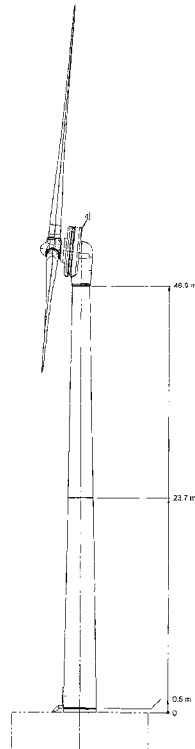
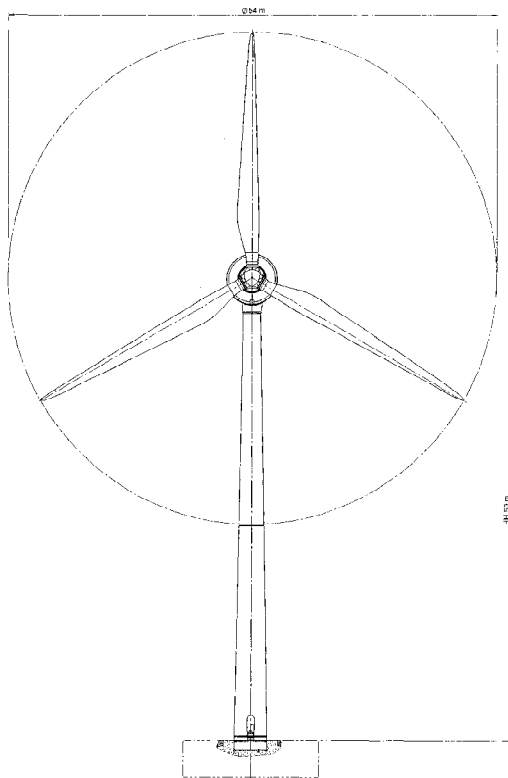
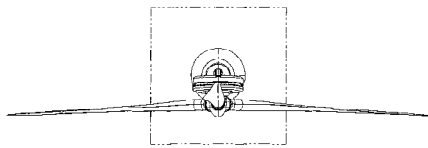


SECTION 11

PROPOSED ERECTION OF WIND TURBINE
at
FORFAR COLLEGE CLUB
FORFAR
ANGUS
DB8 2 RL

DRAWING No: 250813 - 5 of 5
DATE: AUGUST 2012

DRAWING OF TURBINE



ACRAG ARCHITECTURAL ENGINEERS PART
4 CLERKS SURVEY
DRECHIN ENF 668

[FOR INFORMATION ONLY]

No.	Description	Rev.	Date	By	Checked
1	Issue for approval	1			
2	Issue for construction	1			

Project Name	FORFAR COLLEGE CLUB
Client	ACRAG ARCHITECTURAL ENGINEERS PART 4 CLERKS SURVEY DRECHIN ENF 668
Scale	1:200
Sheet No.	5 of 5
Sheet Title	DRAWING OF TURBINE
Project No.	250813
Revision	1
Date	AUGUST 2012
Drawn by	
Checked by	
Approved by	

Forfar Golf Club Wind Turbine,
Forfar, Angus

Red Squirrel Survey Report

October 2013

QUANTS environmental Ltd

Tel: 01765 600799

Email: info@quantsenvironmental.com

Web: www.quantsenvironmental.com

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1 Introduction and Background

This report presents the results of red squirrel *Sciurus vulgaris* surveys undertaken in relation to the proposed installation and operation of a single EWT 500 KW wind turbine (50 metres height to hub; 77 metres to blade tip) on land at Forfar Golf Club, Forfar, Angus DD8 2RL (planning application reference 13/00825/FULL). The proposed wind turbine is located at approximate grid reference NO 485502 at approximately 90 metres above sea level.

Figure 1 below shows Forfar Golf Course, the proposed access route (yellow line; with the access track likely to pass through the blue polygon), and the proposed turbine location within the red polygon. Hereinafter the land within the blue and red polygons is referred to as the "Development Site".

It is proposed to fell the trees within the red polygon to accommodate the turbine. Some additional felling may be required within the blue polygon to accommodate the access route.

Figure 1: Location of the Development Site



2 Methods

2.1 Survey Methodology

Surveys to record evidence of red squirrel were undertaken on the 2nd and 3rd October 2013. A diurnal walkover survey of the Development Site was undertaken on the 2nd October, to record any evidence of red squirrels, such as dreys, stripped feeding cones or sightings of the animals themselves. As red squirrels are crepuscular species (more active during the dusk and dawn periods), additional watches of the Development Site were undertaken during the dusk period on the 2nd October (sunset time 18.42) and during the following dawn period on the 3rd October (sunrise time 07.20).

Full details of the survey times and conditions are presented in Table 1 below.

Table 1: Survey Timing and Conditions

Date	Time	Hour	Occlusion	Rain	Temp	Wind (Beaufort Scale)	Frost	Snow
2/10/13	17.00	1	70 %	None	13°C	3	None	None
2/10/13	18.00	2	80 %	None	13°C	3	None	None
2/10/13	19.00	3	100 %	None	11°C	2	None	None
2/10/13	19.30	4	N.A. (Dark)	None	10°C	3	None	None
3/10/13	6.30	1	100 %	None	8°C	3	None	None
3/10/13	7.30	2	100 %	None	9°C	3	None	None
3/10/13	8.30	3	100 %	Occasional Light Showers	9°C	4	None	None

2.2 Evaluation Methodology

Value is defined on the basis of the geographic scale given in Table 2 below. It should be noted that professional judgement is also used to provide an evaluation of an ecological receptor at any given site.

Table 2: Approach to Ecological Evaluation

Level of Value	Examples
International	An internationally designated site (e.g. SAC or SPA), or site meeting criteria for international designations.
	Species present in internationally important numbers (>1% of biogeographic populations).
National	An internationally designated site (SAC or SPA) or National Nature Reserve (NNR)

Level of Value	Examples
	sites meeting the criteria for national designation.
	Species present in nationally important numbers (>1% UK population).
	Large areas of priority habitat listed on Annex I of the EC Habitats Directive and smaller areas of such habitat that are essential to maintain the viability of that ecological resource.
Regional	Species present in regionally important numbers (>1% of the Natural Heritage Zone population) ^{1,2} .
	Sites falling short of criteria for selection as a SSSI, but of greater than the local criteria below.
Local	Scottish Wildlife Trust Reserves, Local Nature Reserves that do not contain features as described above.
	Areas of semi-natural ancient woodland smaller than 0.25 ha.
	Areas of habitat or species considered to appreciably enrich the ecological resource within the local context, e.g. species-rich flushes hedgerows.
Negligible	Usually widespread and common habitats and species. Receptors falling below local value are not normally considered in detail in the assessment process.

¹ SNH has identified 21 Natural Heritage Zones which cover the Scottish mainland and the islands, with the aim of developing an integrated approach to the management and sustainable use of the natural heritage in each zone, which take into consideration local, social and economic aspirations.

3 Survey Results

3.1 *Red Squirrel*

The Development Site is located at the south western extent of Forfar Golf Course within an area of coniferous woodland comprised almost entirely of Scot's Pine *Pinus sylvestris* trees, which are largely mature in nature (see Appendix 1 – Plate 1). A single watercourse, which was almost dry at the time of survey, forms the boundary between the Development Site and the remainder of golf course. There are numerous areas of conifer woodland located adjacent to the fairways and greens associated with the golf course to the north of the Development Site. Farmland, which is largely used for arable purposes, lies to the south, west and east of the Development Site. This farmland is interspersed with coniferous and mixed woodland shelterbelts, which form corridors to larger areas of coniferous and mixed woodland such as at Lownie Hill to the south and Green Hill to the west.

Three dreys were recorded within the Development Site during the diurnal walkover survey of the Development Site. The locations of the dreys are shown on Figure 2 below. Two dreys were located within the section of woodland in which the proposed turbine is to be located, and a third drey is located in the adjacent area of woodland where the access route is proposed. No activity at any of the dreys was recorded during the diurnal or the crepuscular surveys. Photographs and grid references for of each of the dreys are presented in Plates 2 – 4 in Appendix 1.

A single red squirrel was observed above a peanut feeding station within the Development Site (see Appendix 1 – Plate 5).

3.2 *Other Species*

Badger *Meles meles* dung was recorded on the ground in one location near to the centre of the Development Site. No further evidence of this species, such as setts, prints was recorded.

No sightings or evidence of any other protected mammals was recorded. The Scot's pine trees offer little to no suitability for roosting bats. However, the woodland edges offer some foraging and commuting potential for this group. The single watercourse which abuts the northern Development Site boundary holds little in the way of running water and is of little to no suitability for otter *Lutra lutra* or water vole *Arvicola amphibius* and it is not considered that these species are present.

An assemblage of common bird species typical of the geographical location and habitats present was recorded during the red squirrel surveys. Species recorded comprised blackbird *Turdus merula*, woodpigeon *Columba palumbus*, carrion crow *Corvus corone*, robin *Erithacus rubecula*, wren *Troglodytes troglodytes*, chaffinch *Fringilla coelebs* and goldcrest *regulus regulus*. The remains of a woodpigeon (feather patch only) was located at the northern extent of the Development Site, which is considered likely to be a sparrowhawk *Accipiter nisus* kill. Two small skeins of pink-footed geese *Anser brachyrhynchus* (c. 40 birds in each flock) flew over the Development Site in a south easterly direction.

Figure 2: Location of the three dreys identified during the survey



4 Evaluation and Recommendations

4.1 *Red Squirrel Evaluation*

There are approximately 160,000 red squirrels in the UK and 121,000 of these are located within Scotland³. A figure is not known for the regional level, but red squirrels are well distributed throughout Angus.⁴

Three dreys are located within the Development Site although it is not confirmed whether or not these dreys are in active use by red squirrel. On average, red squirrels use three dreys at any one time, but have been known to use up to eight dreys at any one time.⁵

The location of a peanut feeding station within the Development Site indicates that red squirrels have been encouraged within the grounds of Forfar Golf Course. There are other areas of suitable habitat spread throughout the golf course and in the wider local area that are suitable for red squirrel, and the results of the field survey combined with analysis of aerial photography and Ordnance Survey mapping indicates that there is connectivity between these areas. As such, it is considered that the Development Site, although providing suitable living and foraging habitat for this species, is not essential for maintaining the local red squirrel population.

Under the proposals to fell the area of woodland it is certain that two dreys would be lost to the Development, and in the absence of any design mitigation it is also possible that the third drey located in the vicinity of the access track could also be lost to the Development. Red Squirrels and their dreys are protected under the Wildlife and Countryside Act (1981) (as amended) and the Nature Conservation (Scotland) Act 2004 (see Appendix 2). As such, the removal of any dreys can only be undertaken under license from Scottish Natural Heritage (SNH).

4.2 *Red Squirrel Recommendations*

Mitigation for red squirrels is aimed at maintaining populations (particularly breeding populations) minimising disturbance; allow existing red squirrel populations to expand and colonise new areas. Based on the adoption of the following recommendations, a licence should be sought from SNH to permit an otherwise lawful operation (i.e. damage/destruction of a structure used by a red squirrel for shelter or breeding). The following measures are recommended:

- Trees containing dreys should be retained where possible;
- All tree clearance works should be undertaken outwith the red squirrel breeding season (January – September inclusive)⁶, in order to minimise stress to red squirrels during the breeding season;
- Pre-clearance surveys, preferably including the use of camera traps, to confirm the activity status of known dreys, and a walkover survey to identify any new dreys;
- Opportunities for new pine woodland planting should be explored within land owned by the golf course; and
- The applicant should explore the possibility of working in partnership with Ken Neil (Saving Scotland's Red Squirrels (SSRS) Project Officer) to help contribute to the management of non-native grey squirrel *Sciurus carolinensis* (a threat to red squirrel populations) numbers in Angus and Tayside.

³ <http://www.snh.gov.uk/about-scotlands-nature/species/mammals/land-mammals/squirrels/>

⁴ <http://data.nbn.org.uk/imi/?mode=SPECIES&species=NBNSYS0000005108>

⁵ Lurz, P. (2010) Red squirrels: Naturally Scottish. Scottish Natural Heritage. Battleby.

by Peter Lurz

4.3 Other Species Evaluation

Badgers do not reside within the Development Site, but evidence of the occasional presence of this species (badger dung on ground) indicates that they occasionally commute through and forage within the Development Site. As such the Development Site is considered to be of negligible value for this species. Although unlikely, there is some potential for harm or disturbance to foraging/commuting badgers during site clearance and construction.

