

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 13 FEBRUARY 2024

PLANNING APPLICATION – FIELD 196M NORTHWEST OF WELLBANK FARM,  
WELLBANK  
GRID REF: 346511 : 737852

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

**1. ABSTRACT**

- 1.1 This report deals with planning application no. [23/00424/FULM](#) submitted on behalf of Greentech for the installation of a 25MW solar array and associated infrastructure at field 196m northwest of Wellbank Farm, Wellbank. This application is recommended for conditional approval.

**2. RECOMMENDATION**

- 2.1 It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

**3. INTRODUCTION**

- 3.1 The applicant seeks full planning permission for the installation of a solar farm with an export capacity of up to 25MW and ancillary infrastructure on land northwest of Wellbank Farm, Wellbank. A plan showing the location of the site is provided at Appendix 1.
- 3.2 The application site measures around 34 hectares. The site consists of agricultural land and includes areas of commercial Christmas tree planting. The site is surrounded by farmland with parcels of woodland and small groupings of residential and agricultural buildings. The eastern boundary of the site is defined by a former railway embankment. Wooded areas exist along the north, northwest and western boundaries of the site. Access to the development would be via an existing field access to the southwest corner of the site, taken from an unclassified road extending between Wellbank and Inverarity, referred to as both Chapel Road and Carrot Road in this report.
- 3.3 The proposal involves the installation of solar panels and associated infrastructure for a period of up to 40 years. The proposed solar panels have a maximum height of approximately 3m and minimum ground clearance of around 0.8m. The panels would be fixed and would not be on a tracking system. The panels would be enclosed by 2m high security fencing. CCTV would be installed on 3m high posts positioned at roughly 50m intervals inside and adjacent to the security fencing surrounding the panels. A compound would be located in the southwest of the development close to the site access. The compound would include an inverter/transformer station, 2 storage containers, a customer substation, a Distribution Network Operator (DNO) substation and a monitoring and communications cabin. The tallest of the buildings/structures would be the DNO substation measuring 3.5m in height, however the 3.3m high communications cabin would include a weather station and aerial post measuring around 5m in height. The customer substation would have the largest footprint measuring around 42sqm. An existing field gate onto Chapel Road would be utilised for access. A track is proposed throughout the site from the access in southwest of the site and would generally follow existing field boundaries. Ten inverters and transformer substations are proposed sporadically along the access

track and would be located on concrete plinths.

- 3.4 Existing stone dykes would be retained within the site, as would a small grouping of mature trees located centrally. Hedge planting is proposed in belts around the perimeter of the site as are areas of tree planting. No panels are proposed in the eastern extent of the site where the land in that area rises.
- 3.5 The proposed landscaping plan has been revised as part of the application process to increase the amount of planting proposed in the raised area in the east of the site to further improve screening.
- 3.6 The application has been subject of statutory neighbour notification and was advertised in the press as required by legislation.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 A Proposal of Application Notice (Application Ref: [22/00508/PAN](#)) in respect of a solar farm (export capacity up to 35MW) at the site was considered by committee at its meeting on 13 September 2022 ([Report No. 318/22](#) refers). Committee noted the key issues identified in Report 318/22 and also identified that they would wish to see safety and fire risk information addressed in any subsequent planning application, particularly related to any associated battery storage components.
- 4.2 A screening opinion (ref: [22/00364/EIASC](#)) under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 was provided in June 2022 for a solar array at the site. The screening opinion confirmed that the proposal is not an EIA development.

#### **5. APPLICANT'S CASE**

- 5.1 The following documents have been submitted in support of the application:
  - Pre-application Consultation Report
  - Planning Statement
  - Design and Access Statement
  - Landscape and Visual Impact Assessment (including Figures 1-4)
  - Supporting Environmental Information Report (including Appendix A-I)
  - Fire Risk Note
  - Lighting Plan
- 5.2 The information submitted in support of the application is available to view on the [Public Access](#) system and is summarised at Appendix 2.

#### **6. CONSULTATIONS**

- 6.1 **Angus Council – Roads** – no objection in relation to impacts on the road network subject to a condition requiring a Construction Traffic Management Plan and a scheme of road improvements to Carrot Road. Offers no objection in relation to drainage or flood risk.
- 6.2 **Angus Council – Environmental Health** – no objection in terms of potential land contamination or amenity subject to planning conditions which regulate noise during the operation and construction of the development and limit the levels of any vibration emanating from the site.
- 6.3 **SEPA** – no objection but refers to standing advice in relation to flood risk.
- 6.4 **Aberdeenshire Archaeological Service** – no objection and welcomes the clear buffers around the circular plantations and in areas where stone boundary walls are surviving.

- 6.5 **NATS Safeguarding** – no objection.
- 6.6 **Dundee Airport Ltd** – no objection.
- 6.7 **Ministry of Defence** – no comment.
- 6.8 **Civil Aviation Authority** – no comment.
- 6.9 **Community Council** – no comment.
- 6.10 **Scottish Water** – no objection.
- 6.11 **Transport Scotland** – no objection.
- 6.12 **Historic Environment Scotland** – no objection.
- 6.13 **NatureScot** – no comment.

## 7. REPRESENTATIONS

- 7.1 1 representation has been received in objection to the proposal. The letter is provided at Appendix 3 and is available to view on the council's [Public Access](#) website.
- 7.2 In summary terms, the following issues are raised as objection:
- Adverse amenity impacts, including visual, noise and privacy impacts;
  - Adverse impact of dust arising from construction traffic;
  - Adverse impacts upon wildlife;
  - Adverse impact on vehicle and pedestrian safety.
- 7.3 Material planning issues are addressed below but the following matters are addressed at this stage: -
- **Impacts upon views and property value** - these matters are not material planning considerations and cannot be considered in the determination of this application. However, the issues that lie behind these concerns, such as impact on amenity, are relevant matters and are discussed below.

