

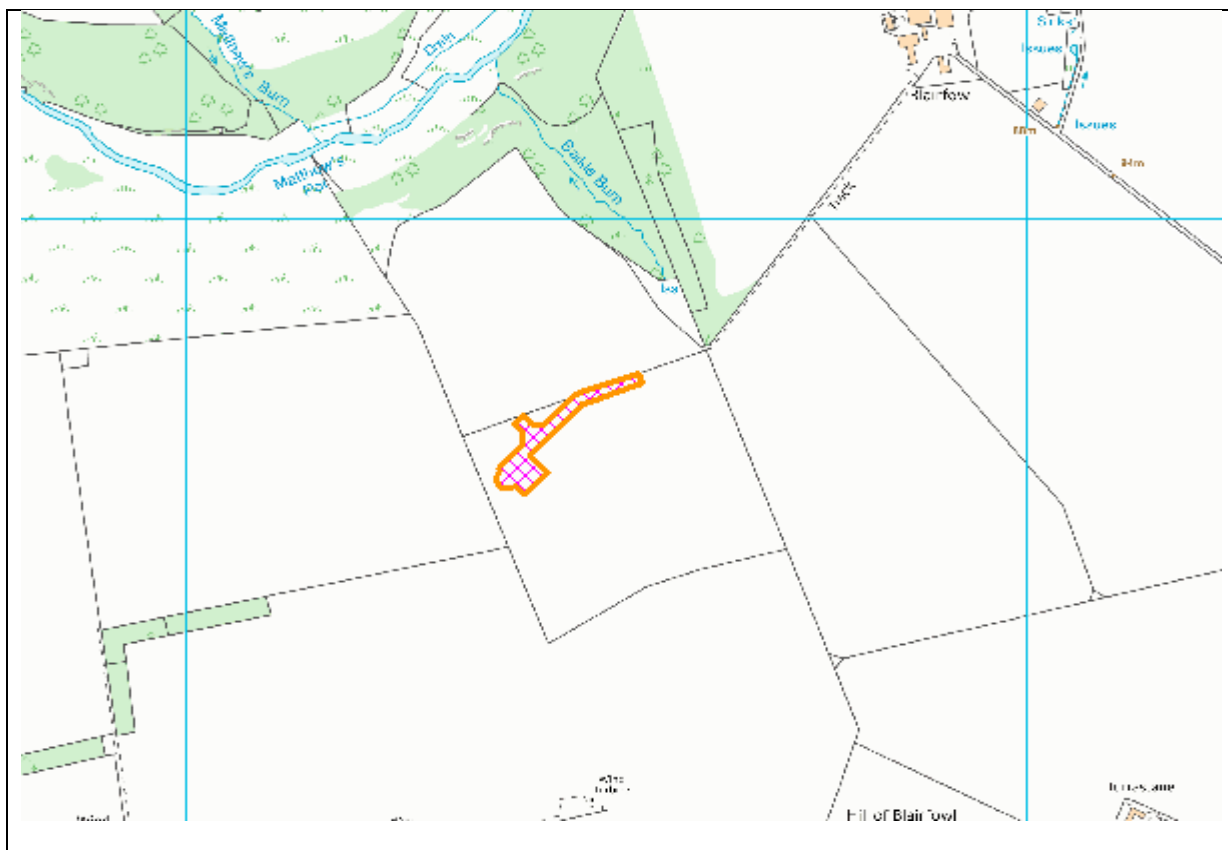
## Formartine Area Committee Report - 27 February 2018

Reference No: APP/2017/2258

**Full Planning Permission for Erection of 800kW Wind Turbine (84m Total Height, 60m Hub Height) and Associated Infrastructure at Land to South West of Blairfowl Farm, Fyvie, Turriff, Aberdeenshire, AB53 8PP**

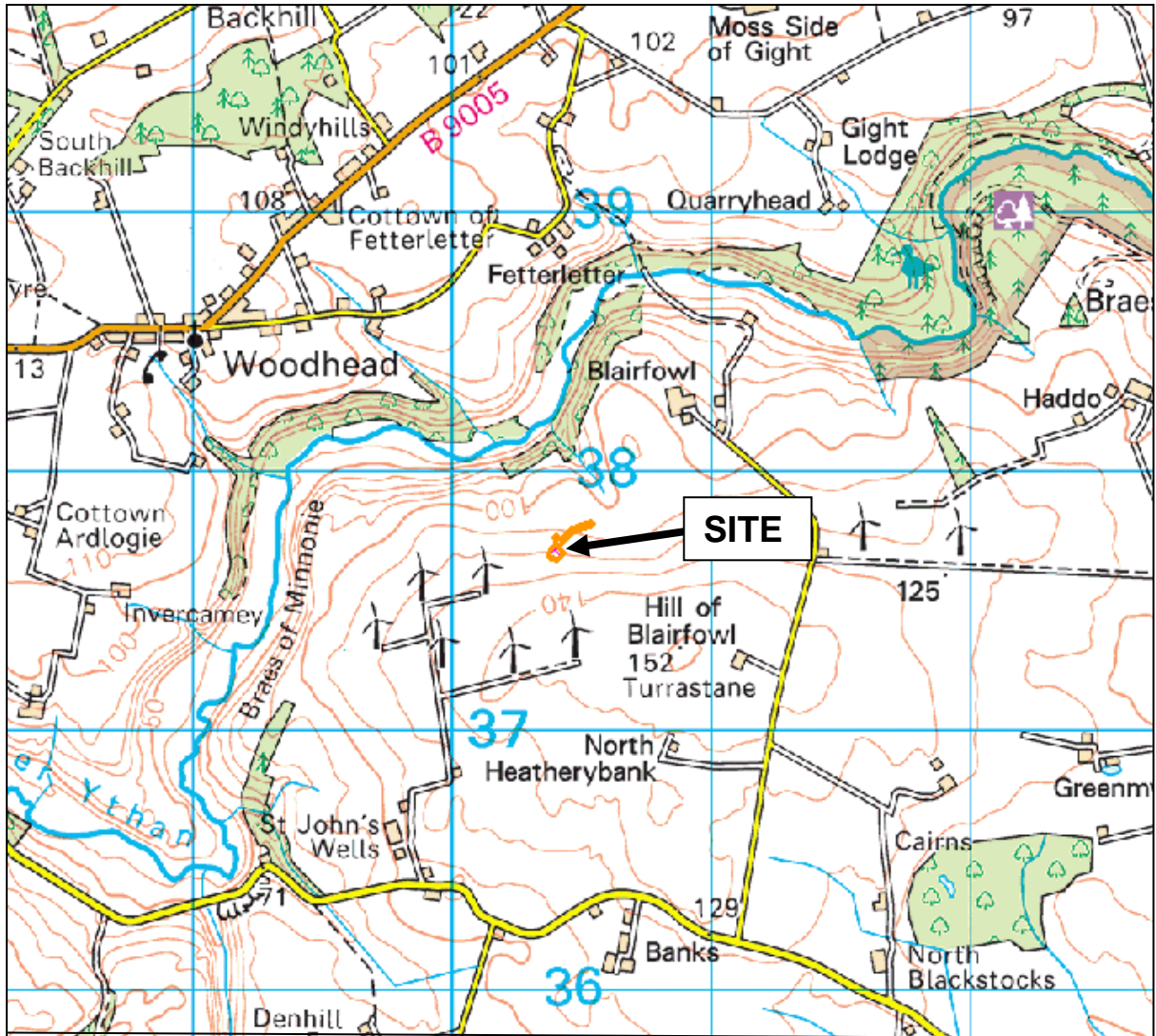
**Applicant:** Mr William Wyness  
**Agent:** Green Cat Renewables Ltd