No bat roosts have been confirmed within the survey area. The nearest building is located approximately 500 m away from the proposed turbine location. The woodland edge that forms the boundary of the Development Site offers some opportunities for commuting and foraging bats. As such the Development Site is considered to be of negligible value for this group.

No Schedule 1 (Wildlife and Countryside Act 1981 (as amended)) birds were recorded during the surveys and the habitats present are of limited suitability for these species owing to their relatively public location, adjacent to Forfar Golf Course. The Development Site supports low numbers of common bird species and is considered to be of no more than negligible value for birds. In the absence of mitigation, some common breeding bird species may be harmed or disturbed during site clearance and construction activities if they occur during the breeding season. There would be no discernible effect on their regional populations, but mitigation in terms of sensitive timing of construction activities is recommended below to safeguard breeding birds.

4.4 Other Species Recommendations

Measures will be taken to minimise risk of harm to badgers (and other animals). This will include ensuring that deep excavations are covered at night to minimise the risk of animals falling into excavations. All excavations, including shallow ones, will also provide a means of escape (typically a shallow ramp).

Habitat features that are potentially attractive to commuting, foraging and roosting bats, such as woodland edges, hedgerows and built structures, should be located more than 50 m from the proposed turbine blade tips. If this is achievable the Development will exceed the 50 m avoidance zone for such features, as recommended by Joint Agencies guidance TIN059⁷ to minimise the risk of collision for bats.

Activities during construction may cause displacement of birds holding territory near the Development site. It is therefore recommended that construction is either:

- Timed to avoid the breeding season altogether (mid-March to July inclusive); or
- Scheduled to start before the breeding season starts (before mid-March) so that birds returning to the area to breed can choose a territory/nest location away from potentially disturbing activities.

Appendix 1: Survey Plates

Plate 1: Development Site



Plate 2: Drey 1 (Turbine Area) – Grid Reference NO 48537 50235



Plate 3: Drey 2 (Turbine Area) – Grid Reference NO 48540 50244



Plate 4: Drey 3 (Access Route) – Grid Reference NO 48357 50195



Plate 5: Red Squirrel Above Feeding Station- Grid Reference NO 48519 50286



Appendix 2: Legislation Context

Red squirrel

Red squirrels are protected by UK law through ratification of Appendix III of the Bern Convention; inclusion on Schedule 5 and 6 of the Wildlife and Countryside Act (1981) (as amended) and the Nature Conservation (Scotland) Act (2004). This makes it an offence to intentionally or recklessly kill, injure, take or possess a wild red squirrel, or to intentionally or recklessly damage, destroy or obstruct access to any structure or place used by a red squirrel for shelter or breeding. It is also prohibited to intentionally or recklessly disturb a red squirrel while it is occupying a structure or place for protection, or to kill or capture red squirrels by indiscriminate methods such as snaring or poisoning. The red squirrel is further protected by the Wild Mammals (Protection) Act 1996. The red squirrel is listed as a Priority Species on the UK Biodiversity Action Plan (BAP) and is also a Tayside Local BAP species.

Breeding birds

All breeding birds in the UK are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy the nest (whilst being built or in use) or its eggs. Bird species listed in Schedule 1 of the 1981 Act, receive further protection which makes it an offence to intentionally or recklessly disturb these species while building a nest or in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird.

Alex Craig

From: [REDACTED]
Sent: 09 January 2014 19:26
To: adc@adcraig.co.uk
Subject: Re: FORFAR GOLF CLUB

Alex

I saw no sign of bats - or potential roost sites in the vicinity of the site of the proposed wind turbine - on the occasion of my survey.

Barbara Hogarth

From: Alex Craig <adc@adcraig.co.uk>
To: [REDACTED]
Sent: Thursday, 9 January 2014, 11:19
Subject: FORFAR GOLF CLUB

Good morning Barbara,

I hope you had a good festive period and are well.

Angus Council Planning Department have asked whether or not you saw any evidence of Bats when you carried out your survey at the golf club.

Hopefully a simple one line answer will suffice.

Kind regards,

Alex.

Alex Craig
A. Craig Architectural Consultant
Phone 01356 625500
adc@adcraig.co.uk

This email has been scanned by Netintelligence
<http://www.netintelligence.com/email>

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

FORFAR GOLF CLUB, CUNNINGHILL, FORFAR

APPLICATION NO 13/00825/FULL

APPLICANT'S SUBMISSION

- ITEM 1** Notice of Review – Application Form
- ITEM 2** Reasons for Notice of Review
- ITEM 3** Drawing No. 250813 2 of 5
- ITEM 4** Drawing No. 250813 4A of 5
- ITEM 5** Drawing No. 250813 4B of 5
- ITEM 6** Fisher German Turbine Comparison
- ITEM 7** E-mail dated 12 August 2013 from Historic Scotland
- ITEM 8** Photomontage No. 1-8
- ITEM 9** Viewpoint Location Plan
- ITEM 10** Photograph showing line of track

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect
of Decisions on Local Developments
The Town and Country Planning (Schemes Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2008
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	P.	Forename	A.D.
Surname	Kavanagh	Surname	Craig
Company Name	Harmony Energy Ltd	Company Name	A.Craig Architectural Consultant
Building No./Name	Nidderdale View	Building No./Name	6
Address Line 1	Darley Road	Address Line 1	Clerk Street
Address Line 2	Birstwirth	Address Line 2	Brechin
Town/City	Harrogate	Town/City	Angus
Postcode	HG3 2PN	Postcode	DD9 6AE
Telephone		Telephone	01356 625500
Mobile		Mobile	07836692314
Fax		Fax	01356 625572
Email		Email	info@adcraig.co.uk
3. Application Details			
Planning authority	Angus Council		
Planning authority's application reference number	13/00825/FULL		
Site address	Forfar Golf Club Cunninghill Forfar		
Description of proposed development	Erection of Wind Turbine		

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

5. Reasons for seeking review

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached sheet.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Drawing No.250813 2 of 5
Drawing No.250813-4B of 5 + 250813-4A of 5
Fisher German Turbine Comparison
Copy of E-mail dated 12 August 2013 from Historic Scotland
Original Photomontage Nos. 1 - 8 (Please do not scan, additional copies can be provided if required).
Viewpoint Location Plan.
PHOTOGRAPH SHOWING LINE OF TRACK

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

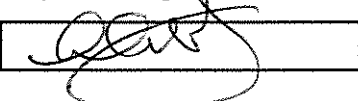
Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requesting a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

Erection of Wind Turbine of 50 metres to hub height and 77 metres to blade tip & Ancillary Development. Golf Course, Cunninghill, Forfar. 12/00825/FULL.

REASONS FOR NOTICE OF REVIEW

Full Planning Permission was sought for the erection of a single EWT500kW wind turbine on a site not exceeding 0.3 hectares including access track on the southern periphery of Forfar Golf Course. The purpose of the application was to provide green energy for the Golf Course, benefitting the members and wider community and also to contribute to helping meet the Renewable Energy Targets set out by the Scottish Executive. The application was prepared in accordance and consultation with Angus Council Planning Department, Angus Council Roads Department, Angus Local Plan Review 2009 relevant policies, Tay Plan Strategic Development Plan, NPF2 and SPP.

Scottish Planning Policy published by the Scottish Government on 23 June 2014 introduces a presumption in favour of development that contributes to sustainable development:

Paragraph 27 : The Government's Economic Strategy indicates that sustainable growth is the key to unlocking Scotland's potential and outlines the multiple benefits of delivering the Government's purpose, including creating a supportive business environment, achieving a low carbon economy etc.

Paragraph 30 : Development Planning.

Development plans should :

- ' be up-to-date,' place based and enabling with a spatial strategy that is implemented through policies and proposals.
- Be consistent with the policies set out in this SPP, including the presumption in favour that contributes to sustainable development.

- Set out a spatial strategy which is both sustainable and deliverable providing confidence to stakeholders that outcomes can be achieved.

Paragraph 33 : Development Management

- Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.

Planning etc. (Scotland) Act 2006

Section 16 : Preparation and monitoring of local development plans : general –

1) A planning authority are –

a) as soon as practicable after the coming into force of section 2 of the Planning etc. (Scotland) 2006 (asp 17) and thereafter –

(i) whenever required to do so by Scottish Ministers or,
(ii) subject to sub-paragraph (i), at intervals of no more than five years, to prepare local development plans for all parts of their district, and

(b) to keep under review the plans so prepared.

6) Where the land to which a local development plan (or joint local development plan) relates is within a strategic development plan area –

(a) the planning authority are in preparing the local development plan to ensure that the plan prepared is consistent with the strategic development plan.

Angus Council Implementation Guide for Renewable Energy Proposals 2012:

Response to main issues raised:

3.3 ‘there was criticism by several respondents that the published guidance did not meet the requirements of the SPP’.

REPORT OF HANDLING

For clarification purposes, all information submitted up to 7 March 2014 was additional at the request of the Planning Department and not Amended as suggested in the report.

REASONS FOR REFUSAL

1. That the proposed turbine by virtue of its height and location would have an unacceptable prominence in the landscape and would be unacceptably close to housing.

The scale and location of the turbine were selected in accordance with the guidance set out in TLCA defining the area as a Broad Valley Lowland zone whereupon turbines are unlikely to present a significant threat to the landscape and is capable of accommodating Wind Turbines up to 80 metres in height.

There is discrepancy regarding the definition of the turbine size and how it is assessed. The Fisher German scale classifies turbines up to 80metres as being small to medium which is also in line with SNH's classification. This appears to differ from the classification in the Report of Handling where Turbines up to 80metres are regarded as being medium to large and is further contradicted by SNH's guidance.

The photomontages were prepared in accordance with discussions with Angus Council Planning Department and Historic Scotland regarding suitable locations. Advice was given by a Planning Officer on viewpoint locations suggesting they be in the region of 2km from the proposed turbine site. Examples of a then current application were presented as an example of 'good practice'. Although the ZTV shows the tip of the turbine blade may be visible at greater distances it was felt that due to the nature of the surrounding hills and woodland it was unlikely to be visible. The visualisations were described by the countryside officer of being of mixed quality which was later put down to the standard of scanned copies he had been using in his assessment and agreed that once seeing a true copy, the turbine was more clearly visible. Reference was made to the high degree of obscuring from the proposed turbine which was unavoidable due to the nature of the landscape. The turbine is located in a dip making it less obtrusive from all directions due to the rising land form around it. The report suggests that the turbine might be visible behind or close to Balmashanner Monument, however Historic Scotland raised no issue or concerns with this. The report also states that more locally the roads are often lined with narrow belts of woodland and a semi-mature woodlands which would sometimes fully or partially obstruct the views of the turbine. The impact on surrounding properties is frequently mentioned however there is no objection from Environmental Health regarding noise or shadow flicker, the conditions which are generally considered to impact on the amenity of the properties. All properties are out with the 540metre shadow flicker zone

and the noise survey details clearly that the decibel level is below 35dB.

And again due to the semi-mature woodlands the turbine will be fully or partially screened. A site visit to the locations in question would help eliminate the doubt regarding impact.

2. That the proposed turbine, its associated infrastructure and access track would result in the unacceptable and unjustified loss of a significant proportion of existing woodland.

The proposed site of no more than 0.3 hectares including access track form a small part of the overall Golf Course curtilage. The intention of the applicant would be the felling of approximately 40 trees located within the woodland area.

Drawing No.250813-4B of 5 was prepared to assist the Planning Officer in his assessment of the application and shows very clearly the position of the proposed access and the proposed areas for selective felling of trees.

Drawing No.250813 – 2 of 5 shows a true representation of the woodland in its entirety on the Golf Course and the removal of 40 trees can not in this instance be considered a significant loss. Drawing No. 250813-4B of 5 clearly identifies the line of the access track and details the small number of trees which would require to be removed. Angus Council Planning Department were made aware of the significant tree planting scheme which is annually undertaken by Forfar Golf Course to maintain the Woodland and would more than off-set the loss of woodland.

