUMMARY

2.1 This is a planning application by Scottish Water, % Evance Power, 1 Ainslie Road, Hillington Park, Glasgow, for the installation of five, 5.5 metre blade diameter turbines on a flanged mast, 15 metres to the hub, at the existing Scottish Water Waste Water Treatment Works, Holm Point, Sandwick, Isle of Lewis.

2.2 The site is on Scottish Water owned land, adjacent to the waste water treatment works. There is an existing ten turbine development to the south-west of the proposed development site. The current proposal is sited above the Waste Water Treatment Works site which is recessed in a cutting. The site is not within any natural heritage designations. There are some historic monuments which are inter-visible with the proposed turbines.

2.3 No objections have been raised by consultees. However six third party representations which include one from Sandwick Community Council have been received, principally on grounds of impact on the condition of the road, road safety, landscape and visual impact, suitability and amenity impacts of this type of development at Waste Water Treatment Works. These are summarised and assessed within the Report.

2.4 The Comhairle is required to determine planning applications in accordance with the provisions of its Development Plan unless material planning considerations indicate otherwise. The assessment against the Development Plan has determined that the proposal is in accordance with its provisions. An assessment of the material planning considerations has not identified any matter that carries such weight that it indicates that the Development Plan should not be accorded priority. The proposal is therefore recommended for approval subject to the application of conditions.

RECOMMENDATION

3.1 It is recommended that the application be APPROVED, subject to the conditions in Appendix 1 to the Report.

Contact Officer Helen MacDonald Telephone: 01851 822690 Email: h.macdonald@cne-siar.gov.uk

Appendix

1 Schedule of Proposed Conditions
2 Location/Site and Elevation Plans

Background Papers None
DESCRIPTION OF THE PROPOSAL

4.1 This is a planning application for the installation of five, 5.5 metre blade diameter turbines on a flanged mast, 15 metres to the hub, at the existing Scottish Water Waste Water Treatment Works (WWTW), Holm Point, Sandwick, Isle of Lewis.

4.2 The site is on Scottish Water owned land, adjacent to the waster water treatment works, at a point above the cut-in waste water treatment works site. The site is not within any natural heritage designations. There are two farmhouse premises within 500m of the proposed development. The proposed access to the site is via an existing vehicular track which currently serves the two farmhouses, the existing waste water treatment works and the existing ten turbine development.

4.3 The site is not within an area of natural heritage designation.

4.4 The site is not within any designations for the historic environment, however, the development is inter-visible with two Scheduled Ancient Monuments – the Arnish Point Gun Emplacements and Rubha Shilldinish, a promontory fort and homestead approximately 570m due east of the most southerly turbine in the proposal.

4.5 The proposal is within the class of Local Development within the Planning Hierarchy.

ADMINISTRATIVE PROCESSES

5.1 The planning application by Scottish Water, % Evance Power, 1 Ainslie Road, Hillington Park, Glasgow, was registered on 7 August 2013.

5.2 The planning application was advertised for public comment in the public notices section of the Stornoway Gazette in the publication dated 15 August 2013, as required by regulations.

ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011

6.1 The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 apply to this proposal.

6.2 The proposed development is Schedule 2 Development – Category: 3(i) in terms of the 2011 Regulations.

6.3 Having assessed the characteristics and location of the development and the characteristics of the potential impact as set out in Schedule 3 to the 2011 Regulations, Comhairle nan Eilean Siar on 4 July 2012 issued a Screening Opinion stating that in its opinion the proposed development is not considered likely to have a significant impact on the environment and that the submission of an Environmental Statement is not required.

PREVIOUS PLANNING DECISIONS RELATING TO THE SITE

7.1 There following planning history relates to the site:

<table>
<thead>
<tr>
<th>Ref. No.</th>
<th>Description</th>
<th>Decision</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>13/00382/SCR_L</td>
<td>Install five Evance R9000 5kW small wind turbines, and associated systems.</td>
<td>No EIA Required</td>
<td>28.08.2012</td>
</tr>
</tbody>
</table>

RESPONSES TO CONSULTATION

8.1 The full terms of the responses to statutory and other consultation by the Planning Authority can be read on file at the Development Department. The following is a summary of those relevant to the determination of the application.

COMHAIRLE TECHNICAL SERVICES (ROADS)

8.2 ‘Any damage to the road, as a result of transportation, should be repaired by the developer.’
COMHAIRLE ENVIRONMENTAL HEALTH SERVICE

8.3 ‘Based on the information provided…no comments other than to attach the usual conditions.’

Conditions have been recommended to manage potential issues and these are incorporated in the proposed Schedule of Conditions in Appendix 1 to the Report.

OFCOM

8.4 ‘No objection.’

More detail on spectrum ranges can be viewed in their full response on the application file.

CONNECTED COMMUNITIES

8.5 ‘The MOD has no safeguarding objections to this proposal.’

ATKINS (MICROWAVE LINKS)

8.6 ‘No objection…’

MINISTRY OF DEFENCE

8.7 ‘…the MOD has no objection to the proposal’.

HIGHLANDS AND ISLANDS AIRPORTS LTD

8.8 ‘With reference to the above proposed development, it is confirmed that our calculations show that, at the given position and height, this development would not infringe the safeguarding surfaces for Stornoway Airport.

Therefore, Highlands and Islands Airports Limited would have no objections to the proposal’.

NATS

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

REPRESENTATIONS

9.1 Representations have been received from the following:

- Sandwick Community Council, % Claire Macleod, 4A Steinish, Isle of Lewis HS2 0AA;
- Mr and Mrs James Scott, ‘Highfield’, East Street, Sandwick, Isle of Lewis HS2 0AG;
- George and Isobel Macaskill, ‘The Glebe’, Stoneyfield, Sandwick, Isle of Lewis HS2 0AP;
- Mr Alasdair Morrison, 32 East Street, Sandwick, Isle of Lewis HS2 0AL;
- Mr Norman Campbell, 36B East Street, Sandwick, Isle of Lewis HS2 0AG;
- David and Sandra Macdonald, 30A East Street, Sandwick, Isle of Lewis HS2 0AL;

9.2 The full terms of the Representations can be read on the file at the Development Department. However, they can be summarised as follows:

- inappropriate development in close proximity to Iolaire monument (a war memorial) and wreck site;
- increased volume of traffic means the road to the Iolaire monument is no longer safe to walk on;
- existing access road is already in poor condition/subsiding;
- detrimental visual impact, specifically for passengers approaching on the ferry; visitors to the Iolaire Monument; tourists; and those living close by – an ‘eyesore’;
• noise pollution;
• safety issue from the turbines themselves – eg serious repairs already carried out on existing scheme;
• the site was intended as a sewage treatment plant, not a windfarm;
• landscape impact due to cumulative impact with existing 10 turbines adjacent to the waste water treatment works;
• inappropriate visual impact;
• general amenity impact;
• no consultation with residents about the proposals;
• query overall benefit to the community of additional turbines;
• smell – turbines will act like a large ‘fan system’ aiding the movement of stench from the sewage plant (sic); and
• breach of original planning – site is for sewage treatment, not a windfarm (sic).

