

23/00121/APP
30th January 2023

Section 42 to vary condition 22 part (a) relating to the frequency of operational noise surveys from biennial to 5 yearly Edintore Wind Farm Keith Moray AB55 5PJ for Koehler Renewable Energy UK Ltd

Comments:

- The application is reported to Committee as it is a major application. Given that this is an application under section 42 of the planning act to vary the terms of an existing consent the pre application requirements for major applications was not required.
- The application was advertised for Neighbour Notification.
- No representations have been received.

Procedure:

- None.

Recommendation

Grant Planning Permission - Subject to the following:

Conditions/Reasons

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. This permission shall cease to have effect on 15 July 2041. Within 12 months of the expiry of this period the wind turbines and ancillary equipment shall be dismantled to ground level and removed from the site and the land shall be restored in accordance with a method statement to be approved in advance by the council as planning authority.

Reason: To ensure that the turbines are removed when no longer required, and to secure the satisfactory restoration of the site.

3. If, upon completion of the development, any wind turbine fails to supply electricity to the grid for a continuous period of 9 months then, unless agreed in writing by the planning authority, a scheme for the removal of the wind turbine and any surface ancillary works solely relating to that wind turbine, shall be submitted in writing for the approval of the planning authority. The scheme shall be implemented as approved.

Reason: To ensure that any redundant wind turbine is removed from site, in the interests of safety, amenity and environmental protection.

4. An omni-directional 25 candela red light or infrared lighting with optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration shall be placed at the highest practical point of each turbine and kept in operation outwith daylight hours. The lights shall flash in synchronisation.

Reason: In the interests of air traffic safety.

5. Where interference to domestic television reception is caused as a result of the development hereby approved the developer shall take steps to make good the reception, either by eliminating the cause of the interference or by providing an alternative means by which television signals may be received. Within two weeks of being notified by the council as planning authority of the existence of such interference (or within such longer period as the planning authority may allow) the developer shall submit to the council for its approval proposals to make good the reception, including a programme showing the time within which the proposals shall be completed. The proposals shall be carried out in accordance with the terms on which they are approved by the council.

Reason: To ensure the development does not cause unacceptable interference with nearby television reception.

6. Prior to the commencement of works a detailed plan of public access across the site (existing, during construction and upon completion) shall be provided for the approval of the Council as planning authority:
 - (i) All existing paths, tracks and rights of way and any areas currently outwith or excluded from statutory access rights;
 - (ii) Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or curtilage, in relation to proposed buildings or structures;
 - (iii) All paths and tracks proposed for construction, for use by walkers, riders, cyclists, all ability users, etc;
 - (iv) Any diversions or paths, temporary or permanent, proposed for the purposes of the development;
 - (v) The above access plans must show consideration of linking any paths through to Cairds Wood paths and linking to the path to the north.

Reason: To ensure that proper consideration is given to improving paths in the vicinity of the development.

7. Prior to development commencing the developer shall submit to the council details of:
 - a) a Sustainable Drainage System (SuDS) including calculations for comment and approval. The SuDS scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing with the council as planning authority.
 - b) a Surface Water Management Plan for the construction, operation and maintenance stages of the development. The plan once approved shall be adhered to unless otherwise agreed in writing with the council as planning authority.

Reason: To ensure consideration is given to the impact of the development on surface water in the locality.

8. Prior to commencement of any works, a full site waste management plan shall be submitted for the written approval of the planning authority, in consultation with the Scottish Environment Protection Agency (SEPA), and work shall be carried out in accordance with the approved plan.

Reason: To ensure that waste on the site is managed in a sustainable manner.

9. At least two months prior to the commencement of works, a full site specific environmental management plan (EMP) shall be submitted for the written approval of the planning authority in consultation with SEPA and other agencies such as SNH as appropriate, and all work shall be carried out in accordance with the approved plan.

Reason: To control the pollution of air, land and water.

10. The proposed route for any abnormal loads on the trunk road network shall be approved by the trunk roads authority and/or its operating company prior to the event. Any accommodation measures required including the temporary removal of street furniture, junction widening, traffic management etc. must similarly be approved in advance.

