

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 13 SEPTEMBER 2016

MILLFIELD HOUSE, ARBROATH

REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

The Committee is asked to consider an application for a Review of the decision taken by the Planning Authority in respect of the refusal of planning permission for erection of wind turbine of 12m to hub height and 14.8m to blade tip and ancillary development (re-application), application No 16/00210/FULL, at Millfield House, Arbroath.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**);
- (ii) review the case submitted by the Applicant (**Appendix 2**);

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN

This Report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. CURRENT POSITION

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant and the Planning Authority to review the case. Members agreed to undertake an unaccompanied site visit on 13 September 2016 before full consideration of the Appeal.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from the recommendations in the Report.

5. CONSULTATION

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

Report Author: Sarah Forsyth
E-Mail: LEGDEM@angus.gov.uk

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Appendix 1 – Submission by Planning Authority
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**ANGUS COUNCIL'S SUBMISSION IN RESPECT OF REFUSAL OF PLANNING
PERMISSION**

APPLICATION NUMBER – 16/00210/FULL

APPLICANT- MR I SMITH

**PROPOSAL & ADDRESS – ERECTION OF A WIND TURBINE 12 METRES TO HUB
HEIGHT AND 14.8 METRES TO BLADE TIP AND ANCILLARY DEVELOPMENT RE-
APPLICATION AT MILLFIELD HOUSE, ARBROATH, DD11 3RA**

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Angus Council

Application Number:	16/00210/FULL
Description of Development:	Erection of a Wind Turbine 12 Metres to Hub Height and 14.8 Metres to Blade Tip and Ancillary Development Re-Application
Site Address:	Millfield House Arbroath DD11 3RA
Grid Ref:	362091 : 742198
Applicant Name:	Mr I Smith

Report of Handling**Site Description**

The site measures some 4837 square metres (sqm) and is located in the Woodville development boundary, which is beyond the north-west edge of Arbroath. Millfield House is one of four properties that are accessed from the non-classified road to the south of the site, with the other houses located to the south-west and to the east. This road is accessed from the A933 to the east and the C51 to the west. The application site comprises of the residential curtilage of Millfield House, which is a detached dwelling that is positioned almost centrally within the flat site. The site is laid out to the front and to the rear with grass, borders and hard standing with bushes and trees sporadically placed throughout the site as well as on the site boundaries. Sandstone walls also demarcate many of these boundaries. Large areas of agricultural fields lie to both the immediate north and south of the application site.

Proposal

The application proposes the erection of a single wind turbine which would measure 12 metres (m) from the ground to the top of the hub and 14.8m to blade tip and the installation of ancillary development. The turbine has a rated output of 6.1 kilowatts. The current proposal is a re-application for the erection of the same turbine in a different location in the site. The turbine is proposed within the north-west corner of the rear garden situated 22m from the north-west/rear elevation of the dwellinghouse and would be directly beside the west/side elevation of a cottage comprising of ancillary accommodation owned by the applicant.

The application has not been subject of variation.

Publicity

The application was subject to normal neighbour notification procedures.

The nature of the proposal did not require that the application be the subject of press advertisement.

The nature of the proposal did not require a site notice to be posted.

Planning History

00/00096/FUL for Alteration to Existing Outhouse to form Living Accommodation was determined as "Approved subject to conditions" on 13 March 2000.

06/01116/FUL for Erection of a Garage with Storage Above was determined as "Approved subject to conditions" on 29 August 2006.

15/01067/FULL for Erection of a 6kW Wind Turbine was determined as "Application Withdrawn" on 4 March 2016.

Applicant's Case

The applicant has submitted a residential visual appraisal in support of the application. A letter making observations and answering concerns raised was received on 16 May 2016. Furthermore, a letter from the agent with a revised comment from the Joint Radio Company was received on 23 May 2016.

Consultations

Community Council - There was no response from this consultee at the time of report preparation.

Angus Council - Roads - Offered no objection on 28 March 2016.

Scottish Water - There was no response from this consultee at the time of report preparation.

Angus Council Environmental Health - Objects to the proposal as noise levels in excess of recognised limits will result from this development.

Natural & Built Environment - Landscape - There would be no cumulative effect discernible but it may be of benefit to request a residential visual appraisal.

Civil Aviation Authority - Standard response and no objections.

NERL Safeguarding - There is no safeguarding objection to the proposal.

Ministry Of Defence - Offered no objection to the proposal.

Dundee Airport Ltd - No safeguarding objection.

Joint Radio Co Ltd - Initially objected to the proposal. However, this objection was withdrawn further information supplied by the agent. The information received on 23 May 2016 from the agent, indicates that JRC does not foresee any potential problems based on known interference scenarios and the data provided by the agent.

Spectrum - A link has been identified within the vicinity but the location has not been specified.

Representations

2 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 0 objected to the proposal and 2 supported the proposal.

The main points of concern were as follows:

Two letters of support were received from the neighbours to the west, Millfield Cottage and to the east Cama.

Millfield Cottage states there are no noise or visual concerns as the turbine has been relocated behind trees making it quieter and less visual from the property.

Cama states the wind turbine will be screened by buildings and trees and the noise is unlikely to cause any effect to them and is unlikely to exceed traffic noise from the A933.

Development Plan Policies

Angus Local Plan Review 2009

Policy S6 : Development Principles (Schedule 1)
 Policy ER5 : Conservation of Landscape Character
 Policy ER11 : Noise Pollution
 Policy ER34 : Renewable Energy Developments
 Policy ER35 : Wind Energy Developments
 Wv1 : Woodville Development Approach

TAYplan Strategic Development plan

Policy 6: Landscape

Other Guidance

The site is not within the National Park.

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

Assessment

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Angus Council is progressing with preparation of a Local Development Plan to provide up to date Development Plan coverage for Angus. When adopted, the Angus Local Development Plan (ALDP) will replace the current adopted Angus Local Plan Review (ALPR). The Proposed Angus Local Development Plan was approved by Angus Council at its meeting on 11 December 2014. It sets out policies and proposals for the 2016-2026 period consistent with the strategic framework provided by the approved TAYplan SDP (June 2012) and Scottish Planning Policy (SPP) published in June 2014 and represents Angus Council's settled view in relation to the appropriate use of land within the Council area. Unresolved representations to the Proposed ALDP have been considered by Scottish Ministers at an Examination and the report on that Examination, which includes the Reporters recommendations, was published on 8 June 2016. The Proposed ALDP and the Reporters recommendations are material considerations in the determination of applications. The policies of the Proposed Plan and the Reporters recommendations are only referred to where they would materially alter the recommendation or decision.

In addition to the development plan a number of matters are also relevant to the consideration of the application and these include:-

- o National Planning Framework for Scotland 3 (NPF3);
- o Scottish Planning Policy (SPP);
- o Scottish Government 'Specific Advice Sheet' on Onshore Wind Turbines;
- o Tayside Landscape Character Assessment;
- o Angus Council Implementation Guide for Renewable Energy Proposals (2012);
- o Strategic Landscape Capacity Assessment for Wind Energy in Angus (Ironsides Farrar - March 2014);
- o Angus Wind farms Landscape Capacity and Cumulative Impacts Study (Ironsides Farrar, 2008);
- o Siting and Designing Wind Farms in the Landscape (SNH, Version 2 May 2014)
- o Siting and Design of Small Scale Wind Turbines of Between 15 and 50 metres in height (SNH, March 2012);
- o 'Assessing The Cumulative Impact of Onshore Wind Energy Developments' (SNH, March 2012)
- o Planning Advice Note 1/2011: Planning and Noise.

NPF3 states that the Government is committed to a Low Carbon Scotland and through the priorities

identified in the spatial strategy set a clear direction to tackling climate change through national planning policy. Renewable energy technologies, including onshore wind, are identified as key aspects to realising this aim whilst recognising that a planned approach to development is required to find the correct balance between safeguarding assets which are irreplaceable while facilitating change in a sustainable way.

The Scottish Planning Policy (SPP, June 2014) represents a statement of government policy on land use planning. In relation to onshore wind, the SPP states that 'Planning authorities should set out in the development plan a spatial framework identifying areas that are likely to be most appropriate for onshore wind farms... The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community and cumulative impacts... Proposals for onshore wind should continue to be determined while spatial frameworks are and local policies are being prepared and updated'. Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:

- o net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- o the scale of contribution to renewable energy generation targets;
- o effect on greenhouse gas emissions;
- o cumulative impacts - planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;
- o impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- o landscape and visual impacts, including effects on wild land;
- o effects on the natural heritage, including birds;
- o impacts on carbon rich soils, using the carbon calculator;
- o public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;
- o impacts on the historic environment, including scheduled monuments, listed buildings and their settings;
- o impacts on tourism and recreation;
- o impacts on aviation and defence interests and seismological recording;
- o impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- o impacts on road traffic;
- o impacts on adjacent trunk roads;
- o effects on hydrology, the water environment and flood risk;
- o the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;
- o opportunities for energy storage; and
- o the need for a robust planning obligation to ensure that operators achieve site restoration.

The Scottish Government's Planning Advice Notes relating to renewable energy have been replaced by Specific Advice Sheets (SAS). The 'Onshore Wind Turbines SAS' identifies typical planning considerations in determining planning applications for onshore wind turbines. The considerations identified in the SAS are similar to those identified by policies ER34 and ER35 of the ALPR and the SPP as detailed above.

Angus Council has produced an Implementation Guide for Renewable Energy Proposals. It provides guidance for development proposals ranging from small single turbines to major wind farms. It indicates that wind developments are the primary area of renewable energy proposals in Angus and the planning considerations are strongly influenced by the scale and location of the proposal including landscape and visual impact, potential adverse effects on designated natural and built heritage sites, protected species, residential amenity, soils, water bodies and access.

Proposals for wind turbine developments and associated infrastructure are primarily assessed against policies ER34 and ER35 of the ALPR although other policies within the plan are also relevant. The policy position provides a presumption in favour of renewable energy developments recognising the contribution wind energy can make in generating renewable energy in Scotland. These policies also require consideration of impacts on ecology, cultural heritage, scheduled monuments, designed landscapes and archaeology; aviation; amenity, landscape and visual impact, transmitting or receiving systems; any associated works including transmissions lines, road and traffic access/safety and the environmental impact of this. These policy tests overlap matters contained in other policies and therefore these matters are discussed on a topic by topic basis.

Environmental and Economic Benefits

The supporting information indicates the wind turbine development would allow the applicant to use the turbine to supplement the electricity produced by the existing solar panels within the site and would mostly operate in conditions that are not conducive to the solar panels. It would additionally be used, when the neighbouring road traffic and wind noise are likely to be greater than the noise level produced by the turbine. In this respect I accept that the proposed turbine could make a modest contribution towards renewable energy generation and as such the proposal attracts in principle support from the development plan. This contribution has been considered in undertaking my assessment of the proposal. To assess the acceptability of the proposals in terms of the more detailed technical issues, the policy tests must be explored.

Landscape Impact (including cumulative landscape impact)

Policy 6 of TAYplan indicates that in determining proposals for energy development consideration should be given to landscape sensitivity. Local Plan Policy ER5 (Conservation of Landscape Character) requires development proposals to take account of the guidance provided by the Tayside Landscape Character Assessment (TLCA), prepared for Scottish Natural Heritage (SNH) in 1999, and indicates that, where appropriate, sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape. Policy ER34 of the Local Plan indicates that proposals for renewable energy development will be assessed on the basis of no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints.

The application site lies close to an urban type of landscape on the edge of Arbroath and within an area identified in the Tayside Landscape Character Assessment as Dipslope farmland subtype (iv) Letham, Lunan Water and Arbroath Valleys. This area is characterised by medium sized fields of productive farmland, with extensive settlements and road networks throughout. The landform is flat and directly around the site is characterised by fields, enclosed by various types of hedgerow. The site is screened from the south, south-east and north-east whilst from the north and west across the fields it is more exposed. The Council's Implementation Guide for Renewable Energy Proposals indicates that this landscape character type has scope for turbines 80 metres in height in height but this does not mean that all sites will be capable of accommodating a turbine of that height. However, this guidance requires site specific assessment.

The proposed wind turbine is 14.8m to tip and is located at a ground level of approximately 45m above Ordnance Datum (AOD) within a flat residential curtilage and relatively flat surrounding agricultural land, with the topography falling gently to the south-east and conversely rises to the north/northwest. The proposed turbine is within the small size category and is of a height that would be well within the scale of the local structures and vegetation cover and while it would be glimpsed through the vegetation, it would not be a dominant feature in the landscape. In this respect, the landscape impacts would be negligible and there would be no significant or adverse landscape impacts that would arise from the proposed turbine. In terms of cumulative assessment, the Strategic Landscape Capacity Assessment for Wind Energy in Angus indicates that *"turbines less than 15m to blade tip are not considered to have the same qualities of scale, prominence and widespread visibility that lead to widespread visibility, that lead to*

cumulative impacts that characterise larger turbines". The nearest wind turbines are located at Woodfield House which is a nine metre high turbine located 591m to the north and at Kirkton Industrial Estate, a 12.5 metre high turbine located 642m to the east. Moving through this area of Arbroath, views of the existing turbines are occasional and whilst there would be successional visibility of the proposed turbine with these existing structures, owing to the scale of the proposed turbine, there would be no significant or unacceptable cumulative landscape effects. The proposal is therefore considered to raise no issues with Policy 6 of TAYplan and policies ER5 and ER34 of the Angus Local Plan Review (2009) in respect of landscape impacts.

Visual Impact (including cumulative visual impact)

Policy S6 of the Angus Local Plan Review requires that proposals should not give rise to unacceptable visual impacts. Policy ER34 of the Local Plan also indicates that renewable energy development will be assessed on the basis of no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints.

From wider viewpoints, such as those from vehicles or users or on public roads, there would be minimal visual from the turbine alone. Similar to the landscape assessment there would be no measurable wider cumulative visual impact. This would not raise any issue with criterion (b) of Policy ER34. However, there would be an affect at close quarters for neighbouring properties with Millfield Cottage would have clear views of the turbine. The agent's residential visual appraisal showed three different photo montage views; the view from the south-west which indicates that Millfield Cottage especially would have clear views of the turbine and that there are very little trees of a substantial height between Millfield Cottage and the turbine that would offer effective screening. Taking account of the 60 metre distance between the turbine and the edge of the neighbour's house, coupled with the 14.8 metre height and the turning of the blades, it is considered that there would be a detrimental impact to Millfield Cottages residential visual amenity, especially from their east elevation windows and balcony. The revised siting of the turbine in terms of Millfield Cottage would be contrary to Policy ER34 (a), Amenity (Noise/Shadow Flicker/Reflected Light).

Amenity (Noise Impact/Shadow Flicker/Reflected Light)

Criterion (a) of Policy ER34 requires the siting and appearance of renewable energy apparatus to be chosen to minimise its impact on amenity, while respecting operational efficiency. Policy ER35(c) indicates wind energy developments must have no unacceptable detrimental effect on residential amenity, existing land uses or road safety by reason of shadow flicker, noise or reflected light. Policy S6 Schedule 1 also refers to amenity impacts whilst Policy ER11 deals specifically with noise pollution.

The Environmental Health Service raised concerns regarding noise and advised that the daytime stand-off distance is effectively the controlling factor which has been calculated by the agent's noise consultant assuming a limit of 40dba. However, the daytime limit required would normally be 35dba which would result in a larger distance between the proposal and the neighbour's boundary being required. A Stand-off for Millfield Cottage Report was issued by a noise consultant which shows that the revised position of the turbine is still within the unsuitable area buffer zone and that noise levels are in excess of recognised limits at Millfield Cottage, possibly at the applicants own home, Millfield House and the ancillary accommodation at Millfield Stables. It was concluded that the report demonstrates that noise levels from the proposed turbine would be in excess of recognised limits and Environmental Health has recommended that the application be refused on the basis of this causing unacceptable amenity impacts. In this respect, it is noted that an attempt has been made to move the turbine to alleviate noise issues, nevertheless, this distance has not been enough to overcome noise issues and the chosen siting of the apparatus is not enough to minimise impact on the amenity of the neighbour at Millfield Cottage. It was further noted that shadow flicker could be mitigated if necessary and no concerns have been raised for reflected light. The technical information supplied does not substantiate support of the proposal and demonstrates an unacceptable adverse impact on amenity in respect of noise levels, in addition to the visual impact concluded as unacceptable above. Therefore the proposal would not accord with the criteria of Policies ER11, ER34 (a) and ER35 (c) of the Angus Local Plan Review (2009).

The neighbours on both sides of the application site, Millfield Cottage and Cama state by letter that they are both satisfied that the turbine would have no effect on them and would welcome it. However, taking into account the aforementioned noise and visual amenity findings, the turbine would have an effect on the occupier of Millfield Cottage to a level that could not be accepted. This situation represents a material consideration that cannot justify support of the proposal on amenity grounds. In terms of Cama to the east of the site, there would appear to be no visual or noise impacts that would be detrimental to their residential amenity.

Remaining Issues / Other Development Plan Considerations

The remaining tests of Policies ER34 and ER35 cover the impact of transmission lines associated with energy generation developments; impacts on transmitting or receiving systems; impact of transporting equipment via road network and associated environmental impacts; impact on authorised aircraft activity; and arrangements for site restoration.

Details of the method of grid or other connection have not been submitted. However, whilst specific details are not submitted this could be addressed via a planning condition and would not raise any issues.

With regards to impacts on TV and other broadcast reception it is recognised that wind turbine development can give rise to interference. However it is generally accepted that digital signals are more robust to such disruption than the previous analogue system. In this case one technical consultee, Joint Radio Company initially raised concerns but advised thereafter that information supplied by the agent satisfied them and they have no further concerns. No other technical consultees have raised any concerns.

In terms of access and road safety, there is an existing driveway and car parking area that would offer acceptable access. The Roads Service has considered the application and has no objections.

In relation to impacts on aircraft activity the MOD and Dundee Airport have not objected to the application. On this basis I am satisfied that the proposal is unlikely to give rise to any significant impacts on authorised aircraft activity.

As advised, the application site is located within the Woodville Development Boundary. In this location Policy Wv1 of the ALPR; this policy supports only proposals directly associated with agriculture. Whilst this proposal is for neither land use, the nature of the proposal is as such that it would not raise any significant tensions with the objective of this policy.

Other Material Considerations

Scottish Government policy supports the provision of renewable energy development including wind farms. The SPP confirms that planning authorities should support the development of wind turbines in locations where amongst other matters the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. Consents may be time-limited but wind turbines should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.

In this case I accept that the wind turbine would make a modest contribution to meeting government targets and in this regard attracts some support from national policy and from the development plan. However, as discussed above I consider that this proposal would result in adverse and unacceptable impacts on neighbouring properties in respect of amenity; both visual and noise. Whilst the turbine could operate in this location, I do not consider that the amenity impacts have or can be satisfactorily assessed. Accordingly I do not consider that the proposal receives unqualified support from the SPP.

The benefit of producing electricity by renewable means is recognised, but I do not consider that there is anything in government policy that suggests this should be at the expense of amenity considerations. In the particular circumstances of this case, I do not consider that the environmental or economic benefit of

the production of renewable energy outweighs the very direct harm that this proposal would cause to the amenity of neighbouring properties.

Conclusion

In conclusion it is accepted that this landscape setting has potential to accommodate a wind turbine of the scale proposed. However, it is considered that in such close proximity to the westerly neighbour the visual impact and noise is an issue that cannot be resolved within this application. Accordingly, the proposal is contrary to policies S6 of TAYplan and ER11, ER34 and ER35 of the Angus Local Plan Review (2009).

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Equalities Implications

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

Decision

The application is refused.

Reason(s) for Decision:

1. That the proposed turbine by virtue of its height and operational movement within the proposed proximity to the immediate south-west neighbour, Millfield Cottage, would have a detrimental and unacceptable impact on residential amenity by virtue of the visual amenity created and noise generated. This would result in an unacceptable residential amenity impact and as such the proposal is contrary to Policy 6 of the TAYplan and Policies S6- Amenity criterion (a) and (b), ER11, ER34 criterion (a) and ER35 criterion (c) of the Angus Local Plan Review (2009).

Notes:

Case Officer: Pauline Chalmers
Date: 15 July 2016

Development Plan Policies

Angus Local Plan Review 2009

Policy S6 : Development Principles (Schedule 1)

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles
Amenity

- (a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- (b) Proposals should not result in unacceptable visual impact.
- (c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- (d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- (e) Access to housing in rural areas should not go through a farm court.
- (f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.
- (g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

- (h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- (i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- (j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- (k) The planting of native hedgerows and tree species is encouraged.
- (l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- (m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- (n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- (o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- (p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).
- (q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)
- (r) Development should minimise waste by design and during construction.

Supporting Information

- (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Policy ER5 : Conservation of Landscape Character

Development proposals should take account of the guidance provided by the Tayside Landscape Character Assessment and where appropriate will be considered against the following criteria:

- (a) sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape;
- (b) where required, landscape mitigation measures should be in character with, or enhance, the existing landscape setting;
- (c) new buildings/structures should respect the pattern, scale, siting, form, design, colour and density of existing development;
- (d) priority should be given to locating new development in towns, villages or building groups in preference to isolated development.

Policy ER11 : Noise Pollution

Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels will not be permitted unless there is an overriding need which cannot be accommodated elsewhere.

Proposals for development generating unacceptable noise levels will not generally be permitted adjacent to existing or proposed noise-sensitive land uses. Proposals for new noise-sensitive development which would be subject to unacceptable levels of noise from an existing noise source or from a proposed use will not be permitted.

Policy ER34 : Renewable Energy Developments

Proposals for all forms of renewable energy developments will be supported in principle and will be assessed against the following criteria:

- (a) the siting and appearance of apparatus have been chosen to minimise the impact on amenity, while respecting operational efficiency;
- (b) there will be no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints;
- (c) the development will have no unacceptable detrimental effect on any sites designated for natural heritage, scientific, historic or archaeological reasons;
- (d) no unacceptable environmental effects of transmission lines, within and beyond the site; and
- (e) access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable permanent change to the environment and landscape, and
- (f) that there will be no unacceptable impacts on the quantity or quality of groundwater or surface water resources during construction, operation and decommissioning of the energy plant.

Policy ER35 : Wind Energy Developments

Wind energy developments must meet the requirements of Policy ER34 and also demonstrate:

- (a) the reasons for site selection;
- (b) that no wind turbines will cause unacceptable interference to birds, especially those that have statutory protection and are susceptible to disturbance, displacement or collision;
- (c) there is no unacceptable detrimental effect on residential amenity, existing land uses or road safety by reason of shadow flicker, noise or reflected light;
- (d) that no wind turbines will interfere with authorised aircraft activity;
- (e) that no electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system, or (where such disturbances may be caused) that measures will be taken to minimise or remedy any such interference;
- (f) that the proposal must be capable of co-existing with other existing or permitted wind energy developments in terms of cumulative impact particularly on visual amenity and landscape, including impacts from development in neighbouring local authority areas;
- (g) a realistic means of achieving the removal of any apparatus when redundant and the restoration

of the site are proposed.