## 8. PLANNING CONSIDERATIONS

- 8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 In this case the development plan comprises: -
- [National Planning Framework 4](#) (NPF4) (2023)
  - [Angus Local Development Plan](#) (ALDP) (2016)
- 8.3 The development plan policies relevant to the determination of the application are reproduced at Appendix 4 and have been taken into account in preparing this report.
- 8.4 The ALDP was adopted in September 2016 while NPF4 was adopted on 13 February 2023. Planning legislation indicates that where there is any incompatibility between the provisions of the national planning framework and a provision of a local development plan, whichever of them is the later in date is to prevail.
- 8.5 The site is located outwith a development boundary and is not allocated or otherwise identified for development in the ALDP. Policy DS1 in the ALDP states that outwith

development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP. Policy 9 in NPF4 states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the Local Development Plan. NPF4 Policy 5 seeks to minimise the disturbance of soils from development and (amongst other things) only allows the development of prime quality land in limited circumstances including where the development relates to the generation of energy from renewable sources. Similarly, ALDP Policy PV20 indicates that development proposals on prime quality agricultural land will only be supported in limited circumstances, including where they constitute renewable energy development but where the development is supported by a bond to secure site restoration.

- 8.6 NPF4 Policy 1 indicates that when considering all development proposals significant weight will be given to the global climate and nature crises. NPF4 Policy 11 seeks to encourage, promote and facilitate all forms of renewable energy development including solar arrays. It identifies a number of impacts and suggests that project design and mitigation should demonstrate how they are addressed. It states '*In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.*' ALDP Policy PV9 states that proposals for renewable and low carbon energy development will be supported in principle where they meet a number of identified criteria relating to (amongst other things) amenity, landscape and visual impact (including cumulative impacts with other development), impact on the natural and built environment, access, grid connection, aviation and telecommunications, the water environment decommissioning and site restoration. Scottish Government has published planning advice on large photovoltaic arrays and the council has published supplementary guidance that deals with renewable and low carbon energy developments. These documents identify relevant planning considerations which are similar to those listed in policy as summarised above.
- 8.7 Development plan policy requires consideration of landscape and visual impact. Policy indicates that the capacity to accept new development in the landscape will be considered in the context of the Tayside Landscape Character Assessment (TLCA) and relevant landscape capacity studies, formal designations, and special landscape areas. 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, and public access routes. Additionally, the council has produced and adopted supplementary guidance that deals with renewable energy and low carbon energy development, and it has undertaken a strategic landscape capacity assessment for solar energy development in Angus.
- 8.8 The application site lies within the Dundee/ Tealing sub-category of the Dipslope Farmland landscape character type (LCT). The published guidance indicates there is a medium capacity for solar farm development within this area. The guidance describes the landscape subcategory as a settled area of elevated lowland arable farmland set between the Sidlaw Hills and Dundee where the landform is gently rolling or undulating, falling south and east from the Sidlaw Hills towards Dundee and the Firth of Tay. The escarpment of the southern edge of the Sidlaws rises abruptly along the northern edge of this sub-area and land use consists of large or medium rectilinear arable fields and woodland blocks broken by occasional watercourses on lower ground. The guidance states that whilst rectilinear arable fields increase capacity for this type of development, overlooking from the Sidlaws and limited woodland cover could reduce capacity. It suggests that solar development should avoid areas within 2km of and over-looked by the Sidlaws. However, it also acknowledges that although the wider area is overlooked by the Sidlaw Hills the hills screen views from further north and west of the LCT. It states, whilst close to Dundee views from the city are limited by containing landform. The guidance recommends that development should seek to reinforce established field patterns and use existing

woodland as a landscape structure within which to locate development. The assessment suggests this is an area with capacity to be a landscape with solar development.

- 8.9 The applicant has submitted a landscape and visual appraisal in support of the proposal. It indicates landscape effects would occur over a very limited extent of the LCT subcategory and the proposal would have no notable influence on the landscape character to the west of the site given the containment provided by existing woodland around the western site boundary. It suggests medium scale effects would occur in the immediate vicinity of the site and these effects would reduce to negligible beyond 0.5 – 0.6km as visibility of the proposed development would be increasingly fragmented by landform, woodland and other vegetation across the landscape. It concludes that adverse landscape effects of minor/negligible significance would occur.
- 8.10 In relation to visual impacts, the applicant's landscape and visual appraisal indicates that a number of viewpoints were identified as being representative of potential effects at a range of receptors, not only those actually located at each viewpoint, but also those nearby, at a similar distance and/or direction. Each viewpoint was subsequently assessed, and the assessment suggests that the proposed solar farm would be most visible from the immediate vicinity extending around 1km north of the site and around 600m to the south and southwest, particularly from properties and locations along the minor road to the south of the site, residential properties at Wellbank Farm Steading and West Denside, and intermittent locations along Chapel Road. The assessment suggests adverse visual impacts would be major/moderate in significance before the proposed mitigation planting matures and would reduce to moderate/minor significance to the north and moderate to the south thereafter.
- 8.11 The applicant's assessment of landscape and visual impact is generally reasonable. The proposed solar farm would introduce a new element into the landscape and the landscape in the local area is of some value. Both landscape and visual impact would be greatest in the immediate proximity of the development where it would be an obvious new feature. In landscape terms, the development would result in change from arable land/commercial Christmas tree cultivation to land containing modern structures. However, the proposal's siting and design would be broadly consistent with the guidance provided in the council's landscape capacity assessment for solar development. It would be sited such that it would avoid steeply sloping land, and while it would be visible and noticeable from surrounding higher land such as Dodd and Carrot Hills to the north, it would utilise existing landscaping and field boundary features to screen and soften the development and would not be prominent or dominant from those areas. The layout has been designed to preserve existing tree planting and stone dykes in and around the site and to avoid the siting of panels on an isolated high point in the east of the site. The proposal has also been revised to include additional planting on this high point to further mitigate impacts. The nature of the development is such that the magnitude and significance of impact would reduce with distance and therefore the apparent extent of landscape impact would be reasonably localised. While the development would be in situ for a considerable period of time, it is temporary and reversible, and a condition is proposed that would secure its removal and site restoration.
- 8.12 Issues in relation to impact on core paths and on recreational access are discussed below. From the public roads in the proximity, the development would be visible intermittently, and where visible it would result in significant landscape change. At mid-distance, the change in field colour would be apparent but the layout would generally retain the existing field pattern at the site and the proposal would be absorbed within the mosaic or patchwork appearance of the fields. The panels are likely to give rise to similar visual impacts as those associated with agricultural poly-tunnels which are not uncommon within the wider area and are a generally accepted part of the rural landscape. While planting associated with the development would provide some mitigation in the medium term, the development would remain obvious

from areas close to the site.