**Grid Ref:** E:380454 N:837734  
**Ward No. and Name:** Turriff And District  
**Application Type:** Full Planning Permission  
**Representations:** 1  
**Consultations:** 14  
**Relevant Proposals Map:** Aberdeenshire Local Development Plan  
**Designations:** RHMA  
**Complies with Development Plans:** Yes  
**Main Recommendation:** Grant



**NOT TO SCALE**

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## **1. Reason for Report**

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2. Background and Proposal**

- 2.1 Full Planning permission is sought for the erection of a single Enercon E48 wind turbine measuring 84 metres from base to tip (hub height 60m, blade diameter 48m), substation, formation of access track and hardstanding on land at Blairfowl Farm. Appendix 1 contains the Location Plan and Appendix 2 contains the Elevations.
- 2.2 The proposed development comprises:
- A three-bladed horizontal axis wind turbine measuring up to 84m tip height;
  - Hardstanding area for erection crane at turbine location (approximately 30m by 20m);
  - Turbine foundation (diameter 16m with a depth of 1.6m);
  - Approximately 150m of new on-site access tracks;
  - Drainage works;
  - An on-site electrical and control network of buried cables;
  - A sub-station (approximately 10m by 4m by 5.1m);
  - A spur connection from the sub-station to the local grid network (not part of the planning application);
  - A temporary construction compound;
  - Associated ancillary works; and
  - Engineering operations.
- 2.3 The development is located just over 1km to the south east of Woodhead. There are existing turbines located 400 - 700 metres to the south west of the proposed site and an existing turbine which is located approximately 180 metres to the north east. The site slopes upwards to the south and downwards to the north and in the wider aspect is rolling with a valley to the north which the River Ythan meanders through. There are trees (both plantation coniferous and deciduous) to the north and on the northern horizon. The turbine would be located in an area of actively farmed land/open field. The character of the area is rural. The nearest dwellinghouse is at Blairfowl farm steading which is located approximately 700 metres to the north east of the site. Access to the site would be taken from the A947 along the existing farm tracks.

- 2.4 This site is just within the Landscape Character Area (LCA) known as Agricultural Heartland which is designated by Scottish Natural Heritage. The Landscape Character Assessment provides the following overview of this landscape character area:

### Key Landscape Features

- **Landform** A rolling landform with open views to neighbouring. Given the expanse of the area, there are variations throughout the area, and the landscape can be steeper in places.
  - **Vegetation** Scattered broadleaved trees are frequently found in shelterbelts along hill ridges, and around farms. There is some variation throughout the area, and the area is more heavily wooded to the north of the area, with coniferous plantations and woodland.
- 2.5 It is noted that the proposed site is close to 2 other landscape character areas: Northern rolling lowlands (approx. 1km away) and the Deveron and Upper Ythan Valleys (approx. 450m away).
- 2.6 The application has been screened under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. The assessment concluded a full EIA is not required.
- 2.7 Planning history includes;

### On site

- ENQ/2017/1133 – Screening opinion for single turbine – Schedule 2 development. Environmental Planning Statement required including a Landscape and Visual Impact Assessment, Ecological Assessment, Hydrology and Built Heritage Assessment along with a Noise Impact Assessment. A full Environmental Impact Assessment is not required in this case.
- APP/2013/1396 – Single turbine 84m height base to tip - Approved

### Nearby Sites

- APP/2006/3637 – (Haddo) 2 wind turbines 90.2m ground to tip – Approved
- APP/2006/3851 – (St Johns Wells) 3 wind turbines 79.6m ground to tip – Approved
- APP/2009/4121 – (St Johns Wells) 3 Additional 80 metre wind turbines – Approved
- APP/2008/1749 – (St Johns Wells) 3 wind turbines 79.6m ground to tip (repositioning of 2 turbines) – Approved

