

31st March 2014

Development Management,
The Environment Service,
Perth & Kinross Council,
Pullar House,
35 Kinnoull Street,
Perth. PH1 5GD

For the attention of John Russell

Dear Sirs,

Town and Country Planning (Scotland) Acts
Planning Application:- 14/00097/FLM
Erection of 6 wind turbines, anemometer mast and ancillary works
Bandirran Wind Farm by Balbeggie.

Scone and District Community Council have considered the above application and wish to lodge a formal OBJECTION to this application.

We are extremely concerned that the interests and safety of all local people and visitors, along with matters of landscape & visual impact, fauna, heritage, etc. are fully considered in your assessment of this Planning Application.

The Application was discussed at our public Community Council Meeting held on Monday 31st March 2014, at which time it was resolved to submit this letter of objection to Planning Application No. 14/00097/FLM.

We would confirm previously indicating our concerns in respect of Bank's Report on Consultation, regarding the content of the information made available at the various public events, organised by Banks Renewables Ltd.

We consider that the poor level of information given during the "consultation period" has not allowed members of the general public sufficient time and information, within their consultation period, to fully consider this Application.

Our grounds for Objection to this Planning Application are:

1. Landscape and Visual Impact.

We are aware of a number of wind turbines currently operational in the general area, however these are usually a modest single wind turbine discreetly sited and of a height less than 50m, sized to suit the electrical requirements of the local business.

The proposed wind farm at Bandirran is for a major industrial site of six turbines of 132 metres high to be located in an area of scenic beauty, highly visible from major tourist routes and with historical connections which are recognised nationally and internationally.

The six turbines will not only have a significant and unacceptable visual impact on the surrounding impressive scenic and unique historic countryside, visible from major tourist routes such as the A 90 and the A 94, but will be clearly visible to the wider community over a considerable area as is shown on Banks Renewables ES Drawing 08 showing the Zone of Theoretical Visibility based on hub height.

Murrayshall Hill is a very popular public viewpoint, frequently used by locals and visitors, and is highly sensitive to the proposed development as it will have a major impact to the views from this location. The views of this individual Application will in itself have a major impact, but this will be considerably affected by the cumulative effect of the multiple developments visible from this point. Despite this it has not been produced by the applicant as a relevant viewpoint.

TAYPLAN is the most applicable ruling Planning authority in this instance, as is shown by the Banks Renewables Zone of Theoretical Visibility Mapping, the wind farm would be visible from Perth and Kinross, Dundee City, parts of Angus and North & East Fife.

The Bandirran Application is in direct contravention of the intent of TAYPLAN Policy 6. Policy 6 states that any application to be acceptable, must as a minimum be justified in terms of sensitivity of landscapes, the water environment, biodiversity, geo diversity, habitats, tourism, recreational access and listed or scheduled buildings and structures. In addition it is also vital that the cumulative impacts of the scale and massing of multiple developments, including infrastructure, are fully taken into account.

We consider that the applicant has failed to properly comply with Tayplan Policy 6.

2. Archaeology and Cultural Heritage

The Application includes an assessment of the cultural heritage assets within a 15 km radius of the site, however we would take issue with the applicant's assessment of impact.

The area of Perth and Kinross, affected by this Application, contains our greatest concentration of heritage sites, not least of which is the scheduled monument hillfort on Dunsinane Hill, together with the adjacent site believed to be the battlefield where Malcolm Canmore defeated Macbeth in 1054.

We consider that locating these 6 No large turbines in an area, which will overshadow these famous historic sites, will totally alter the setting of such Scheduled Monuments.

The effect of such an alteration to the setting will considerably reduce their significance, which is unacceptable in our opinion.

3. Aviation

We note from the responses given by respective Statutory Consultees that there are considerable objections to the proposal. We trust that due consideration will be given to the objections from these specialist organisations, during the process of this Application.

4. Ecology and Nature Conservation

The Application includes a study, which concludes that there will be no significant impact on the animals and insects, within the defined study area.