3. The applicant failed to provide an acceptable level of supporting information in relation to landscape and visual impact, access, tree removal and impact on the adjacent Category C Listed Building at Burnside Road Bridge.

The applicant has supplied photomontage and wireframes in accordance with location advice given by Angus Council Planning Department. The Report of Handling is critical of the

fact that no cumulative landscape assessment has been provided yet then acknowledges that 'Cumulative landscape impact is not considered to be a significant issue'.

The access to the site is demonstrated in Plan 250813 – 4 of 5 Which is further illustrated in Plans and 250813 – 4A of 5 250813 – 4B of 5 also detailing the number of trees which will be removed. There is a clear line of site through the trees which a site visit would also illustrate. Whilst there seems to have been confusion within the Planning Department as to the location of the proposed access, Angus Council Roads Department managed to establish a clear understanding of the exact location of the access from the information provided and furthermore have presented no objection to the application.

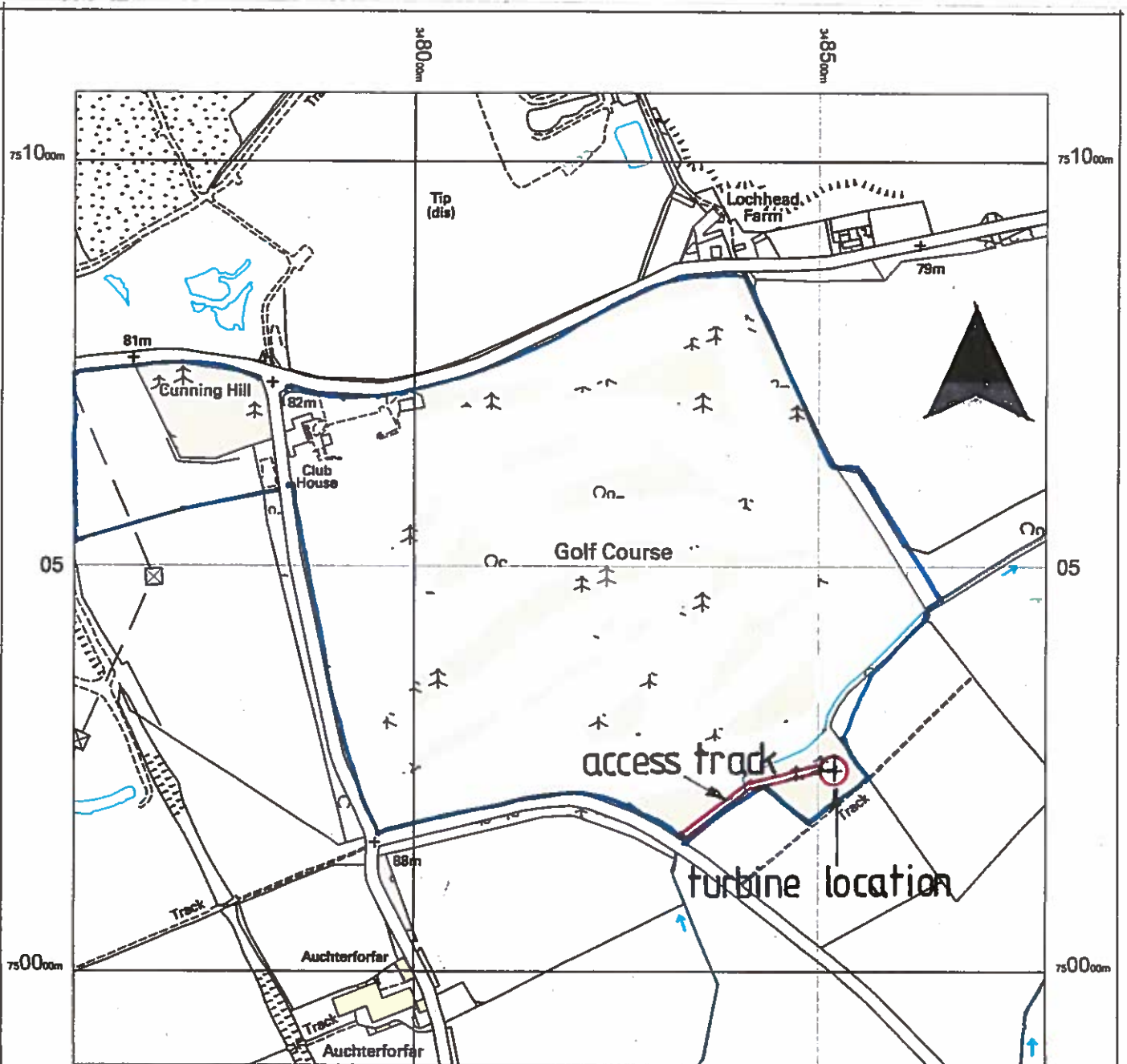
The Report states that the applicant has not submitted an assessment of cultural Heritage with the application and raises concerns over the impact of the access track on the Category C Listed Building, the Bridge over Auchterforfar Burn which is situated close to the proposed access. After the initial construction of the proposed turbine, this access would be used no more than once a month by a small service vehicle and would have little or no impact on the Category C listed building. Prior to submitting the application, the applicant contacted Historic Scotland to ask if the setting of the turbine would impact on any of its listed building or historic monuments. The only concern raised was to assess the potential impact on Restenneth Priory for them which was duly satisfied. This information was conveyed to the Planning Department within the application.

CONCLUSION

In preparation of this application careful consideration was given to the criteria set out by Angus Council Local Plan Review 2009, supplementary guidance on wind energy and consultation with Angus Council Planning Officers.

Under the circumstances that the Local Plan is more than five years old and is not based on the current approved Strategic Development Plan in accordance with SPP there should be a presumption in favour of sustainable development. It is contended that the proposal represents a sustainable development that will positively contribute to National Strategic and Local Policy objectives.

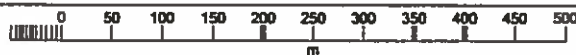
PROPOSED ERECTION OF WIND TURBINE
at
FORFAR GOLF CLUB
FORFAR
ANGUS
DD8 2RL

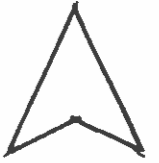


NOTE – Selective tree felling (conifers) to be carried out over the extent of the access track, crane pad and turbine base. No tree canopy spread will be affected

SITE PLAN

Scale as Drawn

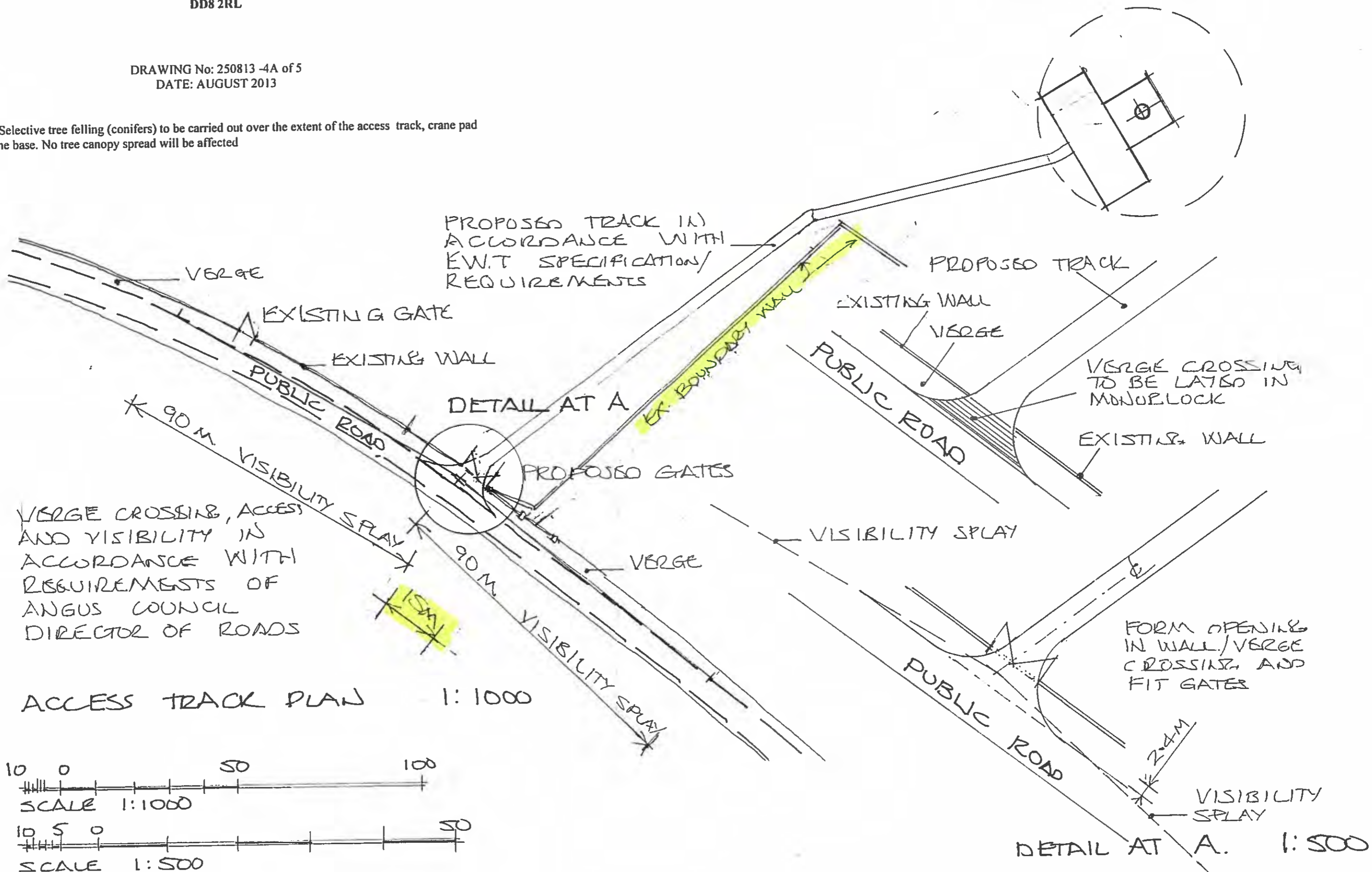




PROPOSED ERECTION OF WIND TURBINE
at
FORFAR GOLF CLUB
FORFAR
ANGUS
DD8 2RL

DRAWING No: 250813 -4A of 5
DATE: AUGUST 2013

NOTE - Selective tree felling (conifers) to be carried out over the extent of the access track, crane pad and turbine base. No tree canopy spread will be affected