Reason: To maintain the safety of trunk road traffic and traffic moving to and from the development, and to ensure that the transportation does not have a detrimental effect on structures within the route path.

11. Any additional signing or temporary traffic control measures deemed necessary due to the size or length of the loads being delivered shall be undertaken by a recognised QA traffic management consultant to be approved by Transport Scotland and/or its operating company before delivery commences.

Reason: To minimise interference with the safety and free flow of traffic on the trunk road network.

12. No development shall commence until details regarding a plan for the management of abnormal loads has been submitted to and approved by the council as planning authority in consultation with Moray Council Transportation

(Traffic) and Transport Scotland (as appropriate). The plan shall include the following:

- (a) a detailed survey of the chosen route for delivery vehicles;
- (b) the locations of structures, e.g. bridges and street furniture affected by any construction and abnormal load vehicle movements;
- (c) the location, design construction and timescale for provision of any road improvements/ strengthening required or proposed;
- (d) details of the arrangements including timescale to undertake and monitor abnormal load trial runs prior to commencement of construction;
- (e) in the event of the trial runs identifying any restrictions not identified in any earlier detailed survey, details of the location, design construction and timescale for the provision of any additional road improvements/strengthening required or proposed to be carried out;
- (f) details of the number, spacing, location and timescale for all passing places to be provided and constructed, in accordance with The Moray Council specification;
- (g) details to demonstrate how abnormal load convoys will be managed travelling along the B9115;
- (h) details of the proposals to promote a short term Road Traffic Regulation Order allowing the introduction of a one-way system for the triangular area incorporating the B9115/C75H (Marypark Edintore Road);
- (i) thereafter, the development shall be carried out in accordance with the approved details prior to any delivery of materials to the site.

Reason: In the interests of road safety and to enable a safe and suitable access for large construction vehicles to/from the site.

13. No development shall commence until details regarding a Traffic Management Plan have been submitted to and approved by the council as planning authority in consultation with Moray Council Transportation (Traffic) and Transport Scotland (as appropriate). The Plan shall include the following:
- (a) the arrangements to undertake verge hardening at the A96/B9115 junction to accommodate the wide turning circle of the abnormal load vehicles transporting turbine components over the junction areas, with dropped kerbs to be installed during the construction period to enable over-running onto the hardened verge and post-construction, the existing 254mm x 127mm h.p.c.c. kerbs shall be reinstated at the junction;
 - (b) the methods of marshalling and manoeuvring at junctions on the public road network;
 - (c) details of all heavy construction traffic routes to/from the site.
 - (d) the arrangements to undertake and submit before and after video surveys of the proposed delivery route(s) together with confirmation to make good any damage caused to the road network, including the verge as a result of construction traffic and passing vehicles;
 - (e) details regarding the location(s), design construction (to The Moray Council specification) and timescale for provision of all passing places to accommodate construction traffic, turbine delivery vehicles and on-coming traffic required or proposed to be provided along the B9115 between the A96 and the site access junction;

- (f) details including the location and duration for a temporary speed limit to be provided at the site access together with identification of all relevant or required statutory procedures to be promoted for the temporary speed limit. The required speed limit shall be in force for the duration of the construction and decommissioning of the wind farm;
- (g) thereafter, the development shall be carried out in accordance with the approved details prior to any delivery of materials to the site.

Reason: In the interests of road safety and to enable a safe and suitable access for vehicles to/from the site.

14. The new access junction to the site onto the B9115 shall have visibility splays of 4.5 metres x 120 metres, and shall be kerbed to a radius of 15 metres using 254mm x 127mm h.p.c.c. kerbs.

Reason: In the interests of road safety and to enable a safe and suitable access.

15. No water shall be permitted to drain, or loose material be carried onto the publicfootway/carriageway.

Reason: In the interests of road safety.

16. The applicant shall secure a warranty from the turbine supplier and/or manufacturer for the absence of tonality of the turbines, as determined in accordance with a recognised standard. A copy of the standard detailing the assessment method shall be submitted for approval by the planning authority. In the absence of such warranty a tonal penalty of 5dB will be assumed and noise levels specified in the following condition will be reduced by 5dB.