2.8 Information submitted in support of the application includes;

- Additional ZTV to 84m Tip Height map - (Received 12/09/17)
- Cultural Heritage Map and drawings – (Received 12/09/17)
- Cumulative Basemap – Consented - (Received 12/09/17)
- Cumulative Basemap – In Planning - (Received 12/09/17)
- Cumulative Basemap – Operational - (Received 12/09/17)
- Enercon E-48 Technical Description – (Received 07/09/17)
- Enercon Turbine Brochure – (Received 07/09/17)
- Hydrological Context map – (Received 12/09/17)
- Landscape Character Assessment map – (Received 12/09/17)
- Landscape Designations map – (Received 12/09/17)
- Protected Species Assessment – (Received 01/09/17)
- Study Area Map – (Received 12/09/17)
- Volume 1: Environmental Report – (Received 01/09/17)
- ZTV to 60m Tip Height map - (Received 12/09/17)
- ZTV to 84m Tip Height map - (Received 12/09/17)

### 3. Representations

3.1 A total of 1 valid representation (1 objection) has been received as defined in the Scheme of Governance. All issues raised have been considered. The letter raises the following material issues:

- *The Council's planning guidance states that Medium/large turbines not appropriate within the Ythan Valley.*

### 4. Consultations

#### *Internal*

- 4.1 **Infrastructure Services (Archaeology)** has stated that no archaeological mitigation is required.
- 4.2 **Infrastructure Services (Environmental Health)** do not object to the proposal subject to conditions.
- 4.3 **Infrastructure Services (Environment Team – Built Heritage)** has stated that the proposed turbine will not have a significantly greater impact upon the setting of any nearby Historical assets/listed buildings than the existing commercial turbines in the surrounding area.
- 4.4 **Infrastructure Services (Roads Development)** has no objections to the proposals subject to conditions. They have recommended the applicant submit the Abnormal Load Routing Plan at least 3 months prior to commencement of development.

*External*

- 4.5 **Aberdeen International Airport** has no objections to the proposals.
- 4.6 **Arqiva** has no objection to this application.
- 4.7 **Civil Aviation Authority** has not responded at the time of writing.
- 4.8 **Fyvie Rothie & Monquhitter Community Council** has objected to the proposal on the grounds that medium/large turbines are not supported by Council guidance in the Ythan valley around Rothienorman, Fyvie, and stretching up to Turriff. They have stated that the proposed site is too close to Woodhead, the accumulation of turbines in the area is an issue and potential for noise issues as heard from Woodhead.

The full response can be found in Appendix 3.

- 4.9 **Historic Environment Scotland** do not have any comments to make on the proposals.
- 4.10 **Ministry of Defence (Defence Infrastructure Organisation)** has no objections to the proposals. However they request that the development should be fitted with MOD accredited aviation safety lighting.
- 4.11 **NATS** has no safeguarding objection to the proposals.
- 4.12 **OFCOM** have not responded at the time of writing.
- 4.13 **RSPB** has stated that construction work at the site should incorporate measures to avoid disturbance during the bird breeding season (with regards to Quail, Peregrine Falcons and barn owls). They have noted that there are a number of turbines in the area and have recommended post construction monitoring and more detailed cumulative impact assessments with regards the cumulative effects of operational turbines in this area.
- 4.14 **Scottish Natural Heritage** did not offer a formal comment as the proposal falls below the threshold for consultation.

## **5. Relevant Planning Policies**

### **5.1 Scottish Planning Policy**

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and

- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

## 5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

## 5.3 Aberdeenshire Local Development Plan 2017

Policy C2 Renewable energy  
Policy P1 Layout, siting and design  
Policy E2 Landscape  
Policy HE1 Protecting historic buildings, sites, and monuments  
Policy E1 Natural heritage  
Policy RD1 Providing suitable services  
Policy R3 Minerals and hill tracks

## 5.4 Other Material Considerations

Scottish Government Circular 2/2003  
The Strategic Landscape Capacity Assessment

## 6. Discussion

### 6.1 The main issues to consider are as follows:

- Principle of development
- Landscape and Visual
- Cumulative Impact
- Amenity
- Built and Cultural Heritage

- Ecology
- Aviation Communication and infrastructure

### *Principle of Development*

- 6.2 In principle Aberdeenshire Council supports the installation of renewable energy facilities such as wind turbines, under Policy C2 Renewable Energy, which are in appropriate sites and of the right design. This policy states we will approve wind turbines in appropriate locations taking into account the spatial framework mapping on page 74 of the Aberdeenshire Local Development Plan and the Strategic Landscape Capacity Assessment for wind turbines. The spatial frame work map identifies areas with capacity for turbines. This application site is considered to fall within Group 2 which are areas of significant protection: areas not exceeding 2km around settlement envelopes or edges.
- 6.3 Policy C2 ensures that all turbines are appropriately sited and designed to avoid unacceptable environmental effects taking into account cumulative effects of existing and consented wind turbines. Turbines must not compromise health and safety or adversely affect aircraft and airfields and telecommunications. Unacceptable significant adverse effects on the amenity of dwellinghouses or tourist and recreation interest including core path and established routes should also be avoided. This report seeks to assess this proposed development on these particular matters.