Wv1 : Woodville Development Approach

Within the development boundary identified for the wider Woodville area, only proposals directly associated with agriculture or horticulture will be permitted. New housing will only be supported where it provides essential worker housing for established businesses.

TAYplan Strategic Development plan

Policy 6 : Landscape

There will be a presumption against any development that does not complement and enhance the landscape character of the Cairngorms National Park, and in particular, the setting of the proposed development.

Proposed development that does not complement and enhance the landscape character of the Park and the setting of the proposed development will be permitted only where:

- a) any significant adverse effects on the landscape character of the Park are clearly outweighed by social or economic benefits of national importance; and
- b) all the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction to the satisfaction of the planning authority.

Cairngorms National Park Local Plan

CNP policies not applicable.

DEVELOPMENT PRINCIPLES

1.44 The principles in Schedule 1 provide a 'checklist' of factors which should be considered where relevant to development proposals. They include amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information. The Local Plan includes more detailed policies relating to some principles set out. Not all development proposals will require to comply with all of the principles.

Policy S6 : Development Principles

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles**Amenity**

- a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- b) Proposals should not result in unacceptable visual impact.
- c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- e) Access to housing in rural areas should not go through a farm court.
- f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17: Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary
- g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

- h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- k) The planting of native hedgerows and tree species is encouraged.
- l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

Waste Management

- q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38).
- r) Development should minimise waste by design and during construction.

Supporting Information

- s) (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Landscape Character

3.10 The landscape of Angus is one of its most important assets. It ranges in character from the rugged mountain scenery of the Angus Glens, through the soft rolling cultivated lowland landscape of Strathmore to the sandy bays and cliffs of the coast.

3.11 A small part of north-west Angus is statutorily designated as part of a larger National Scenic Area (NSA). The character and quality of this landscape is of national significance and special care should be taken to conserve and enhance it. Part of the upland area of Angus, including the NSA, is contained within the Cairngorms National Park which is excluded from the Angus Local Plan Review. The guidance provided by the adopted Angus Local Plan will remain in force until it is replaced by a Cairngorms National Park Local Plan prepared by the National Park Authority. The Cairngorms was made a National Park in September 2003 because it is a unique and special place that needs to be cared for – both for the wildlife and countryside it contains and for the people that live in it, manage it and visit it. It is Britain's largest national park.

3.12 In seeking to conserve the landscape character of the area it is important to assess the impact of development proposals on all parts of the landscape. To assist in this the "Tayside Landscape Character Assessment (1999)" commissioned by Scottish Natural Heritage establishes landscape character zones and key character features within the local plan area to provide a better understanding of them and thus to enable better conservation, restoration, management and enhancement. Landscape Character Zones for the Local Plan Area are shown in Figure 3.2.

National Scenic Area:

Nationally important area of outstanding natural beauty, representing some of the best examples of Scotland's grandest landscapes particularly lochs and mountains.

National Park (Scotland) Act 2000 sets out four key aims for the park:

- *To conserve and enhance the natural and cultural heritage of the area;*
- *To promote sustainable use of the natural resources of the area;*
- *To promote understanding and enjoyment (including recreation) of the special qualities of the area by the public;*
- *To promote sustainable economic and social development of the area's communities.*

Tayside Landscape Character Assessment 1999:

A detailed hierarchical assessment based on variations in the Tayside landscape, with a series of management and planning guidelines designed to conserve and enhance its distinctive character.

Figure 3.2 : Landscape Character Zones



- 1a** Upper Highland Glens
- 1b** Mid Highland Glens
- 3** Highland Summits & Plateaux
- 5** Highland Foothills
- 8** Igneous Hills
- 10** Broad Valley Lowland

- 12** Low Moorland Hills
- 13** Dipslope Farmland
- 14a** Coast with sand
- 14b** Coast with cliffs
- 15** Lowland Basin

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3.13 Where appropriate, development proposals will be considered in the context of the guidance provided by the Tayside Landscape Character Assessment. The assessment identifies different landscape character zones, considers their capacity to absorb change, and indicates how various types of development might best be accommodated to conserve characteristic landscape features and to strengthen and enhance landscape quality. Particular attention is focussed on the location, siting and design of development and the identification of proposals which would be detrimental to the landscape character of Angus.

Policy ER5 : Conservation of Landscape Character

Development proposals should take account of the guidance provided by the Tayside Landscape Character Assessment and where appropriate will be considered against the following criteria:

- (a) sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape;**
- (b) where required, landscape mitigation measures should be in character with, or enhance, the existing landscape setting;**
- (c) new buildings/structures should respect the pattern, scale, siting, form, design, colour and density of existing development;**
- (d) priority should be given to locating new development in towns, villages or building groups in preference to isolated development.**

Noise Pollution

3.20 Noise can have a significant impact on our health, quality of life and the general quality of the environment. The planning system has an important role in preventing and limiting noise pollution and the noise implications of development can be a material consideration in determining applications for planning permission adjacent to existing noise sensitive development or where new noise sensitive development is proposed.

Policy ER11 : Noise Pollution

Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels will not be permitted unless there is an overriding need which cannot be accommodated elsewhere. Proposals for development generating unacceptable noise levels will not generally be permitted adjacent to existing or proposed noise sensitive land uses.

Proposals for new noise-sensitive development which would be subject to unacceptable levels of noise from an existing noise source or from a proposed use will not be permitted.

*Planning Advice Note 56 -
Planning and Noise (1999)
Noise sensitive land uses should
be generally regarded as including
housing, hospitals, educational
establishments, offices and some
livestock farms.*

Renewable Energy

3.72 The Scottish Executive is strongly supportive of renewable energies and has set a target of 17-18% of Scotland's electricity supply to come from renewable sources by 2010. NPPG6: Renewable Energy Developments (Revised 2000) considers a range of renewable energy technologies and encourages the provision of a positive policy framework to guide such developments. The Scottish Executive's aspiration is for renewable sources to contribute 40% of electricity production by 2020, an estimated total installed capacity of 6GW (Minister for Enterprise, July 2005). This will require major investment in commercial renewable energy production and distribution capacity throughout Scotland.

3.73 The Dundee and Angus Structure Plan acknowledges the advantages of renewable energy in principle but also recognises the potential concerns associated with development proposals in specific locations. Angus Council supports the principle of developing sources of renewable energy in appropriate locations. Large-scale developments will only be encouraged to locate in areas where both technical (e.g. distribution capacity and access roads) and environmental capacity can be demonstrated.

3.74 Developments which impinge on the Cairngorms National Park will be considered within the context of the National Park Authority's Planning Policy No1: Renewable Energy.

Renewable Energy Sources

3.75 Offshore energy production, including wind and tidal methods, has the potential to make a significant contribution to the production of renewable energy in Scotland. Other than small-scale onshore support buildings, such developments currently fall outwith the remit of the planning system.

3.76 All renewable energy production, including from wind, water, biomass, waste incineration and sources using emissions from wastewater treatment works and landfill sites will require some processing, generating or transmission plant. Such developments, that can all contribute to reducing emissions will have an impact on the local environment and will be assessed in accordance with Policy ER34.

Policy ER34 : Renewable Energy Developments

Proposals for all forms of renewable energy development will be supported in principle and will be assessed against the following criteria:

NPPG6: Renewable Energy Developments (Revised 2000)

The Scottish Ministers wish to see the planning system make positive provision for renewable energy whilst at the same time:

- *meeting the international and national statutory obligations to protect designated areas, species, and habitats of natural heritage interest and the historic environment from inappropriate forms of development; and*
- *minimising the effects on local communities.*

Large-scale projects which may or will require an Environmental Assessment. These are defined as hydroelectric schemes designed to produce more than 0.5MW and wind farms of more than 2 turbines or where the hub height of any turbine or any other structure exceeds 15m.

SNH's EIA Handbook identifies 6 types of impact which may require an assessment:

- *Landscape and visual;*
- *Ecological;*
- *Earth heritage;*
- *Soil;*
- *Countryside access; and*
- *Marine environment.*

- (a) the siting and appearance of apparatus have been chosen to minimise the impact on amenity, while respecting operational efficiency;
- (b) there will be no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints;
- (c) the development will have no unacceptable detrimental effect on any sites designated for natural heritage, scientific, historic or archaeological reasons;
- (d) no unacceptable environmental effects of transmission lines, within and beyond the site; and
- (e) access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable permanent and significant change to the environment and landscape.

Wind Energy

3.77 Onshore wind power is likely to provide the greatest opportunity and challenge for developing renewable energy production in Angus. Wind energy developments vary in scale but, by their very nature and locational requirements, they have the potential to cause visual impact over long distances. Wind energy developments also raise a number of environmental issues and NPPG 6 advises that planning policies should guide developers to broad areas of search and to establish criteria against which to consider development proposals. In this respect, Scottish Natural Heritage Policy Statement 02/02, Strategic Locational Guidance for Onshore Wind Farms in Respect of the Natural Heritage, designates land throughout Scotland as being of high, medium or low sensitivity zones in terms of natural heritage. Locational guidance is provided to supplement the broad-brush zones.

3.78 A range of technical factors influence the potential for wind farm development in terms of location and viability. These include wind speed, access to the distribution network, consultation zones, communication masts, and proximity to radio and radar installations. Viability is essentially a matter for developers to determine although annual average wind speeds suitable for commercially viable generation have been recorded over most of Angus, other than for sheltered valley bottoms. Environmental implications will require to be assessed in conjunction with the Council, SNH and other parties as appropriate.

Strategic Locational Guidance for Onshore Windfarms in Respect of the Natural Heritage - Scottish Natural Heritage Policy Statement No 02/02

Zone 3 – high natural heritage sensitivity. Developers should be encouraged to look outwith Zone 3 for development opportunities

Zone 2 – medium natural heritage sensitivity. ...while there is often scope for wind farm development within Zone 2 it may be restricted in scale and energy output and will require both careful choice of location and care in design to avoid natural heritage impacts.

Zone 1 - ...inclusion of an area in Zone 1 does not imply absence of natural heritage interest. Good siting and design should however enable such localised interests to be respected, so that overall within Zone 1, natural heritage interests do not present a significant constraint on wind farm development

Figure 3.4 : Geographic Areas



1 Highland

2 Lowland and Hills

3 Coast

TLCA Designation

- 1a Upper Highland Glens
- 1b Mid Highland Glens
- 3 Highland Summits & Plateaux
- 5 Highland Foothills

TLCA Designation

- 8 Igneous Hills
- 10 Broad Valley Lowland
- 12 Low Moorland Hills
- 13 Dipslope Farmland

TLCA Designation

- 14a Coast with sand
- 14b Coast with cliffs
- 15 Lowland Basin

3.79 Scottish Natural Heritage published a survey of Landscape Character, the Tayside Landscape Character Assessment (TLCA), which indicates Angus divides naturally into three broad geographic areas – the Highland, Lowland and hills and the Coast. The Tayside Landscape Character Assessment provides a classification to map these areas based on their own particular landscape characteristics (Fig 3.4).

Area	TLCA Classification	Landscape Character
1 Highland	1a, 1b, 3, 5	Plateaux summits, glens and complex fault line topography
2 Lowland and hills	8, 10, 12,13	Fertile strath, low hills and dipslope farmland.
3 Coast	14a, 14b, 15	Sand and cliff coast and tidal basin

The impact of wind farm proposals will, in terms of landscape character, be assessed against the TLCA classifications within the wider context of the zones identified in SNH Policy Statement 02/02.

3.80 The open exposed character of the Highland summits and the Coast (Areas 1 and 3) is sensitive to the potential landscape and visual impact of large turbines. The possibility of satisfactorily accommodating turbines in parts of these areas should not be discounted although locations associated with highland summits and plateaux, the fault line topography and coast are likely to be less suitable. The capacity of the landscape to absorb wind energy development varies. In all cases, the scale layout and quality of design of turbines will be an important factor in assessing the impact on the landscape.

3.81 The Highland and Coast also have significant natural heritage value, and are classified in SNH Policy Statement 02/02 as mainly Zone 2 or 3 - medium to high sensitivity. The development of large scale wind farms in these zones is likely to be limited due to potential adverse impact on their visual character, landscape and other natural heritage interests.

3.82 The Lowland and Hills (Area 2) comprises a broad swathe extending from the Highland boundary fault to the coastal plain. Much of this area is classified in Policy Statement 02/02 as Zone 1- lowest sensitivity. Nevertheless, within this wider area there are locally important examples of higher natural heritage sensitivity such as small- scale landscapes, skylines and habitats which will influence the location of wind turbines. In all cases, as advocated by SNH, good siting and design should show respect for localised interests.

3.83 Wind farm proposals can affect residential amenity, historic and archaeological sites and settings, and other economic and social activities including tourism. The impact of wind farm developments on these interests requires careful assessment in terms of sensitivity and scale so that the significance can be determined and taken into account.

3.84 Cumulative impact occurs where wind farms/turbines are

visually interrelated e.g. more than one wind farm is visible from a single point or sequentially in views from a road or a footpath. Landscape and visual impact can be exacerbated if wind turbines come to dominate an area or feature. Such features may extend across local authority, geographic or landscape boundaries and impact assessments should take this into account. Environmental impacts can also be subject to cumulative effect – for example where a number of turbine developments adversely affect landscape character, single species or habitat type.

3.85 SNH advise that an assessment of cumulative effects associated with a specific wind farm proposal should be limited to all existing and approved developments or undetermined Section 36 or planning applications in the public domain. The Council may consider that a pre-application proposal in the public domain is a material consideration and, as such, may decide it is appropriate to include it in a cumulative assessment. Similarly, projects outwith the 30km radius may exceptionally be regarded as material in a cumulative context.

Policy ER35 : Wind Energy Development

Wind energy developments must meet the requirements of Policy ER34 and also demonstrate:

- (a) the reasons for site selection;**
- (b) that no wind turbines will cause unacceptable interference to birds, especially those that have statutory protection and are susceptible to disturbance, displacement or collision;**
- (c) there is no unacceptable detrimental effect on residential amenity, existing land uses or road safety by reason of shadow flicker, noise or reflected light;**
- (d) that no wind turbines will interfere with authorised aircraft activity;**
- (e) that no electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system, or (where such disturbances may be caused) that measures will be taken to minimise or remedy any such interference;**
- (f) that the proposal must be capable of co-existing with other existing or permitted wind energy developments in terms of cumulative impact particularly on visual amenity and landscape, including impacts from development in neighbouring local authority areas;**
- (g) a realistic means of achieving the removal of any apparatus when redundant and the restoration of the site are proposed.**

NPPG6 : Renewable Energy Developments (Revised 2000)

Large-scale projects which may or will require an Environmental Assessment. These are defined as hydroelectric schemes designed to produce more than 0.5MW and wind farms of more than 2 turbines or where the hub height of any turbine or any other structure exceeds 15m.

Local Community Benefit

3.86 Where renewable energy schemes accord with policies in this local plan there may be opportunities to secure contributions from developers for community initiatives. Such contributions are not part of the planning process and as such will require to be managed through other means than obligations pursuant to Section 75 Planning Agreement. Community contributions are separate from planning gain and will not be considered as part of any planning application.

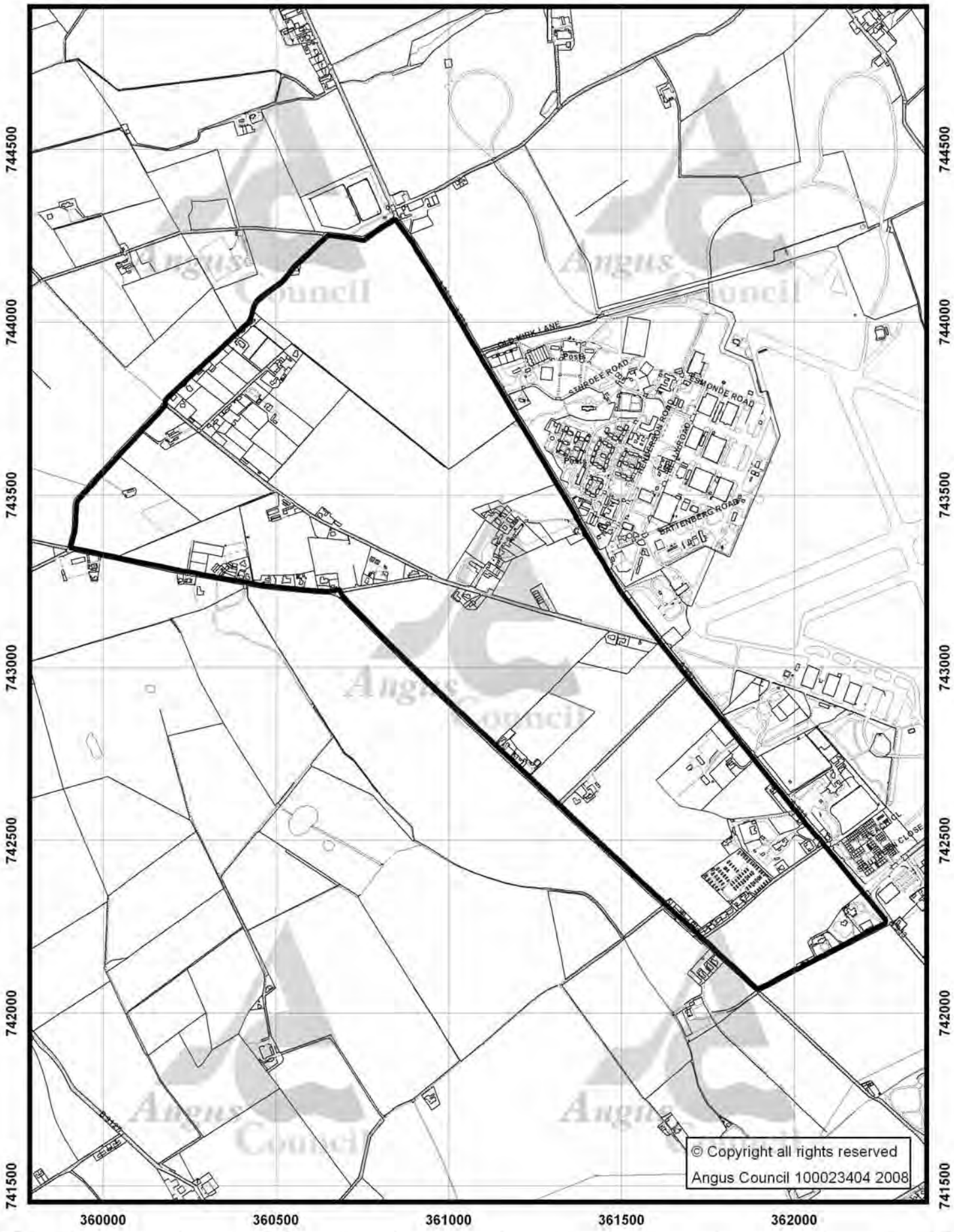
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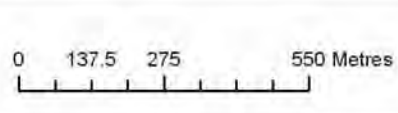
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Woodville
Angus Local Plan Review



WOODVILLE

1. Woodville, located north of Arbroath to the west of the A933, is an area where urban uses are encroaching into the countryside on the fringe of the town and incrementally changing its character from countryside to suburban. The area is characterised by loose groupings of individual houses, smallholdings, a hotel, two caravan sites and scattered commercial and industrial premises (some of which are agriculturally based).

KEY ISSUE/DEVELOPMENT STRATEGY

2. The Woodville area continues to experience pressure for the development of housing and other urban uses to the detriment of its countryside character. The Local Plan approach is to restrict urban sprawl and resist the increasing urbanisation of Woodville. Development will generally only be considered acceptable for essential worker housing or where the use is directly associated with agriculture or horticulture.

Wv1: Woodville Development Approach

Within the development boundary identified for the wider Woodville area, only proposals directly associated with agriculture or horticulture will be permitted. New housing will only be supported where it provides essential worker housing for established businesses.

PROFILE

Role:

The Woodville area is a loose grouping of houses, smallholdings, an hotel, caravan site and scattered commercial and industrial premises situated on the outskirts of Arbroath

Housing Land Supply June 2003:

existing - 0

Drainage:

The area is not served by public sewers. Development is dependent on private drainage arrangements with discharge to ground soakaway or local watercourse.

Energy and Waste/Resource Management Infrastructure: Ensures that energy and waste/resource management infrastructure are in the most appropriate locations.

This Plan seeks to reduce resource consumption through provision of energy and waste/resource management infrastructure* in order to contribute to Scottish Government ambitions for the mitigation of and adaptation to climate change and to achieve zero waste. It also aims to contribute towards greater regional energy self-sufficiency.

This requires us to use less energy and to generate more power and heat from renewable sources and resource recovery; and, to consider waste from start to finish; becoming better at resource management. This is strongly tied into resource security and living within environmental limits. It also presents opportunities to grow the renewable energy and waste/resource management sector as a whole within the TAYplan region. The issue is no longer about whether such facilities are needed but instead about helping to ensure they are delivered in the most appropriate locations.

Land use planning is only one of the regulatory requirements that energy and waste/resource management operators must consider. This Plan does not provide the locations for energy infrastructure; this role is for Local Development Plans. It sets out a series of locational considerations for all energy and waste/resource management infrastructure as the impacts and operations of these share similar characteristics.

This Plan ensures consistency between Local Development Plans in fulfilling Scottish Planning Policy requirements to define areas of search for renewable energy infrastructure and it applies this to a wide range of energy and waste/resource management infrastructure.

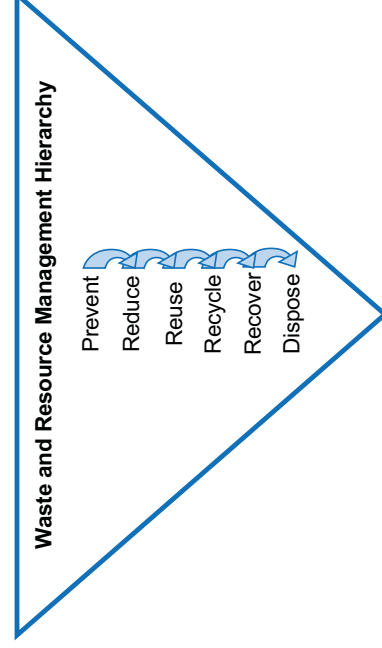
It recognises the different scales – property (eg micro-renewables or individual waste facilities), community (eg district heating and power or local waste facilities) and regional/national (eg national level schemes and waste facilities for wide areas) at which this infrastructure can be provided and both the individual and cumulative contribution that can be made, particularly by community and property scale infrastructure, to Scottish Government objectives for greater decentralisation of heat and energy.

Changes in the law allowing surplus power to be sold back to the national grid and other incentives could stimulate interest from local authorities, businesses, householders, community land trusts and other groups to obtain loans for energy infrastructure to enable development to meet local or individual needs in future. Similarly the price of materials in the global market place may continue to stimulate business interests in resource recovery.