Reason: To protect local residents from noise from the turbines.

17. At Wind Speeds not exceeding 12m/s, (as measured, or calculated, at a height of 10 metres above ground level, at the location of one of the turbines), the Wind Turbine Noise Level, when measured at any dwelling, shall not exceed:-
- (a) during Night Hours, 40dB LA90,10min or the Night Hours LA90,10min Background Noise Level plus 5dB(A), whichever is the greater.
 - (b) during Daytime Hours, 35dB LA90,10min or the Daytime Hours LA90,10min Background Noise Level plus 5dB(A), whichever is the greater.

The Background Noise Level in this condition means the level determined at each property at the time of the Background Noise Level survey submitted with this application – see the Moray Council Informative below. The condition shall only apply to dwellings vacant, or occupied and existing at the date of this planning permission. The above noise limits shall not apply to those properties acknowledged as having a direct financial involvement in the development, as detailed in Section 6.49 of the Environmental Statement submitted by Vento Ludens.

Reason: To protect local residents from noise from the turbines.

18. The Wind Turbine Operator shall log wind speed and wind direction data continuously and shall retain the data, which has been obtained for a period of no less than the previous 12 months, showing the average wind speed in metres per second for each 10 minute period. The measuring periods shall be set to commence on the hour and in 10 minute increments thereafter. The wind speed data shall be made available to the planning authority on request. The data shall be provided on a Microsoft Excel spreadsheet in electronic format or other format agreed with the planning authority. The wind speed shall be measured at a height of 10 metres, or derived and normalised to 10 metres height. The operator should be aware that if formal investigation is required, following complaint, the wind speed shall be measured at two heights and the 10 metre height wind speed derived in accordance with the procedure prescribed in the Moray Council Informative below.

Reason: To protect local residents from noise from the turbines.

- 19.
- (a) The wind turbine operator shall measure, at its own expense, the level of noise emissions from the wind turbines within 5 years of the date of the last measurement exercise (31 October 2022) and every five years thereafter. The frequency of measurement of the level of noise emissions shall be subject to review every 5 years by the planning authority. The results of any measurement exercise shall be forwarded to the planning authority as soon as is practicable.
- (b) At the reasonable request of the planning authority, following a complaint to Moray Council relating to noise emissions from the wind turbines, the wind turbine operator shall measure, at its own expense, the level of noise emissions from the wind turbines (inclusive of existing background noise). The LA90 index shall be used over a minimum of 20 periods each of 10 minutes duration. At least 10 of the periods of measurement shall be made at wind speeds between a wind speed specified by the council and a wind speed of not more than 2 metres per second above the wind speed(s) specified by the council. At least 10 measurements shall be made at wind speeds between the wind speed specified by the council and a wind speed not less than 2 metres per second below the wind speed(s) specified by the council. Measurements of noise emissions shall, so far as reasonably practicable, be made in consecutive 10-minute periods provided that they fall within the wind speed range defined in this condition.

The LA90, 10min noise level from the combined effect of the wind turbines (inclusive of existing background noise) shall be correlated with wind speed and derived using a Best Fit Curve and, where appropriate, allowing for a correction for the influence of the background noise level as described on page 88 of the ETSU-R-97 document, which will necessitate measurement of the background noise level in the absence of the turbines operating. Measured wind turbine noise levels and background noise levels shall be referenced to derived 10 metre height wind speeds, (see Moray Council Informative below for methodology). The locations of monitoring shall be determined by, or agreed with, the planning authority.

Reason: To protect local residents from noise from the turbines.

20. Where considered appropriate by the planning authority the wind turbine operator shall be required to carry out an assessment for tonal noise in accordance with the procedure recommended in Section 6 of the document "The Assessment and Rating of Noise from Wind Farms" (ETSU-R-97) i.e. the procedure based on the Joint Nordic Method.

Where the tone level above audibility is greater than 2dB a tonal penalty shall be applied to permitted noise levels, in accordance with figure 16 of the document; so that the permitted levels specified in these conditions will be reduced by the tonal penalty.

Reason: To protect local residents from noise from the turbines.