VIEWS OF THE APPLICANT

10.1 The following comments have been received from the Applicant.

‘Scottish Water is the largest consumer of electricity in Scotland. The cost of this electricity is a significant part of the company’s total cost for providing the public water supply which is recovered in water bills.

The 10 small wind turbines already installed at Stornoway wastewater works are generating around 40% of the energy required to run the plant. If approved, the 5 further small wind turbines in this proposed development will increase the generating capacity to provide around 60% of the site’s energy requirements.

This electricity substantially lowers the carbon footprint and the cost of operating the plant for the next 20 years, and provides protection against rising energy costs, thereby reducing water bills.

This development would be largely delivered by local businesses – wind turbines installers, plant and concrete providers - who will provide on-going service work for the 20 year operating life. It therefore supports jobs in the local community.

To assist the committee in weighing these benefits against the potential impacts of the proposed development, and in response to the objections from members of the public, we make the following comments;

Impact to the access road

• The development involves negligible incremental use of the road. The transport and concrete delivery vehicles involved in the two phases of installation work are lighter than the vehicles using the road for waste water product transport. Precise details of the use of the road during installation have been provided to the council by e-mail.
• Heavy plant is not required for on-going servicing of the turbines.

Noise Pollution

• The noise generated by the turbines has been carefully assessed in co-operation with the Council’s Environmental Health Officer to ensure no noise nuisance is caused.
• The existing 10 turbines have not created any noise nuisance.

The Iolaire Monument

• The incremental impact of this proposal to the Iolaire monument is low, as these turbines are substantially further away from the monument and its access path than the existing 10 turbines are.
Visual Impact

- The incremental impact of the 5 turbines in this proposal is low and we hope outweighed by the benefits offered by the development.
- While the turbines are visible from their immediate surroundings, including from the ferry, they do not impose upon wider views.

Unsafe

- The statement made by one objector regarding a major repair implying a safety risk is incorrect.
  - A yaw bearing was replaced as it was not performing as expected.
  - There was no increased safety risk associated with this replacement.'

10.2 The developer has also submitted details regarding transport during the construction period of the proposed development:

Traffic and transport management plan - 13/00382 - erection of five 5kW small wind turbines – Stornoway wastewater treatment works (WWTW)

To annotate the tables below, I spoke to the construction vehicle suppliers, all of whom are based locally:

1. digger – Duncan MacKay and sons
2. concrete – Breedon Aggregates
3. turbines and mast sections – DR MacLeod

1. seven tonne digger supplied on a low-loader vehicle with either:
   a. 21 tonne gross; 4 axle; 5.25 tonnes/axle or
   b. 25 tonne gross; 6 axle; 4.2 tonnes/axle

2. concrete will come in a
   a. 32 tonne gross; 4 axle; 8 tonnes/axle vehicle. (The suitability of a dumper truck, which would have a considerably lower axle weight, with more numerous repeat visits, was considered to be ineffective because of relatively poor suspension on such vehicles)

3. turbine sections and generating units, via Ullapool, arrive on a low-loader vehicle with
   a. 5 tonne gross, 5 axle; 1 tonne/axle or

To put this in context, Scottish Water tankers accessing the site on a regular basis are:

- 32 tonne gross; 4 axle; 8 tonnes/axle and
- 24 tonne gross; 3 axle; 8 tonnes/axle

Conclusion – the impact of construction traffic won’t deviate from normal wear and tear on the road.

Two sets of vehicle movements will happen, each lasting for two/three days and approx. two weeks apart. Notwithstanding any snagging issues, maintenance of these units is annual and requires only a big works van with a mini-digger hitched to the rear of the vehicle.

- groundworks and first fit electrics
- erection of turbines and final fit electrics
- groundworks and first fit electrics
<table>
<thead>
<tr>
<th>vehicle type</th>
<th>length</th>
<th>anticipated/approx number of return journeys to site</th>
</tr>
</thead>
<tbody>
<tr>
<td>aggregate lorry</td>
<td>&lt;10m</td>
<td>2</td>
</tr>
<tr>
<td>big works van</td>
<td>&lt;7m</td>
<td>3</td>
</tr>
<tr>
<td>small works van</td>
<td>&lt;5m</td>
<td>3-5</td>
</tr>
<tr>
<td>low-loader with 7 tonne digger</td>
<td>&lt;10m</td>
<td>1</td>
</tr>
</tbody>
</table>

- erection of turbines and final fit electrics

<table>
<thead>
<tr>
<th>vehicle type</th>
<th>length</th>
<th>anticipated/approx number of return journeys to site</th>
</tr>
</thead>
<tbody>
<tr>
<td>trailer with turbine sections</td>
<td>xxx</td>
<td>1-2</td>
</tr>
<tr>
<td>big works van</td>
<td>&lt;7m</td>
<td>3</td>
</tr>
<tr>
<td>small works van</td>
<td>&lt;5m</td>
<td>3-5</td>
</tr>
</tbody>
</table>

ASSESSMENT OF EIA

11.1 A Screening Opinion was issued which determined that an EIA was not required.

THE DEVELOPMENT PLAN

12.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. An assessment against the policies and provisions of the Development Plan is therefore made initially. This is then followed by an assessment of any other material planning considerations, prior to a conclusion and recommendation as to the determination.