Many of the region's existing waste management facilities have additional capacity or could be expanded in situ, including the strategic scale facilities at Binn Farm near Glenfarg and DERL at Baldovie in Dundee. No requirement for new landfill sites has been identified before 2024 and successful implementation of the Scottish Government's Zero Waste Plan and expansion of other treatment facilities could extend this to and beyond 2032.

This Plan encourages new strategic scale waste/resource management infrastructure to be within or close to the Dundee and Perth Core Areas reflecting the proximity of materials and customers for heat and other products.

Modern waste/resource management infrastructure is designed and regulated to high standards and is similar to other industrial processes. Subject to detailed site specific considerations, waste management facilities can be considered appropriate land uses within industrial and employment sites.



*Energy and waste management infrastructure: Infrastructure for heat and power generation and transmission; and, collection, separation, handling, transfer, processing, resource recovery and disposal of waste. This includes recycling plants, anaerobic waste digesters, energy from waste plants, wind turbines, biomass plants, combined heat and power plants, solar power, hydro electric power plants and similar facilities.

Policy 6: Energy and Waste/Resource Management Infrastructure

To deliver a low/zero carbon future and contribute to meeting Scottish Government energy and waste targets:

- A. Local Development Plans** should identify areas that are suitable for different forms of renewable heat and electricity infrastructure and for waste/resource management infrastructure or criteria to support this; including, where appropriate, land for process industries (e.g. the co-location/proximity of surplus heat producers with heat users).
- B.** Beyond community or small scale facilities waste/resource management infrastructure is most likely to be focussed within or close to the Dundee and/or Perth Core Areas (identified in Policy 1).
- C. Local Development Plans and development proposals** should ensure that all areas of search, allocated sites, routes and decisions on development proposals for energy and waste/resource management infrastructure have been justified, at a minimum, on the basis of these considerations:
- The specific land take requirements associated with the infrastructure technology and associated statutory safety exclusion zones where appropriate;
 - Waste/resource management proposals are justified against the Scottish Government's Zero Waste Plan and support the delivery of the waste/resource management hierarchy;
 - Proximity of resources (e.g. woodland, wind or waste material); and to users/customers, grid connections and distribution networks for the heat, power or physical materials and waste products, where appropriate;
 - Anticipated effects of construction and operation on air quality, emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on off-site properties;
 - Sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings and structures;
 - Impacts of associated new grid connections and distribution or access infrastructure;
 - Cumulative impacts of the scale and massing of multiple developments, including existing infrastructure;
 - Impacts upon neighbouring planning authorities (both within and outwith TAYplan); and,
 - Consistency with the National Planning Framework and its Action Programme.

CaneyV

From: Windfarms <Windfarms.Windfarms@caa.co.uk>
Sent: 06 May 2016 07:54
To: CaneyV
Subject: 20160506REConsultationMillfieldHouseArbroath1600210FULL

Dear Sir or Madam,

Request for Comment under the Town and Country Planning Act 1990 and the Town and Country Planning (Scotland) Act 1997

There is currently a high demand for CAA comment on wind turbine applications which can exceed the capacity of the available resource to respond to requests within the timescales required by Local Planning Authorities. The CAA has no responsibilities for safeguarding sites other than its own property, and a consultation by a Council is taken as a request for clarification of procedural matters. Councils are reminded of their obligations to consult in accordance with ODPM/DfT Circular 1/2003 or Scottish Government Circular 2/2003, and in particular to consult with NATS and the Ministry of Defence as well as any aerodromes listed in Annex 3 of the above documents, taking note of appropriate guidance and policy documentation. Should the Council be minded to grant consent to an application despite an objection from one of the bodies listed in the circular, then the requisite notifications should be made.

Whilst the CAA recommends all aerodrome operators/license holders develop associated safeguarding maps and lodge such maps with local planning authorities, the CAA additionally encourages councils/planning authorities to undertake relevant consultation with known local aerodromes regardless of status or the existence of any aerodrome/council safeguarding agreement, including local emergency service Air Support Units (e.g. Police Helicopter or Air Ambulance). Such units may operate in the area of concern and could be affected by the introduction of tall obstacles. For example Police helicopters are permitted to operate down to 75 feet and will routinely follow main roads and motorways during their operations. Both the Police and Air Ambulance may need to land anywhere but will also have specifically designated landing sites.

In terms of charting, there is an international civil aviation requirement for all structures of 300 feet (91.4 metres) or more to be charted on aeronautical charts*. Further guidance is provided below:

- a. **Structures with a maximum height of 300 ft. (91.4m) above ground level or higher.** Such structures should be reported to the Defence Geographic Centre (DGC) which maintains the UK's database of tall structures (the Digital Vertical Obstruction File) at least 10 weeks prior to the start of construction. The point of contact is Nigel Whittle (0208 818 2702, [mail to dvof@mod.uk](mailto:dvof@mod.uk)). The DGC will require the accurate location of the turbines/meteorological masts, accurate maximum heights, the lighting status of the turbines and / or meteorological masts and the estimated start / end dates for construction together with the estimate of when the turbines are scheduled to be removed. In addition, the developer should also provide the maximum height of any construction equipment required to build the turbines. In order to ensure that aviation stakeholders are aware of the turbines and / or meteorological masts while aviation charts are in the process of being updated, developments should be notified through the means of a **Notice to Airmen (NOTAM)**. To arrange an associated NOTAM, a developer should contact CAA Airspace Regulation (AROps@caa.co.uk / 0207 453 6599); providing the same information as required by the DGC at least 14 days prior to the start of construction.
- b. **Structures with a maximum height below 300 ft. (91.4m) above ground level.** On behalf of other non-regulatory aviation stakeholders, and in the interest of Aviation Safety, the CAA also requests that any feature/structure 70 ft (21.3m) in height, or greater, above ground level is also reported to the Defence Geographic Centre (DGC) to allow for the appropriate notification to the relevant aviation communities. It should be noted that NOTAMs would not routinely be required for structures under 300 ft (91.4m) unless specifically requested by an aviation stakeholder.

Any structure of 150 metres* or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Although if an aviation stakeholder (including the MOD) made a request for lighting it is highly likely that the CAA would support such a request, particularly if the request falls under Section 47 of the Aviation Act.

Cumulative effects of turbines may lead to unacceptable impacts in certain geographic areas.

The Ministry of Defence will advise on all matters affecting military aviation.

Should the Council still have a specific query about a particular aspect of this application the CAA will help in the clarification of aviation matters and regulatory requirements. Site operators remain responsible for providing expert testimony as to any impact on their operations and the lack of a statement of objection or support from the CAA should not be taken to mean that there are no aviation issues, or that a comment from an operator lacks weight.

The CAA Policy and Guidance on Wind Turbines is contained in the CAP 764, which can be obtained from the CAA Website at the following address: [CAP 764](#). In addition, the CAA, through the Airspace and Safety Initiative Windfarm Working Group, have published the following [Guidance for Planning Authorities](#).

Should you have any further questions please do not hesitate to contact me.

Yours Sincerely,

Mark Deakin

Surveillance Policy
Airspace, ATM & Aerodromes
Civil Aviation Authority



Tel: 020 7453 6534

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Please consider the environment. Think before printing this email.

*The effective height of a wind turbine is the maximum height to blade tip.

From: CaneyV [mailto:CaneyV@angus.gov.uk]

Sent: 05 May 2016 13:03

To: Windfarms; NATSsafeguarding@nats.co.uk; dio-safeguarding-wind@mod.uk; aphillips@hial.co.uk; windfarms@jrc.co.uk; spectrum.LicensingEnquiries@ofcom.org.uk

Subject: Consultation for Millfield House Arbroath - 16/00210/FULL

Regards,
Veronica.

Veronica Caney
Clerical Officer (Development Control)
Angus Council
Planning & Place
County Buildings
Market Street
Forfar.
DD8 3LG
Tel : 01307 473242

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From:Kirsteen MacDonald
Sent:9 May 2016 13:26:38 +0100
To:PLNProcessing
Cc:Anne Phillips
Subject:16/00210/FULL - Erection of Wind Turbine, Arbroath

NO OBJECTION - HIAL

Your Ref: 16/00210/FULL

Dear Sir/Madam

PROPOSAL Erection of a Wind Turbine 12m to hub height and 14.8m to blade tip and ancillary development re-application

LOCATION Millfield House, Arbroath, DD11 3RA

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

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

Kind regards

Kirsteen

Safeguarding Team

on behalf of Dundee Airport Limited

c/o Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
☎ 01667 464244 (DIRECT DIAL)
✉ safeguarding@hial.co.uk 🌐 www.hial.co.uk

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From:ThomsonSD
Sent:1 Apr 2016 11:06:40 +0100
To:ChalmersPE
Cc:HendersonA
Subject:16/00210/FULL Erection of a Wind Turbine Re-Application Millfield house arbroath

Pauline I refer to the above application passed to me for comment and I would advise as follows;

As you are aware the matters of concern to this service are shadow flicker and noise.

With respect to shadow flicker the applicants agent previously submitted an assessment in connection with application 15/01067/FULL which was subsequently withdrawn. The current application is for the same size of turbine this time located approximately 15m North of the location used in the original assessment. This would appear to move it almost immediately adjacent to Millfield stables House. It is not clear from any of the submitted documents what the use of this property is. Although shadow flicker could again be mitigated if necessary you may wish to consider the wider impact on the amenity of this property depending of course on its use, due to the revised position.

With respect to noise, the application is accompanied by a stand-off calculation report dated 17th of February which itself relies on a previous report dated 6th January. This service previously commented on these reports and raised the following queries;

- A copy of the manufacturers noise measurement report is not included for clarity
- Uncertainty needs to be included in prediction calculations and depending on the provenance of the data used an expanded uncertainty may be necessary. Para 4.3.6 of the IOA good practice guide to ETSU
- A receiver height of 4m not 2m should be used as it is considered more appropriate for wind turbine assessments as per Para 4.3.8 of the IOA good practice guide to ETSU. It is a common misconception that the 4m height relates to the 1st floor height of houses however this is not the case.
- 12m hub height data appears to have been used in the prediction whereas the ETSU simplified criteria are based on a 10m standardised height

- The 40dBA criteria referred to in my response below originates from the small wind turbine assessment method and is not related to the ETSU daytime lower limit
- The daytime stand-off distance, which is effectively the controlling factor, is calculated assuming a limit of 40dBA without any justification being given. Without suitable justification the daytime limit would normally be 35dBA meaning an even greater standoff is required.
- Notwithstanding the above deficiencies the report concludes that any site within the grounds of Millfield House and out with the buffer zones calculated will exceed normal limits at the other neighbouring property called Cama and may also have an unacceptable impact on Millfield House and Millfield Stables. Although it is implied that both these latter properties are financially involved no evidence has been provided.

No additional information related to these queries was provided by the applicants' agent then and it appears that none of them have been answered in relation to the current application either. They therefore continue to be unresolved issues.

Furthermore in my previous comments by e-mail dated 24/2/16 I concluded that 'With respect to any other potential site a lot more work would be required before I could support an application based on the calculated stand-off distances'. Notwithstanding this I note that the revised proposed location of the wind turbine is still within the dubiously calculated buffer zones shown in Figure 2 of the stand-off calculation report. Which means that noise levels in excess of recognised limits are likely at Millfield Cottage and possibly Millfield House and Millfield Stables House depending on their use and whether or not occupiers are financially involved.

In conclusion I am satisfied again that shadow flicker could be mitigated if necessary however with regard to noise it has been demonstrated once again that noise levels in excess of recognised limits will result from this development and therefore I would recommend that the application is refused. If you have any queries regarding the above please do not hesitate to contact me.

Regards

steve

15/01067/FULL

Steven Thomson Senior EHO Regulatory & Protective Services, Communities, County Buildings
Angus Council, County Buildings, Market Street, Forfar DD8 3WA Telephone 01307 473331

CaneyV

From: JRC Windfarm Coordinations <windfarms@jrc.co.uk>
Sent: 11 May 2016 08:38
To: CaneyV
Subject: RE: Consultation for Millfield House Arbroath - 16/00210/FULL [WF279106]

Dear Veronica,

A Windfarms Team member has replied to your coordination request, reference **WF279106** with the following response:

Dear Sir/Madam,

JRC analyses proposals for wind energy developments on behalf of the UK Energy Industry. We assesses the potential of such developments to interfere with radio systems operated by UK and Irish Energy Industry companies in support of their regulatory operational requirements.

The Energy Industry considers that any wind energy development within:

- * 1000m of a link operating below 1GHz; or*
- * 500m of a link operating above 1GHz, requires detailed coordination.*

For turbines with a blade diameter of 32m or less this distance is reduced to:

- * 500m for links below 1GHz; and*
- * 300m for links above 1GHz before a detailed coordination is required.*

There is an EXCLUSION ZONE around most Base Station sites of 500m, i.e. no development is permitted. This will be evaluated on a case by case basis for smaller turbines.

Unfortunately, part (or all) of the proposed development breaches one or more of these limits.

Planning Ref: 16/00210/FULL

*Millfield House Arbroath DD11 3RA T1 hub 12m blades 2.8m
Grid ref OSGB 362091 742198*

The affected links are:

460MHz Telemetry and Telecontrol:

JESHIS1 to JESHIO10 - The Local Utility

>1GHz Microwave Point to Point:

N/A

Operated by: The Local Utility

Therefore JRC OBJECTS TO THE PROPOSED DEVELOPMENT.

Unfortunately no link details apart from the link identifiers can now be supplied due to persistent breaches in confidentiality. This can be reviewed on a case by case basis and may require a non-disclosure agreement to be drawn up. However, JRC are still willing to work with developers in order to clear as many turbines as possible, including those that may initially fall within the coordination zone. For more information about what to do next, please click [Objections: What to do next](#).

The JRC objection shall be withdrawn after simple analysis shows no issues; when a satisfactory coordination has been achieved and the zone of protection is implemented; or when an appropriate mitigation agreement is in place.

NOTE:

The protection criteria determined for Energy Industry radio systems can be found at <http://www.jrc.co.uk/wind-farms/>

Regards

Wind Farm Team

*The Joint Radio Company Limited
Dean Bradley House,
52 Horseferry Road,
LONDON SW1P 2AF
United Kingdom*

Office: +44 20 7706 5199

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.

Registered in England & Wales: 2990041

<http://www.jrc.co.uk/about-us>

We hope this response has sufficiently answered your query.

If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email keeping the subject line intact or login to your account** for access to your coordination requests and responses.

<http://breeze.jrc.co.uk/tickets/view.php?auth=o1xxibaaaavdaaaawaeat%2Fks5YUU4A%3D%3D>

16/00210/FULL Erection of a Wind Turbine 12 Meters to Hub Height and 14.8 Metres to Blade Tip and Ancillary Development Re-Application Millfield House Arbroath DD11 3RA

Evaluation and comments on Landscape and Visual Effects - Planning Advice-Landscape Officer 11 April 2016

Estimated position: easting E362035 northing: 742201

Previous application 15/00772/PREAPP Status: withdrawn

Landscape Character: The application site sits close to the landscape type 'urban' for Arbroath within landscape character area LCT13 Dipslope farmland subtype (iv) Letham, Lunan Water and Arbroath Valleys of the SNH regional Tayside Lowland landscape, characterised by medium sized fields of productive farmland though with extensive settlements and road networks rendering it more visually sensitive.

The landscape of the sites locality is characterised by wide expansive fields enclosed by hedgerow varying from low gorse to tall trees, stone dykes or tree belts. The landform is flat and interrupted by single dwellings, country houses and housing clusters. The site is very well screened from the south, southeast and near northeast while from the west and north across the fields, it is more exposed.

Effects of the proposed wind turbine would be nil to the landscape character type and subtype, negligible to the wider locality and low to the locality while at direct neighbour scale it would be low. There is no sense of the wind turbine from beyond 500m radius.

Capacity: At publication the Ironside Farrar report indicates in Figure 6.1b that subarea (iv) has a medium capacity for wind energy up 80m height to tip and in Figure A that the subtype has an overall limited wind energy capacity and in figure 6.3 it proposed that it has capacity for a "*landscape with occasional WTs (50- < 80m)*" but with separation distance of 5-10km. In para 2.3.2 it *states "turbines less than 15m to blade tip are not considered to have the same qualities of scale, prominence and widespread visibility that lead to the wider cumulative impacts that characterise larger turbines with a blade tip higher than 15m. Capacity assessment and guidance for turbines less than 15m to blade tip is limited to localised generic siting and design considerations."*

The proposal would be within 642m of the next wind turbine at Kirkton Industrial Estate and 591m of the wind turbine at Woodfield House Woodside from suggesting it does not fully heed the siting parameters for the LCT subtype. However this is a moot point as the turbines are less than 30m ht. The perceptual sense as one moves through this part of the Dipslope Farmland is that wind turbines are 'occasional' and that this proposal would not alter it. There would be no cumulative effect discernible.

Visual Effects: The trees within the site boundaries and to the east and north afford very good level of screening and provide back clothing for view from the north, northwest and northeast.

The proposal is for a small category wind turbine suited for a domestic-cum-rural farmstead clusters. The turbine, being of a very small size category would be well with the scale of the local structures and vegetation cover and while it would be glimpsed through the vegetation it would not dominate general views. However at close quarters for neighbouring dwellings there would be a moderate effect. Both neighbouring properties to the immediate west and east of the site would potentially have clear visual lines to the turbine while residents along E Muirlands road north of the site would also have fairly clear views, the turbine would not present a prominent feature due to its small scale. It may be worth requesting residential visual appraisal for these.

There would be no cumulative effect discernible.





Defence Infrastructure Organisation

Claire Duddy
Assistant Safeguarding Officer
Ministry of Defence
Safeguarding – Wind Energy
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Your Reference: 16/00210/FULL

Our Reference:
DIO/SUT/43/10/1/10035149

Telephone [MOD]: +44 (0)121 311 3714

Facsimile [MOD]: +44 (0)121 311 2218

E-mail: DIOSEE-EPSSG2a1@mod.uk

Ms Pauline Chambers
Planning Officer
Angus Council

17th May 2016

Dear Ms Chambers

Please quote in any correspondence: DIO10035149

Site Name: Millfield House, Arbroath DD11 3RA

Proposal: Erection of 1 Wind Turbine

Planning Application Number: 10035149

Thank you for consulting the Ministry of Defence (MOD) on the above Planning Application in your communication dated 5th may 2016.

I am writing to tell you that the MOD has no objection to the proposal.

The application is for 1 turbine at 14.8 metres to blade tip. This has been assessed using the grid references below as submitted in the planning application or in the developers' or your pro-forma.

Turbine	100km Square letter	Easting	Northing
1	NO	62035	42201

The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

If planning permission is granted we would like to be advised of the following;

- the date construction starts and ends;
- the maximum height of construction equipment;
- the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

If the application is altered in any way we must be consulted again as even the slightest change could unacceptably affect us.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding>

Yours sincerely



Claire Duddy
Assistant Safeguarding Officer – Wind Energy
Defence Infrastructure Organisation

SAFEGUARDING SOLUTIONS TO DEFENCE NEEDS

CaneyV

From: ALLEN, Sarah J <Sarah.ALLEN@nats.co.uk> on behalf of NATS Safeguarding <gmb-bdn-000913@nats.co.uk>
Sent: 18 May 2016 08:58
To: PLNProcessing
Subject: Your Ref: 16/00210/FULL (Our Ref: SG22803)

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

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully,

Sarah Allen
Technical Administrator
On behalf of NERL Safeguarding Office

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ANGUS COUNCIL

COMMUNITIES PLANNING

CONSULTATION SHEET

PLANNING APPLICATION NO

16/00210/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

28	03	16
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CaneyV

From: Spectrum Licensing <Spectrum.Licensing@ofcom.org.uk>
Sent: 10 May 2016 01:17
To: CaneyV
Cc: windfarms@caa.co.uk; NATSsafeguarding@nats.co.uk; windfarms@jrc.co.uk; aPhillips@hial.co.uk; dio-safeguarding-wind@mod.uk
Subject: RE: Consultation for Millfield House Arbroath - 16/00210/FULL
Attachments: ufm11.rtf

FIXED LINK REPORT FOR WINDFARM CO-ORDINATION AREA:

Dear Sir/Madam

Search Radius m at Centre NGR NO6209142198. Search includ

<i>Links</i>	<i>Company</i>	<i>Contact</i>
0733195/1	EE Limited	EE Windfarm Enquiries

These details are provided to Ofcom by Fixed Link operators at the time of their licence application and cannot be verified by Ofcom for accuracy or currency and Ofcom makes no guarantees for the currency or accuracy of information or that they are error free. As such, Ofcom cannot accept liability for any inaccuracies or omissions in the data provided, or its currency however so arising. The information is provided without any representation or endorsement made and without warranty of any kind, whether express or implied, including but not limited to the implied warranties of satisfactory quality, fitness for a particular purpose, non-infringement, compatibility, security and accuracy.

Our response to your co-ordination request is only in respect of microwave fixed links managed and assigned by Ofcom within the bands and frequency ranges specified in the table below. The analysis identifies all fixed links with either one link leg in the coordination range or those which intercept with the coordination range. The coordination range is a circle centred on your provided national grid reference. We add an additional 500 metres to the coordination range that you request. Therefore if you have specified 500 metres the coordination range will be 1km.

If you should need further information regarding link deployments and their operation then you will need to contact the fixed link operator(s) identified in the table above directly.

Additional coordination is also necessary with the band managers for the water, electricity and utilities industries which operate in the frequency ranges 457-458 MHz paired with 463-464 MHz band. You should contact both the following:

- Atkins Ltd at windfarms@atkinsglobal.com.
- Joint Radio Company (JRC) at windfarms@jrc.co.uk. Additionally, you can call the JRC Wind Farm Team on 020 7706 5197.

For self coordinated links operating in the 64-66GHz, 71-76GHz and 81-86GHz bands a list of current links can be found at: <http://www.ofcom.org.uk/radiocomms/ifi/licensing/classes/fixed/>

Regarding assessment with respect to TV reception, the BBC has an online tool available on their website: http://www.bbc.co.uk/reception/info/windfarm_tool.shtml. Ofcom do not forward enquiries to the BBC.

Please note other organisations may require coordination with regard to your request. More information regarding windfarm planning is available on the British Wind Energy Association website www.bwea.com.

Table of assessed fixed links bands and frequency ranges

Band (GHz)	Frequency Range (MHz)
-------------------	------------------------------

1.4/1.5	1350 -1375 1450 -1452 1492 -1530
1.6	1672 – 1690
1.7	1764 – 1900
2	1900 – 2690
4	3600 – 4200
6	5925 – 7110
7.5	7425 – 7900
11	10700 – 11700
13	12750 – 13250
14	14250 – 14620
15	14650 – 15350
18	17300 – 19700
22	22000 – 23600
25	24500 – 26500
28	27500 – 29500
38	37000 – 39500
50	49200 – 50200
55	55780 – 57000

Regards Iain

Duty Engineering Officer
Spectrum Management Centre
Spectrum Operations
Ofcom

From: CaneyV [mailto:CaneyV@angus.gov.uk]

Sent: 05 May 2016 13:03

To: windfarms@caa.co.uk; NATSsafeguarding@nats.co.uk; dio-safeguarding-wind@mod.uk; aphillips@hial.co.uk; windfarms@jrc.co.uk; Spectrum Licensing

Subject: Consultation for Millfield House Arbroath - 16/00210/FULL

Regards,
Veronica.