21. Should the noise levels referred to in these conditions be exceeded, the wind turbine operator shall take steps forthwith, to ensure that noise emissions from the wind farm are reduced to the prescribed noise levels, or below.

Reason: To protect local residents from noise from the turbines.

22. Construction work, including access to the site by lorries, shall be restricted to between 0730 to 1900 hours on Mondays to Fridays and 0700 to 1400 hours on Saturdays, with no activities on Sundays or Bank Holidays. Any required works outwith those times shall not be permitted, unless prior written details are provided by the developer and are agreed in advance by the planning authority.

Reason: In the interests of residential amenity.

23. Shadow flicker modules shall be installed on the turbines identified in Section 13.7.3 of the Environmental Statement. At the reasonable request of the planning authority following a complaint the wind turbine operator shall investigate and instigate appropriate mitigation measures to minimise the effects of shadow flicker.

Reason: To minimise any potential nuisance from light flicker.

24. In the event that the on-site borrow pit requires to undergo blasting, a detailed vibration impact assessment shall be provided in writing to the planning authority, and appropriate mitigation measures shall be agreed with the planning authority prior to commencement of this activity.

Reason: To protect local residents from any adverse effects from blasting.

25. No wind turbine, transformer unit or anemometer mast shall be erected or installed on site until details of the following have been submitted to and approved by the planning authority:
 - (a) the wind turbine towers, nacelles and blades, which shall incorporate a semi-matt finish unless otherwise agreed in writing by the planning authority;

- (b) external transformer units (if any);
- (c) anemometer masts.

The development shall be implemented in accordance with the approved details.

Reason: For the avoidance of doubt and in the interests of visual amenity.

26. No name, sign or other logo shall be displayed on any external surfaces of the wind turbines or external transformer units save as required by law.

Reason: In the interests of visual amenity.

27. All turbines blades shall rotate in the same direction.

Reason: In the interests of visual amenity.

Reason(s) for Decision

The Council's reason(s) for making this decision are:-

The proposal accords with the provisions of the development plan and there are no material considerations that indicate otherwise.

List of Informatives:

THE TRANSPORTATION MANAGER has commented that:-

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

Construction Consent for the roads will be required under Section 21 of the Roads (Scotland) Act 1984 for works to the public road.

The developer shall be responsible for ensuring that surface/ground water does not run from the public road into his property.

The developer shall ensure that its operations do not adversely affect any Public Utilities, which should be contacted prior to commencement of operations.

The developer shall free and relieve the Roads Authority from any claims arising out of his operations on the road or extension to the road.

The Transportation Manager must always be contacted before any works commence. This includes any temporary access, which should be agreed with the Roads Authority prior to work commencing on it.

Planning consent does not carry with it the right to carry out works within the public road boundary and the developer is obliged to contact the Transportation Manager for road opening permit in accordance with the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road.

No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.

THE ENVIRONMENTAL HEALTH SECTION have made the following comments which also quantify some of the figures in the conditions:

Noise Measurement Procedure and Interpretation

“Wind Turbine Noise Level” means the rated noise level due to the combined effect of all the Wind Turbines at Edintore, excluding existing background noise level but including any tonal penalty incurred under the methodology described in ETSU-R-97.

“Background Noise Level” means the noise level in the absence of noise generated by the Development as measured and correlated with Wind Speeds and determined from the regression analysis polynomials stated in Section 6.5.3 of “Edintore Wind Farm:

“Environmental Statement”

“Wind Speeds” means wind speeds calculated at a height of 10 metres above ground level.

“Night Hours” means 23:00 – 07:00 hours on all days.

“Daytime Hours” means 07:00 – 23:00 hours on all days.

Measurements shall be made using a measurement system of Type 2, or better, (as defined in BS EN 69651), using a fast time weighted response incorporating a windshield using a ½ inch diameter microphone, at a height of between 1.2 metres and 1.5 metres above ground level and at least 10 metres from any wall, hedge or reflective surface.

Derivation of wind speed at 10 metres height

Wind speed at 10 metres height should be derived from measurements at two heights, H1 and H2, where H1 is at least 60% of the turbine hub height and H2 is between 40% and 50% of the hub height.

