

## **EAST AYRSHIRE COUNCIL**

**DEVELOPMENT SERVICES COMMITTEE: 27 JUNE 2002**

### **PROPOSED WINDFARM AT WHITELEE BY CRE ENERGY (A SUBSIDIARY OF SCOTTISH POWER)**

#### **Report by Director of Development Services**

## **1. PURPOSE OF REPORT**

1.1 A planning application for a 140-turbine windfarm at Whitelee has been lodged with the Scottish Executive under Section 36 of the Electricity Act (Scotland) 1989. Under this legislation East Ayrshire Council, South Lanarkshire Council and East Renfrewshire Council are statutory consultees and have been asked to respond to the Scottish Executive.

1.2 South Lanarkshire and East Renfrewshire Council have already agreed not to object to the proposals subject to various issues.

## **2. APPLICATION DETAILS**

2.1 **Site Description:** The application site is located to the north of the district at Whitelee Forest where it extends into South Lanarkshire and East Renfrewshire. The site occupies an area of elevated moorland and forestry centred on these hills. The site is extensive, being at most 11.5km east to west and 7km from north to south.

2.2 **Application Submission:** The proposed windfarm comprises the following:

- 140 turbines (23 of these will be located within East Ayrshire). The maximum height of each turbine to blade tip will not exceed 110m (70m from ground to hub and 80m blade diameter);
- 76km of site roads and underground cables;
- Temporary construction compound;
- Borrow pits (within the site) to provide stone for construction of the windfarm;
- Site offices and compound; and
- Areas of deforestation.

In addition to the above, a visitor centre is planned, although this proposal is subject to a separate application to East Renfrewshire Council.

2.3 The proposal would be in place over a 28-year period only and during the final year of this period the windfarm would be decommissioned and the turbines removed from the site. This period allows for a 25-year life cycle for the windfarm with a 2-year construction period and a year to decommission this at the end.

### **3. REPRESENTATIONS**

3.1 No objections to the proposal have been received from residents living within East Ayrshire.

### **4. KEY ISSUES**

#### Visual Amenity

4.1 Any potentially significant effects on visual amenity are likely to be contained within approximately 15.5km of the windfarm although an appreciable part of this area is open moorland and forestry. With the exception of the settlements and transport routes through the area there are relatively few locations where these potentially significant adverse effects will be appreciated.

#### Impact on Local Communities/Farmsteads

4.2 The principal road access to the site will be from the B764 Eaglesham Moor Road. There are only 2 farmsteads within the application site boundary and a handful of rural properties in East Ayrshire which lie in close proximity to the site. Lochgoin Farm is serviced by what will be the principal access road off the B764 and will inevitably experience some impact from site traffic.

4.3 The potential for noise disturbance to residents living in the vicinity of the development is two fold, ie traffic and construction noise etc during the provision of the windfarm, and operational noise from the turbines once the development is up and running.

4.4 Due to the scale of the site, it is anticipated that construction noise impact on properties within the district will vary considerably, dependent on the varying distance of the works to the property in question; the probable exception to this will be Lochgoin Farm due to its location on the main access road. Site operations should as a minimum comply with BS 5228: Noise Control on Construction and Open Sites.

4.5 In respect of operational noise, the applicants have assessed that they can work within the relevant criteria although this will entail adjustment of

turbine blade speed under certain wind speed conditions at High Overmuir and Lochgoin Farms to ensure compliance.

#### Tourism and Amenity

4.6 Proposals to enhance the value of the site with regard to tourism and amenity include a visitor centre and improved access across the proposed tracks within the site.

4.7 The applicants have commissioned a Path Planning Study which provides for high-quality access to the proposed development area and the environs of the Whitelee Forest. This audit of footpaths was undertaken at the request of the three Councils to assess how the proposed windfarm tracks might fit into the network of existing and proposed footpaths already under consideration by each Council.

4.8 Given the levels of interpretation likely to accompany the proposed development, in addition to increased public access to the area and a visitor centre, there are definite opportunities available to promote the surrounding Districts.

#### M77 Extension/Motorway Service Area (MSA)

4.9 The MSA was approved on 13 September 2001 at the Kingswell junction. In addition, there is also the approval for the GSO and the M77 extension. The applicant has taken account of the co-existence of the road construction projects during construction and operation of the proposed windfarm and have concluded that the road projects could be constructed without any delay to the implementation of the windfarm. However, it is considered that as a result of the potential existence of a windfarm of this scale, in addition to an MSA, that there is a definite requirement for a fully separated junction at this location.