Veronica Caney
Clerical Officer (Development Control)
Angus Council
Planning & Place
County Buildings
Market Street
Forfar.
DD8 3LG
Tel : 01307 473242

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MILLFIELD COTTAGE
FORFAR ROAD
ARBROATH
DD11 3RA

RECEIVED

05 APR 2016

PLANNING & PLACE
COUNTY BUILDINGS

12/12

Miss P. Chalmers
Development Standards Technician
Angus Council
Communities & Place
County Buildings
Market Street
Forfar
DD8 3LG

29-03-16

Dear Miss Chalmers,

APPLICATION 16/00210/FULL

I noticed in the planning weekly applications that the above application was validated on 21-03-16.

This appears to be a re-application at Millfield House using an identical turbine in a new location.

I understand from speaking to the applicant that the original application was withdrawn due mainly to noise and visual problems.

Being the nearest neighbour, I confirm having no objections to the noise or the visual aspect of the turbine. I also notice that in the re-located position the turbine is behind trees making it quieter and less visual from my property.

The applicant previously installed solar panels and is clearly supportive of Scottish Governments Renewable Energy Policies.

I recommend this application be approved.

Yours sincerely,

Jamie Lundle

Neil Dall
Cama
Millfield
Forfar Road
Arbroath
DD11 3RA

Planning Department
Angus Council
County Buildings
Market Street
Forfar
DD8 3LG

RECEIVED

05 APR 2016

PLANNING & PLACE
COUNTY BUILDINGS

14/RLJ

30 March 2016

Dear Sir/madam,

Millfield House, Forfar Road, Arbroath – Ref: 16/00210/FULL

I refer to the above planning application and confirm I have no objections to the proposals.

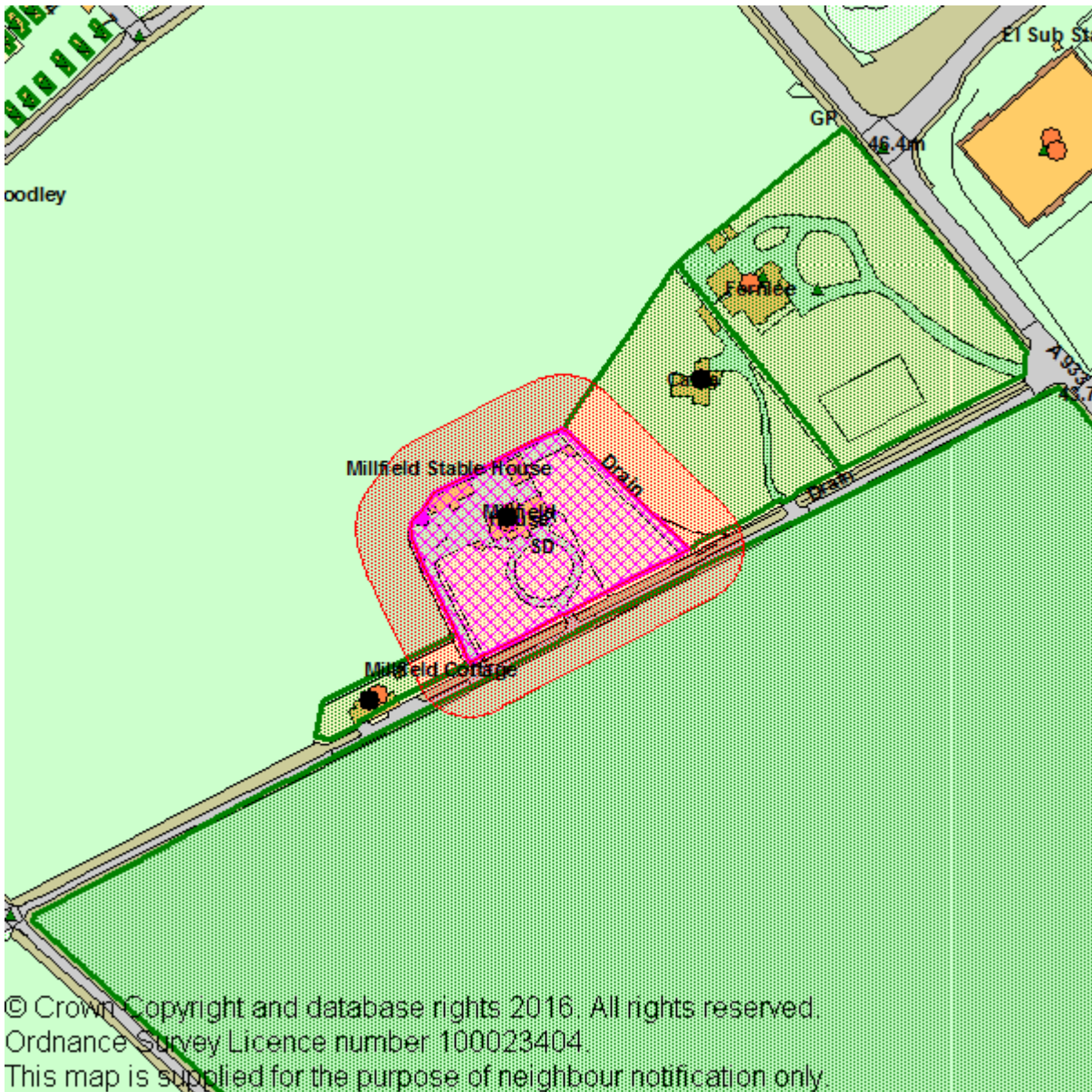
My property lies to the east of the proposed turbine which will be screened from me by buildings and trees.


The noise omitted from the turbine is unlikely to affect me and is unlikely to exceed the traffic noise from the A933 Forfar Road.

Yours faithfully,

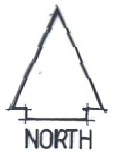


Neil Dall



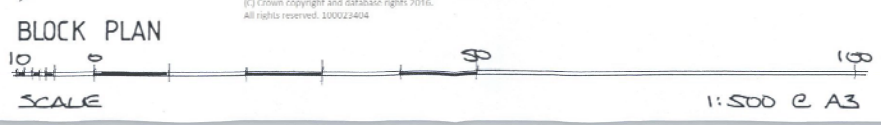
	ACRAIG ARCHITECTURAL CONSULTANT
	6 CLERK STREET, BRECHIN, ANGUS DD9 6AE Tel: (01356) 625500 Fax: (01356) 625372
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THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SIZES PRIOR TO STARTING ANY WORKS	
PROPOSED 6kW WIND TURBINE at MILLFIELD HOUSE FORFAR ROAD ARBROATH DD11 3RA for MR I. SMITH	
DRAWING Nº 391115 Rev. SD NA SCALE 1:500 DATE MARCH 2016	

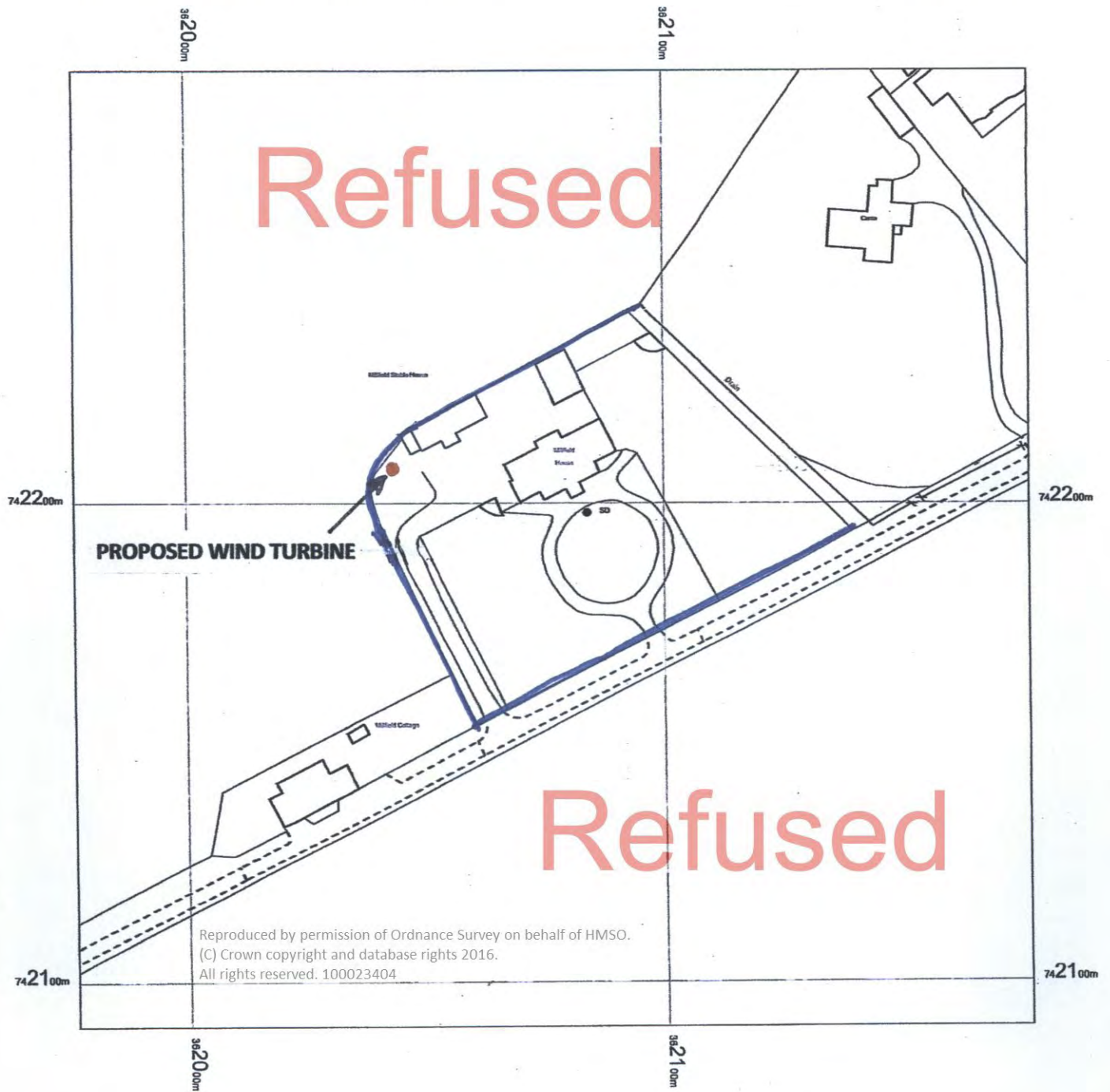
Refused



Refused

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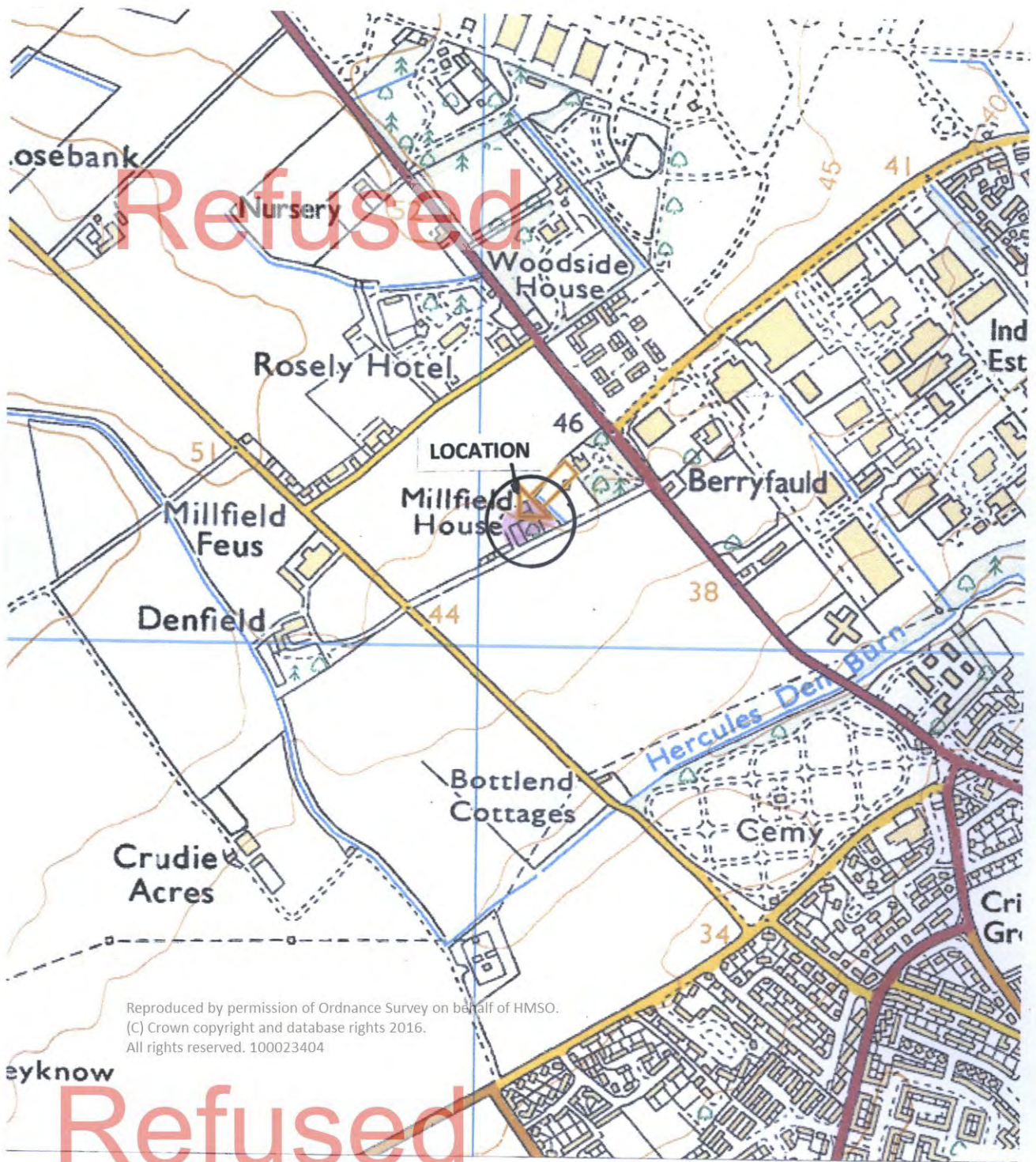




LOCATION PLAN

Scale 1-1250

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6 CLERK STREET
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Refused

LOCATION PLAN

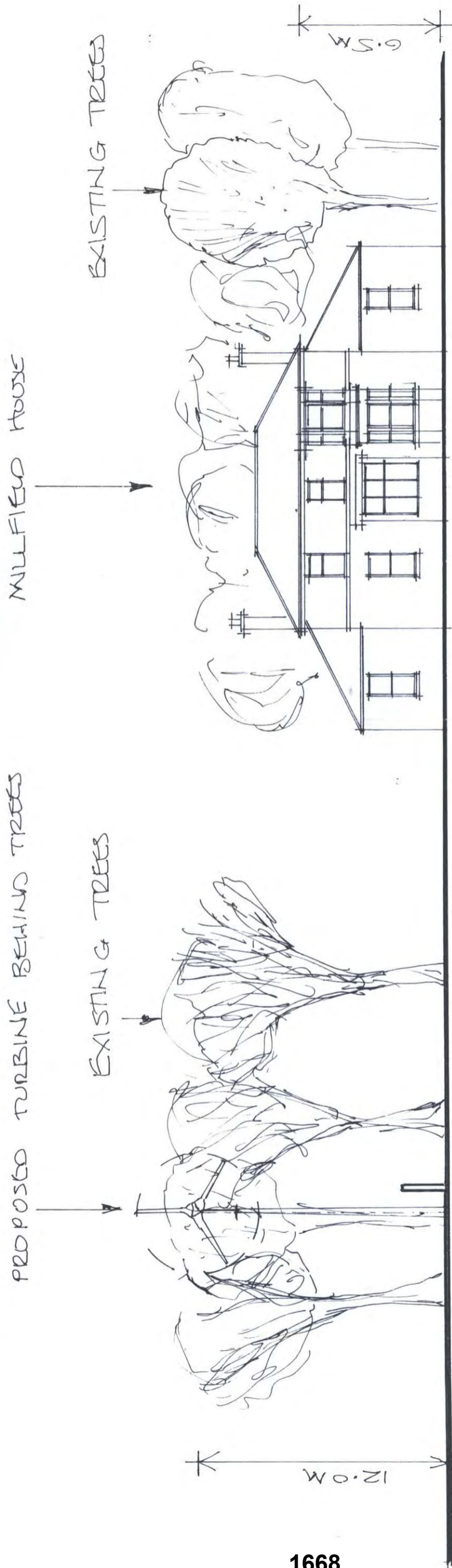
Not to Scale

ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE

MILLFIELD HOUSE FORFAR ROAD ARBROATH - WIND TURBINE.

REVISED MARCH 2016

Refused



FRONT ELEVATION

Refused



SCALE OF METRES 1:200 @ A3

SKETCH SHOWING PROPOSED TURBINE IN RELATION TO MILLFIELD HOUSE.

A CRAIG
ARCHITECTURAL
CONSULTANT

6 CLERK STREET, BRECHIN, ANGUS DD9 6AE
Tele: (01356) 625500 Fax: (01356) 625572

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AC16

AC17



19/04/2016 14:55



19/04/2016 14:53



19/04/2016 15:26



19/04/2016 15:26

1669

AC17

19/04/2016 15:07



19/04/2016 15:08



19/04/2016 15:05



19/04/2016 15:05



1670

AC17



19/04/2016 15:18



19/04/2016 15:17



19/04/2016 15:09

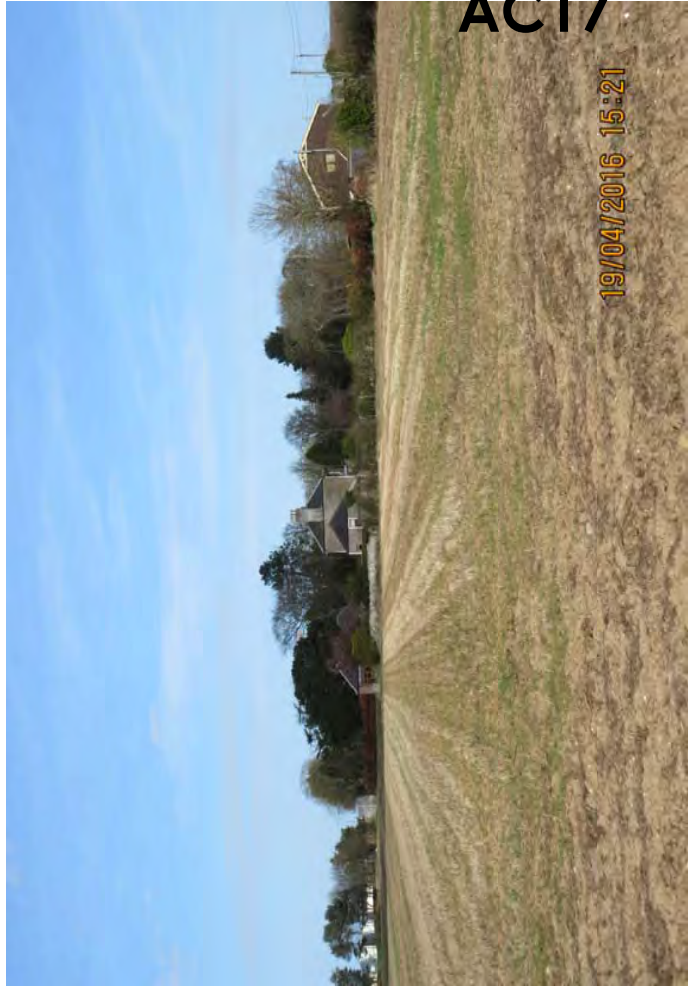


19/04/2016 15:08

1671

AC17

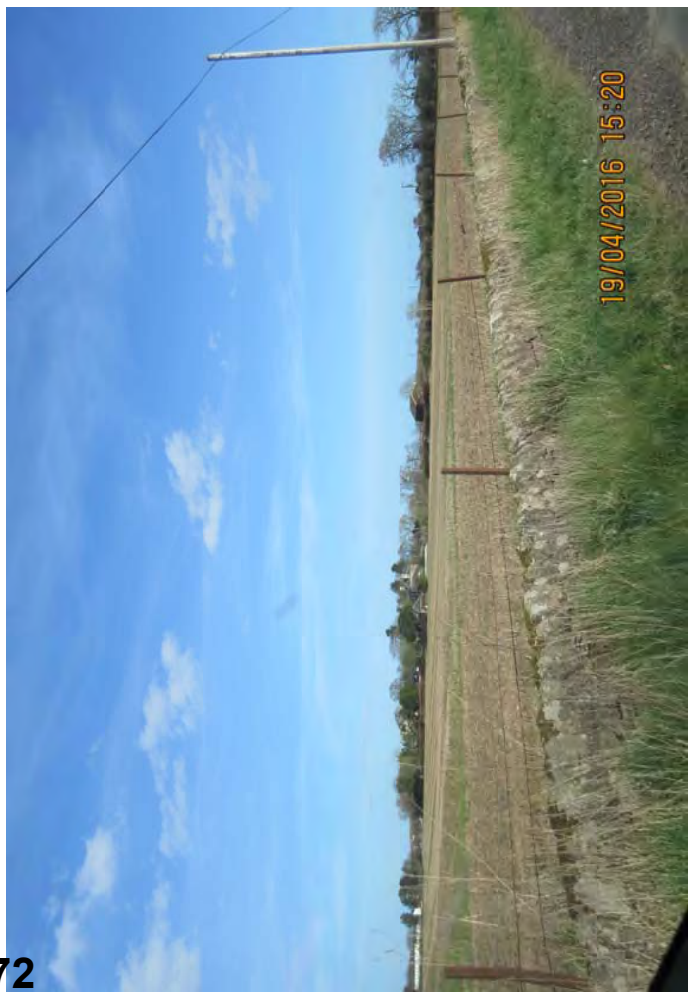
19/04/2016 15:21



19/04/2016 15:22



19/04/2016 15:20



19/04/2016 15:21



1672

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)
REGULATIONS 2013

PLANNING PERMISSION REFUSAL
REFERENCE : 16/00210/FULL

To **Mr I Smith**
c/o A D Craig
6 Clerk Street
Brechin
DD9 6AE

With reference to your application dated 21 March 2016 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Erection of a Wind Turbine 12 Metres to Hub Height and 14.8 Metres to Blade Tip and Ancillary Development Re-Application at Millfield House Arbroath DD11 3RA for Mr I Smith

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docketed as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

- 1 That the proposed turbine by virtue of its height and revised location in relation to the immediate south-west neighbour, Millfield Cottage would have a detrimental noise, visual amenity and residential amenity impact and as such the proposal would be contrary to Policy S6- criterion (b), ER11, ER34- criterion (a) and Policy ER35 criterion (c) of the Angus Local Plan Review (2009)

Amendments:

The application has not been subject of variation.