12.2 **Policy 1 – Development Strategy** (Rural Settlement provisions):

All development proposals will be required to accord with the Development Strategy as well as other relevant Plan policies. …

Development proposals within **Rural Settlements** will be assessed against all of the following:

a) a siting and design appropriate to the rural character, distinctiveness and settlement pattern of the local area in line with Siting & Design Policy 4 and Landscape Policy 5;

b) a lower level of density that accords with those set out in Housing Policy 13 and the landscape character of the individual settlement;

c) demonstration of how development at the edge of the settlement physically and visually integrates with the existing settlement pattern and characteristics and consolidates the existing edge;

d) new development does not erode the character which forms the distinctiveness of the rural settlement;

e) the development of better quality inbye croft land does not threaten the continuation of crofting.
12.3 The application site is on the fringe of the rural settlement of Sandwick, Isle of Lewis, which has a scattered, linear settlement pattern. The proposed wind turbines have a blade tip height of 17.25m, is sited approximately 400m south east of Stoneyfield Farm house and approximately 470m west of Holm Farm house. The 5 turbine development would form an extension to an existing 10 turbine development. The siting and design is considered acceptable to the overall character of the area, and would not erode the distinctiveness of the character of the area, in line with Policy 4 and Policy 5.

12.4 Criteria b), c) and e) for development proposals within rural settlements are not relevant to the determination of this application.

12.5 **Policy 2 – Assessment of Development**

<table>
<thead>
<tr>
<th>Underpinning each of the policies in the Plan is a requirement to demonstrate that development proposals:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) will not significantly adversely affect biodiversity and ecological interests and, where possible, result in an enhancement of these interests. (The online Biodiversity Planning Toolkit should be consulted for general advice and good practice.);</td>
</tr>
<tr>
<td>b) will not result in pollution or discharges out-with prescribed limits to the air, land, freshwater or sea;</td>
</tr>
<tr>
<td>c) will not increase the likelihood of causing landslip or harmful erosion;</td>
</tr>
<tr>
<td>d) in the case of contaminated land, that appropriate site investigations and risk assessments confirm the suitability of the proposed use, in compliance with the Comhairle’s Contaminated Land Inspection Strategy;</td>
</tr>
<tr>
<td>e) have been designed to take account of the requirements of safeguarding zones notified by the Health and Safety Executive, Civil Aviation Authority, National Air Traffic Services, Ministry of Defence and Marine Consultation Areas.</td>
</tr>
</tbody>
</table>

All development will be assessed for its impacts individually, incrementally and cumulatively to ensure no significant detrimental effects arise.

The Comhairle may negotiate with developers a fair and reasonable contribution towards infrastructure and/or services required as a consequence of the proposed development. The contributions will be proportionate to the scale and nature of the development (including cumulative) and will be addressed through planning conditions or through a legal agreement if appropriate.

12.6 It is considered that the application will not significantly adversely affect biodiversity and ecological interests of the site.

12.7 There should be no pollution or discharges outwith prescribed limits to the air, land, fresh water or sea.

12.8 Criteria c) and d) do not relate to this particular development proposal.

12.9 In terms of safeguarding, Highlands and Islands Airports Limited (HIAL), Ministry of Defence (MOD), and National Air Traffic Services (NATS) have raised no objection to the proposal, and therefore it is concluded that the application satisfies this Policy.

12.10 **Policy 4 – Siting and Design**

<table>
<thead>
<tr>
<th>Development proposals must demonstrate a satisfactory quality of siting, scale and design that respects and reflects the characteristics of the surroundings.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development proposals for buildings will be permitted where they satisfy all of the following:</td>
</tr>
<tr>
<td>a) siting relates to the settlement pattern, landform, surrounding buildings and open</td>
</tr>
</tbody>
</table>
spaces, and accords with Policy 1 Development Strategy and Policy 5 Landscape;

b) design, scale, form and mass integrate with the streetscape, townscape and/or landform, avoid dominating the sky line, and relate to design elements that make a positive contribution to the character of the surrounding area; the mass of larger buildings should be managed by breaking up the design elements;

c) materials, colour, proportions and detailing complement the streetscape, townscape and/or landscape;

d) car parking arrangements accord with the Standards for Car Parking and Roads Layout Supplementary Guidance which forms part of the Development Plan;

e) plot layout accommodates;

(ii) the development footprint placed and orientated to respect that characteristic of the local area

(ii) service requirements, safe road access, parking provision integrated to minimise adverse impacts on the environment and public road;

(iii) adequate amenity space consistent with the type and character of the development;

(iv) landscaping, and boundary treatments in positions, form and scale that integrate the development into its setting;

Developments which result in an over-development of a plot or site by virtue of density, scale, or height will be resisted;

f) levels, excavation and under-building – buildings on sloping sites should be set at a level which will compensate excavation depth with unacceptable levels of visible under-build. Surplus materials from excavations should be landscaped to reflect the natural landform. Pre and post development levels and landscaping measures should be detailed on submitted plans;

g) the amenity of neighbouring properties is considered in the siting and design of new development to ensure reasonable levels of amenity are retained in respect of noise, disturbance or lighting, overlooking and overshadowing. Development will not be supported where it will result in a significant impact on the amenity of neighbouring properties.

12.11 The general settlement pattern of this area is dispersed and linear – the proposed turbine development would be near the end of the village road, set some distance away from housing. Given the nature of the development the proposed siting is considered to be acceptable. The hub heights of the turbines is 15m and the blade tip height is 17.75m, the tower will be galvanised steel and the nacelle and blades will be mid-grey in colour, which is considered an appropriate design for the turbines as sited at this location. The scale of the turbine is considered acceptable given the distance from the nearest property and the public road, and as viewed in the context of the existing 10 turbine development at the WWTW site. The nearest noise sensitive property is approximately 400m from the site and due to the risk of cumulative noise impact arising from the proximity between the existing and the proposed wind turbines, a specific noise assessment was submitted to allow detailed consideration to any potential noise impact. The consultation advice of the Comhairle’s Environmental Health Service was sought and the conclusion based on their technical advice is that the proposals would not result in an unacceptable impact from noise, either in isolation or cumulatively with the existing 10 turbine development. No additional lighting is proposed, overshadowing and shadow flicker raise no issue and overlooking is not relevant to a development proposal of this nature.

12.12 It is considered that the proposal is in compliance with Policy 4 of the Outer Hebrides Local Development Plan.
12.13 **Policy 5 - Landscape**

Development proposals should relate to the specific landscape and visual characteristics of the local area, ensuring that the overall integrity of landscape character is maintained.

The Western Isles Landscape Character Assessment (WI-LCA) will be taken into account in determining applications and developers should refer to Appendix 1 of this plan for a summary of this guidance.