The formula:

$$m = \ln(U1/U2) / \ln(H1/H2)$$

is used in order to determine the shear exponent, m

Where:

U1 is the wind speed at height H1, in m/s

U2 is the wind speed at height H2, in m/s

Using the value for m, calculated as above, and the values of H1 and U1, the formula shall be used again to derive the wind speed at the hub height UHH. If measurements of U1 and U2.

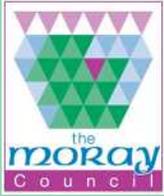
Having derived the hub height wind speed, as above, the 10 metre height wind speed, U10, is calculated using the formula:

$$U10/UHH = \ln(H10/Z0) / \ln(HHH/Z0)$$

Where:

Z_0 is the ground roughness and the figure used is the standard reference length of 0.05 metres. \ln is the natural logarithm to the base e .

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT	
Reference No. Version No.	Title/Description
FIGURE A	Location Overview
001	Site Plan



PLANNING APPLICATION COMMITTEE SITE PLAN

**Planning Application Ref Number:
23/00121/APP**

**Site Address:
Edintore Wind Farm
Keith**

**Applicant Name:
Koehler Renewable Energy UK Ltd**

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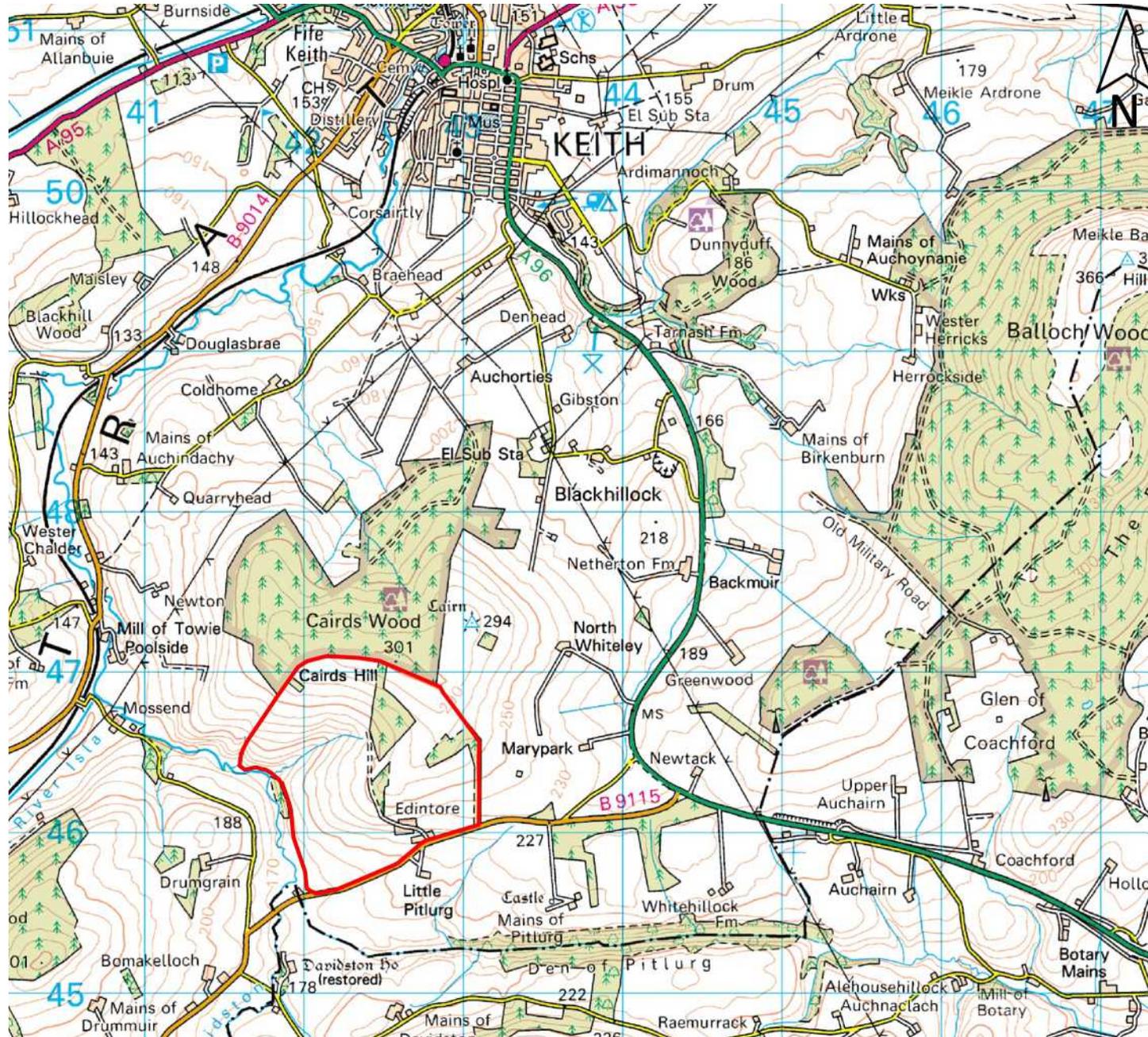
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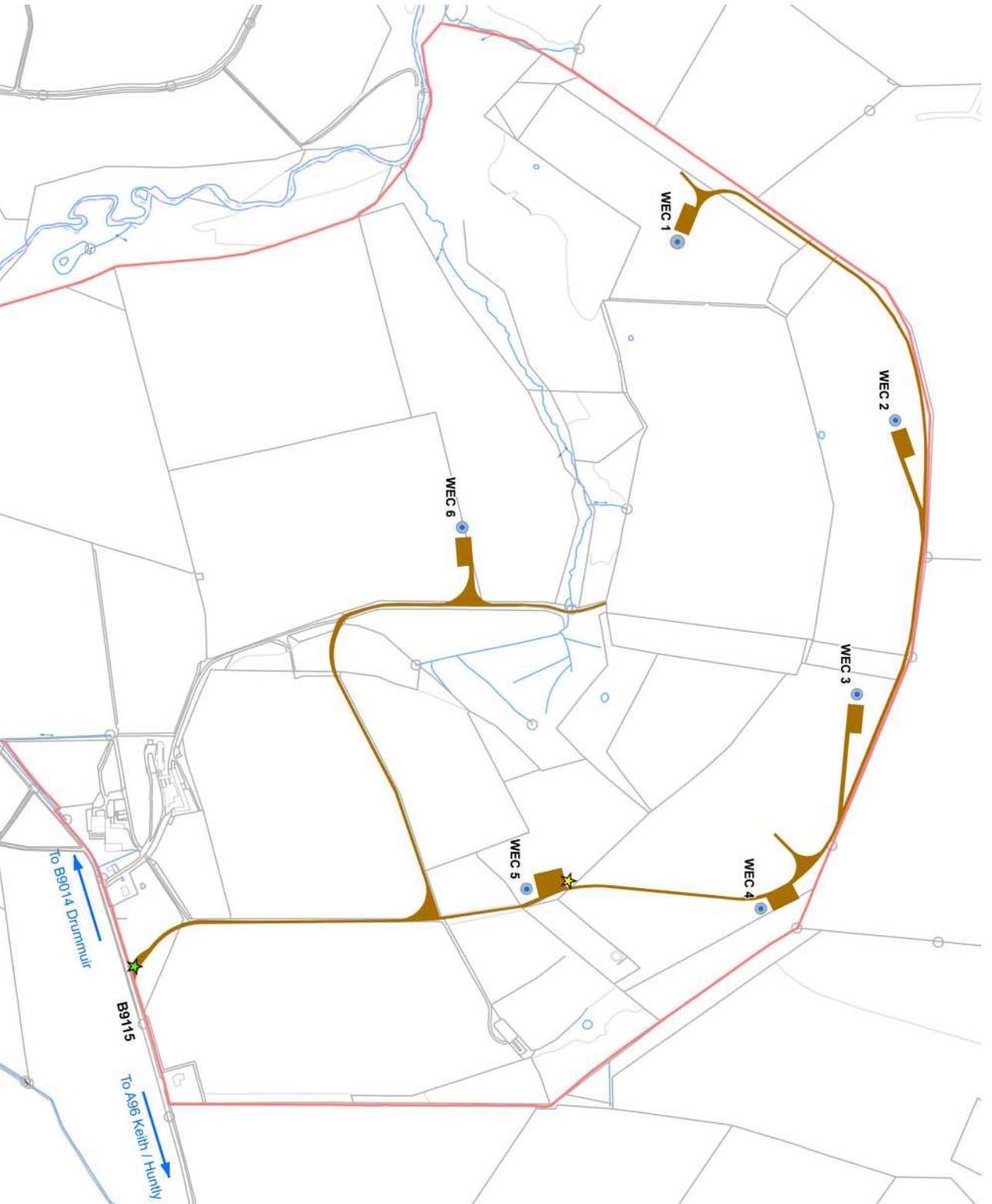
Location Plan