We would suggest that, in the event of the Application being successful, a condition is included to ensure ongoing monitoring of this matter.

We note that surveys carried out by the Environmental Service of PKC have found evidence of 3 different species of bats roosting within the site.

The survey identified bat roosts of Common Pipistrelle Bats and Soprano Pipistrelle Bats in buildings at Franklyden, which is situated in the middle of the turbine array.

The locations of turbines, in relation to identified bat roosts, indicate that not enough consideration has been given to European Protected Species in the design of the proposed wind farm.

Guidance on the siting of turbines recommends turbines should be located a minimum of 50m from any tree canopy, however it appears that the turbine located at grid reference 320547,729817 is no more than 25m from the plantation beside the access track to Franklyden and, as such in our opinion, provides an unacceptably high risk to bats.

5. Ornithology

The applicant has carried a fairly comprehensive risk modeling operation, as part of the preparation of the Environmental Impact Assessment (EIA).

The modeling rightly raises concerns regarding the impact of the proposed windfarm development on the nesting bird populations in the local vicinity.

However we are concerned that the EIA does not correctly address the flight corridors, especially in light of the proximity of 2 No. SSSI's in the area.

In particular there is a major corridor for geese movements along the Sidlaw Hills, from the Tay Estuary to their winter feeding grounds, and some 45,000 Pink Footed and Icelandic Greylag Geese have been recorded as wintering in the area.

Their line of flight would bring them right over the proposed wind-farm site to their potential disruption and possible injury.

A wind farm in the location proposed could not only disrupt this natural life cycle but could cause

the geese physical harm with bird strikes further adding to the reduction in their numbers .

6. Ground Conditions, Hydrology and Hydrogeology

As a Community Council for the Scone area we are particularly conscious of the potential of flooding matters in our area.

In accordance with the Flood Risk Management (Scotland) Act 2009, SEPA have carried out an extensive study, throughout Scotland, to produce a document of "Local Plan Districts and Potentially Vulnerable Areas".

Under this study the Potentially Vulnerable Area applicable to this Application is PVA 08/11, which relates to the Annaty Burn.

The proposed windfarm site lies directly within the boundaries of PVA 08/11 and the lower reaches of the Annaty Burn flow through Scone village.

We would therefore have anticipated that a full flood risk assessment study would have been undertaken by the applicant.

The proposed development will involve considerable earthworks, excavation of both permanent and temporary works, excavation for drainage, excavation for cable trenches, fill of embankments and road construction.

It is also a requirement that a number of watercourse crossings are constructed.

Inevitably from such a scope of works there will be disturbance to the local topography and also the groundwater regime.

We would therefore reiterate our concern that a full flood assessment has not been carried.

We also note with considerable concern the response you have received from the Perth & Kinross Council Flood Team, as the Flood Prevention Authority, which appears to exhibit no concern in this matter what so ever and does not appear to even contemplate the need for a full assessment.

In respect of the geology of the site, we note that there appears to have been a minimal amount of site investigation carried out.

We consider that, in order to ensure the adequacy of the foundation of the turbines or the quality and extent of the proposed borrow pits, a more extensive investigation regime should have been employed.

If consent is granted, without further investigation at this stage, it may be found that considerable variations to both permanent and temporary works are required.

As a consequence the effect on the hydrology of the site may be considerably greater than that currently indicated by the Applicant.

We have concerns also regarding groundwater as the geo-environmental desk study and Environmental Statement (ES) has not adequately assessed the risks to groundwater from this proposed development. Our concerns are further highlighted in the response to this application by SEPA, a statutory consultee.

7. Traffic and Transportation

There is a considerable volume of ongoing local traffic, which travels along the B953 road, eastwards from the A94 junction at Balbeggie.

The application includes defined traffic routes to be utilised during the construction period, which involves approximately 5000 trips, using two way traffic, along this affected section of the B953.

We consider that the danger created by such volumes of traffic, together with the potential damage to surfaces and verges, to be unacceptable.

The Application makes reference to agreement of a Traffic Management Plan and that Banks will employ a Liaison Officer to control the Traffic Management Plan.