Dated this **21 July 2016**

Kate Cowey - Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG



ACRAIG
ARCHITECTURAL
CONSULTANT

KW/LL
RECEIVED

16 MAY 2016

PLANNING & PLACE
 COUNTY BUILDINGS

KC

Ms P. Chalmers
 Development Standards Technician
 Angus Council
 Planning & Place
 County Buildings
 Forfar
 DD8 3LG

5 May 2016
 Ref: ADC/adc

Dear Ms Chalmers,

MILLFIELD HOUSE, ARBROATH – Ref: 16/00210/FULL

I refer to your e-mail dated 27 April 2016 and wish to make the following comment.

As you state, the matters of concern are that of shadow flicker, visual impact and noise, which were the reasons for withdrawing the previous application.

Referring to each, I wish to make the following comments and observations:

SHADOW FLICKER: The nearest property which could be affected is in the ownership of the applicant and Mr Thomson of Environmental Health is satisfied that shadow flicker could be mitigated if necessary.

VISUAL IMPACT: The general comments of Miss O'Donnell Landscape Officer are that the proposed turbine "would not present a prominent feature to the landscape and would not dominate general surrounding views due to its size" and also goes on to say that the effect to neighbours at close quarters would only be moderate. As discussed I enclose copies of photographs showing views from the north, south and south-west showing the turbine superimposed.

NOISE: Having taken advice from our noise consultant I confirm that calculations have been provided assuming a limit of 40dBa as the properties most likely to be affected are owned and controlled by the applicant. The other neighbouring properties which may be affected are Millfield Cottage and Cama. Each of these properties benefit from screening by trees and in the case of Cama trees and Millfield House. Although no formula appears to be available to calculate the reduced noise level due to this screening it will be none the less reduced. Both of these properties are more likely to be affected by road noise from the A993 and the public road leading from Arbroath to Woodville Feus.

6 CLERK STREET
 BRECHIN
 ANGUS DD9 6AE

Telephone: (01356) 625500
 07836 692314
 Fax: (01356) 625572
 email: info@adcraig.co.uk

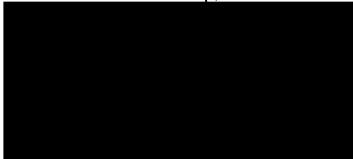
It is also noted from the Planning Application Documents posted online that both neighbours have written in support of the application.

In conclusion it appears that Shadow Flicker can be mitigated if necessary, Visual Impact is only being termed moderate at its worst case and Noise issues appear to be minimal.

The neighbouring property owners are aware of noise issues having been raised in a previous application and have written in support of this application.

I trust this information is now sufficient to progress the application for approval.

Yours sincerely,



A.D.Craig

**MILLFIELD HOUSE
FORFAR ROAD
ARBROATH
DD11 3RA**

PLANNING APPLICATION SUPPORTING INFORMATION

RE-APPLICATION

MARCH 2016

**ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE**

SUPPORTING INFORMATION

A pre-application letter was sent to Angus Council Planning Department on 28th September 2015.

In the absence of a written response to the pre-application letter an application for Planning Permission was submitted for the erection of a 6kW Kingspan Wind Turbine set on a 10m column Ref: 15/01067/FULL, registered on 26th November 2015 and validated on 8 December 2015.

A pre-application e-mail response was received on 30 November 2015 Ref: 15/00772/PREAPP

RESPONSE TO PRE-APP 15/00772

Further information relating to noise, shadow flicker and visuals were provided.

RESULT OF RESPONSE

The visuals and shadow flicker were found to be acceptable but the noise level too high. Additional noise level assessments were prepared which were not acceptable to Angus Council Environmental Services.

OUTCOME

The application was withdrawn and a further application prepared with the turbine located in a revised location further from the neighbouring land.

ADDITIONAL INFORMATION

A similar sized wind turbine can be found at the edge of the Montrose /Arbroath road adjacent to the Montrose Basin. Noise levels were barely audible standing approximately 10 m from the base of the column. No noise was heard from the turbine when road traffic passed.

The proposed wind turbine at Millfield House is to be used in addition to and supplement the electricity produced by the existing solar panel. Therefore it is mostly to be in operation in conditions not conducive to solar panel. This would also be at times when the neighbouring road traffic and wind noise are likely to be greater than the noise level produced by the wind turbine.

CONCLUSION

Based on previous discussions, the re-siting of the turbine provides an acceptable distance from the neighbours dwelling for sufficient noise reduction

MAPPAGNOSIS
www.mappagnosis.com

GIS analysis, 3D modelling and mapping

REPORT

**MILLFIELD HOUSE WIND TURBINE:
STAND-OFF FOR MILLFIELD COTTAGE**

Dr. Jonathan Ball Bsc.(Hons), PgDip., MSc., PhD.

TO:

Alex Craig

**A Craig Architectural Consultants ,
6 Clerk St, Brechin, Angus, DD9 6AE**

(17. Feb. 2016)

MappaGnosis Ltd. (Company N°: SC384524) is an independent consultancy providing services relating to all aspects of **Geographical Information Systems (GIS)** with particular experience in bespoke spatial analysis, site identification, 3D landscape modelling, wind farm environmental impact analysis and associated cartography.

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This document is issued for use by the commissioning party only and for the specific purposes for which it was commissioned.

MappaGnosis accepts no responsibility for the consequences of this document being relied upon by a third party, or being used for any other purpose, or containing any error or omission which is due to an error or omission in the data or information supplied to MappaGnosis.

1 Introduction

MappaGnosis Ltd. Was commissioned by A Craig Architectural Consultants to undertake a desk-based theoretical noise study on the Millfield House wind turbine proposal, near Arbroath. This study is a follow-up to the initial report on theoretical noise propagation, which identified Millfield Cottage as likely to experience noise impacts in excess of the recommended limits prescribed by best practice guidance. This report concentrates on the stand-off that would be required from Millfield Cottage to comply with the guidance.

2 Background

2.1 Background to the calculations.

The calculations in this report are based on the previous report ("Millfield House Wind Turbine: Theoretical Noise Study", 6th January 2016).

2.2 General UK planning regulations on wind turbine noise

The standard for assessing the effects of noise from wind turbines in the UK is ETSU-R-974, as recommended by PPS22 in England and Wales, PAN 45¹ in Scotland and PPS18 in Northern Ireland. ETSU-R-97 recommends a noise limit at the nearest noise-sensitive properties of:

$$X \text{ dB } L_{A90}$$

or 5dB above the prevailing background noise², whichever is greater where X varies with the time of day or circumstances as follows:

- Day-time (0700 to 2300): X = 35-40 dB(A)
- Night-time (2300 to 0700): X = 43 dB(A)
- Financially involved properties: X = 45 dB(A)

A simplified noise criterion is also defined, where, if turbine noise is limited to no more than 35 dB(A) at wind speeds of up to 10 ms⁻¹ (at 10m above ground level), consideration of background noise levels is unnecessary. This implies a simplified criterion of 45 dB(A) for properties where the occupier has a financial interest.

2.3 Millfield Cottage

The previous study identified Millfield Cottage as likely to experience noise impacts in excess of the recommended limits prescribed by best practice guidance (see Section 2.2. above). The purpose of this report is to calculate what stand-off is required from Millfield Cottage to avoid exceeding the recommended limits.

2.4 Limitations

No background noise study has been made at the site, so no account can be made of the nearby road or other potential sources of sound in the area.

1 The Scottish Government, 2013, *Planning Advice Note 45 – Onshore wind turbines* [Revised July 2013]

2 Measured during defined quiet daytime periods (Monday to Friday 1800 to 2300, Saturdays 1300 to 2300 and Sundays 0700 to 2300).

3 Mitigations

3.1 Attenuation

The calculations in this report already include a basic allowance for ground attenuation. There are also tall trees and hedges in the vicinity of both the proposed turbine location and Millfield Cottage. However, the Institute of Acoustics good practice guidance (2013³) states that barrier attenuation should be limited to no more than 2dB (Section 4.3.11) and only then where there is no direct line of sight.

In this instance there is deemed to be direct line of sight as Angus Council states that visual impact was a concern, albeit not grounds for rejection. Therefore no further attenuation seems appropriate in this case.

3.2 Background noise

Background noise from wind through the trees mentioned above or traffic noise, might provide some degree of mitigation, but without a baseline field study, it is impossible to comment as to whether it would be significant in this case.

4 Stand-off Distances

4.1 Night-time

The recommended night-time limit for a property that is not financially involved in the turbine is 43 dB at the building façade, which is exceeded in the current proposed location. To comply with this recommendation, an approximate stand-off of 65m will be required (see Figure 1). The exact distance may vary with the actual placement of the turbine and how the new site affects propagation.

4.2 Day-time

The recommended night-time limit for a property that is not financially involved in the turbine is 35-40 dB at the garden bounds, which is also exceeded in the current proposed location. To comply with this recommendation, an approximate stand-off of 75m will be required (see Figure 1). The exact distance may vary with the actual placement of the turbine and how the new site affects propagation.

4.3 Calculation of stand-off areas

Figure 2 shows the respective stand-offs for night and day time noise limits. The night-time stand-off was calculated by buffering the façade of the property by 65m (red hashed area). The day-time stand-off was calculated by buffering the garden bounds by 75m (orange hashed area).

Encroachment on the night-time stand-off is unlikely to be acceptable under any circumstances. Strict compliance with the ETSU guidelines will also disallow any encroachment on the day-time stand-off area (orange).

3 Institute of Acoustics, 2013, *A Good Practice Guide To The Application of ETSU-R-97 For The Assessment And Rating of Wind Turbine Noise*, available at the time of writing on-line at <http://www.ioa.org.uk/pdf/ioa-gpg-on-wtna-issue-01-05-2013.pdf>

5 Conclusions

The site in the vicinity of the currently proposed turbine location is very constrained. Adjusting the turbine location by a few meters will not be sufficient to satisfy the regulations and may result in impacts to Millfield House and Millfield Stable House that are considered unacceptable despite their financial involvement.

Investigating an alternative site to the north-west of Millfield Stable House is recommended, if client owns that ground. The ground of Millfield House to the east looks promising initially, but assuming that the bounds of the property labelled 'Cama ' are coincident with the drain, while it may be possible to comply with the night-time regulations, the day-time regulations of 25-40 dB at the garden bounds will most likely be exceeded.

Any alternative site would benefit from initial investigative noise and shadow-flicker studies to confirm that it is suitable before proceeding further.

MILLFIELD

Estimated noise contours for turbine (Millfield)

Legend

- Proposed turbine location
- Noise isolines
- Millfield Cottage
- Millfield Cotta

Turbine Details

Make/Model: Kingsp
Easting: 362050
Northing: 742190
Hub height: 12m
Declared sound power level: 108dB
Apparent sound power level: 108dB

NOTES:

The recommended night-time noise limit for a non-involving residential area is 35-40 dB in the frequency range 125-4000 Hz. The noise calculation is based on the manufacturer's noise data and model in comparison with the noise data from an identical turbine. The calculation assumes a wind speed of 3 m/s and is based on a worst-case scenario. The noise calculation is based on a worst-case scenario. The noise calculation is based on a worst-case scenario.

AC21

0 6 12

Drawing Ref: millf

Scale 1:1000



1684

MILLFIELD

Estimation areas for distance

Legend

- Proposed turb
- Millfield Cottage
- Millfield Cottage
- 75m stand-off
- millfieldCottage

Turbine Details

Make/Model: Kingsp
Easting: 362050
Northing: 742190
Hub height: 12m
Declared sound pow
Apparent sound pow

NOTES:

The recommended nig
facade of a non-involvi
limit is 35-40 dB in the
The noise calculation is
manufacturer's noise c
make and model in cor
from an identical model
assumes a wind speed
performed according to
apparent sound power
uncertainty level of 1.8

0 6 12

Drawing Ref: millfield

742250

742200

742150



Estimated distance until propagated sound is reduced to the upper allowable day-time level of 40dB(A) is approximately 75m

Estimated distance until propagated sound is reduced to the allowable level of 43dB(A) is approximately 65m

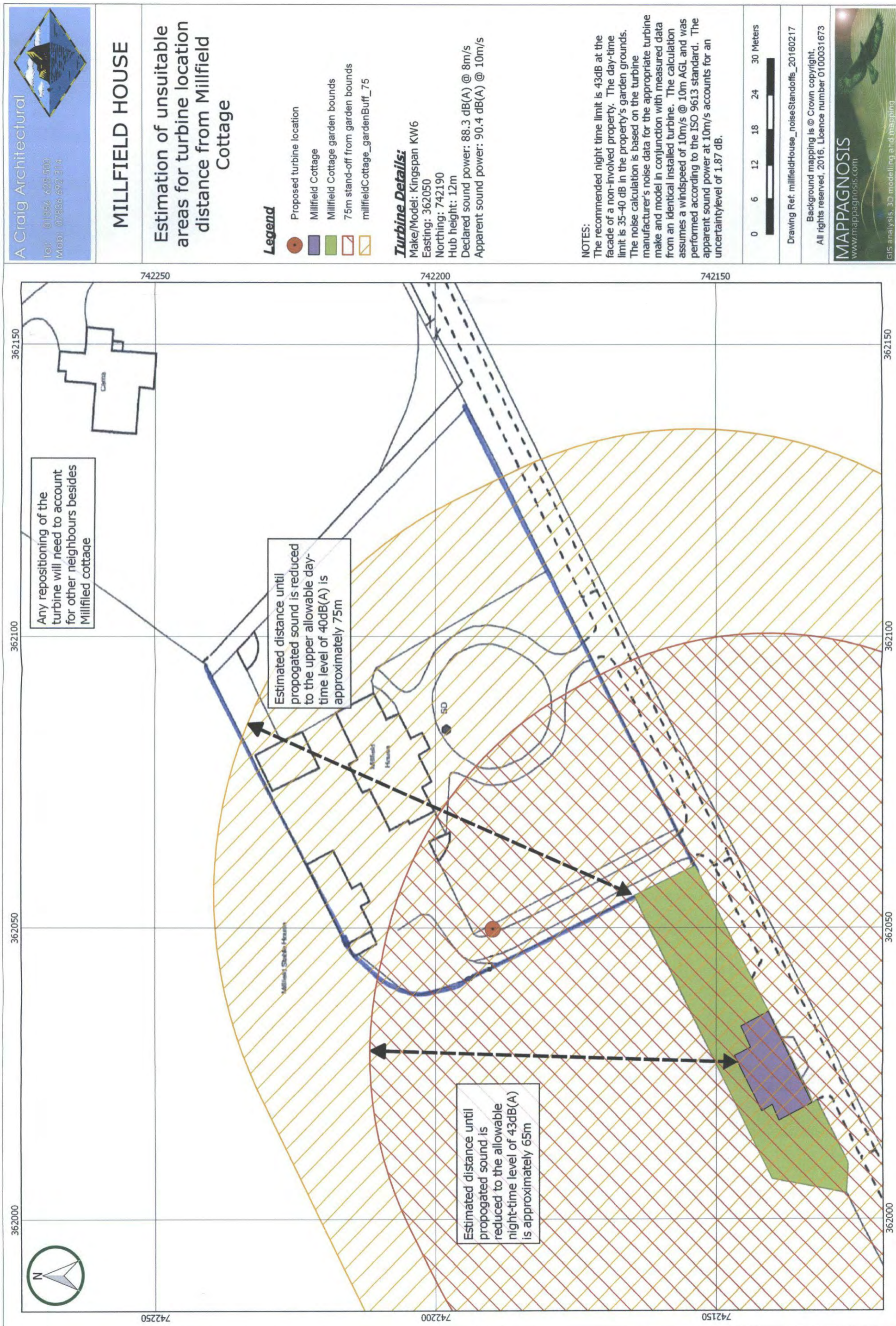
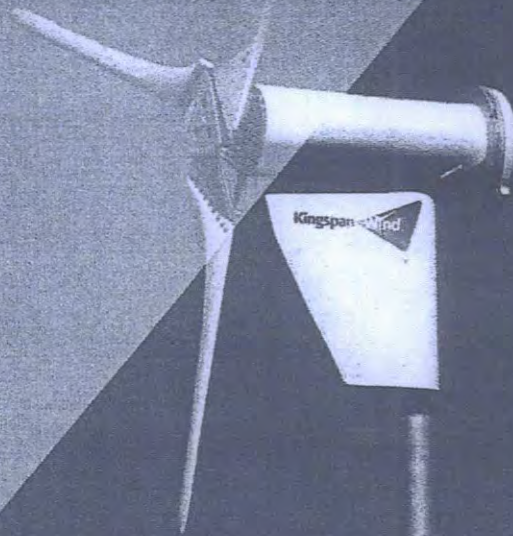


Figure 2: Stand-offs from Millfield Cottage and its garden bounds

KW6 WIND TURBINE

PLANNING SUPPORT DOCUMENT

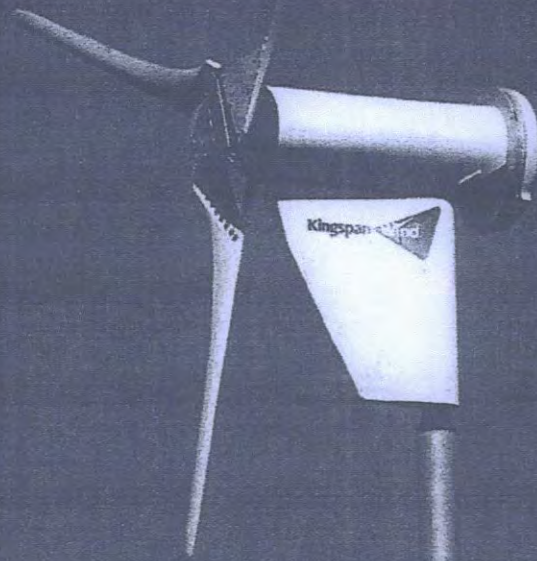


ISSUE 01 JULY 2013
Certification Number TUV 0008



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SITING	2
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IMPORTANT

This document is intended as an aid to complete planning applications. It includes product information normally required for UK planning applications. For additional information please contact wind.support@kingspan.com

PRODUCT SPECIFICATION

ARCHITECTURE AND ROTOR

Type: Downwind, 360 degrees free yawing
 Speed control: Self-regulating
 Blades: 3 blades, passive coning and pitch control
 Rotor diameter: 5.6m
 Rated speed: 11m/s
 Rotor thrust: 10kN

GENERATOR

Type: Brushless permanent magnet, direct drive
 Output: Grid connect (300v), battery charging (48V)

TOWER

Type: Self-supporting monopole
 Hub height: 9m, 11m and 15m (hinged or hydraulic tower)
 3.5m x 3.5m x 0.9m (max) Pad Foundation
 Root Foundations are also available

WEIGHTS

Wind turbine: 600kg

PERFORMANCE

Cut-in wind speed: 3.5m/s
 Max wind speed (survival): Designed to Class 1 (70m/s), Tested to Class 2 (59.5m/s)
 Rated Power: 5.2kW (at 11m/s measured at hub height)
 Peak Power: 6.1kW
 RAE: 8,949kWh as certified by TUV NEL (at 5m/s measured at hub height)

BUILD MATERIALS AND COLOURS

Frame: Galvanised steel, grey (not visible)
 Towers: Galvanised steel, grey
 Blades: Glass thermoplastic composite, black, white or grey
 Covers: Plastic.



Black (RAL 9005)



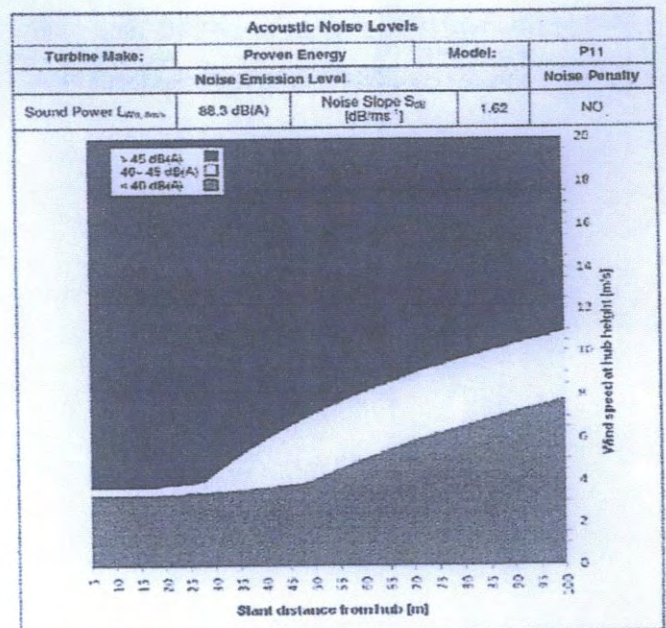
White (RAL 9003)



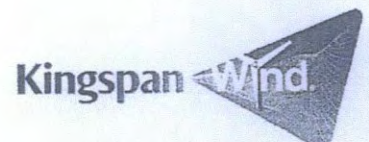
Grey (RAL7000)

ACOUSTIC DATA

The following noise map is a declaration of the sound power level, including noise slope tested according to BWEA standard (29th Feb 2008) which amends IEC 61400-11 for the purposes of acoustic testing of small wind turbines.



A full report is available upon request from wind.support@kingspan.com



SITTING

Siting and installation of your wind turbine should comply with "Installing small wind-powered electricity generating systems" (CE72) and "Micro-generation Installation Standard" (MIS 3003) which reflect the industry's best practice.