- 8.13 There are residential properties close to the proposed development, including properties along the minor road to the south, properties to the southeast at Wellbank Steading, to the north at West Denside and East Denside, properties to the west at the site entrance and along Chapel Road, and to the east at Quarry Cottages and Wellbank Mains. Generally speaking, the view from an existing private house is not treated as a material consideration in planning. This is subject to two qualifications: first, an impact on the amenity of a community can be a material consideration; second, an impact on a house that is of a degree that would make it an undesirable or unsatisfactory place to live would also be an adverse consideration.
- 8.14 There are a few properties directly to the south located along the minor road running almost parallel with the southern site boundary. The eastern most properties along the minor road would have limited views of the development given intervening planting strips. The properties located on the same minor road but directly to the south of the development have varied orientations, but generally they do not have principal elevations facing towards the proposal. Out of these properties, Ashgrove, is roughly 180m directly south of the site boundary and has more open views towards the development than the other dwellings which benefit from a mixture of intervening structures, landform, planting and increased separation distance. Ashgrove would have direct views of the development from its rear elevation and side garden areas and the panels would be obvious from these locations. The development would occupy a significant extent of the arc of view to the north of this property and in general terms would detract from the visual amenity the occupants currently enjoy. However, the house would retain principal views to the south and is reasonably separated from the development. Additional planting is proposed along the southern perimeter of site and the development has been designed to avoid panels sited on a high point which is prominent from this property. The proposed planting would not fully obscure the solar development, but it would provide additional mitigation as it matures. The resultant visual impact of the development could not be said to be such that it would make the dwelling, or any other dwelling in this general location, an undesirable or unsatisfactory place to live.
- 8.15 There is a small grouping of properties located to the southeast of the site in the vicinity of Wellbank Farmhouse and its converted steading complex. The properties are around 40m from the application site boundary but a minimum of 100m from the proposed panels. These properties have varied orientations, but some have elevations and garden areas facing towards the development. The area in the immediate vicinity of these properties would not contain solar panels as the development has been designed to include a stand-off from these dwellings and to avoid a high point adjacent to the eastern boundary. A former railway embankment exists a short distance to the west and curves around to the northeast of these dwellings. The grouping is generally at a lower level than the eastern extent of development and the railway embankment and existing trees provide a level of screening. However, the panels would still be visible from upper floors and high areas of ground. The panels would occupy a significant element of the arc of view for a number of the properties and in general terms they would detract from the visual amenity the occupants currently enjoy. New woodland planting is proposed to the west of these properties and hedging further north to mitigate impacts on the dwellings, but this planting would take some time to become effective. Other views from these properties would largely be unaffected by the development and they would continue to enjoy a high standard of visual amenity. While occupants of the properties would experience views of the development, the visual impact would not be such that it would make this an undesirable or unsatisfactory place to live.
- 8.16 There are a small number of properties to the north of the site including Dodd Cottage and properties at West Denside and East Denside. Most of these properties face south with views towards the development. The views from Dodd Cottage and the dwellings at East Denside towards the development would be oblique and it

would be reasonably well screened from those properties by virtue of existing intervening planting, landform and built structures. The properties at West Denside would be directly north of the development and have principal elevations and/or their garden grounds south facing. They would have direct views towards the development; however, these views would be from a slightly elevated location and over 500m from the closest part of the development. Although there is generally a level of existing planting located between these properties and the development there is little doubt that the panels would be obvious from the environs of and along the access track serving these properties in the short term. The development would occupy a significant extent of the arc of view to the south and in general terms would detract from the visual amenity the occupants currently enjoy. Additional planting is proposed along sections of the northern perimeter of site and an area of former woodland at West Wood would be left to naturally regenerate to mitigate impacts on the dwellings, but this would take some time to become effective. The planting would not obscure the solar development, but it would provide additional mitigation as it matures. However, the dwellings would be separated from the development by a reasonable distance, and in general terms the occupants would continue to enjoy a reasonably high standard of visual amenity with largely uninterrupted views of open countryside in other directions. The resultant visual impact of the development could not be said to be such that it would make the dwellings, or the general area, an undesirable or unsatisfactory place to live. The overall impact would be mitigated as planting matures.

- 8.17 The properties to the west close to the proposed site entrance and others along Chapel Road within the vicinity of development would generally benefit from screening provided by intervening landform and existing planting. Properties on Chapel Road benefit from garden screening, reasonable separation distances and gently undulating landforms. West Wellbank Wood provides notable screening along the entirety of the western site boundary limiting views from the properties directly to the west. The proposed development would be predominantly screened from the environs of the properties in this vicinity but would be intermittently visible on the approaches to them. Where the development is visible, it would detract from the visual amenity the occupants of these properties currently enjoy. However, views in other directions from properties at this location would be unaffected. The visual impact would not be of a degree that would make properties at this location an undesirable or unsatisfactory place to live. Additional planting would be provided around the southern and northwest perimeters of the development to further mitigate impacts on dwellings in a westerly direction. The planting would not fully obscure the solar array, but it would provide additional mitigation as it matures.
- 8.18 The properties to the east at Quarry Cottages generally front the B978 but have rear garden ground facing the development. However, in general terms, the separation distance between the properties and the development, coupled with intervening planting and undulating landform, is such that the properties would retain a high degree of visual amenity. Wellbank Mains House is located between Quarry Cottages and the site. It would be around 220m from the site and its environs would have views of the development to the west, northwest and southwest. Wellbank Mains House would be separated from the development by areas of undeveloped field, the former railway embankment and existing and proposed planting. While the development would result in some diminution in the visual amenity enjoyed by occupants of this property, and those in this general location, it could not be considered to make the properties an undesirable or unsatisfactory place to live.
- 8.19 There are other residential properties in the wider area that would have views of the development, but consistent with the assessment for the closest properties, it could not reasonably be claimed that the visual impact on those properties would be such that it would make them an undesirable or unsatisfactory place to live. Overall, the development would not give rise to significant or unacceptable visual impacts on wider views that are significant of unacceptable.