### *Effect upon nearby landscape character areas*

- 6.4 Policy C2 seeks to ensure that proposed wind turbines are sited in appropriate locations that have been identified as having strategic capacity, this is also requested in Policy E2 Landscape. The maps on page 74 of the Aberdeenshire Local Development Plan identifies this area as a location of significant protection due to the proximity to the settlement of Woodside. The effects of the proposed turbine in relation to Woodside must therefore be carefully considered.
- 6.5 The proposed site is located within the LCA 'Agricultural Heartland'. This area is characterised by a patchwork of mixed agricultural fields, scattered woodlands and numerous towns and villages. The character area has gently rolling landscapes (steeper in places) with many open views to other LCA areas. There is no specific guidance for this character area limiting the acceptability of wind turbines.
- 6.6 Although the site is not located within the landscape charter area 'Deveron and Upper Ythan Valleys' as stated by both the Community Council and the single objection it is recognised that the turbine will be located close to this character area. This area is characterised by its rivers and tributaries within shallow valleys bounded by broad and rolling hills. The valley sides are often well covered with mixed woodland and the valley floor mostly agricultural. It is noted that medium to large turbines may not be appropriate within the Ythan Valley in particular. The Environmental Report states that the turbine will only



be clearly visible from the upper sides of the Upper Ythan Valley, particularly to the west. The character of this landscape character area is inward focused with outwards views less intrinsic to the setting. The development would only appear upon the horizon which already has a number of turbines of similar size (9 operational turbines that are sited within 1.5km of the proposed site). The effect upon this LCA is therefore deemed not to be significant.

- 6.7 The Environmental Report concludes that the effect upon the other nearby landscape character area 'northern rolling lowlands' is unlikely to be significant as there is only some slight visibility around the Glens of Foudland and Ythanwells area otherwise the turbine would be a minor feature when viewed 15km to 20 km away.
- 6.8 The Zone of Theoretical Visibility (ZTV) mapping submitted shows that the turbine will be at least partially visible from most areas within 5km of the site which is to be expected. The mapping also shows the turbine would be visible from much of the landscape within 10km of the site (less visible to the south west within 10km). Given the height of the proposed turbine this again is expected.
- 6.9 SNH guidance identifies settlements as sensitive receptors, while built heritage also need to be considered. The closest settlement as identified in the Local Development Plan is Woodhead located approximately 1km to the north west of the site. In addition the site is approximately 4km east of Fyvie Castle. There are no major roads visible from the site however the A947 is located approximately 3km to the west and the B9005 passes through Woodhead to the north. The visibility of turbines from a settlement or a building of cultural importance is not reason in itself for refusal. Though the site is located on a site of elevated topography there are 9 turbines within the local area and the visual impact is not determined to be significant.

#### *Visual Impact assessment*

- 6.10 The applicant has submitted a Landscape and Visual Impact Assessment as part of the Environmental Report. 8 locations between 0.8km and 6.8km away were chosen as viewpoints for the assessment. These locations were chosen for varying reasons such as proximity to residential areas, a place with significant visitor numbers, nearby roads and an elevated site. In each of the chosen areas it has been determined that the magnitude of change caused by the proposed development is low due to the existing groups of turbines at nearby St Johns Wells, Blairfowl and/or Haddo. In each case the cumulative impact is deemed to be low either because there is no additional horizontal spread of turbines or because the proposed turbine is in keeping with the turbines already present on the horizon. From the nearest at Turrastane the magnitude of change is deemed to be medium though the text mentions that there would be no horizontal spread and the turbine would not alter the character of the view or cause the existing development to become overbearing or cluttered.

- 6.11 The Community Council have objected due to the proximity of the proposed turbine to Woodhead. The Environmental Report states that the views from the north side of the road within the settlement will have their views towards the proposed turbine screened by vegetation. The properties on the southern side of the roadway would have sight of the proposed turbine from back gardens/rear windows however the addition of a single turbine to an existing group of similar size would not have a significant negative visual effect.

*Effect upon local heritage.*

- 6.12 It is noted that the turbine is located approximately 4.3km to the south east of the 'A' Listed Fyvie Castle. There are also 2 'B' listed buildings at Woodside. The Council's Built Environment Planner has advised that the proposed turbine will not affect the setting of any listed buildings. This recommendation is based on the fact that there are a number of large turbines already located within this area. It is noted that Historic Environment Scotland has not made any comments on the proposal and similarly Scottish Natural Heritage offered no comment as the application fell below the requirements for consultation.
- 6.13 The Environmental Report states that there would be no notable indirect landscape effects on designated landscape areas including Areas of Landscape Significance and Gardens and Designed Landscapes (Fyvie Castle and Haddo House Estate).
- 6.14 Policy C2 states that wind turbine projects that cause unacceptable significant adverse effects on tourism and recreation interests should be avoided. Policy HE1 states that we will not allow development that would have a negative effect on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites. In this instance it is considered that the proposed turbine will not have a significant effect upon the setting of any listed buildings or other sites of historic or cultural interest.

*Aviation, Communications and Infrastructure*

- 6.15 A further key issue with applications of this nature relates to the impact upon radar and communications infrastructure. Policy C2 Renewable energy requires that wind development should not adversely impact upon communications installations, radar or air traffic control systems of both the National Air Traffic Service, local Airport (Aberdeen International Airport) and the Ministry of Defence (MOD). The Planning Service has undertaken consultations with Aberdeen Airport, Civil Aviation Authority, Ministry of Defence and NATS. There have been no objections from these organisations at the time of writing. In this case the proposed turbine is not considered to impact on any air traffic operations. Furthermore there are no known telecommunications links in the immediate vicinity which would be impacted on by this proposal.
- 6.16 It is proposed to create an additional track of approximately 150 metres from the nearest existing turbine at Blairfowl. Infrastructure Services (Roads Development) is satisfied with the proposed access track and have no

objections subject to conditions. The extended track can be satisfactorily integrated into the landscape without any detrimental impact on the environment. The proposed development therefore complies with Policy RD1 Providing suitable services. All other proposed ancillary equipment not considered to cause any detrimental impacts and is therefore acceptable.