Energy Saving Trust publication "Installing small wind-powered electricity generating systems" (CE72) can be downloaded from:

<http://www.energysavingtrust.org.uk/Global-Data/Publications/Installing-smallwind-powered-electricity-generating-systems-CE72>

The Micro-generation Certification Scheme publication "Micro-generation Installation Standard" (MIS3003) can be downloaded from:

<http://www.microgenerationcertification.org>

Kingspan Wind recommends that an Accredited Installer should be consulted on site location prior to a planning application being submitted

It is also recommended that potential wind turbine owners consult with their neighbours prior to applying for the necessary planning approvals

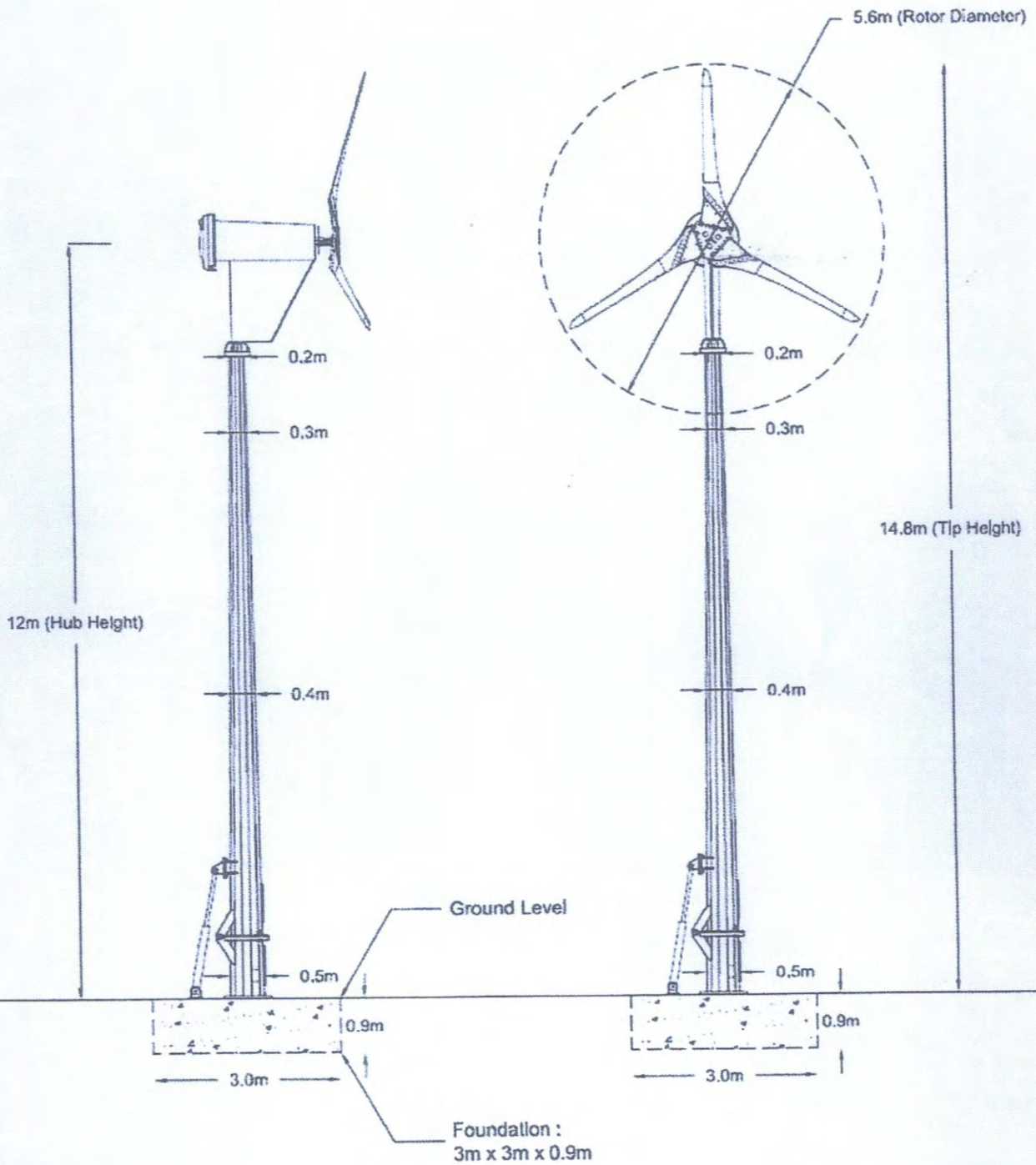
TECHNICAL DRAWINGS

The following technical drawings are scaled elevations for the wind turbines listed below:

KW6 on 11M Hydraulic Tower
KW6 on 12M Hydraulic Tower
KW6 on 15M Hydraulic Tower

NB - Please ensure when printing that Page Scaling is set to "None"

NOTE: Document for reference only. Check sheet size and drawing scale before printing. When printing PDF ensure print scale in printer properties is set to off or to none.



TITLE: KW6 12m ARE Tower System

DWG No: KWI-06-TW-12-220

SCALE: 1:100

SHEET SIZE: A4

DRAWN BY: CF
26-04-2013

CHECKED BY: BA
26-04-2013

REV: A



COLOUR:

See Build Materials & Colours section of Production Specification section of Planning Support Document Page 3.

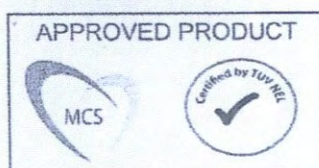


Contact us now for further
information
Tel. +44 (0)1560 486 570
Email: wind.support@kingspan.com

Wardhead Park, Stewarton
Ayrshire, KA3 5LH
Tel: +44 (0)1560 486 570

UK Planning Specialists -
NEO Environmental
Tel: 0141 773 6262
info@neo-environmental.co.uk

www.kingspanwind.com



Single Phase TUV008
Dual Phase TUV0012
Three Phase TUV 0013

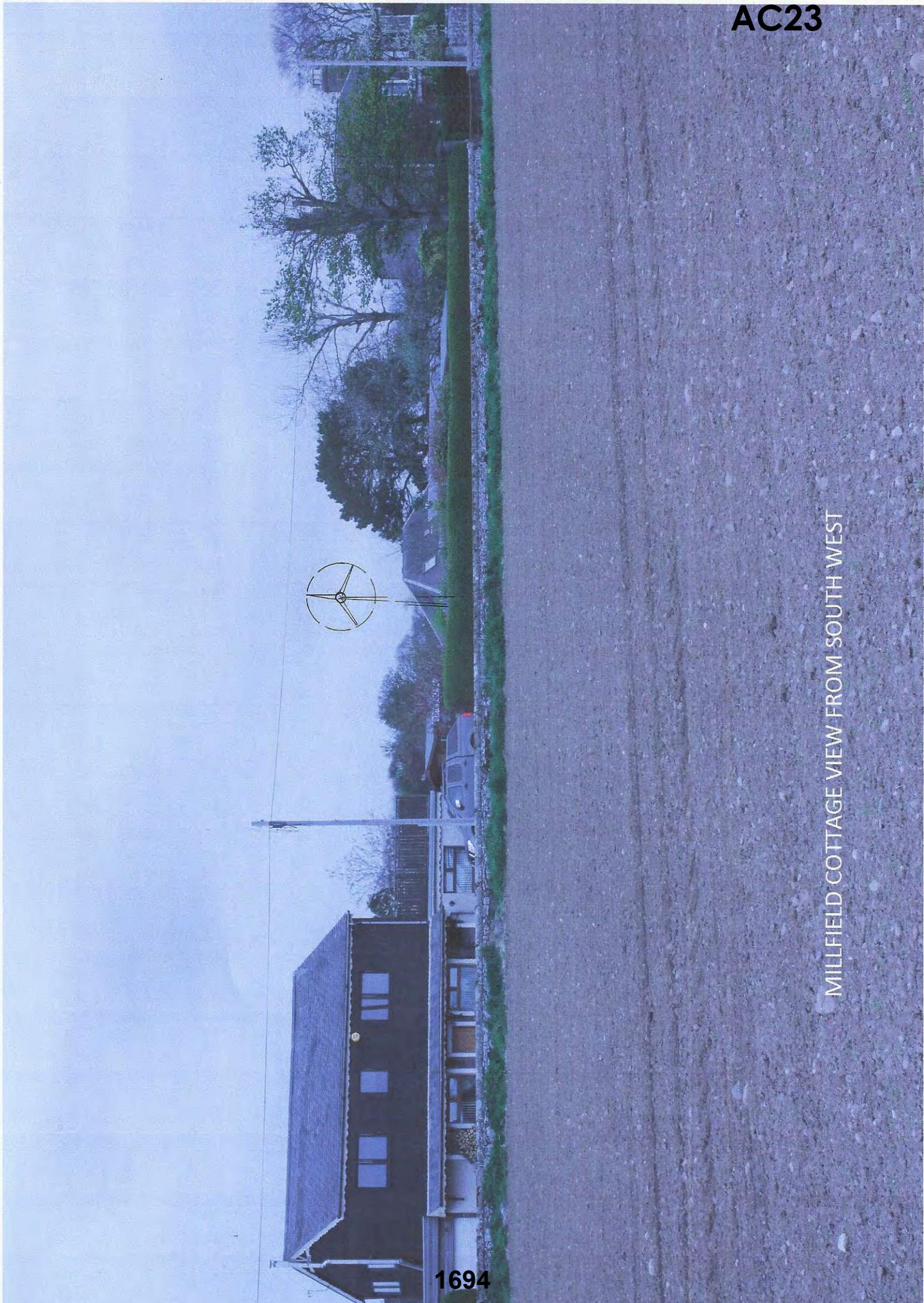
Kingspan Wind: A trading name of Kingspan Environmental Ltd. Registered Office: Tadman Street, Wakefield WF1 5QU Registered in England, No. 04357772
Part Number: B10342A Due to our continuing policy of development and improvement we reserve the right to alter and amend the specification as shown in this literature.

AC23

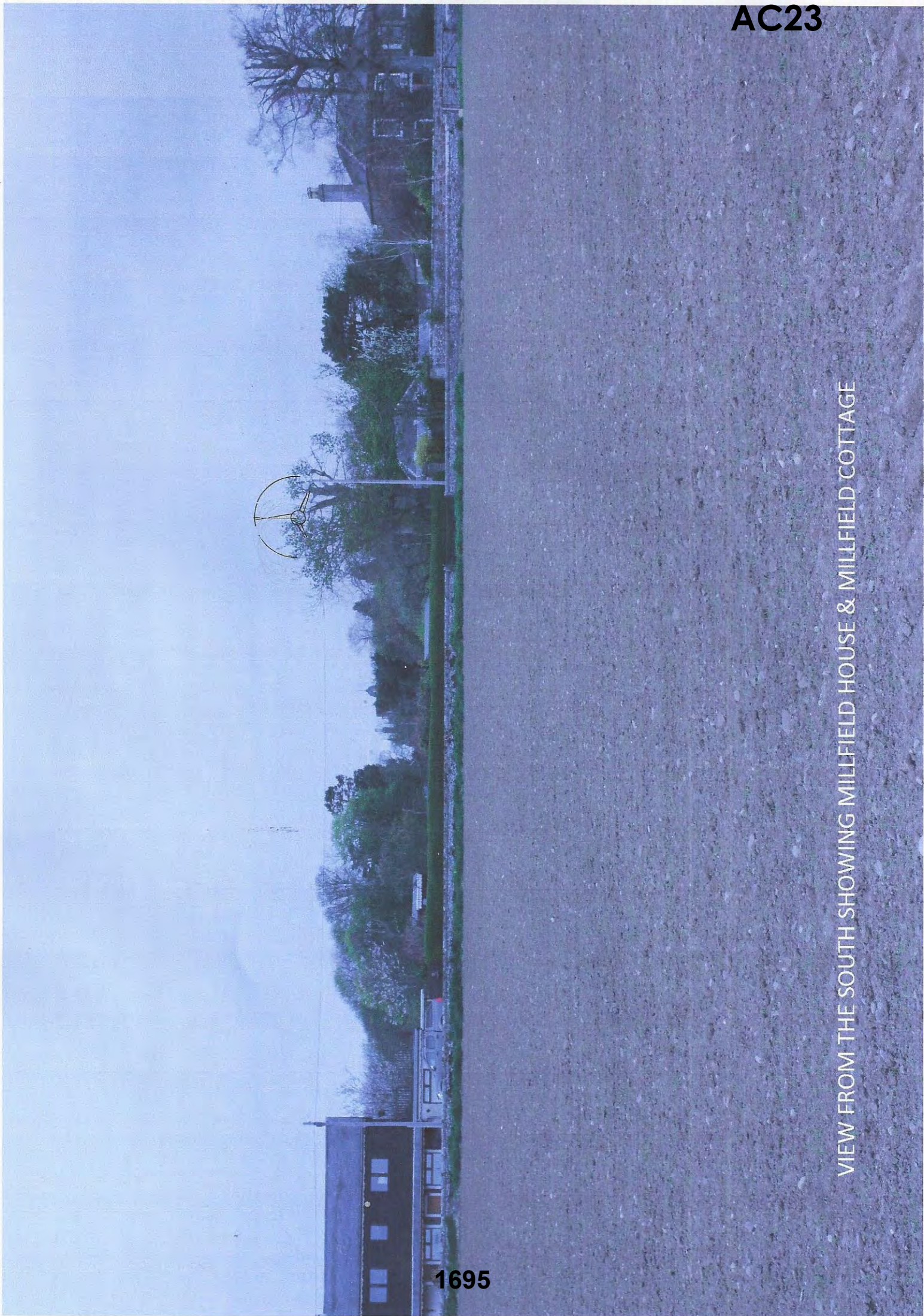
VIEW FROM THE NORTH

1693





MILLFIELD COTTAGE VIEW FROM SOUTH WEST



VIEW FROM THE SOUTH SHOWING MILLFIELD HOUSE & MILLFIELD COTTAGE

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

**ERECTION OF A WIND TURBINE AND ANCILLARY DEVELOPMENT
RE-APPLICATION AT MILLFIELD HOUSE, ARBROATH**

APPLICATION NO 16/00210/FULL

APPLICANT'S SUBMISSION

- ITEM 1** Notice of Review
- ITEM 2** Decision Notice 16/00210/FULL
- ITEM 3** Appeal Statement
- ITEM 4** Additional Supporting Information
- ITEM 5** KW6 Wind Turbine Support Document
- ITEM 6** Mappagnosis Stand Off Report
- ITEM 7** Extracts from Scottish Executive PAN 1/2011
- ITEM 8** Letters of Representation
- ITEM 9** Application for Planning Permission Form
- ITEM 10** Location Plan x 2
- ITEM 11** Drawing No 391115Rev
- ITEM 12** Front Elevation Plan

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 of Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

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://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	I.	Forename	A.D.
Surname	Smith	Surname	Craig
Company Name		Company Name	
Building No./Name	Millfield House	Building No./Name	6
Address Line 1		Address Line 1	Clerk Street
Address Line 2		Address Line 2	
Town/City	Arbroath	Town/City	Brechin
Postcode	DD11 3RA	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	16/00210/FULL		
Site address	<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> Millfield House Arbroath Angus DD11 3RA </div>		
Description of proposed development	<div style="border: 1px solid black; padding: 5px; min-height: 50px;"> Erection of Wind Turbine 12 metres to Hub Height and 14.8 metres to Blade Tip and Ancillary Development. </div>		

Date of application

21/3/16

Date of decision (if any)

21st July 2016

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?

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.

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

Planning Permission Refusal Ref:16/00210/FULL.
Planning Application Form.
Location Plan 1 & 2.
Drawing No.391115Rev.
Front Elevation Plan.
Planning Application Supporting Information.
KW6 Wind Turbine Support Document.
Mappagnosis Stand Off Report.
Reasons for requesting a Review.
Letters of Representation from Neill Dall & Jamie Lundie.
Extracts from Scottish Executive PAN 1/2011.

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

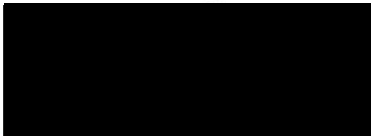
All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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.



**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)
REGULATIONS 2013**

**PLANNING PERMISSION REFUSAL
REFERENCE : 16/00210/FULL**

To **Mr I Smith
c/o A D Craig
6 Clerk Street
Brechin
DD9 6AE**

With reference to your application dated 21 March 2016 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

Erection of a Wind Turbine 12 Metres to Hub Height and 14.8 Metres to Blade Tip and Ancillary Development Re-Application at Millfield House Arbroath DD11 3RA for Mr I Smith

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

- 1 That the proposed turbine by virtue of its height and revised location in relation to the immediate south-west neighbour, Millfield Cottage would have a detrimental noise, visual amenity and residential amenity impact and as such the proposal would be contrary to Policy S6- criterion (b), ER11, ER34- criterion (a) and Policy ER35 criterion (c) of the Angus Local Plan Review (2009)

Amendments:

The application has not been subject of variation.

Dated this **21 July 2016**

Kate Cowey - Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

MILLFIELD HOUSE

ARBROATH

DD11 3RA

REF: 16/00210/FULL

ERECTION OF WIND TURBINE AND ANCILLARY DEVELOPMENT

REASONS FOR NOTICE OF REVIEW

The proposed development is for the erection of a small turbine to be used to supplement electricity for personal use by the applicant and to help supplement the electricity currently supplied by Solar Panels.

The proposed development has been refused on the grounds that 'its height and operational movement within the proposed proximity to Millfield Cottage would have a detrimental and unacceptable impact on residential amenity by virtue of the visual amenity created and noise generated'.

This review has been requested to respectfully ask for consideration of what is detrimental and unacceptable to a residential amenity.

The proposal has been refused as the Planning Officer has deemed it to be contrary to Policy 6 of the TAYplan and policies S6 Amenity Criterion (a) and (b), ER11, ER34 criterion (a) and ER35 criterion (c) of the Angus Local Plan Review (2009).

Whilst the above policies have been consulted by the Planning Officer, it is relevant to mention that no consultation or reference has been made to The Scottish Executive PAN 1/2011 regarding Planning and Noise.

It is relevant to understand the levels of noise in question:

- The proposed development has the potential to emit a level of 40dba at full wind speed.
- The Report of Handling states that the recommended day time level from Environmental Health 'would normally be' 35dba.

- In accordance with the Scottish Executive Guidelines on noise levels, 40dba is the noise level of a 'quiet library or room', or a refrigerator humming at 2 metres. 60 dba is accepted as the level of normal conversation.
- The Scottish Government, Scottish Noise Mapping identifies the section of road A993 which lies East of Millfield Cottage, (the only dwelling deemed to be affected by the proposed development) to show average levels between 70 and 75dba.

The Planning Officer has refused the application in accordance with:

- Policy ER11: Noise Pollution –' Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels..'
- Policy ER35: 'no unacceptable detrimental effect on residential amenity...'

And has stated that 'the environmental or economic benefit of the production of renewable energy outweighs the *very direct harm* that this proposal would cause to the amenity of neighbouring properties.

In accordance with Guidance taken from The Scottish Executive PAN 1/2011: Planning and Noise, I refer to enclosed table 2.5 and would suggest that the decibel levels of 40dba produced by the proposed development would fall into the 'Just Noticeable' category and would therefore have a negligible impact. Also worthy of notice are the enclosed guidance notes from PAN 1/2011, paragraph 2.37 and 2.52.

Furthermore, whilst the proposed development has been refused in accordance with Policy ER34 criterion (a) – It should be noted that this is a re-application which has very much taken into consideration the siting and appearance to minimise the impact on amenity by re-positioning as far away from residential dwellings and behind trees. Also, as this development is to support an already existing renewable energy source, no consideration was given by the Planning Officer to the possibility of suggested mitigating procedures to further minimise any impact such as restricting the operational times etc.

Letters of representation were received from the residents at the two closest dwelling houses to the proposed development supporting the development. Whilst they have not been made available for Public Access by Angus Council, copies have been enclosed with this review.

CONCLUSION

The Applicant respectfully requests that the above points are considered and a conclusion can be reached that the proposed development will not cause harm or detrimental impact to residential amenity from noise.

MILLFIELD HOUSE

FORFAR ROAD

ARBROATH

DD11 3RA

PLANNING APPLICATION SUPPORTING INFORMATION

RE-APPLICATION

MARCH 2016

ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE

SUPPORTING INFORMATION

A pre-application letter was sent to Angus Council Planning Department on 28th September 2015.

In the absence of a written response to the pre-application letter an application for Planning Permission was submitted for the erection of a 6kW Kingspan Wind Turbine set on a 10m column Ref: 15/01067/FULL, registered on 26th November 2015 and validated on 8 December 2015.

A pre-application e-mail response was received on 30 November 2015 Ref: 15/00772/PREAPP

RESPONSE TO PRE-APP 15/00772

Further information relating to noise, shadow flicker and visuals were provided.

RESULT OF RESPONSE

The visuals and shadow flicker were found to be acceptable but the noise level too high. Additional noise level assessments were prepared which were not acceptable to Angus Council Environmental Services.

OUTCOME

The application was withdrawn and a further application prepared with the turbine located in a revised location further from the neighbouring land.

ADDITIONAL INFORMATION

A similar sized wind turbine can be found at the edge of the Montrose /Arbroath road adjacent to the Montrose Basin. Noise levels were barely audible standing approximately 10 m from the base of the column. No noise was heard from the turbine when road traffic passed.

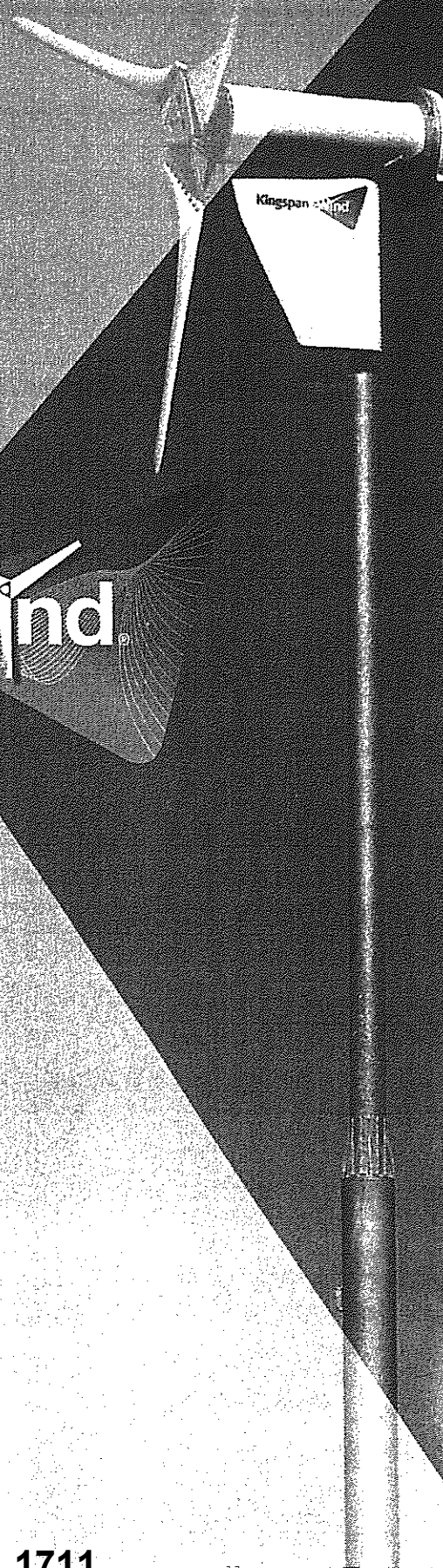
The proposed wind turbine at Millfield House is to be used in addition to and supplement the electricity produced by the existing solar panel. Therefore it is mostly to be in operation in conditions not conducive to solar panel. This would also be at times when the neighbouring road traffic and wind noise are likely to be greater than the noise level produced by the wind turbine.