12.14 The site is within the Landscape Character Type (LCT) Crofting 1, for which built development is characteristic and an integral part of the LCT. There is an existing 10 turbine development, which would be extended to 15 by this proposed 5 turbine development. There will be a cumulative landscape impact as a result of this development, however it is considered that this impact will not be unacceptable, and the proposed 5 turbine development would sit appropriately in relation to the existing turbines. The site is immediately adjacent to the main settlement of Stornoway and its setting has some 'suburban' characteristics. The Landscape Character Assessment for Onshore Wind Capacity acknowledges that development in these areas would be looked at in context of the surrounding development and topography, which in this instance includes the waste-water treatment works; a substantial telecoms mast; over-head line networks; and some scattered residential development.

12.15 It is concluded that after taking account of the landscape type and existing built structures, the proposal is assessed to be in compliance with this policy.

12.16 **Policy 10 – Soil Resources**

Where peat and other carbon rich soils are present, developers should assess the likely effects associated with any development work and aim to mitigate any adverse impacts arising.

For Major developments, minerals and large scale (over 20MW) renewable energy proposals, development will only be permitted where it has been demonstrated that unnecessary disturbance of soils, peat and any associated vegetation is avoided. Evidence of the adoption of best practice in the movement, storage, management and reinstatement of soils must be submitted along with any planning application.

Major developments, minerals and large scale renewable energy proposals on undisturbed areas of deep peat* will only be permitted for these uses where:

a) the economic, social and/or environmental benefits of the proposal outweigh any potential detrimental effect on the environment; and

b) it has been clearly demonstrated that there is no viable alternative.

Where development on undisturbed peat is deemed acceptable, a peat depth survey must be submitted which demonstrates that the areas of deepest peat have been avoided. Where required, a peat management plan must also be submitted which demonstrates that unnecessary disturbance, degradation or erosion of peat is avoided.

Large scale commercial peat extraction will not be permitted.

*deep peat is defined as 2m or more.

12.17 The development would not disturb any quantity of peat as foundation areas are small.

12.18 SEPA’s standing advice for small scale wind farm development has been referenced. The quantity of excavated material is small and is most likely to be reused on site, or disposed of at a suitably licensed facility.

12.19 **Policy 19 – Energy resources**

The Comhairle will support proposals that contribute to meeting the targets and objectives of the National Planning Framework 2, the Climate Change Act, and the National Renewables Infrastructure Plan in relation to electricity grid reinforcement,
infrastructure and renewable energy generation.

Proposals for onshore renewable energy projects and oil and gas operations (including extensions to existing or proposed developments and land based infrastructure associated with offshore projects) will be assessed against the details below and be required to demonstrate all the following:

a) appropriate location, siting and design including the technical rationale for the choice of site;

b) no unacceptable adverse impact (including cumulative) on: landscape, townscape and visual aspects, natural, built and cultural heritage resources; the water environment; peatlands; aviation, defence and telecommunications transmitting and receiving systems e.g. broadband; public health and safety, and amenity (including noise and shadow flicker as appropriate); neighbouring land uses, transport management and core paths;

c) acceptable decommissioning and site reinstatement arrangements;

The type, scale and size of the proposed development will have a significant effect on the way the Comhairle will consider an application and the level of accompanying information that will be required. Conditions and, where necessary, a planning agreement may be used to control the detail of the development. Non-permanent elements of a development will be granted permission consistent with their lifespan and/or projected period of use.

12.20 The application is for the erection of 5 wind turbines, as an extension to the existing 10 turbine development at the Holm WWTW. The siting has been chosen in order to provide power to the treatment works in order reduce running costs and carbon footprint. The turbine design is simple and is considered appropriate in the siting and design. The colour, form, finish and height are appropriate to the setting. There is an existing 10 turbine development on the site of the waste-water treatment works.

12.21 Due to the risk of cumulative impact arising from the proximity between an existing and the proposed wind turbine, a noise assessment was submitted to detail the impact of the proposal for five additional turbines. The Comhairle’s Environmental Health Service was consulted and is satisfied that the development should not exceed acceptable noise thresholds, and recommends standard conditions, which are detailed at Appendix 1 to this Report. The proposal is not anticipated to have any undue impacts as detailed in Criteria b) and all these matters are assessed as per the Supplementary Guidance for Wind Energy Development policies detailed in 12.24 – 12.56 below. The development is considered to comply with the criteria detailed in b) above.

12.22 The proposed development is a single phase project, and matters of decommissioning would be covered by relevant conditions, as detailed in Appendix 1 to the Report.

12.23 Further to consideration and assessment of the above criteria, it is concluded that the application is in compliance with Policy 19.

Supplementary Guidance: Wind Energy Development

12.24 This application is for 5 turbines, which are less than 20m to tip height and have a combined capacity of 25kw collectively and would as a group be considered small or micro scale, however, as the development is an extension to an existing 10 turbine development with an current capacity of 50kw, this brings the overall development into the ‘Medium’ scale of development as defined within the Supplementary Guidance and must be assessed against the following:

- LDP Policy 19 Energy Resources, (assessed above);
- Supplementary Guidance Policy 2: Medium scale development;
- Development Criteria policies (DC1 - 9).
12.25 **Supplementary Guidance Policy 2: Medium Scale Development**

LDP Policy 19 and Policies SP2 and SP3 of the Spatial Strategy will be applied in assessing proposals over 5MW and/or over 30m hub height.

Proposals below the 5MW threshold will require to adhere to the Local Development Plan Policy 1: Development Strategy.

All development proposals that fall within the range defined as medium in Table 1 will be assessed against the Development Criteria policies DC1 – DC9.

For turbines up to 50m tip-height, developers may be required to submit a Zone of Theoretical Visibility (ZTV) map to a radius of 15km with photomontages.

12.26 This Policy sets out the framework for assessing the suitability of a development in relation to certain criteria, and details which further policies apply to this scale of development.

12.27 The development proposal for five turbines, at a hub height of 15m, and with a capacity of 25kw and cumulative capacity with the existing 10 turbine development of 75kw, does not trigger the requirement to be assessed against Spatial Policies SP2 and SP3. The proposal is below the 5MW threshold and has been assessed against Local Development Plan Policy 1 (see 12.2 – 12.4 above). The proposal is to be considered against Development Criteria policies DC1 - DC9 (see 12.29 – 12.55 below). It has been considered that the scale and siting of the proposed turbines, given the turbine design and scale mirrors the existing 10 units did not require submission of a ZTV.