#### *General amenity – noise*

- 6.17 The impact on the amenity of those living in the surrounding area must be fully assessed. This includes assessment of the likely noise levels, shadow flicker and the impact of the turbine on the nearest properties in terms of their size. Policy C2 requests that unacceptable significant adverse effects on the amenity on dwellinghouses must be avoided. The main cause of potential adverse effect on amenity from the turbine is noise. The applicant provided a noise assessment which has a study area radius of 1.5km from the proposed site. The 8 nearest dwellinghouses and 2 nearest properties in Woodhead and Fetterletter are included within the assessment. The properties are located between 720m and 1240m away from the proposed site. The assessment has found that noise from the proposed turbine in addition to the cumulative existing noise levels in the area are within the limits set out within ETSU-R-97 guidance. Aberdeenshire Council's Environmental Health team have made an assessment on this application with regard to noise impact. Environment Health team consider the information submitted to be appropriate. The team have requested conditions that limit noise emissions and monitoring of noise are attached to any decision notice.

#### *Ecology*

- 6.18 A Protected Species Assessment was submitted. The purpose of the assessment was to document the baseline ecological conditions of the site. The assessment concluded that the site at Blairfowl is considered poor from an ecology viewpoint. The habitat is predominantly arable fields with limited hedgerows and groundcover present. It is considered that no protected species or habitats are present on site. It is noted that the RSPB have not objected the proposal.

#### *Conclusion*

- 6.19 In light of the above, this application is recommended for approval. The proposal will not have a significant visual impact upon the landscape and the turbine will operate within acceptable noise thresholds. The Planning Service considers that the proposed development complies with the relevant policies within the Aberdeenshire Local Development Plan 2017, subject to conditions to ensure that the development will not have an adverse impact on the amenity of the surrounding area.

## **7. Area Implications**

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

## **8. Implications and Risk**

- 8.1 An equality impact assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

## **9. Sustainability Implications**

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

## **10. Departures, Notifications and Referrals**

### **10.1 Strategic Development Plan Departures**

None

### **10.2 Local Development Plan Departures**

None

- 10.3 The application is not a Departure from the Local Development Plan or the Strategic Development Plan and no departure procedures apply.

- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

- 10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

## 11. Recommendation

### 11.1 GRANT Full Planning Permission subject to the following conditions:-

01. No works in connection with the permission hereby granted shall commence unless a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CTMP.

Reason: In the interests of road safety and to avoid degradation of the road and bridge network.

02. No works in connection with the development hereby approved shall commence unless a fully detailed scheme for the restoration of the site has been submitted to and approved in writing by the Planning Authority. The restoration of the site shall be carried out in complete accordance with the approved restoration scheme.

Reason: In the interests of visual amenity and landscape protection.

03. In the event that any wind turbine fails to produce electricity supplied to a local grid for a continuous period of 6 months then, unless such cessation is due to the turbine being under repair or replacement, that turbine shall be deemed to have ceased to be required and the turbine and all ancillary equipment shall be dismantled and removed from the site and the site fully restored in accordance with the approved restoration scheme.

Reason: In the interests of safety, amenity and environmental protection of the plant becoming redundant during or at the end of its life span.

04. No works in connection with the development hereby approved shall commence unless details of the routes of all power cables and a ground reinstatement plan have been submitted to and approved in writing by the Planning Authority. All cables shall be located underground and the ground thereafter restored in complete accordance with the approved restoration scheme.

Reason: In the interests of visual amenity and landscape protection.

05. No works in connection with the development hereby approved shall commence unless an Abnormal Load Routing Plan (ALRP), written in accordance with Aberdeenshire Council's Abnormal Load Routing (Windfarms) Guidelines, has been submitted to and approved in writing by the Planning Authority. No abnormal load movements shall commence unless all agreed actions from the approved ALRP have been fully implemented in accordance with the approved plan.

Reason: In the interests of road safety and to avoid degradation of the road and bridge network.

06. No wind turbine shall commence operation unless all soil, machinery, equipment and materials stockpiles associated with the construction of that turbine have been removed and the construction area restored to the satisfaction of the Planning Authority.

Reason: In the interests of visual amenity and landscape protection.

07. No works in connection with the development hereby approved shall commence unless a TV and radio reception mitigation plan for a 20km radius from the boundary of the development site has been submitted to and approved in writing by the Planning Authority:

- (a) The plan shall provide for a baseline TV and radio reception survey to be carried out prior to commencement of the construction of wind turbines at the development site, the results of which shall be submitted to the Planning Authority.
- (b) Within 12 months of the commissioning of the development, any claim by any individual person regarding radio interference or TV picture loss or interference at their house, business premises or other building, shall be investigated by a suitably qualified engineer and the results submitted to the Planning Authority within one month of the conclusion of the investigation.
- (c) Should any impairment to the TV or radio signal be attributable to the wind turbine development, the developer shall remedy such impairment within an agreed timescale so that the standard of reception at the affected property is equivalent to baseline TV or radio reception.

Reason: To ensure that any adverse effect on TV or radio reception is rectified.

08. No works in connection with the development hereby approved shall commence unless the developer has provided to the Planning Authority written details of the guarantee or other financial provision that is proposed to be put in place to cover all site restoration and aftercare liabilities at the end of the period of this permission. The developer shall also provide an independent confirmation by a chartered surveyor (whose appointment for this task has been approved by the Planning Authority) that the amount of the guarantee or financial provision so proposed is sufficient to meet the full estimated costs of dismantling, removal, disposal, site restoration, remediation aftercare liabilities and incidental work as well as associated professional costs. No works shall commence on site unless written confirmation has been given by the Planning Authority that the proposed guarantee is satisfactory and the developer has confirmed in writing to the Planning Authority that the guarantee has been put in place. The guarantee or other financial provision must:

- a) be granted in favour of the Council as Planning Authority;
- b) be from a bank or other institution which is of sound financial standing and capable of fulfilling the obligations under the guarantee;
- c) either contain indexation provisions so that the specified amount of the guarantee shall be increased on each anniversary of the date of this permission by the same percentage increase in the General Index of Retail Prices (All Items) exclusive of mortgage interest published by on or behalf of HM Government between the date of this permission and such relevant anniversary or be reviewable to ensure that the specified amount of the guarantee always covers the value of the site restoration and aftercare liabilities;
- d) come into effect on or before the date of commencement of development, and expire no earlier than 12 months after the end of the aftercare period.