- 8.20 In respect of cumulative impacts, planning permission has recently been approved by the Energy Consents Unit for an 80MW Battery Energy Storage Farm (ref: [ECU00003354](#)) located roughly 550m to the west of the application site. The cumulative assessment submitted in support of this application concludes that there would be limited areas where combined views of the proposed development and the Battery Energy Storage Farm would occur, and these would not give rise to views which would be markedly different from the proposed development alone. The cumulative impact is not such that it would substantially change the landscape character of the wider area or give rise to unacceptable visual impacts in association with the development proposed.
- 8.21 There are other large-scale solar and battery storage developments proposed in the Tealing area, most notably the 110MW Tealing Solar Energy Park Section 36 application (ref: [ECU00004882](#)) on various parcels of land to the west of this application site. Those developments have potential to give rise to cumulative impacts, but those applications have not been determined and cumulative impacts can appropriately be considered when those applications are considered by the determining authority.
- 8.22 The council's guidance on solar development suggests that this landscape type has medium capacity for solar development and is a landscape type that can change to become a landscape with solar development. The proposal would not result in an exceedance of that guideline threshold. Due to the scale, nature, separation distances and intervening planting and topography, there are not considered to be significant cumulative landscape or visual impacts with other built or consented solar/battery storage development. There are other developments within the wider area that contribute to cumulative landscape and visual impacts including electricity pylons and polytunnels. However, the cumulative impact is not such that it substantially changes the landscape character of the wider area, and it does not give rise to unacceptable visual impact in association with the development proposed. The proposal does not give rise to unacceptable cumulative impacts in relation to other relevant matters.
- 8.23 Overall, the proposal would give rise to adverse landscape and visual impact although those impacts would generally be most significant in a localised area and mitigation measures have been included within the proposal which would help reduce the significance of those impacts over time. NPF4 policy 11 requires consideration of significant landscape and visual impacts, but states that '*such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable.*' In this case, the reasonably limited significant impacts must be balanced against the benefits associated with the production of renewable energy and the significant weight that policy indicates must be given to the global climate crisis. Accordingly, and having regard to the very supportive national policy framework, the landscape and visual impacts associated with the development are not considered unacceptable.
- 8.24 The impact of the development on visual amenity of occupants of nearby residential property is discussed above. As indicated, there are not considered to be unacceptable impacts on residential amenity as a consequence of the visual impact of the development. Other amenity impacts relate primarily to issues associated with potential glint and glare from the operation of the panels, and issues of noise and activity associated with the construction and operation of the development.
- 8.25 An assessment of the potential for glint and glare has been submitted in support of the application. Supporting information indicates that there is a potential risk of glint and glare affecting road users on a 1.1km stretch of the Kellas Road (B978) located to the east of the site and the potential for low impacts on users of local roads, such as the road directly to the south of the site and Chapel Road to the west. However, taking account of screening from existing terrain and vegetation and the nature of



surrounding roads, the report concludes no significant impacts are predicted upon road safety. The assessment indicates that around 14 residential properties within 1km of the site would be subject to glint and glare impacts. Low impacts, amounting to effects occurring for less than 3 months per year and for less than 60 minutes on any given day are predicted at 9 of these dwellings due to existing vegetation and/ or terrain obstructing reflecting panels. The remaining 5 dwellings are predicted to experience a moderate impact where effects would last more than 3 months per year but for less than 60 minutes on any given day. The submitted assessment indicates that impacts upon residential receptors are unlikely to be significant subject to sufficient planting being provided along the southern site boundary. The proposed landscaping scheme makes provision for the planting of hedgerows and trees between the site and the properties to the southeast and south in order to mitigate impacts. The environmental health service has offered no objection in relation to this matter, but consistent with the approach taken at other similar developments, a condition is proposed that seeks to ensure any residual impacts are investigated and mitigated where necessary.

- 8.26 The proposal is supported by a noise assessment which considers potential noise associated with the development at the nearest existing noise sensitive receptors. It indicates that the noise associated with the operation of the development would not have an adverse impact on sensitive receptors. The noise assessment indicates that no noise mitigation measures are considered necessary during the operational phase of the development. The environmental health service has reviewed the noise information and has recommended planning conditions which seek to mitigate amenity impacts associated with the construction and operational phases of the development.
- 8.27 The proposal would result in additional vehicle movements across the public road network, and that would have some impact on the amenity of the occupants of property in the vicinity of the development site, particularly during the construction phase. Issues regarding the capacity of the road network to accommodate development traffic is discussed below. However, construction is anticipated to last for a period of around 6-months with an average of nine HGV deliveries (18 two-way movements) during the peak construction period (weeks 4 - 8) then around 4 or 5 HGV vehicles per day during the remaining construction process. Thereafter vehicular activity associated with the operation of the development would be limited. Short-term impacts associated with development proposals are not unusual and, subject to appropriate mitigation, the vehicle movement associated with this development should not reduce residential amenity to any unacceptable extent.
- 8.28 Overall while the proposal would give rise to some impacts on amenity, particularly during the construction phase, it is considered that, subject to the proposed conditions, those impacts could be mitigated to ensure that they do not unacceptably affect the amenity of occupants of nearby property.
- 8.29 Development plan policy seeks to safeguard natural heritage interests, including designated sites and protected species. The application site is currently used for agriculture and commercial Christmas tree cultivation with established trees located around the site boundary and a small circular crop of trees located within the centre of the site. The site is not designated for any natural heritage reasons.
- 8.30 The proposal is supported by ecological information, including a preliminary ecology appraisal and a biodiversity net gain assessment. The submitted information identifies two Sites of Special Scientific Interest within 2km of the site, but states that due to the intervening landscape and lack of connectivity, the sites are sufficiently buffered from construction impacts. It also notes that two areas of ancient woodland are located adjacent to the site boundary. However, with sufficient development stand-offs the assessment concludes the proposal would not impact upon these wooded areas. Having regard to available information, there is no evidence to suggest that the proposal would result in any unacceptable direct or indirect impacts

upon sites designated for their natural heritage value subject to an appropriate construction environmental management plan.