PROPOSED TRACK IN ACCORDANCE WITH E.W.T SPECIFICATIONS/ REQUIREMENTS

PROPOSED TRACK

VERGE

EXISTING GATE

EXISTING WALL

PUBLIC ROAD

DETAIL AT A

PROPOSED GATES

VERGE

EXISTING WALL

VERGE

PUBLIC ROAD

VERGE CROSSING TO BE LATERED IN MONOBLOCK

EXISTING WALL

VISIBILITY SPLAY

PUBLIC ROAD

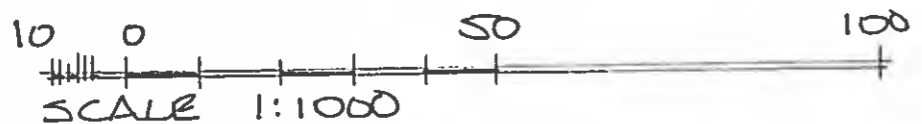
FORM OPENING IN WALL/VERGE CROSSING AND FIT GATES

2.4M

VISIBILITY SPLAY

DETAIL AT A. 1:500

ACCESS TRACK PLAN 1:1000



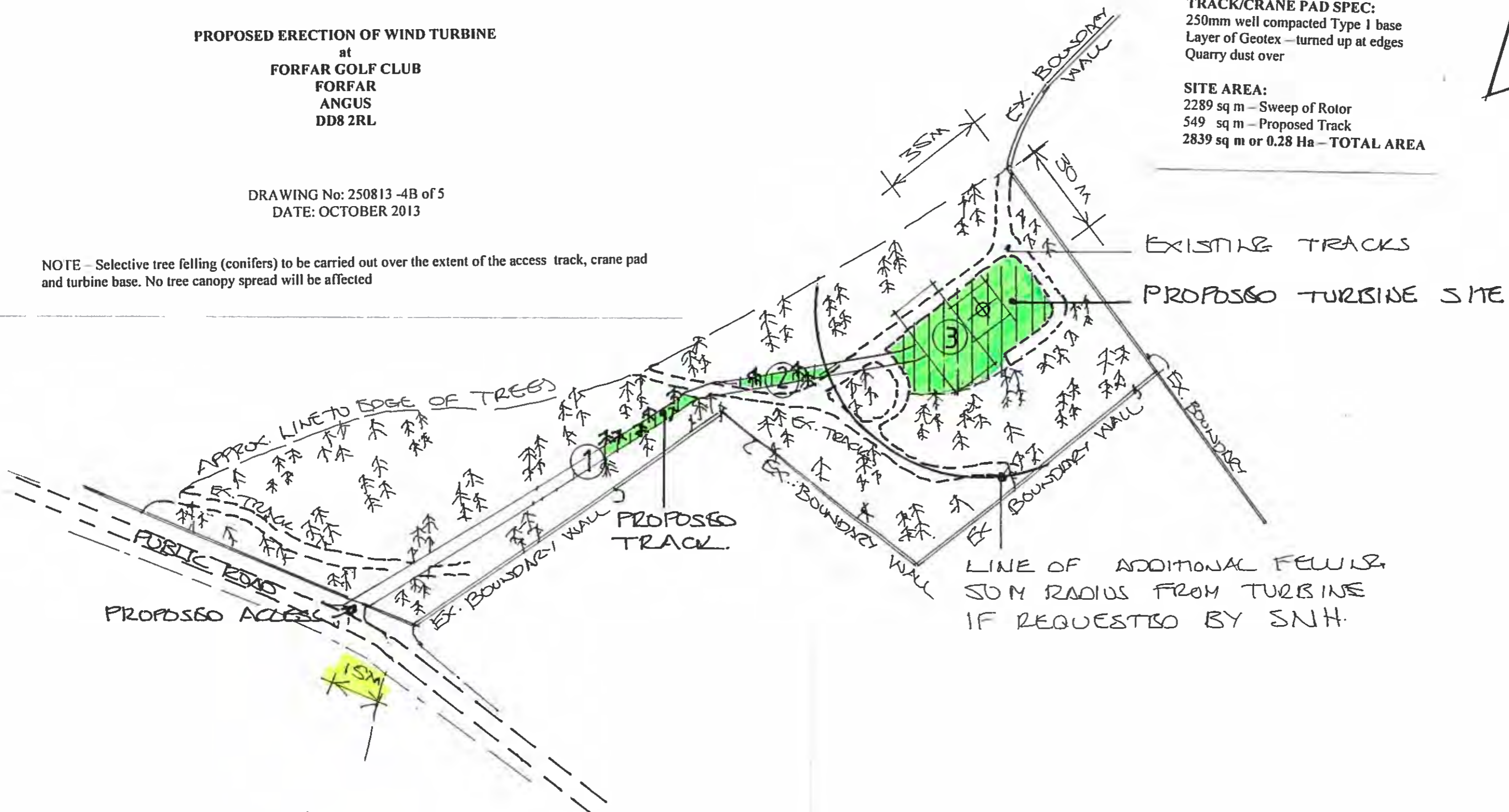
PROPOSED ERECTION OF WIND TURBINE
at
FORFAR GOLF CLUB
FORFAR
ANGUS
DD8 2RL

DRAWING No: 250813 -4B of 5
DATE: OCTOBER 2013

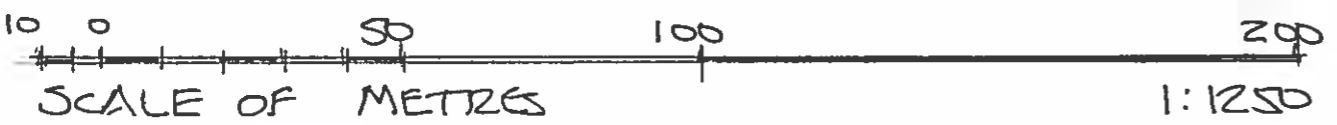
NOTE - Selective tree felling (conifers) to be carried out over the extent of the access track, crane pad and turbine base. No tree canopy spread will be affected

TRACK/CRANE PAD SPEC:
250mm well compacted Type 1 base
Layer of Geotex - turned up at edges
Quarry dust over

SITE AREA:
2289 sq m - Sweep of Rotor
549 sq m - Proposed Track
2839 sq m or 0.28 Ha - TOTAL AREA



WOODLAND/SITE PLAN
SCALE 1:1250



GENERAL NOTES:

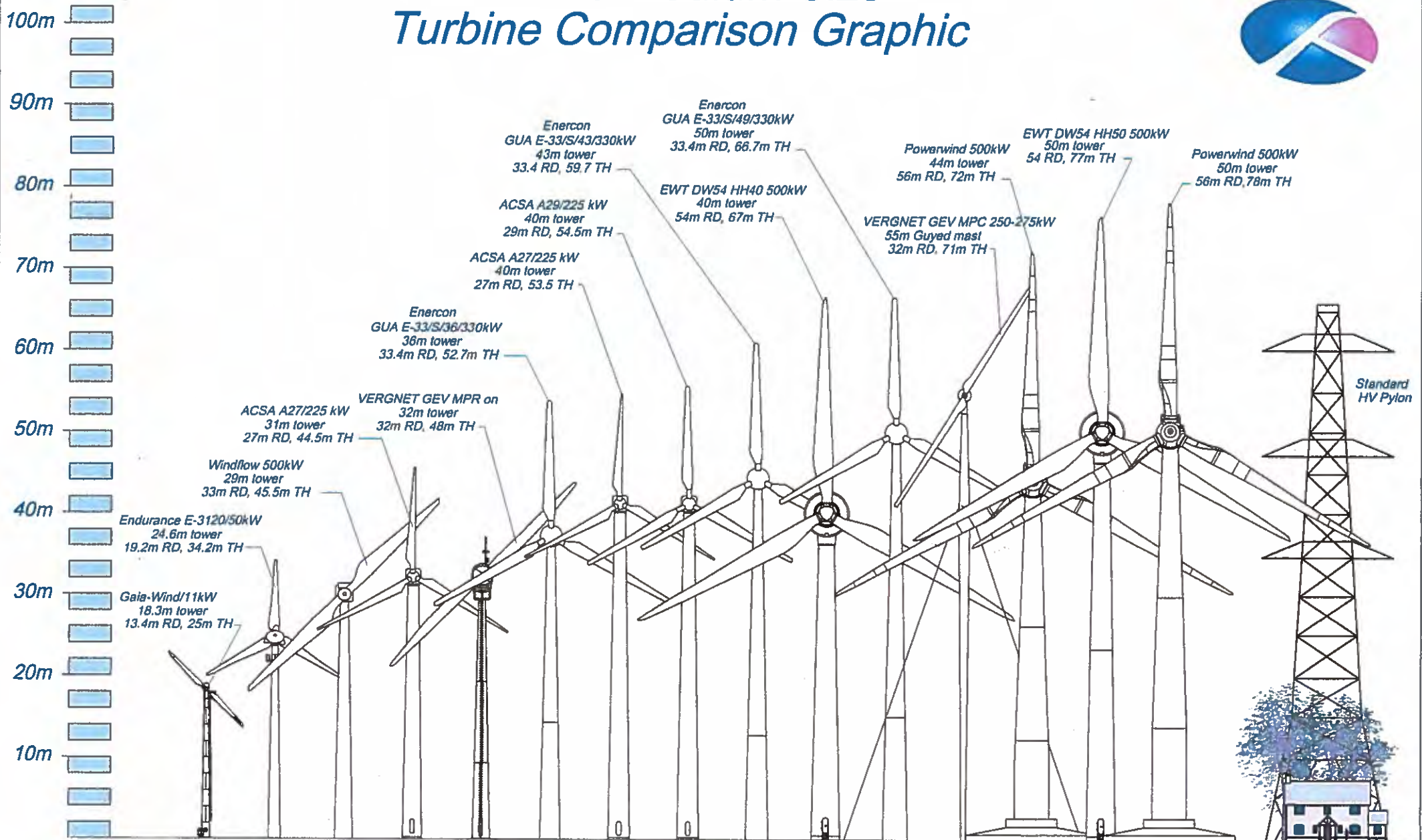
Area of woodland comprising Fir Trees at varied centres - approximately 4m - 10m
Trees approximately 20m high. Canopy approximately 3m diameter and trunk 300mm diameter. No branches to lower sections of trees.

Selective felling to make way for access track, crane pad and turbine base in the following locations shown cross hatched:

- AREA 1 - No more than 6 trees to be removed
- AREA 2 - No more than 3 trees to be removed
- AREA 3 - No more than 30 trees to be removed

Small to Medium Size Turbine Comparison Graphic

ITEM 6




By E-mail

A Craig
 ACraig Architectural Consultant

info@adcraig.co.uk

Longmore House
 Salisbury Place
 Edinburgh
 EH9 1SH

Direct Line: 0131 668 8688
 Direct Fax: 0131 668 8722
 Switchboard: 0131 668 8600
 Victoria.Clements@scotland.gsi.gov.uk

Our ref: AMH/90246/10
 Our Case ID: 201302683

12 August 2013

Dear Mr Craig

**Forfar Golf Club, Forfar, Angus Wind Turbine Proposal
 Request for comments**

Thank you for your letter of 24 July seeking our comments on the above proposed scheme. Our comments here concentrate on our statutory remit for scheduled monuments and their setting, category A listed buildings and their settings and gardens and designed landscapes appearing in the Inventory.

Historic Scotland has no objection in principle to a wind turbine development in this location; however we would wish to see the potential impacts assessed of a turbine of this size on the setting of the scheduled monument known as *Restenneth Priory* (Index No. 90246). Our detailed comments can be found in the attached annex.

I hope you find these comments useful. Please do not hesitate to contact me at the above details should you wish to discuss them.

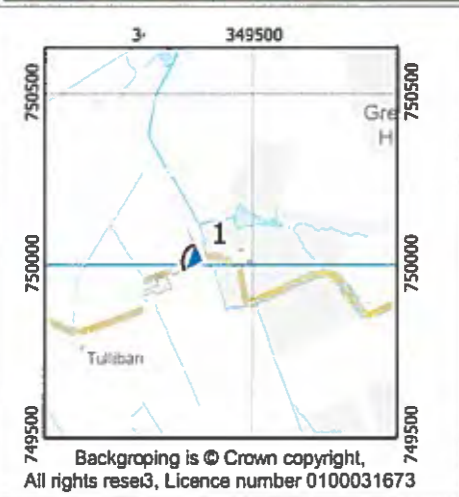
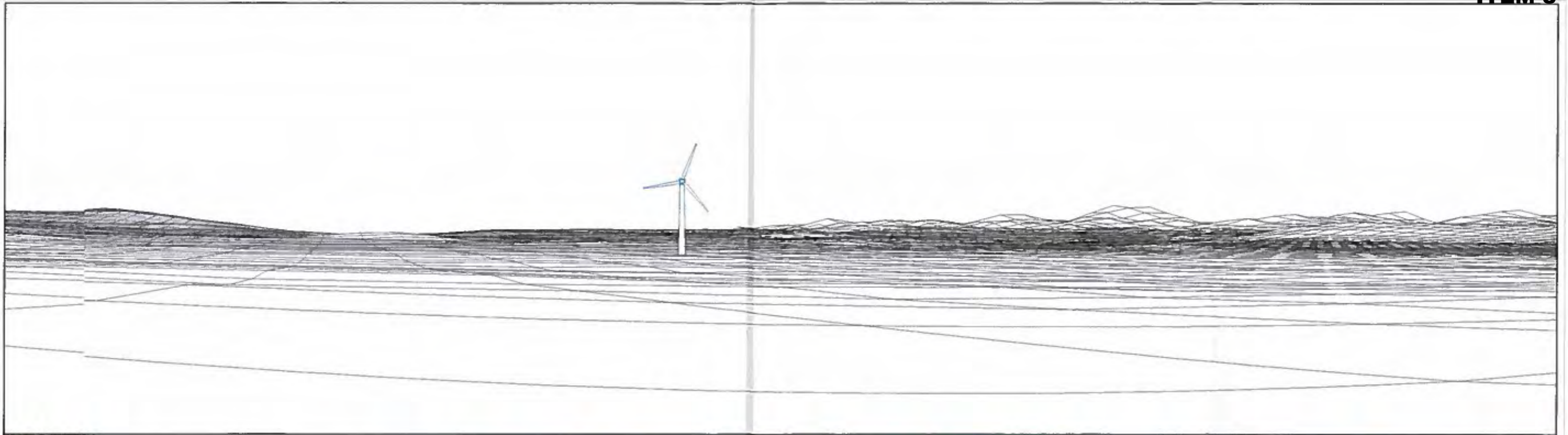
Yours sincerely