In the event that the guarantee becomes invalid for any reason, no operations shall be carried out in connection with the development hereby approved unless a replacement guarantee, completed in accordance with the terms of this condition has been submitted to and approved in writing by the Planning Authority.

Reason: To ensure financial security for the cost of the site reinstatement to the satisfaction of the Planning Authority is in place to provide that any redundant wind turbine and ancillary equipment is removed from the site, in the interests of the safety and visual amenity of the area.

09. No wind turbine hereby approved shall commence operation unless MOD-accredited aviation safety lighting consisting of 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration has been fitted at the highest practicable point on the hub height of each turbine. Once fitted, the aviation lighting shall be retained throughout the lifetime of each wind turbine.

Reason: In the interests of air safety.

10. No works in connection with the development hereby approved shall commence unless details of the finish and colour of the turbine and all externally visible components of the associated ancillary aspects of the proposal have been submitted to and approved in writing to by the Planning Authority. For the avoidance of doubt the wind turbine shall be finished in a non-reflective off-white/pale grey semi-matt finish and shall not display any advertising on any part of the turbine. The development shall be carried out in complete accordance with the approved details.

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

11. No works in connection with the development hereby approved shall commence unless a written scheme has been submitted to and approved in writing by the Planning Authority setting out a protocol for the assessment and remediation of shadow flicker in the event of a complaint being received from the owner or occupier of a dwelling alleging shadow flicker. For the purposes of this condition "dwelling" means any dwelling which lawfully exists or had planning permission at the date of this permission. The turbine shall operate in accordance with the approved shadow flicker mitigation protocol and must be capable of being programmed to shut down during times and weather conditions when shadow flicker could occur.

Reason: To protect the amenities of nearby residents by reducing and mitigating the impact of shadow flicker.

12. At no time shall the site be illuminated by artificial lighting.

Reason: In the interests of visual amenity and landscape protection.

13. The development hereby approved is consented for a period from the date of this consent until the date occurring 25 years after the date of the Final Commissioning of the Development. Written confirmation of the date of Final Commissioning of the Development shall be provided to the Planning Authority no later than 1 calendar month after that event.

Reason: To define the duration of the consent.

14. The rating level of noise emissions from the wind turbine forming the development (including the application of any tonal penalty) shall not exceed the values for the relevant integer wind speed set out in, or derived from, the table attached to this condition at any dwelling which is lawfully existing or has planning permission at the date of this permission. The turbine shall be designed to permit individually controlled operation or shut down at specified wind speeds and directions in order to facilitate compliance with noise criteria and:

a. The development shall not be commissioned unless the developer has submitted a list of independent consultants who may undertake compliance measurements in accordance with this condition and has received written approval from the planning authority of that list. Amendments to the list of approved consultants shall be made only with the prior written approval of the planning authority.

b. The developer shall continuously log arithmetic mean power generation, blade revolutions per minute (rpm), arithmetic mean hub height wind speed in metres per second and wind direction in degrees from north at hub height, all in synchronised and successive 10 minute periods. These data shall be retained for a period of not less than 24 months. All 10 minute arithmetic average mean wind speed data measured at hub height shall be standardised to a reference height of 10 metres as described in ETSU-R-97 at page 120 using a reference



roughness length of 0.05 metres. The measurement periods shall be set to commence on the hour and in 10 minute increments thereafter. The developer shall provide this information to the planning authority in an electronic spreadsheet (comma separated values or other suitable format agreed with the planning authority) within 14 days of receipt in writing of a request to do so, for the time period specified in the written request.

- c. The developer shall employ an independent consultant approved by the planning authority to measure, at the developer's own expense, then level of noise emissions from the wind turbine within the first year of the operation of the turbines and every two years thereafter. The biennial noise emissions monitoring shall continue for the working life of the wind turbine unless the planning authority determines in writing that the period between noise monitoring surveys can be altered or that continued routine monitoring is no longer required. The development shall not be commissioned unless the procedure for measuring the noise emissions for the first year of operation has been approved in writing by the planning authority. Thereafter, all subsequent measurement procedures shall be agreed in writing with the planning authority prior to the commencement of each biennial monitoring survey. The developer shall provide a report detailing the results of the monitoring survey to the planning authority within 3 months of completion of the monitoring survey. Unless otherwise agreed in writing by the planning authority the turbine shall be switched off during part of the monitoring period to permit reliable background noise level data to be determined at the range of wind speeds from 4m/s to 12m/s.
- d. Within 21 days from receipt of a written request from the planning authority following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the developer shall, at their expense, employ an independent consultant approved by the planning authority to investigate the cause of the complaint. The investigation shall include measurement of the level of noise emissions from the wind turbine including any tonal component, and measurement and analysis of amplitude modulation effects at the complainant's property. The written request from the planning authority shall set out the dates, times and locations to which the complaint relates and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the planning authority, the noise giving rise to the complaint contains or is likely to contain a tonal component and/or amplitude modulation effects. Where the property to which a complaint is related is not listed in Table 1 attached to this condition, the developer shall agree in writing with the planning authority the noise limits from those listed in the table that shall be adopted at the complainant's property for compliance checking purposes. The proposed noise limits shall be those limits specified for a listed location which is likely to experience the most similar background noise environment to that experienced at the complainant's property.

The chosen noise limits for the complainant's property shall be submitted to and approved in writing by the planning authority before the noise emissions assessment is carried out.