- 8.31 In terms of protected species, the submitted information suggests there was no direct evidence found of protected species located within the site. However, it acknowledges that the site may be used as a foraging resource for birds, badgers, and bat. The supporting information suggests the main body of the site generally has low ecological value due to its use for farming activities but notes that the woodland and scattered trees in the area have a wide range of biodiversity potential. Therefore, the survey suggests that with appropriate measures in place, impacts upon protected species and their habitats could be mitigated and recommends stand-offs are provided to ensure all trees around the edge of the site and the circle woodland in the centre of the site would not be impacted by development.
- 8.32 The site is currently used for a mix of arable and Christmas tree farming, and this limits its biodiversity significance but the tree planting in and around the site is of value. There is no evidence to suggest that the proposal would have any significant adverse impact on important habitats or protected species. Post-construction, and subject to the mitigation and habitat enhancement measures proposed, the site would provide some biodiversity enhancement. Available information suggests that natural heritage interests would not be adversely affected, and the proposal would not have an unacceptable impact on protected species, subject to appropriate mitigation measures as detailed in the proposed conditions.
- 8.33 Development plan policy seeks to safeguard built and cultural heritage interests including listed buildings, conservation areas, historic gardens and designed landscapes, scheduled monuments and local archaeological sites. These matters are addressed in the submitted supporting information which considers the potential impacts of the development on a range of heritage interests and concludes that any impacts could be adequately mitigated through preservation measures.
- 8.34 The application site contains a number of heritage assets comprising of stone field boundaries, circular tree plantations, the site of a former quarry, a drain, and two ponds. The assessment suggests there is potential for unknown archaeological remains to exist below ground. However, the assessment suggests mitigation, preservation and enhancement measures would limit impacts upon any surviving features, such as the provision of standoff buffers from assets and the preservation of the tree roundel within the centre of the site, and the general retention and reinstalment of historic field boundaries. The council's archaeology advisor has considered the proposal and the submitted information and offers no objection and welcomes the proposed layout specifically the use of 'no development' buffers from circular plantations and stone boundary walls. A condition is proposed to ensure the mitigation measures are implemented.
- 8.35 The assessment identifies 15 listed buildings within a 1km radius of the application site. The assessment considers impacts on all but one of the listed structures to be negligible or low, including the disused Category B listed Little Gagie Farm aqueduct which is located approximately 20m from the south boundary of the site. The assessment suggests the aqueduct is almost completely concealed from nearby public roads by dense grass and woodland and despite its proximity to the development, the proposal would not impact upon the way in which the functional aqueduct is understood, appreciated and experienced in its current setting. The assessment suggests that the proposal would have a low to medium impact upon the remaining listed building, the Category B listed Wellbank Farmhouse located roughly 60m to the southeast of the site. The assessment suggests impacts upon the farmhouse would be limited by the intervening railway embankment and would not detrimentally affect the appreciation or understanding of the asset or materially diminish its cultural significance. It is likely the solar farm would be visible in the background of views from the south towards both the aqueduct and the farmhouse. However, having regard to the special interest of these listed structures, the nature

and layout of the development, and the resultant relationship, the proposal would not have a significant adverse impact on their setting. Historic Environment Scotland has reviewed the proposal and offered no objection.

- 8.36 The development would also be visible from other historic assets in the area, but impact on them or their setting would not give rise to unacceptable impact given a combination of the nature of their special interests, their orientation, distance, and intervening landform and landscaping. The development would not result in any direct or indirect impacts on designated built or cultural heritage assets. The proposal would not result in any unacceptable impact upon heritage interests in the area.
- 8.37 Development plan policy seeks to ensure that proposals do not give rise to unacceptable impacts on the road network or on recreational access. Construction of the development is anticipated to last for a period of around 6-months with a maximum of nine HGV deliveries on average per day associated with that process. The submitted planning statement indicates that construction vehicles would generally utilise the B978 before turning onto Chapel Road. Access to the site would be via an existing field access located in the southwest corner of the site, taken directly from Chapel Road. Vehicular activity associated with the operation of the solar array would be limited and would generally comprise 2 inbound trips every 6-months by light goods vehicles. The roads service has considered the information submitted and has offered no objection in respect of road traffic and pedestrian safety subject to planning conditions to secure a construction traffic management plan and the provision of improvements to Chapel Road between the site access and the B978.
- 8.38 The development also has potential to impact on recreational access and those using path networks in the area for recreational purposes. The proposal would generally retain opportunity for recreational access and would have no direct impact on any core paths. However, there are 2 core paths located within 1km of the site, '*Brighty to west Wellbank*' and '*Gagie to West Wellbank*', both of which are located to the west of the development and terminate near the site access. Construction traffic accessing the site has the potential to impact upon the termination point of these paths, but any impacts would be temporary, and the level of vehicle movement indicated would be reasonably limited. In such circumstances, impacts on the core paths for a temporary period are not considered unacceptable and would not be unlike activity resulting from agricultural traffic during periods of significant agricultural activity. In terms of the visual amenity of these paths, given the undulating landform and existing woodland located to the west of the site, between the development and the core paths, views of the solar array from the core paths would be almost entirely screened. Dodd Hill and Carrot Hill are located between 1.6-2km to the northwest of the development and are often used for recreational access. The submitted information suggests that the proposed development would be partially screened from these locations by existing vegetation, but the proposal would still remain readily apparent in the landscape. These recreational locations are elevated around 115m above the application site. The rear/face of the panels would be visible from these locations but at a lower elevation and in the distance. The proposal would not affect the full arc of view and views of the landscape beyond and areas in the foreground would be unaffected by the development. Existing field boundaries within the site would be preserved and this would aid in diminishing the expanse of the development. Furthermore, once the proposed new planting and the existing woodland to the north of the site matures/regenerates, this would further screen and soften the view of the development in the longer term. The character and amenity of recreational routes in the area would not be unacceptably reduced by the development.
- 8.39 Development plan policy seeks to safeguard the water environment and seeks to ensure developments are not adversely affected by flooding or increase flood risk in the surrounding area. The development plan also seeks to ensure that appropriate drainage arrangements are in place. Areas around the perimeter of the site are identified on SEPA flood maps as being at risk from surface water flooding.