Victoria Clements
 Heritage Management Officer East

30/08/13 @ 9-50

V.C.-

CONFIRM NOT VISIBL
 NO IMPACT ETC
 IN FRAME STATO



VIEWPOINT DETAILS:	
Title :	Burnside Farm
Viewpoint easting :	349352
Viewpoint northing :	750013
Viewpoint height :	2
Included angle :	73
Direction :	289.4
Pitch angle :	2.5
Distance to turbine :	860 m
Viewing distance @ A3 :	32.5 cm

A Craig Architectural

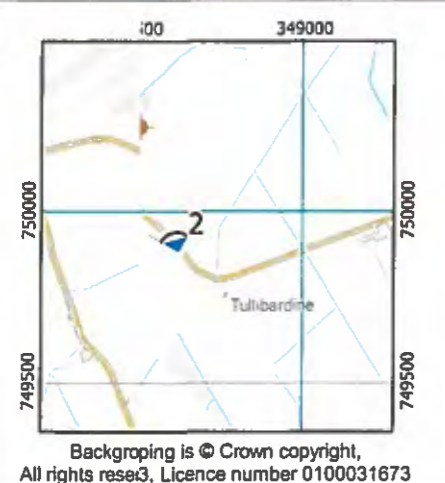
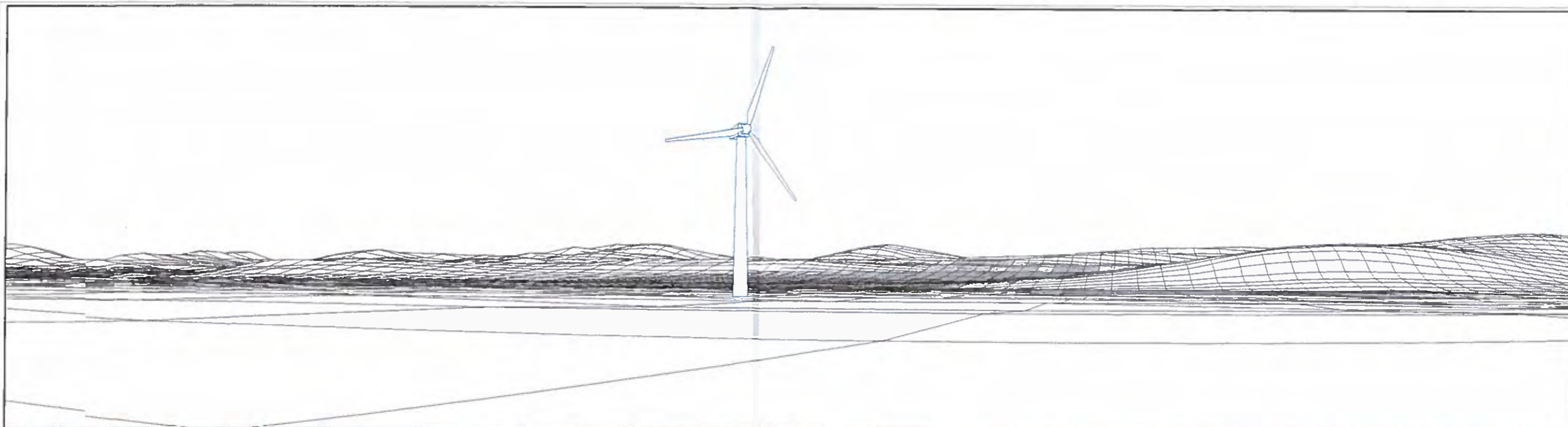
Tel: 01356 625 500
Mob: 07836 692 314

FORFAR GOLF COURSE

Viewpoint 1

MAPPAGNOSIS
www.mappagnosis.com

GIS analysis, 3D modelling and mapping



VIEWPOINT DETAILS:	
Title :	West of Mid Dod
Viewpoint easting :	348636
Viewpoint northing :	749884
Viewpoint height :	2
Included angle :	73
Direction :	344.1
Pitch angle :	3.75
Distance to turbine :	380 m
Viewing distance @ A3 :	32.5 cm

A Craig Architectural

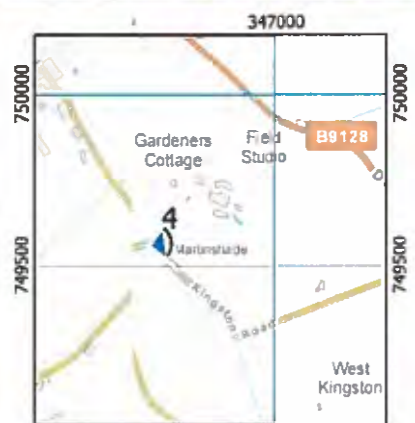
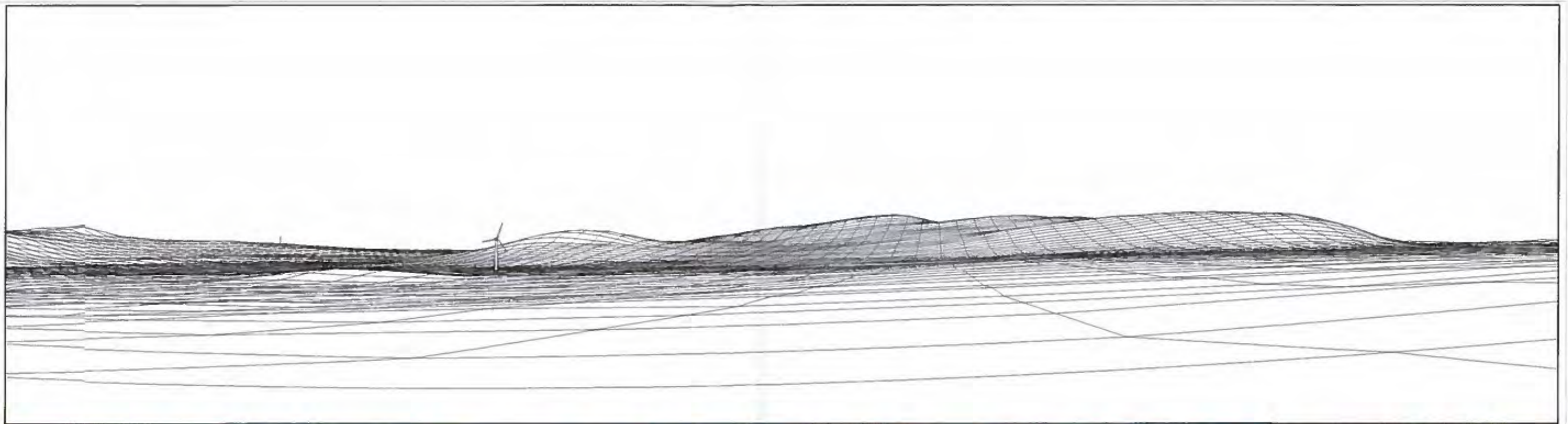
Tel: 01356 625 500
Mob: 07838 692 314

FORFAR GOLF COURSE

Viewpoint 2

MAPPAGNOSIS
www.mappagnosis.com

GIS analysis, 3D modelling and mapping



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VIEWPOINT DETAILS:	
Title :	Pitreuchie Farmhouse
Viewpoint easting :	346640
Viewpoint northing :	749561
Viewpoint height :	2
Included angle :	73
Direction :	82
Pitch angle :	4.2
Distance to turbine :	2005 m
Viewing distance @ A3 :	32.5 cm

A Craig Architectural

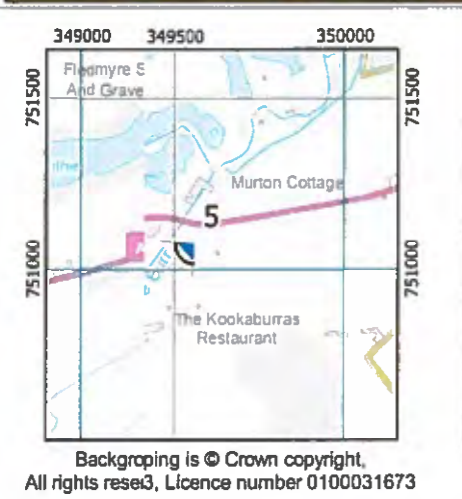
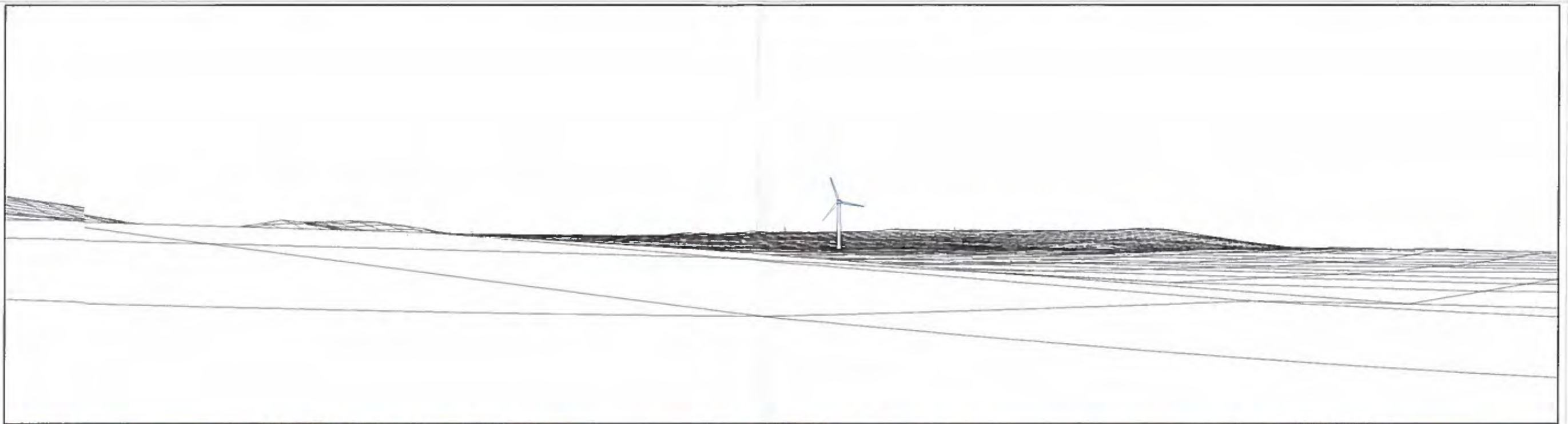
Tel: 01356 625 800
Mob: 07836 697 314

FORFAR GOLF COURSE

Viewpoint 4

MAPPAGNOSIS
www.mappagnosis.com

GIS analysis, 3D modelling and mapping



VIEWPOINT DETAILS:	
Title :	Foresterseat Caravan Park
Viewpoint easting :	349557
Viewpoint northing :	751078
Viewpoint height :	2
Included angle :	73
Direction :	227.6
Pitch angle :	4.2
Distance to turbine :	1325 m
Viewing distance @ A3 :	32.5 cm