12.28 The proposed development has met the criteria of the above Policy.

**Development Criteria (DC) Policies**

12.29 **DC Policy 1: Natural Heritage**

Developers will be expected to demonstrate, through an appropriate assessment, that wind energy proposals (and associated infrastructure) will not have an adverse effect on the overall integrity of the site of any international designation, unless there are no alternative solutions and there are imperative reasons of overriding public interest for doing so. These designations are:

- Ramsar Sites;
- Natura 2000 sites (Special Protection Areas and Special Areas of Conservation).

Developers will be expected to demonstrate that wind energy proposals (and associated infrastructure) will not compromise the underlying objective and overall integrity of national designations unless it can be evidenced that any significant adverse effects are clearly outweighed by social or economic national benefit that could come from the development. These designations are:

- National Scenic Areas*;
- Sites of Special Scientific Interest;
- National Nature Reserves.

In respect of the animals and plants identified in Annex 4 of the Habitats Directive (European Protected Species), developers will be expected to demonstrate that wind energy proposals (including associated infrastructure) will not have an adverse effect on these species, or that all three tests as detailed in Regulation 44 of the Habitats Regulations can be satisfied. In addition, the Comhairle will give due consideration to the wider natural heritage beyond the confines of designated sites, particularly those listed below, where they are of major importance or contribute to the coherence of the Natura network of European sites:

- Areas of habitats listed in Annex 1 and the habitats of species of community
interest listed in Annexes 2, 4 and 5 of the Habitats Directive;

- Areas which support habitats of naturally occurring wild birds, particularly those on Annex 1 of the Birds Directive and migratory species.

Proposals likely to have an unacceptable adverse impact on species listed in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended) will not be acceptable.

*SNH have published Special Qualities Reports for National Scenic Areas that should be referred to where proposals may affect National Scenic Areas

12.30 The application site is not within or near to any designated sites. There is no evidence of protected species on site or their habitats. It is considered that the proposal is acceptable in respect to this Policy.

12.31 **DC Policy 2: Landscape and Visual**

Developers will be expected to demonstrate that wind energy proposals and associated infrastructure will not have an unacceptable significant visual or landscape impact on the character of the Outer Hebrides (including cumulative). Developers should seek to ensure that through good siting and design, landscape and visual impacts are limited.

The nature of visibility of the proposal will be assessed their likely impact on:

- the special qualities of National Scenic Areas;
- residential properties and settlements;
- views from popular public viewpoints, transport routes, the core path network and recognised visitor locations;
- the site and setting of SAMs; Listed Buildings; Conservation Areas; and other historic sites as agreed with the Comhairle.

In line with the Policy SP2, turbines associated with proposals over 5MW should be located at a distance of at least 1.5km from settlements. For smaller developments applications will be judged on a case-by-case basis.

Power lines connecting the individual turbines to the on-site sub-station are required to be underground and those connecting the wind farm sub-station to the electricity distribution system will require sensitive treatment.

The *Landscape Capacity Study for Onshore Wind Energy Development in the Western Isles, 2004* provides detailed information.

12.32 Though the development will be visible from a number of settlements (predominantly Stornoway, and to a lesser extent, some of the village areas in Point), the area and its surroundings are characterised by development, including the existing 10 turbines within the waste-water treatment works site. The nearest residential building is approximately 400m from the site of the proposed development and the next nearest is a distance of approximately 470m. These are both individual farmhouses, and the proposed turbines are not within the centre of a nuclear settlement, but rather on the fringe of a linear and dispersed farming settlement.

12.33 The site is near to the Iolaire Monument at Holm, and the public footpath to the monument passes to the south-west of the existing 10 turbine development. The proposed additional 5 turbines are located to the other side of the waste-water treatment plant enclosure and are further away from the Iolaire Monument and the access to it: it is not considered that the additional turbines will create an unacceptable cumulative impact on the use of the pathway or monument area.

12.34 Historic Scotland has noted no issues regarding the impact of any of the Scheduled Ancient Monuments in the vicinity. As this application is for a development of less than 5MW the Policy states that the requirement to be a minimum distance of 1.5 km away is assessed on a case by case basis. Given the small scale of the turbines; their relatively low visibility given the colour and siting of each turbine; and the noise impact
assessment indicating that an additional 5 turbines to the existing 10 turbine scheme will not have an unacceptable impact on the nearest adjacent properties, it is considered that the distances to the nearest developed areas are acceptable.

12.35 **DC Policy 3: Community Amenity**

Planning applications must be accompanied by evidence that the proposals have been assessed and found to have no unacceptable significant adverse impact on community amenity in relation to the following:

- shadow flicker;
- noise;
- electromagnetic interference;
- commissioning and decommissioning;
- phasing;
- ancillary developments and infrastructure;
- public access;
- cumulative impacts of the above.

In the consideration of wind energy proposals, the Comhairle will seek to maintain and improve public access and enjoyment, in line with Local Development Plan Policies 24 and 25 in relation to countryside access and open space provision.

With regards to shadow flicker and as per Scottish Government advice, turbines should be located at least a minimum distance equivalent to 10 times the blade diameter from any regularly occupied buildings not associated with the development and at least a minimum distance equivalent to the height of the turbine to blade tip plus 10% from public roads or paths identified in the Outer Hebrides Core Paths Plan.

Planning conditions or obligations may set appropriate conditions, such as: noise levels; traffic management plans; commissioning and decommissioning arrangements and correction of any electro-magnetic interference.

12.36 The blade diameter for each turbine is 5.5m, thus the distance from the nearest unrelated properties for the purpose of minimizing shadow flicker is 55m – both of the nearest properties are over 400m from the proposed turbine development. The site is not in proximity to a Core Path, and exceeds the required distance to a public road.

12.37 The noise assessment accompanying the planning application demonstrates that, including consideration of potential cumulative impact with the existing 10 turbine development, the proposed 5 turbine development will not cause the noise impact on the nearest noise sensitive premises to exceed acceptable levels. Standard noise conditions would still be recommended and are shown at Appendix 1 to the Report.

12.38 Consultations with Connected Communities; OfCom; and Atkins on behalf of certain fixed link microwave operators have not resulted in any issues being raised in relation to electromagnetic interference. The developer states that “The proposed wind turbines use permanent magnet brushless alternators and thereby avoid one main source of potential electromagnetic interference, worn brushes. The turbines are CE marked and have been tested to ensure compliance with all required regulations in this regard. The other common source of electromagnetic interference is the switching circuitry used in the controller and inverter to adjust the turbine’s loading. This equipment is ground based and is CE marked to comply with all required regulations in this regard” (Evance, Design and Access Statement).

12.39 The project is for a single phase installation of the five turbines. The connecting cabling will require to be undergrounded, and the associated infrastructure will be housed in an existing unit within the waste-water treatment plant.