CONCLUSION

Based on previous discussions, the re-siting of the turbine provides an acceptable distance from the neighbours dwelling for sufficient noise reduction

KW6 WIND TURBINE

PLANNING SUPPORT DOCUMENT



Kingspan  **Wind**

ISSUE 01 JULY 2013
Certification Number TUV 0008



CONTENTS

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ACOUSTIC DATA	1
SITING	2
TECHNICAL DRAWINGS	3/5

IMPORTANT

This document is intended as an aid to complete planning applications. It includes product information normally required for UK planning applications. For additional information please contact wind.support@kingspan.com

PRODUCT SPECIFICATION

ARCHITECTURE AND ROTOR

Type: Downwind, 360 degrees free yawing
 Speed control: Self-regulating
 Blades: 3 blades, passive coning and pitch control
 Rotor diameter: 5.6m
 Rated speed: 11m/s
 Rotor thrust: 10kN

GENERATOR

Type: Brushless permanent magnet, direct drive
 Output: Grid connect (300v), battery charging (48V)

TOWER

Type: Self-supporting monopole
 Hub height: 9m, 11m and 15m (hinged or hydraulic tower)
 3.5m x 3.5m x 0.9m (max) Pad Foundation
 Root Foundations are also available

WEIGHTS

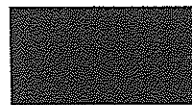
Wind turbine: 600kg

PERFORMANCE

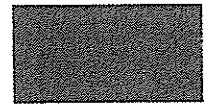
Cut-in wind speed: 3.5m/s
 Max wind speed (survival): Designed to Class 1 (70m/s), Tested to Class 2 (59.5m/s)
 Rated Power: 5.2kW (at 11m/s measured at hub height)
 Peak Power: 6.1kW
 RAE: 8,949kWh as certified by TUV NEL (at 5m/s measured at hub height)

BUILD MATERIALS AND COLOURS

Frame: Galvanised steel, grey (not visible)
 Towers: Galvanised steel, grey
 Blades: Glass thermoplastic composite, black, white or grey
 Covers: Plastic.



Black (RAL 9005)

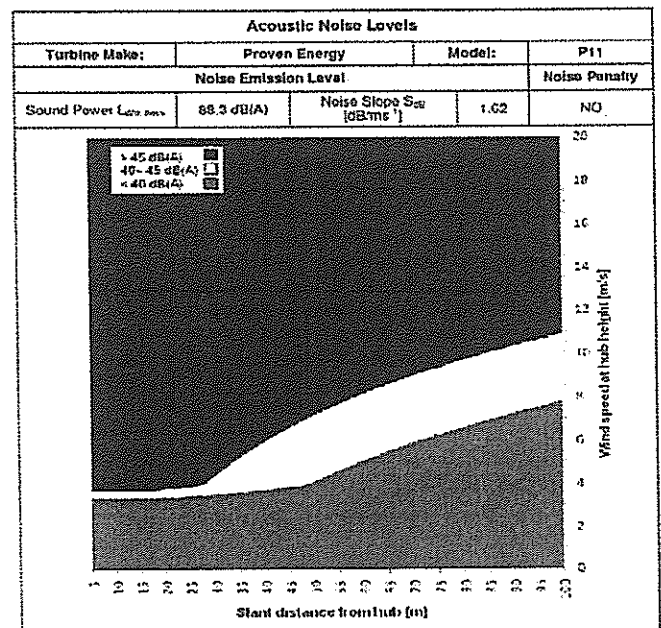


White (RAL 9003)

Grey (RAL7000)

ACOUSTIC DATA

The following noise map is a declaration of the sound power level, including noise slope tested according to BWEA standard (29th Feb 2008) which amends IEC 61400-11 for the purposes of acoustic testing of small wind turbines.



A full report is available upon request from
wind.support@kingspan.com



SITTING

Siting and installation of your wind turbine should comply with "Installing small wind-powered electricity generating systems" (CE72) and "Micro-generation Installation Standard" (MIS 3003) which reflect the industry's best practice.

Energy Saving Trust publication "Installing small wind-powered electricity generating systems" (CE72) can be downloaded from:

<http://www.energysavingtrust.org.uk/Global-Data/Publications/Installing-smallwind-powered-electricity-generating-systems-CE72>

The Micro-generation Certification Scheme publication "Micro-generation Installation Standard" (MIS3003) can be downloaded from:

<http://www.microgenerationcertification.org>

Kingspan Wind recommends that an Accredited Installer should be consulted on site location prior to a planning application being submitted.

It is also recommended that potential wind turbine owners consult with their neighbours prior to applying for the necessary planning approvals.

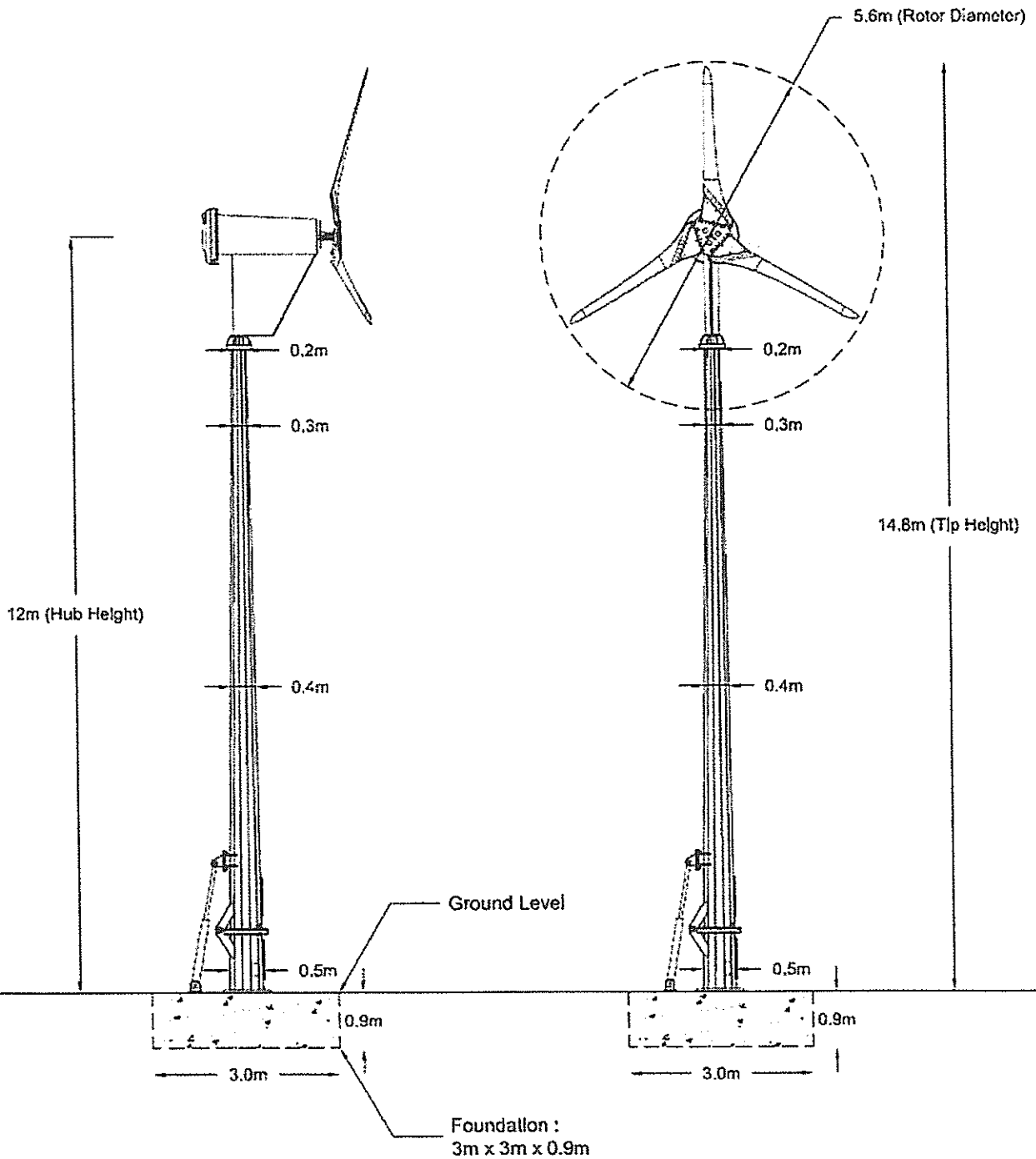
TECHNICAL DRAWINGS

The following technical drawings are scaled elevations for the wind turbines listed below:

KW6 on 11M Hydraulic Tower
KW6 on 12M Hydraulic Tower
KW6 on 15M Hydraulic Tower

NB - Please ensure when printing that Page Scaling is set to "None"

NOTE: Document for reference only. Check sheet size and drawing scale before printing. When printing PDF ensure print scale in printer properties is set to off or to none.



TITLE: KW6 12m ARE Tower System	
DWG No: KW1-06-TW-12-220	
SCALE: 1:100	SHEET SIZE: A4
DRAWN BY: CF 26-04-2013	CHECKED BY: BA 26-04-2013
	REV: A



COLOUR: See Build Materials & Colours section of Production Specification section of Planning Support Document Page 3.



Contact us now for further
information
Tel: +44 (0)1560 486 570
Email: wind.support@kingspan.com

Wardhead Park, Stewarton
Ayrshire, KA3 5LH
Tel: +44 (0)1560 486 570

UK Planning Specialists -
NEO Environmental
Tel: 0141 773 6262
info@neo-environmental.co.uk

www.kingspanwind.com



Single Phase TUV008
Dual Phase TUV0012
Three Phase TUV 0013

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REPORT

MILLFIELD HOUSE WIND TURBINE: STAND-OFF FOR MILLFIELD COTTAGE

Dr. Jonathan Ball Bsc.(Hons), PgDip., MSc., PhD.

TO:

Alex Craig

**A Craig Architectural Consultants ,
6 Clerk St, Brechin, Angus, DD9 6AE**

(17. Feb. 2016)

MappaGnosis Ltd. (Company N°: SC384524) is an independent consultancy providing services relating to all aspects of **Geographical Information Systems (GIS)** with particular experience in bespoke spatial analysis, site identification, 3D landscape modelling, wind farm environmental impact analysis and associated cartography.

MappaGnosis Ltd. • 4 Riverside Drive • Stonehaven • AB39 2GP • Scotland
Phone: 01569 767390 • E-mail: jonathan.ball@mappagnosis.com

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1 Introduction

MappaGnosis Ltd. Was commissioned by A Craig Architectural Consultants to undertake a desk-based theoretical noise study on the Millfield House wind turbine proposal, near Arbroath. This study is a follow-up to the initial report on theoretical noise propagation, which identified Millfield Cottage as likely to experience noise impacts in excess of the recommended limits prescribed by best practice guidance. This report concentrates on the stand-off that would be required from Millfield Cottage to comply with the guidance.

2 Background

2.1 Background to the calculations.

The calculations in this report are based on the previous report ("Millfield House Wind Turbine: Theoretical Noise Study", 6th January 2016).

2.2 General UK planning regulations on wind turbine noise

The standard for assessing the effects of noise from wind turbines in the UK is ETSU-R-974, as recommended by PPS22 in England and Wales, PAN 45¹ in Scotland and PPS18 in Northern Ireland. ETSU-R-97 recommends a noise limit at the nearest noise-sensitive properties of:

$$X \text{ dB } L_{A90}$$

or 5dB above the prevailing background noise², whichever is greater where X varies with the time of day or circumstances as follows:

- Day-time (0700 to 2300): X = 35-40 dB(A)
- Night-time (2300 to 0700): X = 43 dB(A)
- Financially involved properties: X = 45 dB(A)

A simplified noise criterion is also defined, where, if turbine noise is limited to no more than 35 dB(A) at wind speeds of up to 10 ms⁻¹ (at 10m above ground level), consideration of background noise levels is unnecessary. This implies a simplified criterion of 45 dB(A) for properties where the occupier has a financial interest.

2.3 Millfield Cottage

The previous study identified Millfield Cottage as likely to experience noise impacts in excess of the recommended limits prescribed by best practice guidance (see Section 2.2. above). The purpose of this report is to calculate what stand-off is required from Millfield Cottage to avoid exceeding the recommended limits.

2.4 Limitations

No background noise study has been made at the site, so no account can be made of the nearby road or other potential sources of sound in the area.

1 The Scottish Government, 2013, *Planning Advice Note 45 – Onshore wind turbines* [Revised July 2013]

2 Measured during defined quiet daytime periods (Monday to Friday 1800 to 2300, Saturdays 1300 to 2300 and Sundays 0700 to 2300).

3 Mitigations

3.1 Attenuation

The calculations in this report already include a basic allowance for ground attenuation. There are also tall trees and hedges in the vicinity of both the proposed turbine location and Millfield Cottage. However, the Institute of Acoustics good practice guidance (2013³) states that barrier attenuation should be limited to no more than 2dB (Section 4.3.11) and only then where there is no direct line of sight.

In this instance there is deemed to be direct line of sight as Angus Council states that visual impact was a concern, albeit not grounds for rejection. Therefore no further attenuation seems appropriate in this case.

3.2 Background noise

Background noise from wind through the trees mentioned above or traffic noise, might provide some degree of mitigation, but without a baseline field study, it is impossible to comment as to whether it would be significant in this case.

4 Stand-off Distances

4.1 Night-time

The recommended night-time limit for a property that is not financially involved in the turbine is 43 dB at the building façade, which is exceeded in the current proposed location. To comply with this recommendation, an approximate stand-off of 65m will be required (see Figure 1). The exact distance may vary with the actual placement of the turbine and how the new site affects propagation.

4.2 Day-time

The recommended night-time limit for a property that is not financially involved in the turbine is 35-40 dB at the garden bounds, which is also exceeded in the current proposed location. To comply with this recommendation, an approximate stand-off of 75m will be required (see Figure 1). The exact distance may vary with the actual placement of the turbine and how the new site affects propagation.

4.3 Calculation of stand-off areas

Figure 2 shows the respective stand-offs for night and day time noise limits. The night-time stand-off was calculated by buffering the façade of the property by 65m (red hashed area). The day-time stand-off was calculated by buffering the garden bounds by 75m (orange hashed area).

Encroachment on the night-time stand-off is unlikely to be acceptable under any circumstances. Strict compliance with the ETSU guidelines will also disallow any encroachment on the day-time stand-off area (orange).

³ Institute of Acoustics, 2013, *A Good Practice Guide To The Application of ETSU-R-97 For The Assessment And Rating of Wind Turbine Noise*, available at the time of writing on-line at <http://www.ioa.org.uk/pdf/ioa-gpg-on-wtna-issue-01-05-2013.pdf>

5 Conclusions

The site in the vicinity of the currently proposed turbine location is very constrained. Adjusting the turbine location by a few meters will not be sufficient to satisfy the regulations and may result in impacts to Millfield House and Millfield Stable House that are considered unacceptable despite their financial involvement.

Investigating an alternative site to the north-west of Millfield Stable House is recommended, if client owns that ground. The ground of Millfield House to the east looks promising initially, but assuming that the bounds of the property labelled 'Cama ' are coincident with the drain, while it may be possible to comply with the night-time regulations, the day-time regulations of 25-40 dB at the garden bounds will most likely be exceeded.

Any alternative site would benefit from initial investigative noise and shadow-flicker studies to confirm that it is suitable before proceeding further.



MILLFIELD HOUSE

Estimation of minimum turbine distance from Millfield Cottage

Legend

- Proposed turbine location
- - - Noise isolines (1dB intervals)
- Millfield Cottage
- Millfield Cottage garden bounds

Turbine Details:

Make/Model: Kingspan KW6
 Easting: 362050
 Northing: 742190
 Hub height: 12m
 Declared sound power: 88.3 dB(A) @ 8m/s
 Apparent sound power: 90.4 dB(A) @ 10m/s

NOTES:

The recommended night time limit is 43dB at the facade of a non-involved property. The day-time limit is 35-40 dB in the property's garden grounds. The noise calculation is based on the turbine manufacturer's noise data for the appropriate turbine make and model in conjunction with measured data from an identical installed turbine. The calculation assumes a windspeed of 10m/s @ 10m AGL and was performed according to the ISO 9613 standard. The apparent sound power at 10m/s accounts for an uncertainty level of 1.87 dB.



Drawing Ref: millfieldhouse_noise_20160217

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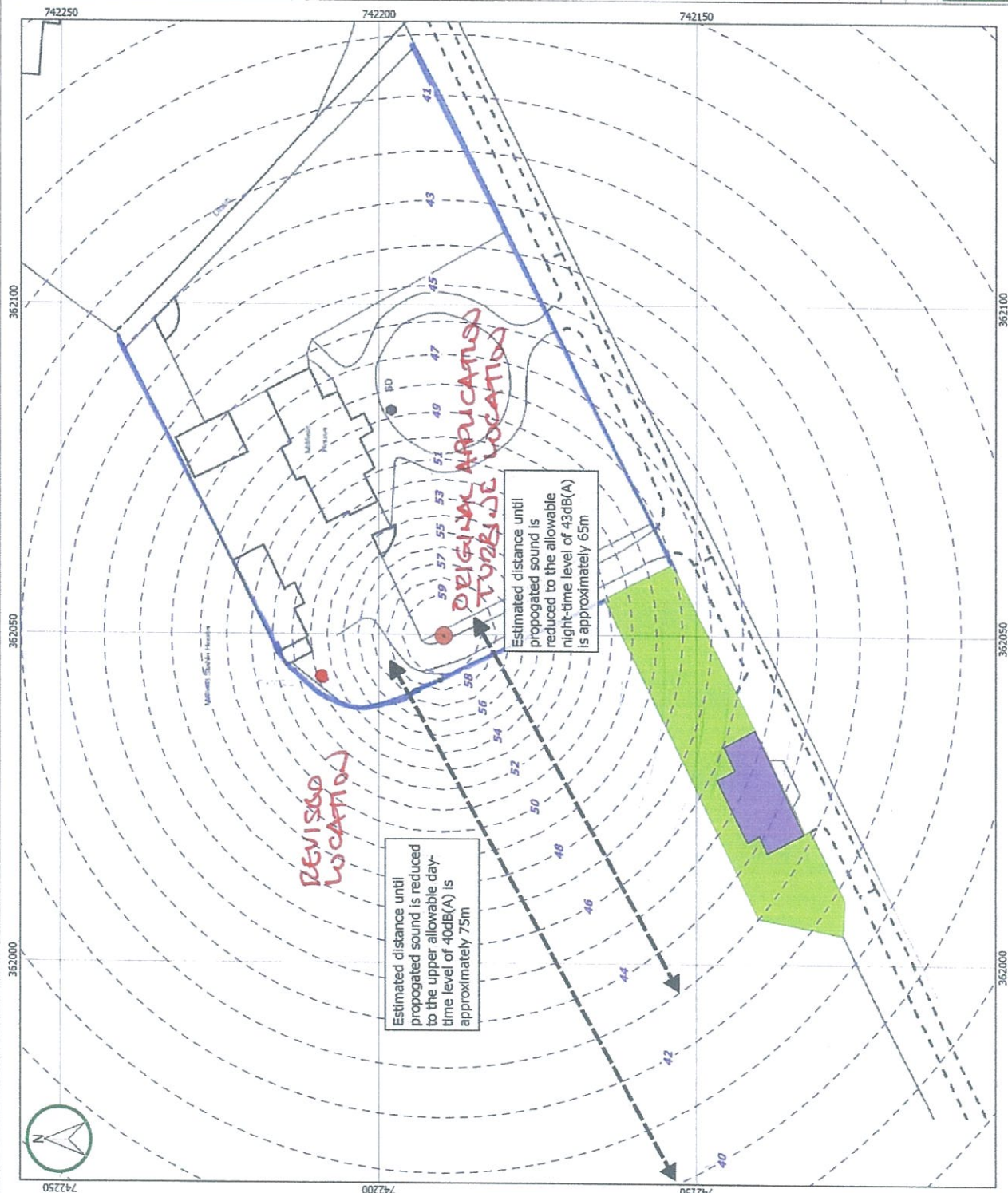


Figure 1: Noise contour plot



MILLFIELD HOUSE

Estimation of unsuitable areas for turbine location distance from Millfield Cottage

Legend

- Proposed turbine location
- Millfield Cottage
- Millfield Cottage garden bounds
- 75m stand-off from garden bounds
- millfieldCottage_gardenBuff_75

Turbine Details:

Make/Model: Kingspan KW6
 Easting: 362050
 Northing: 742190
 Hub height: 12m
 Declared sound power: 88.3 dB(A) @ 8m/s
 Apparent sound power: 90.4 dB(A) @ 10m/s

NOTES:

The recommended night time limit is 43dB at the facade of a non-involved property. The day-time limit is 35-40 dB in the property's garden grounds. The noise calculation is based on the turbine manufacturer's noise data for the appropriate turbine make and model in conjunction with measured data from an identical installed turbine. The calculation assumes a windspeed of 10m/s @ 10m AGL and was performed according to the ISO 9613 standard. The apparent sound power at 10m/s accounts for an uncertainty level of 1.87 dB.



Drawing Ref: millfieldHouse_noiseStandoffs_20160217

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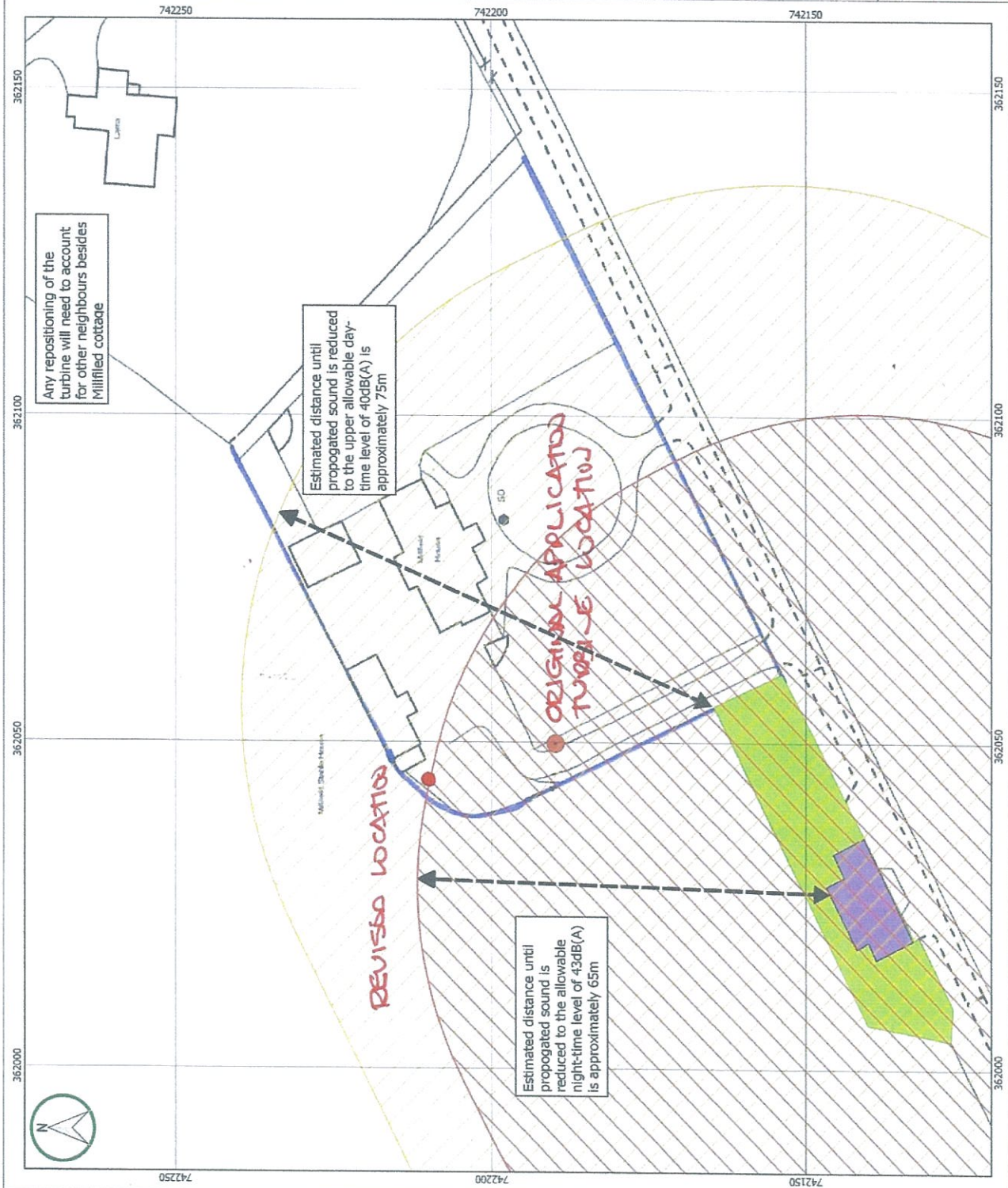


Figure 2: Stand-offs from Millfield Cottage and its garden bounds

Table 2.5: Example of Assigning Descriptors for Qualitative Impacts from Noise on Residential Properties.