A Craig Architectural

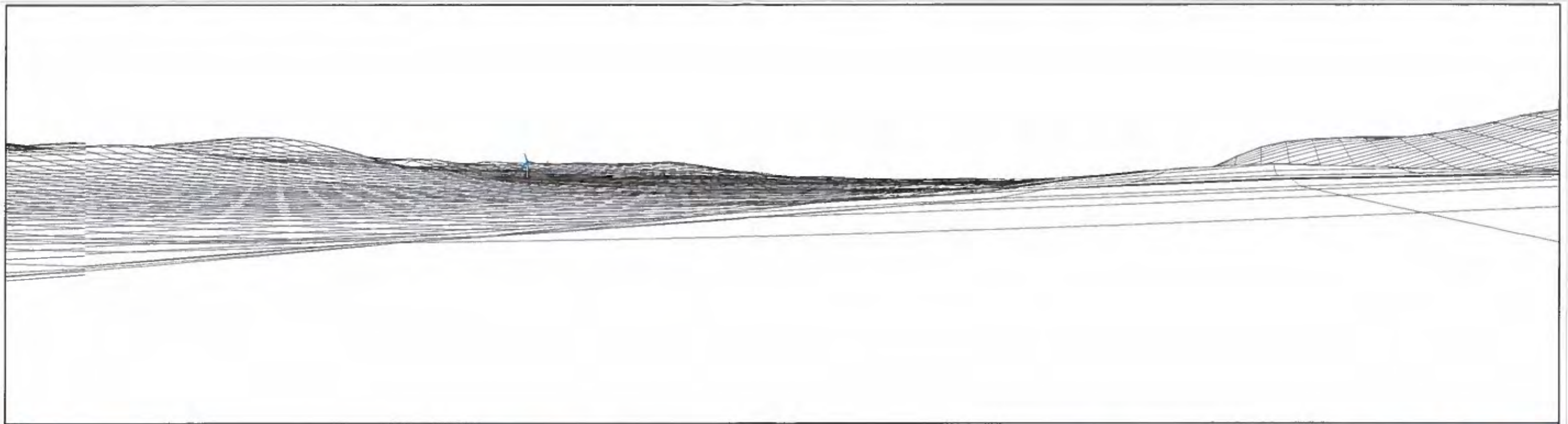
Tel: 01356 625 500
Mob: 0783 692 314

FORFAR GOLF COURSE

Viewpoint 5

MAPPAGNOSIS
www.mappagnosis.com

GIS analysis, 3D modelling and mapping



VIEWPOINT DETAILS:	
Title :	Track to Turin Hill
Viewpoint easting :	351777
Viewpoint northing :	752391
Viewpoint height :	2
Included angle :	73
Direction :	247.25
Pitch angle :	-0.5
Distance to turbine :	3895 m
Viewing distance @ A3 :	32.5 cm

A Craig Architectural

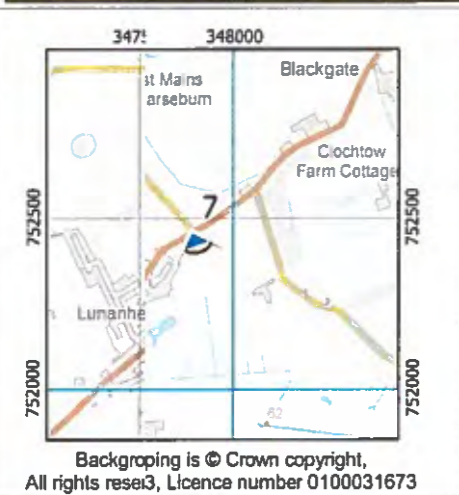
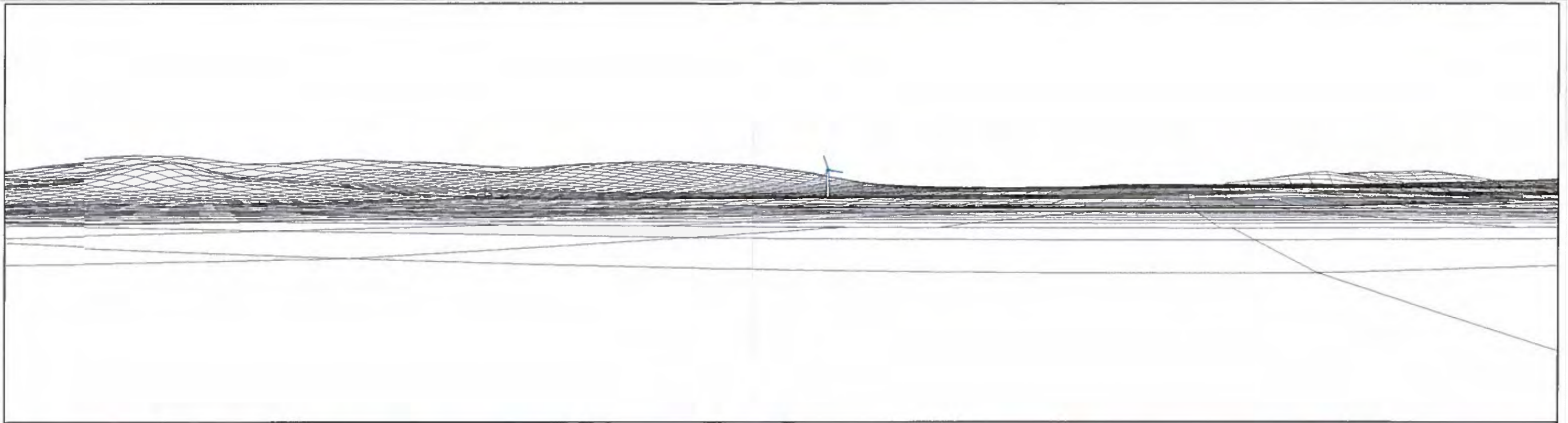
Tel: 01356 625 500
Mob: 07836 692 314

FORFAR GOLF COURSE

Viewpoint 6

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GIS analysis, 3D modelling and mapping



VIEWPOINT DETAILS:	
Title :	Road to Carseburn
Viewpoint easting :	347880
Viewpoint northing :	752454
Viewpoint height :	2
Included angle :	73
Direction :	160.6
Pitch angle :	0.75
Distance to turbine :	2298 m
Viewing distance @ A3 :	32.5 cm

A Craig Architectural

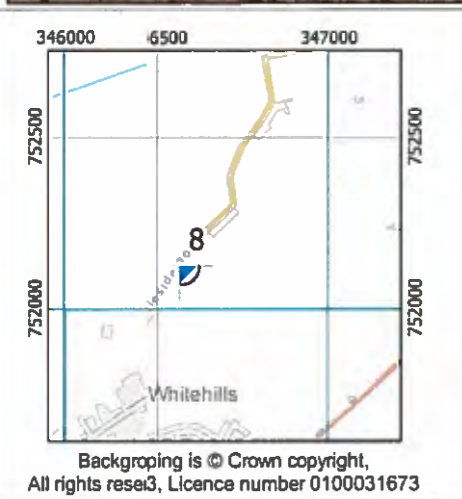
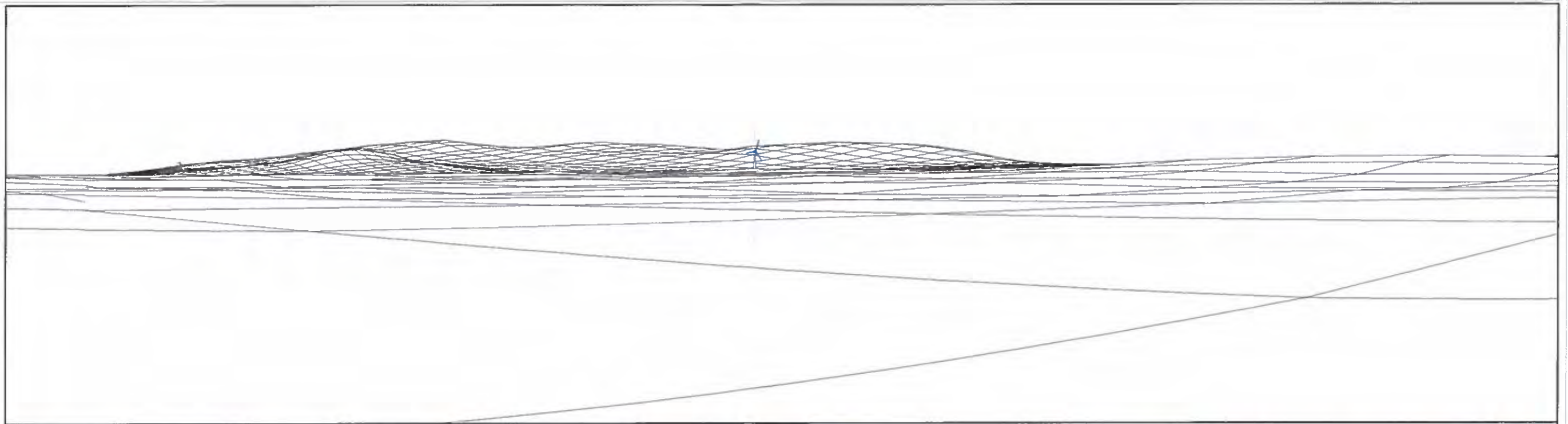
Tel: 01356 625 500
Mob: 07836 692 314

FORFAR GOLF COURSE

Viewpoint 7

MAPPAGNOSIS
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GIS analysis, 3D modelling and mapping



VIEWPOINT DETAILS:	
Title	Suttieside
Viewpoint easting :	346564
Viewpoint northing :	752124
Viewpoint height :	2
Included angle :	73
Direction :	134
Pitch angle :	-1.8
Distance to turbine :	2713 m
Viewing distance @ A3 :	32.5 cm

A Craig Architectural

Tel: 01356 625 500
Mob: 07836 697 314

FORFAR GOLF COURSE

Viewpoint 8

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FORFAR GOLF COURSE

Viewpoint locations

Legend

- Turbine location
- Turbine distance buffers (5km increments)
- viewpoints
- Neighbouring turbines (approved)
- Neighbouring turbine applications (pending)

Viewpoint details:

Id	Name	Bearing	Eastings	Northings
1	Burnside Farm	289	349352	750013
2	West of Mid Dod	344	348637	749885
3	Junction at Kingsmuir	10.7	348298	749056
4	Pitreichie Farmhouse	82	346640	749561
5	Foresterseat Cravan Park	227	349558	751078
6	Track leading to Turin Hill	247	351777	752391
7	Road leading to Carseburn	160	347880	752454
8	Suttieside	134	346564	752124

0 500 1000 1500 2000 Meters



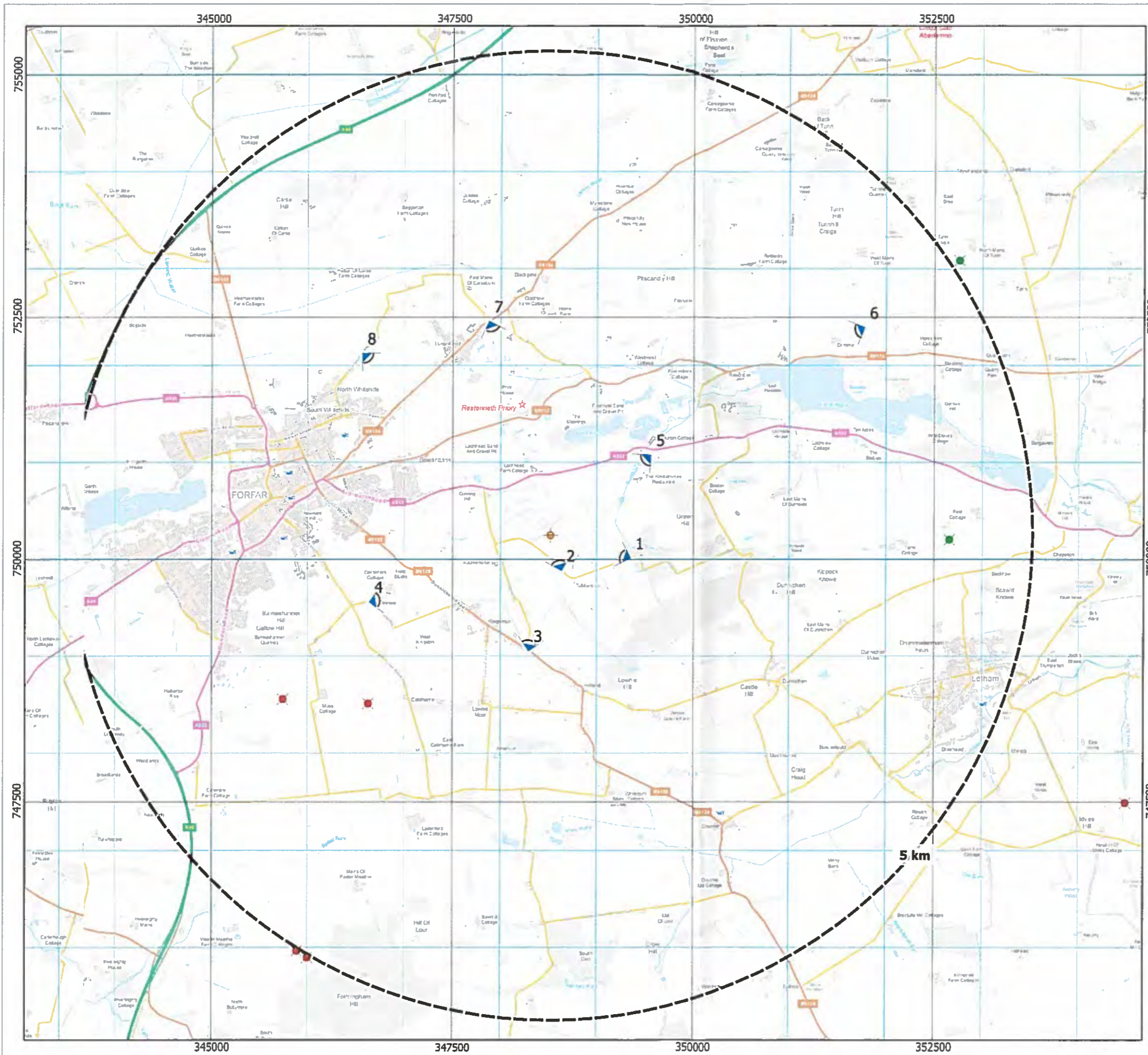
Drawing Ref: forfarGolfCourse_vpts_20130726