#### Construction Traffic

4.10 This will occur over the first 2-year period. Additional daily construction traffic on the local road network in East Ayrshire (A77, B764) is predicted to be insignificant in terms of volume. However, there will be a number of abnormal loads being transported by large articulated vehicles along the A77. These will require traffic management arrangements to ensure minimal delay to existing traffic.

#### Lochgoin Monument

4.11 The 'B' listed Lochgoin Monument is located within the boundary of the application site. The effect on both visual amenity and setting of the monument is acknowledged as being significant. However, it is not considered that there would be any benefit accrued from relocating 1 or 2 of the turbines in the area since the remainder of the windfarm would still be visible. Furthermore, any effect is not permanent since the proposal is only

for a period of 25 years. As a result of this development there will be additional public access to the area with an increased public awareness of the Monument, its importance and greater opportunities for this to be appreciated.

#### Air Traffic

4.12 There are outstanding issues which require to be resolved by the Scottish Executive prior to issuing any consent relating to the impact on the Met Office Carse Hill radar and the safety of aircraft. A formal objection has been received from the MOD and BAA and this matter must be resolved at no detriment to residents of East Ayrshire (eg as a result of re-routing of aircraft).

#### Employment

4.13 In terms of economic benefits the construction of the windfarm will create some 300 construction jobs and an estimated £12 million will be spent on infrastructure works. In addition, local companies will be encouraged to tender for such works in order to ensure maximum benefit to the local community.

### **5. ASSESSMENT AGAINST DEVELOPMENT PLAN/MATERIAL CONSIDERATIONS**

5.1 Both the Ayrshire Joint Structure Plan and the EALP (Finalised Version with Modifications) are generally supportive of renewable energy proposals. The site is not subject to any national or regional nature conservation designations and, as such the Whitelee area is a 'preferred' area for this type of development in the Ayrshire Joint Structure Plan.

### **6. RECOMMENDATION**

**6.1 It is recommended that the Development Services Committee recommend to the Scottish Executive:**

**(i) that the contents of this report should be fully considered including the suggested conditions set out in Appendix 1 of this report;**

**(ii) that the developer work in partnership with East Ayrshire Council, East Renfrewshire Council, South Lanarkshire Council and Ayrshire Enterprise to secure benefit to the local economy;**

**(iii) that consent is only granted if the Executive are satisfied that the application raises no aircraft safety or radar issues;**

**(iv) that the Executive agree no measures further to securing (iii) above that would involve alterations to the height, flight path or numbers of aircraft movements such as to impact adversely on the communities of East Ayrshire;**

**(v) that the applicant enters into a legal agreement to prepare and implement a habitat management plan to enhance and where possible restore, habitats for the benefit of moorland bird species and to offset any loss or alteration of habitats as a result of the development;**

**(vi) that the applicant enters into an individual, legal agreement with East Ayrshire Council to secure appropriate developer contributions, related to the output and number of wind turbines, for the purpose of enabling mitigation measures and community improvements within the Council area; and**

**(vii) that the applicant enters into a legal agreement with East Ayrshire Council confirming and agreeing routes to be taken by vehicles delivering materials including turbines to the site.**

**Stephen Chorley  
Director of Development Services**

17 June 2002  
YN/MMM

#### **BACKGROUND PAPERS**

1. Environmental Impact Analysis.
2. Full Background Report.

## **APPENDIX – PLANNING CONDITIONS**

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved scheme of work detailed in the environmental statement except in so far as the statement is amended by any of the following conditions.
3. The permission is for a period of 25 years from the date of commissioning the scheme and written confirmation of the date of commissioning shall be provided to the planning authority within 1 month of the scheme being commissioned.
4. Within 1 year of the end of the period referred to in condition number 3 (unless planning consent is granted for a longer period) all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land shall be restored in accordance with the restoration scheme referred to in condition number 5.
5. No later than 2 years from the date of commissioning of the overall development, a restoration scheme shall be submitted for approval and shall be implemented in accordance with any approval granted. This scheme shall include details of all works and measures to restore the site, including details of timescales within which the restoration works shall be carried out along with proposals for after care for a period of up to 3 years from the completion of restoration works.
6. No work shall commence on the development until approval has been obtained from the Scottish Executive in consultation with Scottish Natural Heritage for a method statement including details of all onsite construction, drainage, mitigation, restoration/reinstatement work and timetables.
7. No work shall commence on site until approval has been obtained from the Scottish Executive for details of the turbine type including sizes. The information shall include illustrations and photomontages.
8. No work shall commence on site until approval has been obtained from the Scottish Executive for details of the precise routing of all temporary and permanent access tracks. The details provided shall include illustrations and specified contours.
9. NO work shall commence on site until approval has been obtained from the Scottish Executive for details, including colours/external finishes of the turbines and all ancillary elements (including access