Site Location



Site plan



PLANNING APPLICATION: 23/00121/APP

In the event that a recommendation on this planning application is overturned the Committee is reminded of the advice contained on the front page of the agenda for Reports on Applications

1. THE PROPOSAL

- This is an application under section 42 of the Planning Act, which seeks to vary the terms of the existing planning permission for wind farm to allow noise monitoring to take place every 5 years instead of every 2 years as currently required.
- The original planning permission (10/02092/EIA) was for 6 wind turbines and associated infrastructure and was granted at appeal in 2012.
- The development is complete and operational.
- No other alterations to the terms of the planning permission are proposed.

2. THE SITE

- The site consists of 6 turbines with a hub height of 78m and a diameter of 92m.
- The site lies on the south east side of Cairds Hill and approximately 3km south east of Keith.
- The boundary with Aberdeenshire Council is immediately to the south.
- The site is bound to the north by coniferous woodland, farm land to the south with bands of trees and farmland to the east and west.

3. HISTORY

10/02092/EIA - Formation of windfarm comprising of 6 wind turbines (125m in height total capacity up to 21mw) and associated infrastructure including access tracks control building housing switchgear equipment and buried cables at Edintore, Keith - Approved on appeal 24 August 2012.

09/00328/FUL - Erect a temporary meteorological mast at Edintore Farm, Keith – Approved – 20 May 2009.

4. POLICIES

NPF4

Policy 1 - Tackling the Climate

Policy 2 - Climate mitigation and adaptation

Policy 3 - Biodiversity

Policy 11 - Energy

Policy 23 - Health and safety

MLDP 2020

PP1 Placemaking

PP2 Sustainable Economic Growth

PP3 Infrastructure and Services

DP1 Development Principles

DP9 Renewable Energy

EP14 Pollution Contamination & Hazards

5. ADVERTISEMENTS

5.1 Advertised for Neighbour Notification purposes 14/02/23.

6. CONSULTATIONS

6.1 **Environmental Health:** No objection. The proposed wording for condition 22a is acceptable.

6.2 **Strathisla Community Council:** No comment.

6.3 **Keith Community Council:** No comment.

7. OBJECTIONS-REPRESENTATIONS

NOTE: Following the determination of this application, name and address details will be/have been removed (i.e. redacted) in accordance with the General Data Protection Regulations (paragraph 3 of Minute, Planning & Regulatory Services Committee 16 September 2014).

8. OBSERVATIONS

8.1 Section 42 of the Town and Country Planning (Scotland) Act 1997 as amended allows applicants to apply to develop land without compliance with conditions previous attached to a planning consent. In determining such an application, the Council, as Planning Authority can only consider the conditions subject to which planning permission should be granted and may:

- grant permission unconditionally (i.e. remove the conditions attached to the planning consent);
- grant permission conditionally with differing conditions; or
- refuse the application (i.e. keep the conditions attached to the planning consent).

8.2 Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan i.e. National Planning Framework 4 (NPF) and the adopted Moral Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise.

8.3 The main planning issues are considered below:

Section 42 application

- 8.4 In considering a Section 42 application the planning authority can only consider the conditions that are the subject of the application although this does not preclude consideration of the overall effect of granting a new permission. The effect of granting a Section 42 application is the creation of a new planning permission and therefore all conditions of the previous consent must be reiterated in order to have effect. In this case it is recommended that the noise condition (22a of the original permission) is varied as requested by the applicant and all the other conditions are reiterated unchanged with the exception of those that have been discharged in full.