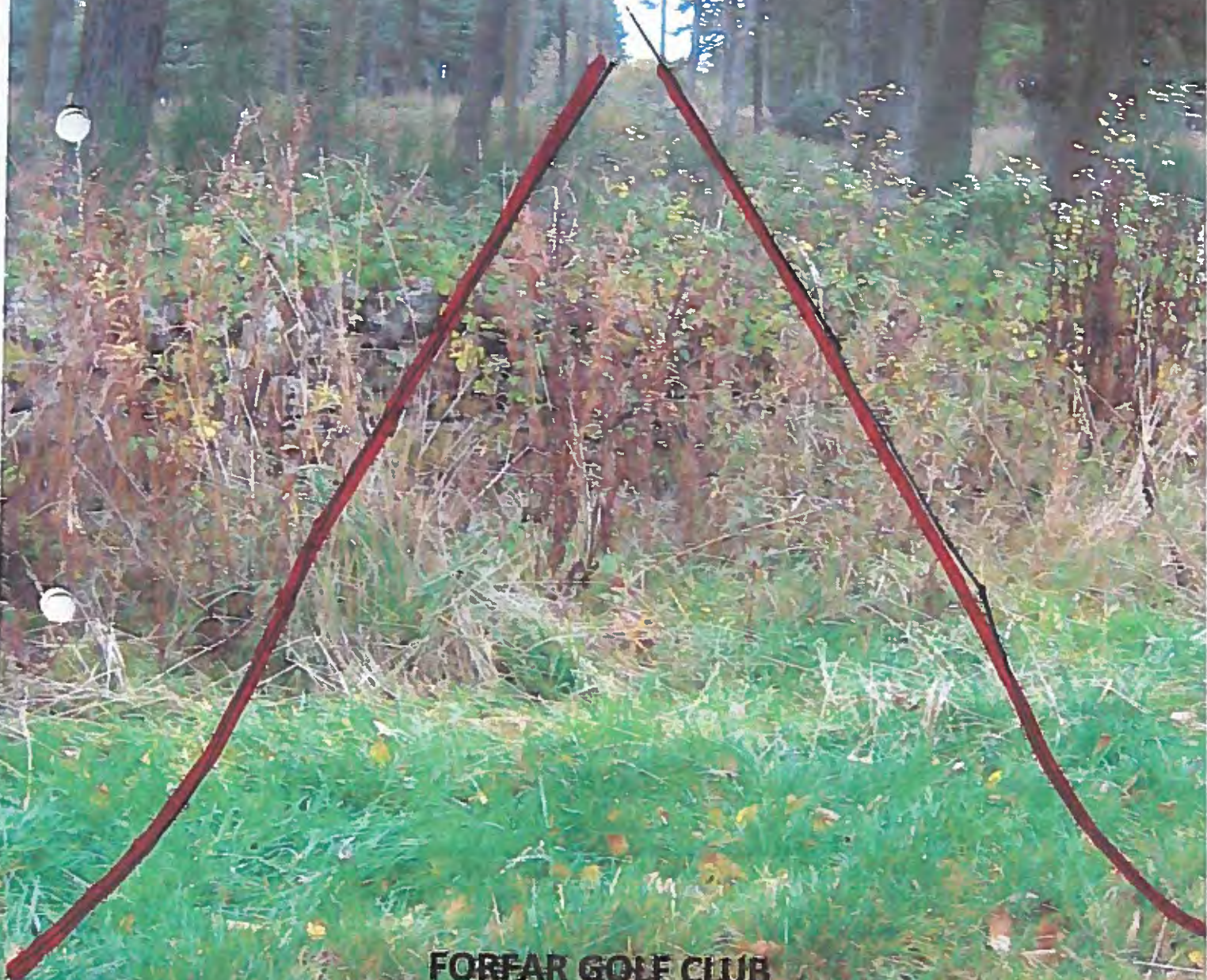
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FOREAR GOLF CLUB

Line of Track Between Trees

**FURTHER
REPRESENTATIONS**



16 MAVISCROFT
FORFAR
ANGUS
14 JULY 2014

Dear Mr Macaskill

APPLICATION FOR REVIEW - NO 13/00825/FULL

Further to your letter of 11 July 2014, I confirm my original objections (submitted 19 Sept 2013) to the proposed windturbine at Forfar Golf Course continue to stand. In addition to the valid reasons for refusal of the application quoted by the Service Manager (Planning) Communities, I continue to maintain that additionally the application is also contrary to Policies ER3, ER4, ER11, and ER35 of the Adopted Angus Local Plan Review. The case against this windturbine proposal on relevant planning grounds is overwhelming and the decision to refuse the application is correct and should stand.

It is also notable that, during the period between submission of the original application and the issue of the refusal decision, the application and supporting information were subject of numerous changes in response to errors, omissions and inaccuracies in the original material. This included information on visual impact, the impact on nature conservation (eg red squirrels), access arrangements and extent of tree felling. Indeed despite revised information these issues continue to be inadequately addressed by the applicant. I would therefore respectfully request, in the interests of accuracy and fairness, that there should be an opportunity for objectors to view and if necessary respond to any comments on representations which the applicant may make in advance of these being placed before the Review Committee.

Yours sincerely

Colin Robertson

Copy also sent by e-mail.

MacaskillD

From: Andy Ducat
Sent: 22 July 2014 18:58
To: MacaskillD
Cc: Forfar Golf Club
Subject: Planning Application No. 13/00825/FULL

Wind Turbine on land owned by Forfar Golf Club.

Thank you for the opportunity to make further representation on the above planning application.

I was not surprised to see that the application was refused given Angus Council's view on wind turbines. However, I am very disappointed at the reasons given for refusal.

It seems that the decision to refuse was made and then you looked to find reasons to back it up given that the three reasons given are pretty poor to say the least.

1. Unacceptably close to housing is quite frankly ridiculous. Nearly every turbine that has been erected in Angus has housing closer to it. The closest house must be approx. 750m away.
2. Loss of woodland. The trees concerned have no aesthetic value and will be felled in any case over the next few years to fuel the bio-mass boiler at the club.
3. The planning authority do not normally accept an application until they are satisfied that they have all the necessary information which I am sure would have been supplied had it been requested.

I am pleased that the application is being reviewed and I hope that you will see fit to over turn the decision to refuse and allow Forfar Golf Club to benefit from an excellent income stream for many years to come. Failing that could you at least provide meaningful reasons for refusing the application.

Andy Ducat
Forfar Golf Club Member

Sent from Windows Mail



The Forfar Golf Club

Cunninghill, Arbroath Road, Forfar, Angus, DD8 2RL

Secretary: 01307 463773 Clubhouse: 01307 462120
Fax: 01307 468495 Professional: 01307 465683
Email: info@forfargolfclub.co.uk Website: www.forfargolfclub.co.uk

President:
Mr Ross Mitchell

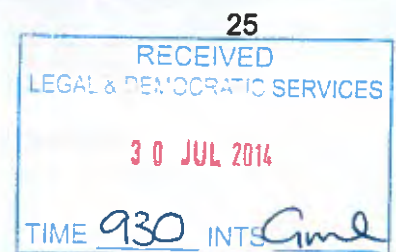
Managing Secretary:
Mr Stuart M Wilson

Clubhouse:
Mrs Monica Watson

Head Greenkeeper:
Mr Kevin Smith

PGA Professional:
Mr Peter McNiven

FAO Mr. Donald Macaskil
July 2014
Democratic Services Manager
Angus Council
Orchardbank Business Park
Forfar
DD8 1AN.



Dear Mr. Macaskil,

Application No. 13/00825/Full – Planning Permission for Erection of a Windturbine at Forfar Golf Club, Cunninghill, Forfar

Please note that I have sent this via e-mail in the first instance in order that this can be acknowledged quickly. I will send a copy of this by post also.

With reference to the above Application, as the current President of Forfar Golf Club, I wish to convey my views on the Planning Permission Refusal to the Development Management Review Committee.

I wish to address the 3-fold reasons for refusal individually allied to the decision dated 24 June 2014:

- I cannot agree with the decision that the proposed wind turbine would have an *"unacceptable prominence in the landscape and would be unacceptably close to housing"*, thereby having an *"unacceptable landscape and visual impact"*. The decision to site the proposed turbine in the area determined was undertaken after much consideration by both Forfar Golf Club and Harmony Energy in order to ensure that any such impact would be minimised. Having read all of the comments both positive and negative during the consultation process I would be interested to note how many of these were from residents who were afforded a direct view to the proposed turbine. I would assess that these would be a small minority, if any at all. I note the turbine, located to the south of Tealing and to the west of the A90 is of prominent view to the many residents there. Indeed far more residents than any housing within the sight lines of the proposed turbine at Forfar Golf Club. I am sure the approved Tealing application would have had its fair share of dissenters, yet this was approved. Therefore, the unacceptably close to housing comment cannot hold water in comparison to a like turbine only a few miles away. I am sure the relevant department have a consistency of approach and, without having further information at hand, am sure that this Application, along with the Tealing one to which I refer, was judged on like merits.
- In relation to *"the unacceptable and unjustified loss of a significant proportion of the existing woodland"*, reason for refusal, Forfar Golf Club have recently installed and commissioned a wood burning Biomass Heating System, at great expenses to the Club. The primary reason for this investment was that we can utilise our renewable energy resources, in our case the trees within our golf course boundaries, to fuel

this heating system. One of the areas identified for fuel usage were the trees currently situated upon the site of the proposed turbine. This therefore refutes this decision as these trees would be intended to be felled anyway. As well as this it has been the policy of Forfar Golf Club since 2010 to plant young trees each and every year and to continue with this policy "ad infinitum". I feel that this policy demonstrates our commitment to long term environmental issues thereby quashing this reason for refusal of the project. I am aware that this information has previously been provided to the Council during the Application process and I find it difficult to fathom why this has not been considered thereby, in my view, quashing the reason giving in refusal.

- I find the decision to refuse on the grounds of "*The applicant has failed to provide an acceptable level of supporting Information in relation to the landscape and visual impact*" to be something of a thorny issue. I cannot understand why, if the required information has not been supplied during the Application process, that Angus Council would not request the necessary supplementary information prior to making their decision. I would imagine that this would be standard practice as opposed to a reason for refusal.

I am sure that the relevant department of Angus Council would realise that this project, if approved by way of the financial subsidies it affords, could have helped secure the future of Forfar Golf Club and its facilities in the face of both a dwindling membership, rising costs and competing demands across the realms of golf in Scotland. When it now seems the norm when travelling throughout Scotland to see wind turbines dotted on numerous landscapes, to the commitment given by the current Scottish government to 100% renewable energy by 2020, it appears to be that the 3-fold reasons provided when refusing this Application appear inconsistent with both national and local policy.