- e. The assessment of the rating level of noise emissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the planning authority. The protocol shall include the proposed measurement location(s) where measurements for compliance checking purposes shall be undertaken and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions and times of day) to determine the assessment of rating level of noise emissions. The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the planning authority under paragraph (e), and such others as the independent consultant considers likely to result in a breach of the noise limits.
- f. Within 3 months of the completion of the noise measurement survey undertaken following the written request from the planning authority made under paragraph (d) the developer shall provide to the planning authority the independent consultant's assessment of the rating level of noise emissions and the measurement and analysis of amplitude modulation and/or tonal effects as agreed under paragraphs (d) and (e). Certificates of calibration of the instrumentation used to undertake the measurements shall be submitted to the planning authority with the independent consultant's assessment of the rating level of noise emissions.

Table 1

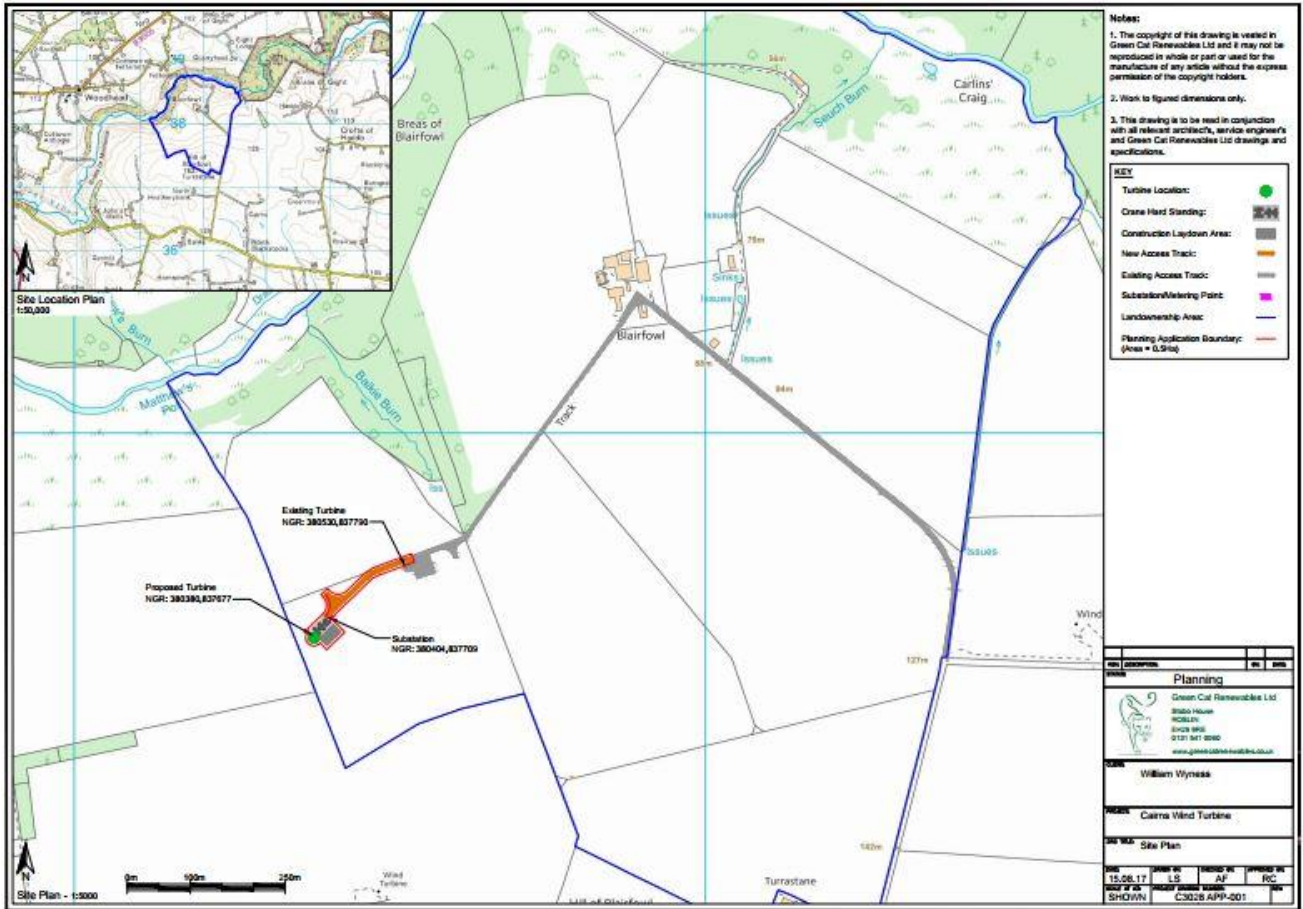
Location		At Wind Speeds referenced to a height of 10m above ground level at the location of the turbine, in m/s averaged over 10 minute periods. Sound Pressure Levels in dB LA90 10min									
Property Name	Map Ref	4	5	6	7	8	9	10	11	12	
Blairfowl Cottage 1	381010 838140	20	24	28	31	32	33	33	33	33	
Blairfowl Cottage 2	381030 838270	19	23	27	29	31	31	31	31	31	
Turrastane	381110 837240	19	23	27	29	31	31	31	31	31	
North Heatherybank	380810 836940	18	23	26	29	31	31	31	31	31	
Note 1: for all properties not specified above the predicted noise from the turbine will be calculated using the propagation model in ISO 9613-Part 2 incorporating the recommendations contained in the Institute of Acoustics Good Practice Guide dated May 2013.											

Reason: To ensure that noise limits are not exceeded and to enable prompt investigation of complaints in order to protect nearby residents from undue noise and disturbance from the development.