Environmental Impact Assessment

- 8.5 Proposals for more than two wind turbines are 'schedule 2' developments for the purposes of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. The original application (10/02092/EIA) was an EIA application. The EIA Regulations do not specifically provide for a proposal to vary conditions of an earlier development. It is recognised that a Section 42 application is an application for planning permission and that the effect of granting it would be to grant a fresh permission for the whole development. However, the current proposal does not alter the previously approved number, design or location/site layout arrangements for 6 turbines at Edintore and the site has been operational for some time. The proposal in itself will not introduce new or additional environmental impacts beyond those previously assessed and mitigated against. It is also noted that appropriate mitigation of environmental impacts forms part of the conditions of the existing permission which are to be reiterated. The development has been screened as a non-EIA development.

Noise (NPF4 policy 23 and MLDP EP14)

- 8.6 Condition 22 (a) of the existing planning permission requires noise compliance surveys to be carried out every two years and the findings to be reported to the Council as planning authority. Condition 22 (b) makes provisions in the event of a noise complaint and would not be altered by this application. To date three noise surveys have been carried out under this condition (2016, 2019 and 2022) and the Council has raised no concern with the findings. The current proposal is therefore to decrease the frequency of the monitoring and reporting so that it is done every 5 years rather than every 2 years. The applicant has indicated that this would reduce their operational costs and increase generating times as downtime is required for the testing. The Environmental Health Manager has no objection to the change in the monitoring regime. The condition in its altered form will still ensure that the development does not raise unacceptable noise issues or significant noise pollution and therefore accords with NPF4 policy 23 and MLDP policy EP14 respectively. For the avoidance of doubt the last submission relating to condition 22 was in October 2022. Therefore should the current application be approved testing would next be required in October 2027.

Duration of the Planning Permission

- 8.7 Condition 1 of the original permission limited the lifetime of the planning permission to 25 years from the date of first operation of a turbine or failing provision of such details with 12 months of operation, 25 years from the date of the decision. In line with the requirements of that condition the developer confirmed that the first date of operation was 15 July 2016. The existing permission is therefore in force until 15 July 2041. With the agreement of the applicant it is recommended that the terms

of condition are varied to clarify that the new planning permission will also cease to have effect on that day.

Climate & Nature Crisis, Climate Mitigation and Biodiversity (NPF4 policies 1, 2 & 3)

- 8.8 The original permission (10/02092/EIA) was approved under a previous local plan and prior to the adoption of NPF4. NPF4 policies 1 and 2 require significant weight to be given to the climate and nature crises in the assessment of all applications and requires climate mitigation from all development. In this case the proposal relates to an established renewable energy development which provides a clean energy supply. The proposals are considered to comply with NPF4 policies 1 and 2.
- 8.9 NPF4 policy 3 requires all proposals for major developments to conserve, restore and enhance biodiversity. Given that the wind farm is built and operational and the change is in relation to noise reporting only additional biodiversity enhancements are not considered to be proportionate in this case. It is noted that native species planting was provided as part of the original permission which would have provided a biodiversity enhancement. In this instance the proposal is considered to comply with NPF4 policy 3.

Remaining Conditions

- 8.10 It is recommended that the remaining conditions of the original planning permission will be reiterated so that they continue to have effect. The development is now complete and operational and four conditions relating to archaeology and the formation of the access have been discharged in full and need not be repeated. Some conditions have been purified in part but are reiterated to ensure compliance throughout the lifetime of the development.

Conclusion

The proposed variation of condition to allow for less frequent noise reporting is considered to be acceptable in this instance. The wind farm has been operational since 2016 and noise is being effectively managed on site. No other changes are proposed. Environmental Health have no concerns relating to the altered management scheme and are content that it would allow for sufficient control of noise issues going forward. For the avoidance of doubt the recommendation reiterates all other conditions of the previous consent with the exception of those that have been discharged in full. It is recommended that planning permission is granted.

REASON(S) FOR DECISION

The Council's reason(s) for making this decision are: -

The proposal accords with the provisions of the development plan and there are no material considerations that indicate otherwise.

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