Perception	Criteria of Descriptor for residential dwellings	Descriptor for qualitative impact
Noticeable (Very disruptive)	Significant changes in behaviour and/or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm.	Major
Noticeable (Disruptive)	Causes an important change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in character of the area.	Moderate
Noticeable (Mildly intrusive)	Noise can be heard and may cause small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; closing windows more often. Potential for non-awakening sleep disturbance. Can slightly affect the character of the area but not such that there is a perceived change in the quality of life.	Minor
Just Noticeable (Non intrusive)	Noise can be heard, but does not cause any change in behaviour or attitude, e.g. increasing volume of television; speaking more loudly; closing windows. Can slightly affect the character of the area but not such that there is a perceived change in the quality of life.	Negligible
Not noticeable	None	No Impact

2.37 To assist in this process it is important to understand the extent to which the noise impact affects the amenities associated with the noise sensitive receptor under consideration. For example, in the case of residential properties, the associated amenities would include qualities which are conducive to:

- undisturbed sleep;
- ability to relax;
- ability to concentrate i.e. reading-listening to radio/ TV;
- able to converse;
- use of outdoor facilities - garden etc

2.52 The level of significance and its relevance to the decision making process is explained as follows:

Very Large: These effects represent key factors in the decision-making process. They are generally, but not exclusively, associated with impacts where mitigation is not practical or would be ineffective.

Large: These effects are likely to be important considerations but where mitigation may be effectively employed such that resultant adverse effects are likely to have a Moderate or Slight significance.

Moderate: These effects, if adverse, while important, are not likely to be key decision making issues.

Slight: These effects may be raised but are unlikely to be of importance in the decision making process.

Neutral: No effect, not significant, noise need not be considered as a determining factor in the decision making process.

Neil Dall
Cama
Millfield
Forfar Road
Arbroath
DD11 3RA

Planning Department
Angus Council
County Buildings
Market Street
Forfar
DD8 3LG

30 March 2016

Dear Sir/madam,

Millfield House, Forfar Road, Arbroath – Ref: 16/00210/FULL

I refer to the above planning application and confirm I have no objections to the proposals.

My property lies to the east of the proposed turbine which will be screened from me by buildings and trees.

The noise omitted from the turbine is unlikely to affect me and is unlikely to exceed the traffic noise from the A933 Forfar Road.

Yours faithfully,

Neil Dall

MILLFIELD COTTAGE
FORFAR ROAD
ARBROATH
DD11 3RA

Miss P. Chalmers
Development Standards Technician
Angus Council
Communities & Place
County Buildings
Market Street
Forfar
DD8 3LG

29-03-16

Dear Miss Chalmers,

APPLICATION 16/00210/FULL

I noticed in the planning weekly applications that the above application was validated on 21-03-16.

This appears to be a re-application at Millfield House using an identical turbine in a new location.

I understand from speaking to the applicant that the original application was withdrawn due mainly to noise and visual problems.

Being the nearest neighbour, I confirm having no objections to the noise or the visual aspect of the turbine. I also notice that in the re-located position the turbine is behind trees making it quieter and less visual from my property.

The applicant previously installed solar panels and is clearly supportive of Scottish Governments Renewable Energy Policies.

I recommend this application be approved.

Yours sincerely,

Jamie Lundie

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

RECEIVED

17 MAR 2016
PLANNING & PLACE
COUNTY BUILDINGS
No fee

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	I	Forename	Alex.
Surname	Smith	Surname	Craig
Company Name		Company Name	A. Craig Arch. Consultant
Building No./Name	Millfield House	Building No./Name	
Address Line 1	Forfar Road	Address Line 1	6 Clerk Street
Address Line 2		Address Line 2	
Town/City	Arbroath	Town/City	Brechin
Postcode	DD11 3RA	Postcode	DD9 6AE
Telephone		Telephone	01356 625500
Mobile		Mobile	
Fax		Fax	01356 625572
Email		Email	adc@adcraig.co.uk

3. Address or Location of Proposed Development (please include postcode)

Millfield House
Forfar Road
Arbroath
DD11 3RA

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

4. Describe the Proposed Works

Please describe accurately the work proposed:

Erection of 6kW wind turbine

Have the works already been started or completed Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started: Date completed:

If yes, please explain why work has already taken place in advance of making this application.

N/A

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

N/A

6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

N/A

DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature: Name: Alex. D. Craig Date: 11 March 2016

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.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than the applicant was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

[Redacted Signature]

On behalf of:

Mr I. Smith

Date:

11 March 2016

CERTIFICATE B

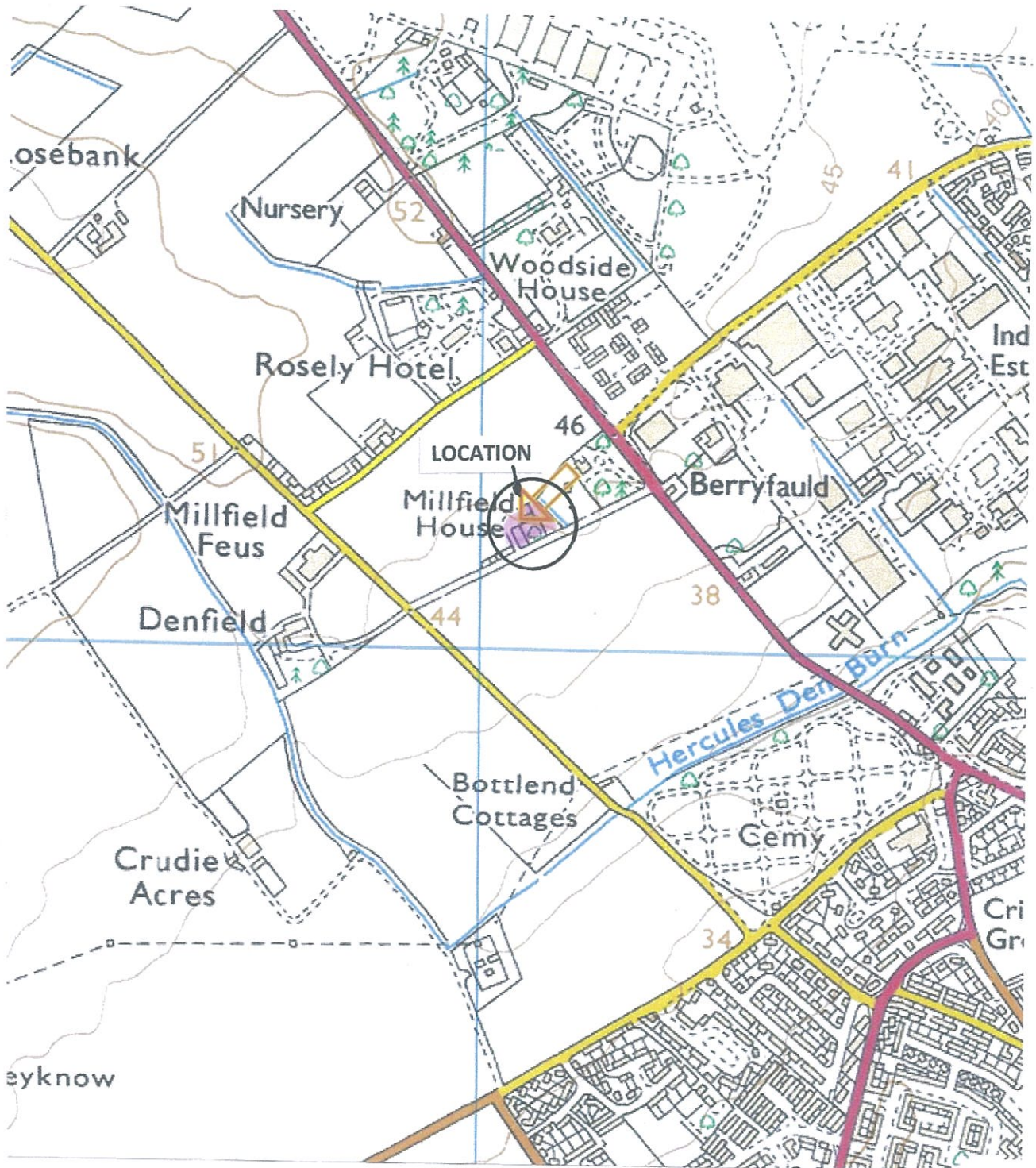
Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

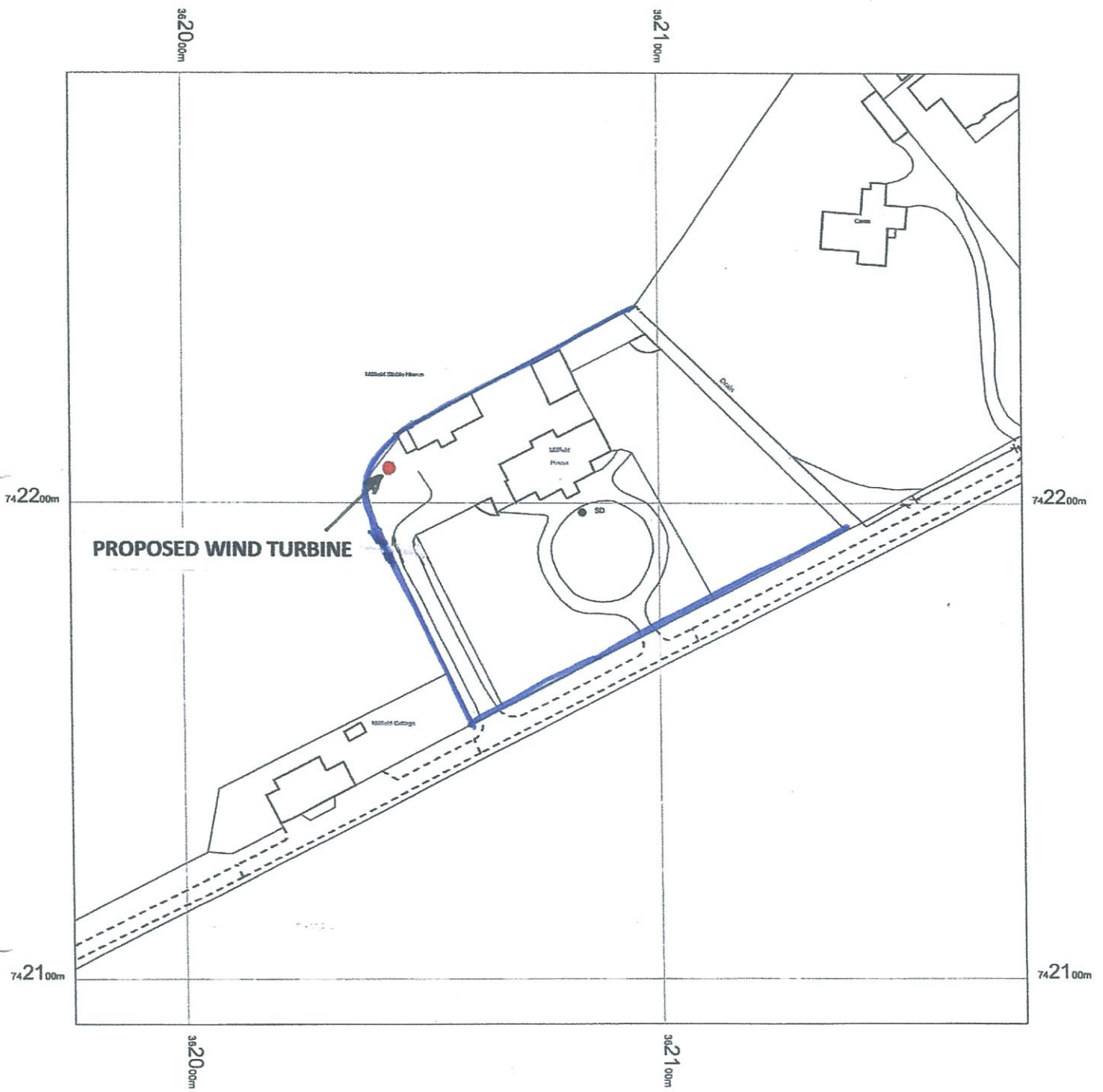
- (2) None of the land to which the application relates constitutes or forms part of agricultural land
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:



LOCATION PLAN

Not to Scale

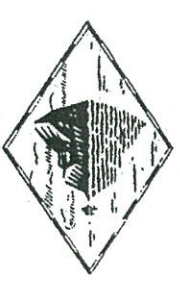
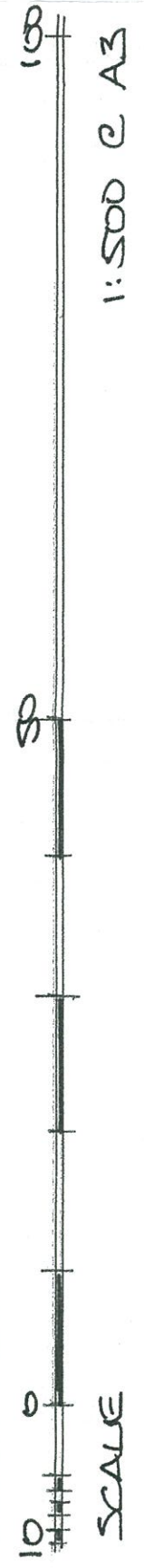
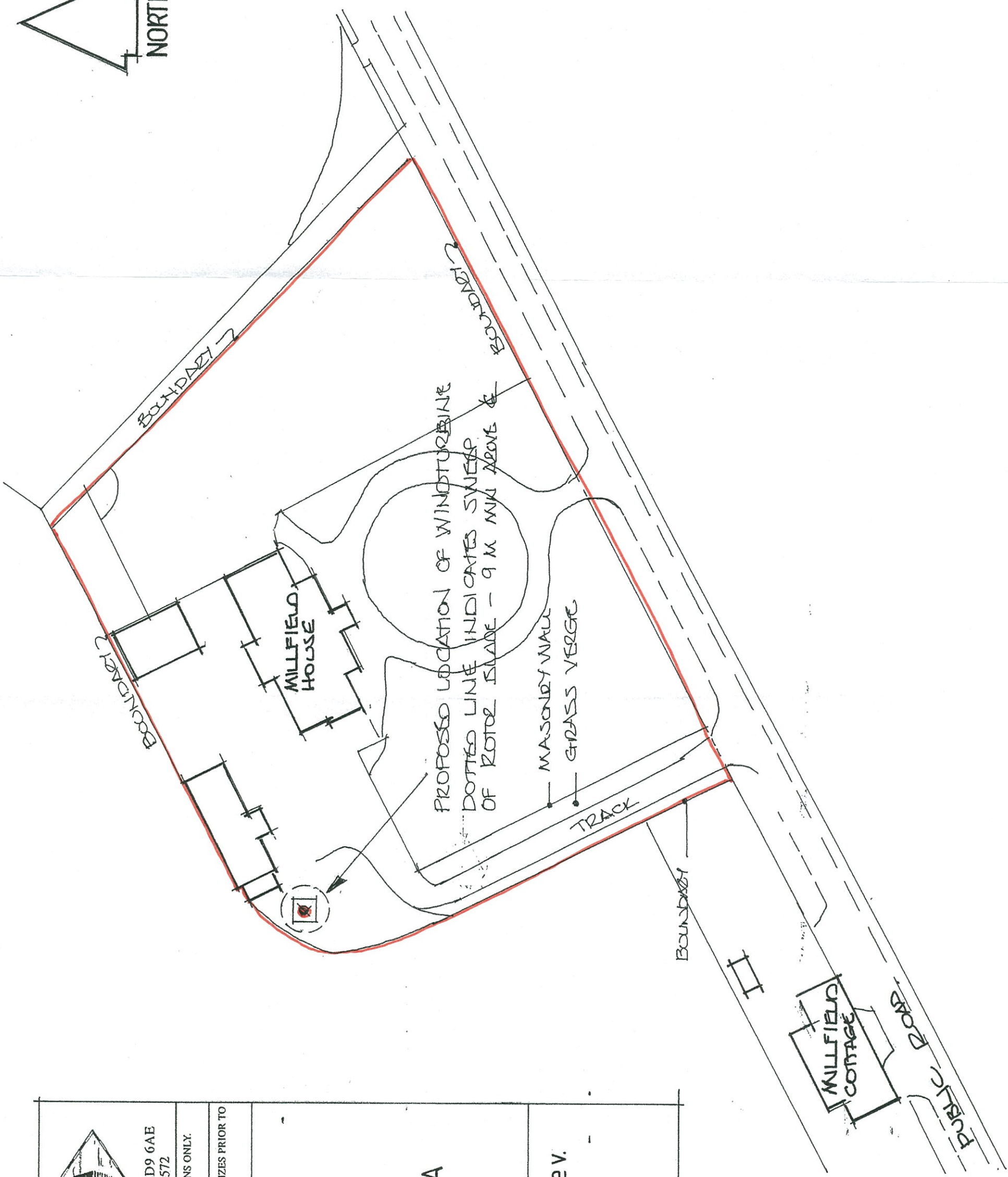
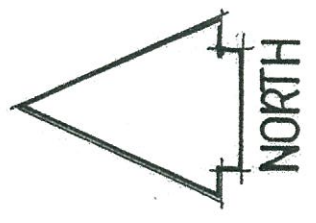
ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE



LOCATION PLAN

Scale 1-1250

ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE



A CRAIG
ARCHITECTURAL
CONSULTANT

6 CLERK STREET, BRECHIN, ANGUS DD9 6AE
Tele: (01356) 625500 Fax: (01356) 625572

DO NOT SCALE DRAWINGS. USE WRITTEN DIMENSIONS ONLY.
IF IN DOUBT REFER TO A CRAIG

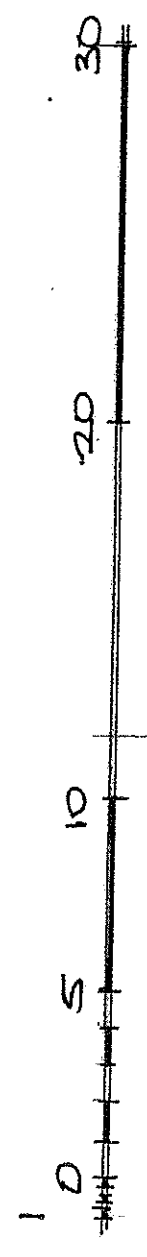
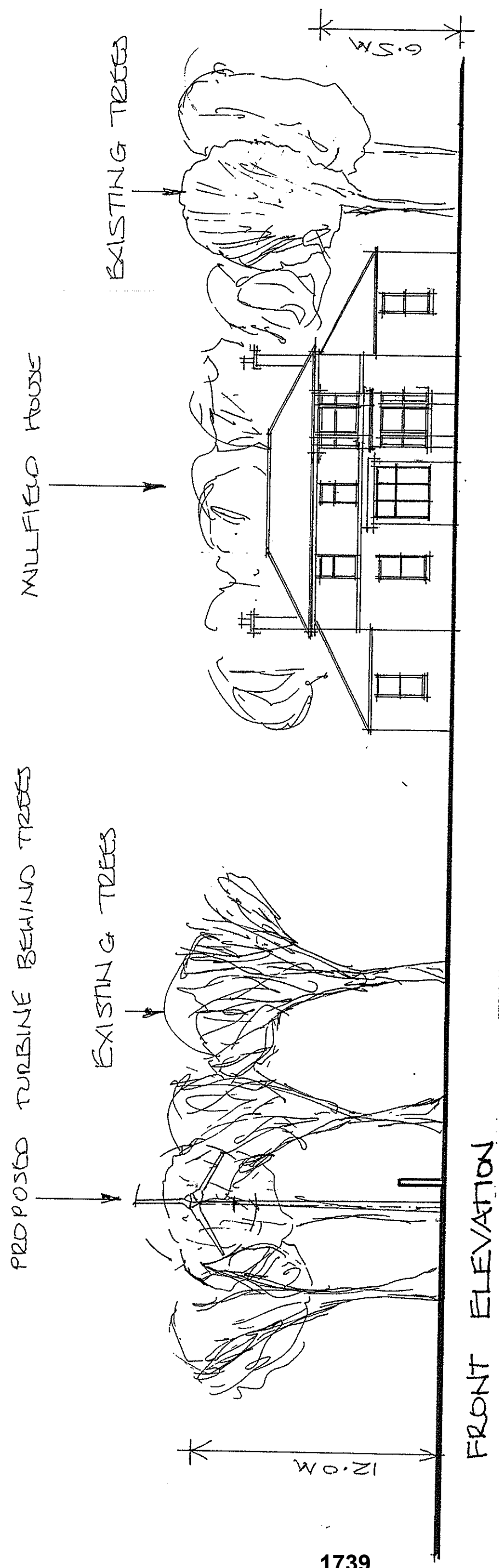
THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SIZES PRIOR TO
STARTING ANY WORKS

**PROPOSED 6kW
WIND TURBINE**
at
**MILLFIELD HOUSE
FORFAR ROAD
ARBROATH DD11 3RA**
for
MR I. SMITH

DRAWING N° 391115 Rev.
SD NA
SCALE 1:500
DATE MARCH 2016

MILLFIELD HOUSE FORFAR ROAD ARBROATH - WIND TURBINE.

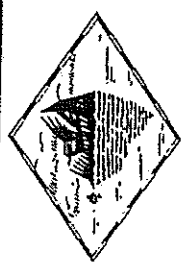
REVISED MARCH 2016



SCALE OF METRES 1:200 @ A3

SKETCH SHOWING PROPOSED TURBINE IN RELATION TO MILLFIELD HOUSE.

ITEM 12



A CRAIG
ARCHITECTURAL
CONSULTANT

6 CLERK STREET, BRECHIN, ANGUS DD9 6AE
 Tele: (01356) 625500 Fax: (01356) 625572

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THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SIZES PRIOR TO STARTING ANY WORKS