- 8.40 A submitted flood risk and drainage assessment indicates that a linear region identified along the western and southern boundaries of the site is at a high risk of surface water flooding. It suggests this is attributed to a watercourse that flows along this lower topography area. It states the watercourse is not considered to pose a significant risk to the development and the solar infrastructure has been located to avoid those areas of flooding. The supporting information includes an outline surface water drainage strategy which provides for the formation of swales in the south, east and west of the site to accommodate surface water attenuation for a 1 in 200 year flood risk event including a +55% allowance for climate change. The document concludes that the proposal is in a suitable location and is unlikely to place additional person at risk of flooding or increase the flood risk elsewhere.
- 8.41 SEPA has considered the application in relation to flood risk and the potential impact of development on the water environment and has offered no objection acknowledging the small watercourse to the south and west of the site but highlighting the development would be considered essential infrastructure. The roads service has considered relevant information and has indicated it does not consider the proposal to be at significant risk of flooding and offers no objection on the grounds of flood risk. A condition is attached to protect the watercourse from pollution during the construction process and to secure the provision of the proposed swales. The proposal would not give rise to any significant adverse impact on the water environment.
- 8.42 In relation to the impact of the development on aircraft activity, the Ministry of Defence, NATS, and Dundee Airport have all been consulted on the proposal and have offered no objection on the basis no significant impact on aircraft activity is anticipated.
- 8.43 The information submitted suggests the proposal would connect to the grid via an underground cable extending to the existing 33kV overhead lines at Milton of Craigie Grid Supply Point. However, this would be subject to a separate consenting process and at this stage there is no reason to consider that a suitable connection could not be achieved having regard to the nature of the surrounding area.
- 8.44 The application site comprises predominantly class 3.1 prime quality agricultural land and a small area of class 3.2 non-prime land in the west. Development plan policy, including NPF4 which sets out national planning policy, is clear that the loss of prime land will be supported where proposals constitute renewable energy development and there is secure provision for site restoration. Arrangements for site restoration at the end of the 40-year operational lifespan of the development (including a suitable financial guarantee for those works) could be secured by planning condition. There is no evidence to suggest that the viability of a farm unit would be adversely affected by the proposal. The proposal does not give rise to any significant issues in respect of the policy approach to the use of agricultural land.
- 8.45 The proposed development would give rise to some adverse impact particularly in relation to landscape, visual, and recreational amenity. However, those adverse impacts do not in themselves make the proposal contrary to development plan. Policy generally recognises that some adverse impact may be expected in association with development proposals and the key test is whether those impacts are so significant as to be unacceptable. In reaching a conclusion in relation to those matters it is necessary to consider the proposal in the round, having regard to all relevant policies and the overall aims and objectives of the development plan. In this respect, the development plan provides strong support for proposals that provide for the generation of renewable energy, and the development is compatible with a large number of development plan policies. Significant adverse landscape and visual impacts would affect a relatively small area and would be subject to mitigation. Adverse visual impacts on routes and areas of recreational value would be localised and mainly impact areas of higher ground, but impacts are not unacceptable and

there are other recreational access opportunities in the wider area. The development would provide a source of renewable energy generation capable of meeting the electricity needs of around 6800 homes per year and that would make reasonable contribution towards reducing reliance carbon emissions. Policy requires that this is given significant weight. In these circumstances, it is concluded that the application is compatible with the development plan subject to the proposed planning conditions.

- 8.46 In addition to development plan policy, it is relevant to have regard to other material considerations, including the planning matters that have been raised in the letter of representation and recent appeal decisions regarding interpretation of policy in relation to similar development proposals.
- 8.47 The representation raises concerns with regards to adverse impacts upon amenity including visual, noise and privacy impacts and impacts upon vehicle and pedestrian safety. Issues regarding these matters are addressed above and in very broad summary terms, impacts are not considered unacceptable for the reasons set out above. While there will be some additional activity during the construction phase, such activity would not significantly or unacceptably affect the privacy of occupants of nearby housing. Similarly, there is no reason to consider that the operation of a solar farm would adversely affect the privacy of those that live in its vicinity. Additional vehicular and construction activity may generate some additional dust, but that could also be the case with seasonal agricultural activities. The environmental health service has offered no objection in relation to this matter and conditions are proposed to deal with noise and environmental impacts during the construction process, including dust.
- 8.48 As indicated above the proposal would result in some adverse visual impact. However, that is generally true of most energy development proposals and is recognised by policy. In this case the most significant impacts would be localised and would, in part, be mitigated. Impacts would be similar to those experienced in association with agricultural poly-tunnels which are not uncommon in the wider landscape. The relationship between the solar development and surrounding dwellings and roads would not be unusual or untypical of that found in relation to similar development. The affected properties would continue to enjoy views of the surrounding landscape and benefit from an acceptable level of visual amenity. The area is not subject to any special landscape designation, the site is considered suitable, and impacts are predominantly localised. These have been balanced against the wider benefit associated with production of 25MW of renewable energy which it is indicated could meet the electricity needs of 6800 homes.
- 8.49 There is no evidence to suggest that the development would significantly affect protected species, important habitats, or the wider biodiversity interests in the area. The additional planting proposed, would provide some enhancement to biodiversity in comparison to the areas of existing cultivated agricultural land, and the development has been designed to primarily avoid areas subject to potential flood risk.
- 8.50 In addition to the letter of representation, it is relevant to have regard to recent planning appeal decisions that provide interpretation on similar planning policy matters. While those appeal decisions are not binding and each application must be considered on its own merits, it is appropriate to have regard to how matters of policy have been interpreted and applied to ensure consistency. In that respect, regard has been had to the recent planning appeal decision relating to solar development on land 300 metres west of Grange of Berryhill, Invergowrie (ref [PPA-120-2060](#)) in undertaking the assessment of this application.
- 8.51 In conclusion, this proposal provides for the generation of renewable energy and associated infrastructure that would meet the electricity needs of around 6800 homes. This would support mitigation of climate change and provide some net economic benefit. National and local planning policy is generally supportive of development proposals that provide for renewable energy generation. In this case

relevant consultation bodies have raised no objection to the application in relation to impacts on amenity, built, cultural and natural heritage interests, or other environmental interests, or infrastructure.

- 8.52 Notwithstanding that, the proposal would give rise to impacts on the landscape and visual amenity of the area; it would have some limited adverse impact on the amenity of occupants of the closest dwellings; and it would result in increased traffic during the construction period. The adverse landscape impact would be localised, and a limited number of properties would experience significant visual impact. Mitigation is proposed to reduce landscape and visual impact and resultant impacts are not considered unacceptable. Construction would take place for a short period of time and the local roads are used by vehicles associated with agricultural activity which would be similar to those associated with development. The visual amenity of recreational access routes, particularly those in elevated locations to the northwest of the site would be reduced by the development although mitigation measures would be employed to minimise impacts and some biodiversity improvement would be delivered. However, all adverse impacts must be balanced against the desirability of facilitating a development that would provide a significant contribution towards renewable energy generation. As indicated above, development plan policy at national and local levels provides strong support for renewable energy development.
- 8.53 The development would contribute towards meeting government energy targets and government guidance confirms that schemes should be supported where the technology can operate efficiently, and environmental and cumulative impacts can be satisfactorily addressed. In this case the technology would appear to have potential to operate efficiently, and available evidence suggests that environmental impacts can be satisfactorily addressed.
- 8.54 The matters raised in objection to the application have been considered in preparing this report and where appropriate matters are addressed by proposed planning conditions. The proposed conditions seek to minimise adverse impacts associated with the development.
- 8.55 The proposed development would provide a source of renewable energy generation in a manner that would not give rise to unacceptable impacts on infrastructure, amenity, built and natural heritage interests (including landscape), or other environmental interests subject to appropriate mitigation. There are no material considerations that justify refusal of planning permission.