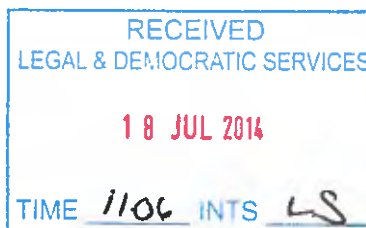
Yours faithfully

Ross Mitchell
President
Forfar Golf Club.



Balhall Lodge, Menmuir, Angus, Scotland. DD9 7RW

Angus Council Resources
Orchardbank Business Park
Forfar
DD8 1AN



13/00825/full Forfar Golf Club Wind Turbine Application.

Comments to the Review Committee.

18th July 2014

Dear Sir,

I write in response to your letter from Mr Macaskill and have sent this letter by Email due to being out of the country at this time.

I feel that the planning department have failed in their duty of care to the applicant and the members of the Forfar Golf Club and have not only handled this application badly by failing to consider all of the information made available to the department but also failed to interpret the application in accordance with both the Implementation guide and in line with other approved applications which surely would set a precedence for officers to consider when making decisions about planning applications.

Referring to the reasons given by the Council for refusal.

Reason number 1.

I disagree that the turbine would have an unacceptable prominence in the landscape and that it is unacceptably close to housing.
I would refer you to my two letters dated 28th April 2014 and 3rd May 2014 and in particular to my comments at item number 9 in my letter of 28th April 2014 with regard to the Implementation guide.

IMPLEMENTATION GUIDE –

Angus Council define this as follows –

Angus Council's Infrastructure Services Committee at their meeting of 14 June 2012 approved the Implementation Guide for Renewable Energy Proposals and accompanying Environmental Report.

The Implementation Guide explains and clarifies for developers and the general public the existing Angus Local Plan Review policy base that will be used by Angus Council in determining renewable energy planning applications.

This application falls within these guidelines that state on page 48 of the guide that the area that the proposed turbine is located in is defined as broad valley lowlands and IS SUITABLE FOR TURBINES OF UP TO 80M IN HEIGHT with NO restrictions or concerns as to landscape visual impact.

Mr Roberts contradicts these guidelines by stating that because the turbine is towards the edge of the area, the turbine would be out of scale with the landscape. It's either in or its out – the report does not state that only the centre of the area is suitable for LARGE turbines and reduces outwards. The report states clearly that the area that the proposed turbine is located in is suitable for turbines up to 80m tip height.

The guide clearly defines the area adjacent to the broad valley lowlands as Low Moorland Hills which is also considered to have scope for turbines up to 80m in height but goes on to add restrictions for applicants to consider regarding landscape and visual impact.

Mr Roberts conclusion is in direct contradiction to this guide as his comments are based on the restrictions placed on applications within area 12 and NOT within area 10 where the turbine is to be located and therefore must be incorrect.

The planning decision to refuse this application on the basis of unacceptable landscape and visual impact is in direct contradiction of this guide.

I would also in particular draw your attention to my comments in my letter of 3rd May 2014 relating to the approved application at Field 50M North Of Dunswood Menmuir Brechin ref 12/00115/FULL

This approved application is for an identical wind turbine (EWT 500kw at 77m tip height) and is situated approximately 2000m directly in front of my property.

The following paragraphs in Blue are taken from the decision notice approving the application –

7.12 In this case a key consideration in relation to visual impact is the effect of the development on the nearest residential properties. Whilst the properties are at a distance of some 670 metres from the proposal none of these appear to be directly orientated towards the proposed turbine. I therefore do not consider that the turbine will have any significant impact on the amenity from these properties.

These circumstances are identical to the circumstances at Forfar Golf Club in that none of the properties situated near the turbine are orientated towards the turbine yet in direct contradiction of this planning decision the countryside officer contradicts himself here by stating that there would be a significant impact for the properties because they would see the turbine when approaching their property.

Reason number 2 – Loss of trees.

According to my understanding of the application, the proposed access track, turbine and its associated infrastructure would result in a loss of trees which totals less than 20% of the annual replanting carried out by the Golf Club.

Additionally and as mentioned in my letter of 28th April 2014, Forfar Golf Club have recently installed a biomass heating system. This system has been installed so that the club can utilise its stock of renewable energy for fuel ie trees. The area identified for the turbine has been selected for felling for fuel for the biomass system so this in itself is not a reason for refusal as the trees have been selected for felling in any event.

This reason for refusal is in direct contradiction to national government policy that is not only encouraging Biomass heating schemes but is paying huge monetary incentives to applicants like Forfar Golf Club to manage their resources and utilize available renewable resources for heat in order to reduce the use of fossil fuels.

This information has been provided to the council on numerous occasions from the Architect, the club chairman Mr Souter and also later in my letter of 28th April 2014.

I would ask the council WHY it has ignored this fact and selected the loss of trees as reason number 2 for refusal.

Reason number 3.

“The applicant failed to provide an acceptable level of supporting Information”

If the applicant failed to provide an acceptable level of information in relation to landscape and visual impact, access and tree removal I fail to understand why additional information was not requested given firstly the extremely long time that the council took to determine the application and secondly I would again refer you to my letter of 3rd May 2014 and the application reference number 12/00115/FULL

Again the paragraph below is taken from the planning decision notice.

7.14 Given the height of the turbine cumulative impacts need to be considered and upon request the agent provided additional information in terms of wirelines and a further report.

It would appear that there are different rules for different applicants. Here it is stated that the applicant was invited to provide additional information yet despite taking more than 3 months to provide his report, Mr Roberts failed to ask for any additional information from either the applicant or his colleagues and instead proceeded to criticize and reject the proposal. This in itself is not acceptable.

I am very disappointed that the planning department did not provide me with a response to my letter dated 3rd May 2014 as I had requested in particular that Mr Roberts (Countryside officer) provided a very bad and totally inadequate

response to my previous letter of 28th April 2014 where he failed miserably to address any of the points that I had raised and I feel that if I had received an adequate response to both of my letters then this would have highlighted the obvious inadequacies on behalf of the council officers that have led to this application being refused.

The refusal of this planning application is in direct contradiction to the Implementation Guide. This being the case I would ask that a copy of this letter is forwarded to the head of the Infrastructure Services Committee and that Angus Council's Infrastructure Services Committee be immediately recalled to discuss the immediate withdrawal of the Implementation Guide as this document is clearly misleading applicants to submit applications within areas that Mr Roberts feels are unsuitable for wind turbines and it would seem that ultimately Mr Roberts has the authority to refuse applications at will. Full proposals should be put to the committee for the refund in full of all planning fees, architects fees and costs for any and all applicants whose planning application for a wind turbine has been refused where the applications have been submitted in accordance with this misleading guide.

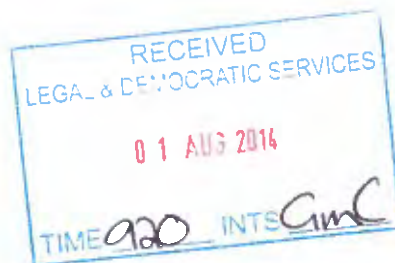
I look forward to your reply.

Yours Faithfully,

Paul Basford.

**FURTHER REPRESENTATION
FROM AGENT**

July 31, 2014



FAO Mr Donald Macaskill
Angus Council Corporate Services
Law & Administration
Angus House
Orchardbank Business Park, Forfar DD8 1AN

A CRAIG
ARCHITECTURAL
CONSULTANT

ADC/KH

Dear Mr Macaskill,

APPLICATION FOR REVIEW – APPLICATION No.13/00825/FULL – DMRC – 8 – 14.

Thank you for your letter dated 29 July 2014 and the further representations from interested parties.

Please find my comments on these representations as follows:

LETTER DATED 14 JULY 2014 from Mr Colin Robertson

- Mr Robertson has stated that the proposal contravenes Policies ER3, ER4, ER11 and ER35 of the Angus Local Plan Review . Policies ER3 and ER4 are concerned with Habitats and have been confirmed in the Report of Handling that the proposal will have no detrimental effect on such habitats. Policy ER11 is concerned with noise pollution which again the planning department have confirmed is well below the acceptable levels. Policy ER35 is concerned with Wind Energy Developments and has not been cited as a reason for refusal.
- No errors, omissions and inaccuracies were contained in the original application as has been clearly illustrated in the Reasons for Notice of Review.
- A Red Squirrel Report was provided offering appropriate mitigation which satisfied the planning department.
- Access arrangements were acceptable to Angus Council Roads Department and tree felling was clearly identified within the planning application.

LETTER DATED 18 JULY 2014 from Mr Paul Basford

- The application was prepared in accordance with Angus Council's Implementation Guide of which one of the criteria was that the area had been identified as being suitable for Turbines up to 80 metres in height. The height to tip of 77metres was made clear on the information sent to the Planning Department for the initial pre-application enquiry. Scottish Planning Policy published by the Scottish Government strives to provide a Planning System which should through its guidance give an amount of certainty to developers to enable them to make applications and investments thus avoiding considerable amounts of time and money being wasted. The criteria of the area being suitable for a turbine of this size and then subsequently having been refused on the grounds of being too high contravenes Scottish Planning Policy.

6 CLERK STREET
BRECHIN
ANGUS DD9 6AE

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07836 692314
Fax: (01356) 625572
email: info@adcraig.co.uk

LETTER DATED 25 JULY 2014 from Mr Ross Mitchell

- In response to Mr Mitchell's concern regarding why the applicant failed to provide an acceptable level of supporting information in relation to the landscape and visual impact and furthermore why Angus Council did not request the supplementary information, I would like to be very clear on this point. Prior to submitting the application, discussions were held with members of the planning department and Historic Scotland regarding all landscape and visual requirements. From this information eight selected viewpoints were identified. A copy of the Zone of Theoretical Visibility which detailed the turbine dimensions and a list of the identified viewpoints were sent to Mr Gray of the planning department on 2 August 2013 whereupon we have now discovered that the application was given a pre-application reference 13/00421/PRE APP. As Mr Gray chose not to respond to this letter and information in accordance with Angus Council Policy and to date has still not responded, an application was submitted on 9 September 2013. At no point did Mr Gray or the Countryside Officer, Mr Roberts ask for additional viewpoint montages. Furthermore Mr Roberts made his assessment knowing that one of the viewpoints had not been forwarded to him by the planning department. At a meeting on 10 April 2014 with Mr Roberts to discuss the montages, he conceded that the scanned images which he had received were of a lesser quality than the original copies which the planning department had received and that viewpoint 8 was missing. In viewpoint 4, Mr Roberts stated in his report that the turbine was not evident and yet upon production of an original copy of the viewpoint, it can be clearly seen. Mr Roberts then went on to say that a selection of viewpoints should have been submitted in the form of a pre-application enquiry to the planning department. A further concern was raised regarding the accuracy of Mr Roberts' report when it was discovered that he had appeared to have used another Turbine Reference Heading '13/00892/full Newton of Boysack, Arbroath' onto which he had 'cut and paste' his Forfar Golf Course report. A copy of this has been enclosed for illustration purposes.

E-MAIL DATED 22 JULY 2014 from Mr Andy Ducat

- The nearest property is 552 metres from the turbine which is out with the zone of shadow flicker and has a predicted decibel level well below the 35 decibel level recommendation. There is also a density of trees to the north of the property being between it and the turbine.
- Angus Council Planning Department has been given all relevant information regarding which trees are to be removed, the use of those trees for the bio-mass unit and the re-planting scheme currently in place by the Golf Club.
- No additional information regarding viewpoints was requested. A more detailed plan of the access track showing which trees required to be removed was requested and supplied.

Yours Sincerely, _____

A.D. Craig _____

rection Of Wind Tur... x 13/00892/full Newton of Boysack, Ar... x +

applications/files/BCAA2A3E32E5CF6358DDBEB4 13/00892/full Newton of Boysack, Arbroath - 13_00825_FULL-LVIA_RESPONSE-2354181.pdf

of 4 Automatic Zoom

1 April 2014

**13/00825/full Golf Course, Cunninghill, Forfar
Comments of Countryside Officer in Relation to Landscape & Visual Impact**

I would comment as follows:

Information Submitted in Support of Application
Unfortunately, the