tracks, transformers, switch gear/metering building, compound and fencing).

10. No work shall commence on site until approval has been obtained from the Scottish Executive for detailed plans and method statements for reinstating access tracks and any borrow-pits or other construction areas associated with the construction of the development. The details provided shall include timescales for the implementation of the works which, unless otherwise agreed with the planning authority, shall be carried out within 6 months of the commissioning of the scheme.
11. No development shall commence until approval has been obtained from the Scottish Executive in consultation with the regional archaeologist for a programme of archaeological work in accordance with a written scheme of investigation.
12. Access shall be afforded at all reasonable times to any archaeological organisation acceptable to the planning authority, and they shall be allowed to observe work in progress and record any items of interest and finds. Notification of the commencement date, information as to who the regional archaeologist should contact on site, and the name of the archaeological organisation retained shall be given to the Scottish Executive, in writing, no less than 1 month before the development commences.
13. Suitable signage shall be in place to slow up main road traffic when construction traffic is negotiating the access of the A77 and the B764.
14. That prior to any development commencing on site written agreement with Scottish National Heritage be received on the following:-
  - (a) location and number of turbines within the site;
  - (b) the scope and programme for a full Habitat Management Plan;
  - (c) precise location of access routes and networks for walking, cycling and horse riding;
  - (d) woodland management arrangements;
  - (e) wildlife impact.
15. That prior to development commencing on site written agreement shall be reached with South Lanarkshire Council, East Renfrewshire Council and East Ayrshire Council on the following:-
  - (a) the form and location of visitor access routes, parking, signage and related maintenance arrangements;
  - (b) noise impact issues and the preparation of a noise policy;
  - (c) the content and implementation of an Access Strategy.

16. That prior to any development commencing on site written agreement shall be reached with SEPA on measures proposed to ensure operations do not result in pollution of watercourses and erosion in line with best practice recommendation of SEPA and Scottish Water.
17. That prior to any development commencing on site agreement be reached with the Scottish Executive on the implications of the proposal on air flight paths.
18. That prior to development commencing a legal agreement between the operator and Scottish Executive be concluded to cover decommissioning arrangements including dismantling, site clearance, reinstatement aftercare measures and the lodging of an appropriate Financial Bond to cover these arrangements.
19. That details of importation of materials and peat storage arrangements shall be provided to the three authorities and agreed prior to work commencing on site.
20. That prior to any development commencing on site agreement be reached with the MOD on the implications of and resolution of any issues arising from the proposal with regard to the effective or safe operation of radar systems.
21. No rights of way shall be obstructed either during the construction period or once the windfarm is operating.
22. The new junction with the B764 into the windfarm site shall be constructed in accordance with Roads Division Guidelines prior to any development commencing on site.
23. All site operations shall comply with BS 5228: Noise Control on Construction and Open Sites.
24. The developer shall undertake regular noise monitoring throughout the period of construction and site operations. Details of the monitoring and results shall be submitted to the 3 authorities to confirm compliance with the criteria of ETSU – R –97.
25. The developer shall ensure that all reasonable measures are undertaken throughout the lifetime of the consent to mitigate potential dust nuisance.
26. Access shall be maintained at all times to Lochgoin Reservoir for fishermen and the Lochgoin Monument for visitors.
27. Prior to any development commencing on site details of the temporary/ permanent compound including exact siting, layout, buildings, boundary treatment shall be submitted to and approved by the relevant Scottish Executive.

28. During construction, the developer of the site shall ensure that adequate and continuing measures are taken to ensure that public roads adjoining the site are maintained free from mud and other materials carried from the site by construction and any other vehicles.

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**AGENDA**