## **9. HUMAN RIGHTS IMPLICATIONS**

- 9.1 The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

## **10. CONCLUSION**

- 10.1 It is recommended that the application be approved for the following reason, and subject to the following condition(s):

### **Reason(s) for Approval:**

The proposed development would provide a source of renewable energy generation

in a manner that would not give rise to unacceptable impacts on infrastructure, amenity, built and natural heritage interests (including landscape), or other environmental interests subject to appropriate mitigation. The necessary mitigation can be secured by planning conditions and the proposal complies with development plan policy subject to the stated planning conditions. There are no material considerations that justify refusal of planning permission.

**Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of its grant.

*Reason: In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.*

2. The solar array and associated infrastructure hereby approved shall be removed from the site no later than 40 years after the date when electricity is first generated unless otherwise approved by the Planning Authority through the grant of a further planning permission following submission of an application. Written confirmation of the commencement date of electricity generation shall be provided to the Planning Authority within one month of that date.

*Reason: In order to limit the permission to the expected operational lifetime of the solar array and to allow for restoration of the site in the event that the use is not continued by a further grant of planning permission for a similar form of development.*

3. That no development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority: -

- (a) Details of a bond or other financial provision which it proposes to put in place to cover all decommissioning and site restoration costs. This shall include provision for the regular review of the bond value. No work shall commence on the site until the developer has provided documentary evidence that the proposed bond or other financial provision is in place and written confirmation has been given by the Planning Authority that the proposed bond or other financial provision is satisfactory. The developer shall ensure that the approved bond or other approved financial provision is in place throughout the operational life of the development hereby approved;

- (b) A scheme of decommissioning and restoration of the application site including aftercare measures. The scheme shall set out the means of reinstating the solar farm site to agricultural use following the removal of the components of the development. The applicants shall obtain written confirmation from the Planning Authority that all decommissioning has been completed in accordance with the approved scheme and (unless otherwise dictated through the grant of a new planning permission for a similar form of development) the scheme shall be implemented within 12 months of the final date electricity is generated at the site and in any case before the expiry of the time period set by condition 2 of this planning permission.

- (c) A Construction Environmental Management Plan (CEMP). The submitted CEMP shall include: -

- Site working hours;
- Mitigation measures to prevent pollution and siltation of watercourses;



- Mitigation measures for dust and machinery emissions arising from the construction/decommissioning phases, including a dust complaint investigation procedure;
- Mitigation measures for noise and vibration impacts and a noise and vibration complaint investigation procedure;
- A Site Waste Management Plan (SWMP) including details for the management of pollution prevention monitoring and mitigation measures for all construction activities;
- Tree protection measures for retained trees within the site and trees outwith the site and in proximity to the development;
- Adherence to good practise in protecting the environment and ecology;
- Procedures for monitoring compliance and dealing with any breach of the approved plan.

Thereafter, the approved CEMP shall be fully implemented upon commencement of the development and remain in place for the duration of the construction of the development hereby approved.

- (d) An updated Construction Traffic Management Plan (CTMP). The CTMP shall consider arrangements for the following:
- i. the type and volume of vehicles to be utilised in the delivery to the site of construction materials and solar array components associated with the construction and erection of the development.
  - ii. details of HGV movements to and from the site.
  - iii. further assessment of the suitability of Carrot Road (B978 - U310 - B9127) as an access route to accommodate the type and volume of traffic to be generated by the development. The assessment shall include a DVD video route condition survey.
  - iv. proposed accommodation works /mitigating measures affecting Carrot Road (B978 - U310 - B9127) to allow for delivery loads, including carriageway widening, junction alterations, associated drainage works, protection to public utilities, temporary or permanent traffic management signing, and temporary relocation or removal of other items of street furniture. This shall include a scheme of improvements to Carrot Road (B978 - U310 - B9127) between the site access and the Dundee to Wellbank (B978) road. The scheme of improvement shall include:
    - a drawing(s) showing the widening of the road and/or provision of inter-visible passing places.
    - a construction specification in accordance with the council's road standards.
    - the provision of positive surface water drainage
    - the provision of a verge crossing at the proposed site access onto Carrot Road reconstructed in accordance with the standards of Angus Council.

The scheme of improvements to the access route shall thereafter be completed prior to the commencement of development within the site.
  - v. the restriction of delivery traffic to the agreed routes.
  - vi. the timing of construction traffic to minimise impacts on local communities, particularly at school start and finish times, during refuse collection, at weekends and during community events.
  - vii. a code of conduct for HGV drivers to allow for queuing traffic to pass.
  - viii. liaison with the roads authority regarding winter maintenance.
  - ix. contingency procedures, including names and telephone numbers of persons responsible, for dealing with vehicle breakdowns.
  - x. a dust and dirt management strategy, including sheeting and wheel cleaning prior to departure from the site.
  - xi. arrangements for the cleaning of Carrot Road (B978 - U310 - B9127) when affected by material deposited from construction traffic associated with the development.

- xii. the location, design, erection and maintenance of warning/information signs for the duration of the works at site accesses and crossovers on private haul roads or tracks used by construction traffic and pedestrians, cyclists or equestrians.
- xiii. contingencies for unobstructed access for emergency services.
- xiv. development of a Travel Plan for staff, reducing the need for single use car access to the site.
- xv. co-ordination with other major commercial users of the public roads on the agreed routes in the vicinity of the site.
- xvi. traffic management, in the vicinity of temporary construction compounds.
- xvii. arrangements for the monitoring, reviewing and reporting on the implementation of the approved plan.
- xviii. procedures for dealing with non-compliance with the approved plan.