12.40 There is no impingement on public access by the siting of the proposed five turbines.
12.41 It is not considered that any of the above matters will create a cumulative unacceptable impact.

12.42 **DC Policy 4: Water Resources**

| Proposals for wind energy developments (and associated infrastructure) will be required to accord with Local Development Plan Policy 9 relating to water quality for ground water, surface water (including water supply) and aquatic ecosystems. It should be demonstrated that the proposal has been designed to minimise any detrimental impact on the water environment.  
The carrying out of mitigating work may be the subject of a planning condition or agreement. |

12.43 The level of works relating to the installation of the turbines is minimal, with each turbine being a single foundation and no interlinking roadway or groundworks other than the trenching for the cabling. Surface water drainage should not be adversely affected by the proposals, and the site is not within a Drinking Water Protection Area or near any other evident water sources which would be adversely impacted upon, provided the developer follows best-practice construction methods.

12.44 **DC Policy 5: Historic Resources**

| The implications for archaeological remains, built remains, historic landscapes, the historic character and associations of the wider landscape will be major factors in the consideration of proposals for wind energy developments (and associated infrastructure). The requirements of Local Development Plan Policies 31 Listed Buildings; 32 Conservation Areas; 33 Thatched Buildings and 34 Archaeology will apply.  
Developers will also be expected to demonstrate that wind energy proposals and associated infrastructure will have no unacceptable significant adverse impact on the site, context and setting of historic environment assets*; including designated and significant undesignated assets and areas.  
As part of the process of preparing an Environmental Statement developers are required to adequately consider direct and indirect physical impact and detail any potential for cumulative effects on historic environment assets, their setting and visual amenity and the impacts of any secondary developments such as power lines or transmission stations.  
*Historic environment assets are defined as: those identified in the Development Plan and/or in national listings, schedules or registers held by Historic Scotland or other competent authorities, including: conservation areas; listed buildings; historic gardens and designed landscapes; thatched buildings; sites and settings of SAMs and other unscheduled assets and areas of archaeological significance. |

12.45 The site is not within any designations for the historic environment, however, the development is inter-visible with two Scheduled Ancient Monuments – the Arnish Point Gun Emplacements and Rubha Shilldinish, a promontory fort and homestead approximately 570m due east of the most southerly turbine in the proposal.

12.46 There is no evident archaeology on site.

12.47 **DC Policy 6: Aviation and Defence**

| Developers will be expected to demonstrate that wind energy proposals (and associated infrastructure) will not affect the safe use of: airport, defence or emergency service operation. This includes flight activity; navigation and surveillance systems; and associated infrastructure.  
Full consultation with the Civil Aviation Authority, Highlands & Islands Airports Limited; the Ministry of Defence; National Air Traffic Services; Her Majesty’s Coast Guard and the Comhairle should take place at the relevant stages. |

12.47
When designing and siting proposals developers should pay particular regard to:

- MoD ‘Safeguarding Extents Hebrides’;
- Health & Safety Executive Safeguarding Zones;
- NATS En Route Plc Safeguarding Maps;
- Department of Trade and Industry “Wind Energy and Aviation Interest – Interim Guidance”;
- CAP 764 - CAA Policy and Guidelines on Wind Turbines; Civil Aviation Authority July 2011;
- CAP 393 – Air Navigation: The Order and the Regulations Civil Aviation Authority April 2010;
- CAP 670 – Air Traffic Services Requirements Part B Gen 01 Wind farms Civil Aviation Authority February 2010.

1 For all applications in Uist pre-application discussion with the Comhairle Planning Service is advised to identify any potential aviation and/or defence constraint arising in relation to radar.

2 NATS safeguarding maps are available at www.nats.co.uk/windfarms

12.48 The situation of the development site required consultation with the Ministry of Defence; Highlands and Islands Airports Ltd and National Air Traffic Services.

12.49 No consultees raised any issue in regard to the proposals.

12.50 **DC Policy 7: Cumulative Impact**

Developers will be expected to demonstrate that proposals will not result in unacceptable cumulative impacts. Developers should refer to SNH’s guidance ‘Assessing the Cumulative Impact of Onshore Wind Energy Developments 2012’.

As cumulative issues only arise when the siting of a particular development is known, cumulative impact will be fully evaluated on a case-by-case basis. Assessment of impacts will take into account a wide range of factors covering the natural and built environment, landscape, the visual amenity of residents and the wider socio-economic impacts.

The Comhairle will encourage developers to co-operate over the exchange of information where cumulative assessment has been identified as important and is required in order to make decisions on proposals.

12.51 The proposed wind turbines would be an extension to an existing 10 turbine development, and would become an integral part of the existing turbine development in views towards the proposal site. There are no other consented or erected turbines within 4km of the development site, and the nearest three turbines, which are between 4km and 7km away from the proposed development site, are single micro-scale turbines. The development will likely be inter-visible with some larger scale turbines currently in situ near the Lochs and Pentland roads, however it is not considered that this inter-visibility will create an unacceptable, cumulative visual or landscape impact, given the small scale and siting of the proposed 5 turbine development. For the reasons discussed in the Development Criteria policies 1 – 7 above, it is considered that there will be no unacceptable cumulative impact on built or natural heritage; water resources; aviation; or noise. The proposal is therefore considered to comply with this policy.

12.52 **DC Policy 8: Soil Resources**

Proposals will be required to adhere to Local Development Plan Policy 10 relating to soil resources.

For developments over 5MW or 30m developers will also be expected to provide geotechnical and hydrological, ecological and peat management information in support of applications, identifying the presence of peat at each site and how the development is designed to avoid the disturbance of peat, including the risk of landslide connected to
any development work. (Further guidance is provided in the Scottish Government’s Peat Landslide Hazard and Risk Assessment Guide, 2007).

The carrying out of mitigating work may be the subject of a planning condition or agreement.

12.53 Local Development Plan Policy 10 is referenced above. Due to the small scale of the development (less than 5MW and under 30m), issues relating to soil resources as set out above are not relevant to the scale of the proposal.

12.54 **DC Policy 9: Planning Obligations**

Both medium and large scale wind energy developments (as a general rule, those with 3 or more turbines each generating greater than 50kw or a development generating 1MW or more) will normally be subject to a requirement for the completion of an agreement under section 75 of the Town and Country Planning (Scotland) Act 1997 to include:

- Land restoration during and after completion of the development phase and at any time when any part of the development is modified or becomes redundant and the taking out of a reinstatement bond to ensure acceptable restoration;
- Off-site works to roads or other services that reasonably require improvements to accommodate the proposed development. Any safeguarding or remediation works to any off site feature or receptor that may be affected by the proposal.