We consider that, in the event of the Application being successful, a condition is included to ensure that such a Liaison Officer is directly employed by Banks and not transferred to any third party.

8. Noise

Due to the distances from the proposed development at Bandirran to the Scone & District Community Council area, no effects from operational & construction noise should be experienced although traffic noise within Scone, during the construction period, should be assessed separately.

In the event that the Application is successful, strict conditions should be applied to any such consent.

We would suggest the following conditions be included:-

- Operations limited to times agreed with Perth and Kinross Council.
- Deliveries of turbine components, plant and materials by HGV to site shall only take place by designated routes and within times agreed with Perth and Kinross Council.
- The Developer shall widely publish the construction programme, indicating the commencement and duration of individual operations, along with contact details for daytime and out of hours.
- The site contractors shall be required to employ the best practicable means of reducing noise emissions from plant, machinery and construction activities.
- The programme should be phased to reduce the noise of combined operations.

We understand that safe noise levels are set under ETSU-R-97, which should be relevant to all properties in the community.

In the EIA, section 14.13.16, we note that Banks Renewables are attempting to circumvent the above regulations.

The majority of properties closest to the development are part of the Bandirran Estate, and the occupiers of several of these properties have individual financial agreements in relation to the Development.

It seems that within this situation, there is provision for an increase in the fixed lower limit value where the occupier of the property has a financial interest in the development. For properties with a financial interest in the Development, the limit for both daytime and night-time becomes the higher of 45 dB(A) or 5 dB(A) above the prevailing background noise level for the relevant period.

We are concerned at this apparent use of financial incentives to relieve Banks Renewables of their obligations in respect of Health & safety

9. Shadow Flicker

Shadow flicker effects have been predicted to have the potential to occur at twelve properties owned by Bandirran Estates within the shadow flicker study area.

The distance from the development area and positioning in relation to the sun, mean there are no issues likely to be attributed to shadow flicker in the Scone & District Community Council Area

10. Land use, recreation and tourism

Effects on land use are considered to be not significant in terms of the EIA Regulations, as only a relatively small area will be lost compared to the amount of similar land available locally.

Agricultural activities would be temporarily affected during construction of the Development for a limited period of around 12 months.

Access tracks upgraded and used during construction of the Development would also be inaccessible during this time.

There will be a short-term impact for local recreational users of the Core Paths BURR/133 and BURR/134, however arrangements will be made during construction to ensure access to these core paths is retained as far as is possible.

At present the condition of the core paths do not encourage public usage and, following construction, we consider that there is an opportunity to provide measures to actually enhance the use of core paths in the Bandirran area by increased signposting and awareness especially of the route over to Kinnaird.

We note that many Local Authorities are recommending that the setback distances from wind turbines to roads, rights of way, core paths etc. should be at least the tip height of the turbine. If this was to be applied in this instance, then turbine 3 would fail to meet the requirements, on applicants own admission. These setback distances are recommended for Health & Safety reasons because of the accident risk from dislodged debris such as ice blocks and structural failures.

Walking & recreational activities are enjoyed by residents & walking clubs in the Scone & District Community Council area on the core paths highlighted and as such the Health & Safety issues are a cause for concern.

We would therefore request that due consideration is given to this matter as part of the planning process.

11. Telecommunications

The analysis undertaken to assess the impact of this Application on terrestrial television indicates that an area of 400 sq. km. could be involved, which would mean that in excess of 1,000 homes could be affected.

It appears that, although a baseline survey has not been carried out, it is likely that the majority of Freeview viewers in both Angus and Perth will be affected.

We consider that a full survey of viewing habits, within the affected interference area, is carried out before any meaningful conclusions can be reached regarding the impact of the Bandirran development.

In conclusion we would reiterate our concerns, regarding the Bandirran Application in general, as listed above.

Furthermore we would express our concern at the possibility that any approval of this Application, could set a precedent for further such large developments in the area.

Yours faithfully,
For and behalf of Scone & District Community Council

Clive Price
Secretary