Thereafter the development shall be carried out in accordance with the approved plan.

- (e) A scheme of landscaping works to be undertaken on the site. The submitted scheme shall include: -
  - (i) Existing landscaping features, including stone dykes and vegetation to be retained, and details of the width of development free standoff areas to solar panels and shall have regard to the mitigation measures recommended in the AOC Archaeology Group Heritage Impact Assessment (May 2023);
  - (ii) The location of new trees, shrubs, and hedges and shall have regard to the mitigation measures recommended in the Pager Power Solar Photovoltaic Glint and Glare Study (March 2024);
  - (iii) The location, details, and timing for provision of the swales;
  - (iv) A schedule of plants to comprise species, planting stock size, numbers and density;
  - (v) Measures to protect planting from grazing animals; and
  - (vi) A landscape management and maintenance plan.

The approved planting shall be completed within the first planting season following the initiation of development with the landscaping managed and maintained in accordance with the approved details in perpetuity. Any plants or trees that within a period of 5 years from the completion of development die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species.

- (f) An ecology management and enhancement plan which has regard to NatureScot Developing with Nature guidance. This shall have regard to the ecological mitigation measures recommended in Section 5 of the ITP Energised Preliminary Ecological Appraisal (May 2023) and include timescales for the commencement of development, having regard to the bird breeding season, and a phasing plan for completion of the mitigation and enhancement measures proposed. The development shall thereafter be undertaken and completed in accordance with the biodiversity mitigation and enhancement plan and the timings contained therein.
- (g) The precise details of the location, external appearance and colour of all buildings, structures (including the number and precise location of solar panels), and fencing along with the location of all lighting and CCTV cameras. Thereafter the buildings, structures, and fencing shall be constructed or sited, and the lighting and CCTV cameras located in accordance with the approved details.

*Reason: In order that the planning authority may verify the acceptability of the specified details in the interests of securing appropriate site restoration, environmental protection, road safety, amenity and biodiversity.*

4. Noise associated with the construction and decommissioning of the development including the movement of materials, plant and equipment shall not exceed the noise limits shown in table A below for the times shown. At all other times noise associated with construction/decommissioning operations shall be inaudible at any sensitive receptor. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings.

**Table A: Construction Noise Limits Day Time Average Period Noise Limit**

<b>Day</b>	<b>Time</b>	<b>Noise Limit</b>
Monday - Friday	07:00 – 08:00	60 dBA Leq (1hr)
Monday - Friday	08:00 – 18:00	70 dBA Leq (10 hrs)
Monday - Friday	18:00 – 19:00	60 dBA Leq (1hr)
Saturday	07:00 – 08:00	60 dBA Leq (1hr)
Saturday	08:00 – 13:00	70 dBA Leq (5 hrs)

*Reason: In the interests of safeguarding the amenities of occupants of noise sensitive properties during the construction and decommissioning of the development.*

5. Noise from all activities within the development site shall not exceed 30 dB L<sub>Ar,Tr</sub> as measured and assessed within the external amenity area of any noise sensitive property and in accordance with BS 4142:2014 Methods for rating and assessing industrial and commercial sound.

*Reason: In the interests of the amenities of occupants of noise sensitive properties.*

6. Noise emissions from fixed plant associated with the use hereby approved shall not individually or cumulatively exceed NR Curve 20 between 2300 and 0700 and NR Curve 30 at all other times as measured within any dwelling or noise sensitive premises with the windows open at least 50mm.

*Reason: In the interests of the amenities of occupants of noise sensitive properties.*

7. In the event of a justified noise complaint being received by the Planning Authority the operator shall, at its own expense, employ a consultant approved by the Planning Authority to carry out a noise assessment to verify compliance with conditions 4, 5 and 6 above. The assessment will be carried out to an appropriate methodology agreed in writing with the Planning Authority. If the noise assessment shows that the noise levels do not comply with conditions a scheme of noise mitigation shall be included with the noise assessment, specifying timescales for the implementation of the scheme, and shall be submitted to the Planning Authority with 28 days of the assessment. The mitigation scheme shall thereafter be implemented in accordance with the approved scheme and timescales.

*Reason: In the interests of the amenities of occupants of noise sensitive properties.*

8. Vibration levels associated with the construction of the development shall not exceed the following limits:-
  - a. (a) 1mms-1 PPV at existing residential or educational properties
  - b. (b) 3mms-1 PPV at existing commercial or industrial properties

The above vibration limits relate to maximum PPV ground borne vibration occurring in any one of three mutually perpendicular axes. Vibration is to be measured on the foundation or on an external façade no more than 1m above ground level or on solid ground as near the façade as possible.

*Reason: In the interests of the amenities of occupants of nearby sensitive properties.*

9. Within 2 months from receipt of a written request from the Planning Authority following a complaint to it from an occupant of a sensitive property relating to direct reflected light, the solar farm operator shall, at its expense, undertake and submit for the written approval of the Planning Authority, a glint and glare assessment, including the identification of any mitigation measures required and timescales for their implementation. Once approved the operation of the solar farm shall take place in accordance with the said scheme unless the Planning Authority gives written consent to any variation. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings.

*Reason: In the interests of the amenity of the occupants of nearby sensitive property.*

10. That except as otherwise provided for and amended by the terms of this permission, the development shall be undertaken in accordance with:-

- the recommendations and ecological enhancements measures detailed in Section 5 of the ITP Energised Preliminary Ecological Appraisal (May 2023);
- the recommendations and good practice principles in the ITP Energised Biodiversity Net Gain Assessment (May 2023);
- the mitigation measures recommended in Section 6.3 of the AOC Archaeology Group Heritage Impact Assessment (May 2023); and
- the surface water drainage and maintenance strategy identified in Sections 4.5 and 4.6 of the Greentech Ltd Flood Risk & Drainage Assessment and Surface Water Management Plan (March 2023).

*Reason: In order to ensure that the development is undertaken in accordance with the detail upon which the application has been assessed and determined to be acceptable and in order to mitigate impact of the development on biodiversity, archaeological features, and the water environment.*

**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.

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**DATE: 2 FEBRUARY 2024**

APPENDIX 1: LOCATION PLAN  
APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING INFORMATION  
APPENDIX 3: LETTERS OF REPRESENTATION  
APPENDIX 4: DEVELOPMENT PLAN POLICIES