A decommissioning statement will be required to be submitted in support of a planning application, which should be updated at least 1 year before the cessation of generation at the site. This statement should be written in accordance with best practice and in consultation with Comhairle nan Eilean Siar. The statement should provide a detailed account of the necessary works and the method of reinstatement of the site, with the removal of all wind turbines, foundations, tracks (where appropriate), equipment and any ancillary plant associated with the development.

Applicants will have to demonstrate to the Comhairle that appropriate funding (must detail whether estimated cost is current or future) is in place to undertake this future work. Details of the mechanisms for the restoration of the site should be made in the case of a planning agreement.

12.55 The proposed development, while assessed as Medium Scale due to the combined output resulting from this proposed extension to the existing 10 turbine development, does not meet the ‘general rule’ criteria above. i.e. while the proposed turbines on site will number 15, they are micro-generation turbines by design, with minimal infrastructure, small foundation and no new roads infrastructure as part of the development and collectively will not generate 1MW of power. It is considered that standard micro-scale turbine conditions relating to the removal of the turbines at the end of their life-span or the expiry of any consent and subsequent reinstatement of the land, will be proportionate and sufficient in order to address decommissioning and site restoration requirements. The issue of road damage/repair is raised in representations and addressed as a Material Planning Consideration. As the access to the site is outwith the application site and outwith the control of the applicant, any off-site works which were considered reasonably required as a result of the development would require a Section 75 agreement/Planning Obligations agreement.

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

12.56 Having reviewed the provisions of the Development Plan as detailed above, the proposal is considered to accord with the Comhairle’s adopted Development Plan.
MATERIAL PLANNING CONSIDERATIONS

13.1 Having carried out an assessment against the Development Plan, the Planning Authority requires to identify and consider relevant material considerations, for and against the proposal, and assess whether these considerations warrant a departure from the Development Plan. The weight to be attached to any relevant material consideration is for the judgment of the decision-maker.

SCOTTISH PLANNING POLICY

13.2 Scottish Planning Policy is a material Planning Consideration.

13.3 Paragraphs 182 to 191 of Scottish Planning Policy (SPP) relate directly to the development of renewable energy on all scales. SPP states the Local Authority Development Plans should ‘…support the wider application of medium and smaller scale renewable technologies such as … microgeneration projects including those associated with or fitted to existing buildings.’ It also indicates that each proposal should be assessed in relation to other material considerations such as amenity and the historic environment. It is considered this proposal has been considered against the Development Plan’s policy on renewables and is in compliance with its requirements. The amenity of the area and neighbours has also been assessed and it is considered that the proposed development would not unduly affect the area in which it is proposed to be sited.

SCOTTISH GOVERNMENT ONLINE ADVICE PLANNING ADVICE ON ONSHORE WIND

13.4 The Government has produced online advice on on-shore wind to expand on previous guidance. This document sets out typical planning considerations in determining planning applications and includes impact on landscape, communities - noise, shadow flicker; historic environment and aviation and defence. These issues have already been addressed in response to the Development Plan Policies and Supplementary Guidance Development Criteria above.

13.5 The report ‘The Assessment and Rating of Noise from Wind Farms’ (Final Report, Sept 1996, DTI), (ETSU – R 97) is cited within the advice as providing indicative noise levels thought to offer reasonable protection to wind farm neighbours and appropriate noise conditions without placing unreasonable burdens on developers. The Comhairle’s Environmental Health Service’s consultation response is based on the Energy Technology Support Unit (ETSU) considerations and the information provided in the developer’s noise report. The proposal is considered to be able to operate within the acceptable noise threshold levels, and conditions will be applied to manage this.

13.6 The advice states that ‘Electro-magnetic Interference to Communications Systems: Wind turbines (in common with all electrical equipment) produce electro-magnetic radiation which can interfere with broadcast communications and signals’. The relevant consultees have not raised any concerns in regard to the proposals.

13.7 It states in relation to Aviation: “Aviation Matters: UK Airspace is important for both civilian and military aviation interests. It is essential that the safety of UK aerodromes, aircraft and airspace is not adversely affected by new wind power infrastructure”. None of the aviation consultees – MOD, NATS and HIAL – have raised any concerns regarding the proposals.

THIRD PARTY OBJECTIONS

13.8 Many of the issues raised by third parties in objection and which are material planning considerations have already been considered and assessed within the various policy sections above – namely: noise impact; visual and landscape impact; community and neighbour amenity and cumulative impact.
13.9 Noise impact is discussed in response to Policy 4 and DC Policies 3 and 7; landscape impact in Policy 5 and DC Policy 2; community and neighbor amenity at Policy 4 and DC Policy 3 and cumulative impact at DC Policy 7.

13.10 Iolaire Monument - Consideration of the impact on the Iolaire Monument and the pathway to it are detailed in Paras 12.35 – 12.41 above. The Monument whilst an important and significant historical site, visited by many as a memorial to local war time loss, carries no built environment designation. Nevertheless, due consideration has been given to the representations raised as it is recognised as a much visited site. Accessed via the same track that leads to the WWTW, the traffic associated with turbine installation and de-commissioning will be minimal and restricted to a small number of days and as such is unlikely to generate traffic impacts such that it would constitute road safety concerns of a level that would merit refusal of the application. Further turbine maintenance is unlikely to generate or increase traffic levels along the access on a scale that would merit refusal of the application. The proposed five turbines are also sited further away from the monument than the existing 10 turbines. It is therefore considered that the addition of five turbines will not create an unacceptable impact on the use of the site, given their scale and siting and the scale and duration of traffic increase generated.

13.11 The concerns regarding the existing, partially adopted road, which serves the existing residential properties, agricultural holdings and waste water treatment works have been raised – specifically, increased volume in traffic meaning the roadway would no longer be safe for pedestrians and that the current condition of the road is poor and subsiding. It is presumed that the second noted concern would be that the proposed development would worsen the condition of the road due to the transportation of the turbines and other construction materials etc to the site.