## 11.2 Reasons for Decision

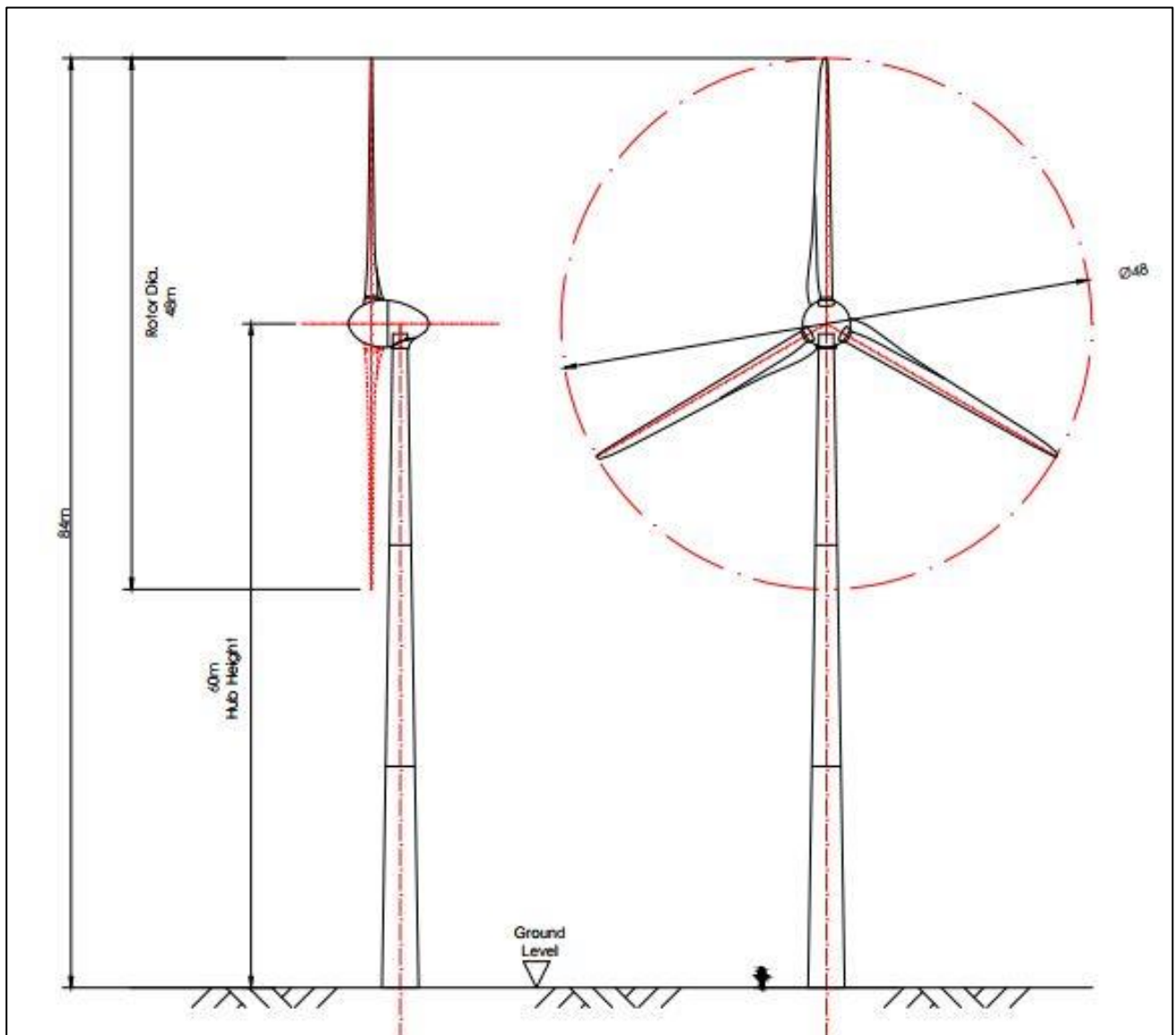
01. The proposal will not have a significant visual impact upon the landscape and the turbine will operate within acceptable noise thresholds. The Planning Service considers that the proposed development complies with the relevant policies within the Aberdeenshire Local Development Plan 2017, subject to conditions to ensure that the development will not have an adverse impact on the amenity of the surrounding area.

Stephen Archer  
Director of Infrastructure Services  
Author of Report: John Todd  
Report Date: 13 February 2018



APP/2017/2258

Appendix 2



APP/2017/2258

Appendix 3

**From:** GORDON DUNCAN  
**Sent:** 05 May 2017 13:35  
**To:** Formartine Planning Apps <fo.planapps@aberdeenshire.gov.uk>  
**Subject:** planning app/2017/0869 FRM Community Council

Following consultation with members of the FRM Community Council please be advised that we wish to object to planning app 2017/0869 2 wind turbines on land to the West of North Haddo Fyvie due to the following reasons:

The proliferation of wind turbines in this area

Closeness to North Haddo about 700m

Closeness to the settlement of Fyvie Station about 1000m

Closeness to Fyvie Castle about 1600m

For and on behalf of Fyvie, Rothie & Monquhitter Community Council

Gordon G H Duncan  
(Chairperson)

## Comments for Planning Application APP/2017/2258

### Application Summary

Application Number: APP/2017/2258

Address: Land To South West Of Blairfowl Farm Fyvie Turriff Aberdeenshire AB53 8PP

Proposal: Erection of 800kW Wind Turbine (84m Total Height, 60m Hub Height) and Associated Infrastructure

Case Officer: John Todd

### Customer Details

Name: Mr Peter Thomson

Address: Woodhead Turriff

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to direct the case officer to the Aberdeenshire's Planning Story map and the section on Shaping Formantine where it states "Medium to large wind turbines may be appropriate across almost all of the area apart from the Ythan Valley around Rothienorman, Fyvie and stretching up to Turriff". This Proposed turbine is to be located in the Ythan valley and as such falls under the above exculsion clause and as such should not be allowed