13.12 The access road currently serves the WWTW. The proposed loads, weight and number as provided by the developer are unlikely to significantly increase loads and damage to the road. Further, the road is outwith the application site and outwith the control of the developer. An informative advising the developer of their responsibilities in relation to the condition of the road would be included in any planning decision. Based on the scale of the development and the information submitted by the developer in relation to the planned transportation methods (see 10.2), it is not considered that a separate planning agreement would be a proportionate requirement to manage the scale of impact that is likely to be generated by short term construction work and subsequent maintenance of the turbines.

13.13 A concern raised regarding the wind turbines having an increased impact on smell spreading from the waste water treatment works is not considered to be founded, however, smell can be a statutory nuisance and there are other means of recourse through bodies such as the Environmental Health Service. Concerns raised regarding the safety of the turbine structures is, again, not a matter relating to the planning process, however other bodies with Health and Safety remits may have jurisdiction over such matters, should people be concerned.

13.14 A number of representations raised concern over the use of the site for wind turbines, as the original planning consent on site related only to the development of waste water treatment works. There are no conditions or agreements relating to the planning aspect of the waste water treatment works that would preclude the development of wind turbines. The existing ten turbines were granted planning permission in 10 December 2012 after due process.

13.15 Representations raised concerns that there was no consultation with residents about the proposals and also query the overall benefit to the community of additional turbines. The scale of the project is such that no formal planning application consultation process is required to be carried out by the developer, however all planning processes which include publication and notification in accordance with Regulations were carried out, as detailed in 5.2 above.
CONCLUSION

14.1 This is a planning application by Scottish Water, % Evance Power, 1 Ainslie Road, Hillington Park, Glasgow, for the installation of five, 5.5 metre blade diameter turbines on a flanged mast, 15 metres to the hub, at the existing Scottish Water Waste Water Treatment Works, Holm Point, Sandwick, Isle of Lewis. Key considerations included assessing the development in relation to visual and landscape impact; potential noise impact; and consideration of matters from third party objections. It is considered that the development is acceptable and in compliance with the Outer Hebrides Development Plan and with the Scottish Planning Policy. There are no additional relevant material planning considerations that would not accord the Local Development Plan priority.

14.2 In assessing an application for planning permission, the Comhairle must base its decision on the statutory Development Plan unless material considerations indicate otherwise. The Development Plan supports development on appropriate sites within settlements, with appropriate design and addressing other matters of policy. Having assessed the proposal against the Development Plan and considered other material planning considerations, it is considered that none justify a departure from the Development Plan.

RECOMMENDATION AND REASONS

15.1 The application is recommended for approval because it has been assessed against the relevant policies of Development Strategy, Assessment of Development, Siting and Design, Landscape and Energy Resources in the Outer Hebrides Local Development Plan, and found to be in compliance with both the settlement strategy and policies. There are no material considerations that indicate that the Plan should not be accorded priority. The proposal is therefore recommended for approval subject to the application of conditions set out in Appendix 1 to the Report.
Condition 1  This planning permission shall expire on 30 November 2038. On or before the expiry of this permission, the development to which this permission relates shall cease and the wind turbines and any equipment associated with the development shall be removed and the site restored to grass by covering with top soil and seeding to the satisfaction of the Comhairle as Planning Authority unless a renewal of planning permission has previously been granted.

Reason  To maintain a measure of control over temporary development in the interests of visual amenity.

Condition 2  Within six months of the cessation of regular use of the wind turbines, the turbines, any associated hardstanding, and any other fitments associated with the development shall be removed and the site restored by covering with topsoil and seeding. For the purpose of defining, the cessation of regular use shall be defined as not being in use for a continual period of six months.

Reason  To order to safeguard the natural qualities of the site.

Condition 3  All of the transmission lines relating to this development shall be underground, unless otherwise agreed in writing by the Comhairle as Planning Authority.

Reason  For the avoidance of doubt and in order to safeguard amenities and minimise visual impact.

Condition 4  No symbols, signs, logos, or other lettering (other than those required for health and safety reasons) shall be displayed on any part of the turbine nor any other buildings or structures without the written consent of the Planning Authority.

Reason  In order to minimise the visual impact of the proposals in the interests of visual amenity.

Condition 5  At no point during the life of the development shall the site be illuminated by lighting.

Reason  In the interests of the visual amenity of the area.

Condition 6  The wind speeds not exceeding 10m/s, as measured or calculated at a height of 10m above ground level at the nearest wind monitoring mast; the wind turbine noise level at the façade of any dwelling or other noise sensitive premises shall not exceed 35dB LA90, 10min or the Background Noise Level plus 5 dB(A), which ever is the greater. In this condition, wind turbine noise level means the rated noise level due to the combined effect of all the wind turbines, excluding existing background noise level but including any tonal penalty incurred under the methodology described in ETSU-R-97, pages 99-109. Background Noise Level means the ambient noise level already present within the environment (in the absence of noise generated by the development) as measured and correlated with Wind Speeds. Wind speeds means wind speeds measured or calculated at a height of 10 metres above ground level on the wind farm site at the wind monitoring mast nearest to the premises of interest.
Noise Sensitive Premises means premises, the occupants of which could be exposed to noise from the wind farm and includes hospitals, residential homes, nursing homes, etc.

Reason  To protect the amenity at noise sensitive premises.

Condition 7  Should any valid complaints be received in respect of noise levels, the developer shall fully investigate these complaints and, to establish noise levels at any affected property, shall undertake noise monitoring which shall be carried out by a suitably qualified noise expert or consultant previously agreed in writing by the Planning Authority and which shall be carried out by the method statement stated in section 2.0 Procedure to be followed in the event of a complaint page 102 of the publication The Assessment and Rating of Noise from Wind Farms (ETSU-R-97, Department of Trade and Industry, September 1996).

Reason  To quantify the loss of amenity at noise sensitive premises resulting from the operation of the wind turbine.

Condition 8  Should any noise monitoring undertaken in accordance with Condition 7 above demonstrate that the noise thresholds in Condition 6 are being exceeded, the developer shall submit a scheme of mitigating measures to the Planning Authority for written agreement within three months of the breach being identified. The agreed mitigating measures shall be implemented within three months of the written agreement or within any alternative timescale agreed in writing by the Planning Authority and thereafter retained throughout the life of the development unless otherwise agreed in writing by the Planning Authority.

Reason  To ensure adequate mitigation is in place to protect amenity at noise sensitive premises.

Condition 9  The colour of the turbine blades, yaws and nacelles shall be a dull, matte grey in colour and retained as such throughout the lifetime of the development unless otherwise agreed in writing by the Comhairle as Planning Authority.

Reason  In the interests of visual amenity.
2002 modified cable route