

## **FIRST CLASS**

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## **DEVELOPMENT SERVICES**

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Your Ref:

Our Ref: CJS/10/03521/PREAPP

Date: 9 November 2010

Dear Sirs

### **SCOPING OPINION UNDER THE TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 1999 – ERECTION OF 4 OR 6 WIND TURBINES (MAXIMUM GROUND TO BLADE TIP HEIGHT OF 125 METRES) WITH ASSOCIATED WORKS - KENLY WIND FARM, NEAR ST ANDREWS, FIFE.**

I am writing in response to your letter dated 13<sup>th</sup> September 2010 regarding a request for Fife Council to provide its opinion as to the submitted Scoping Report for the above proposed development. Having now had the opportunity to investigate the contents of the report and examine the responses from key consultees I can now confirm the following:-

I can confirm that Fife Council as Planning Authority is in agreement that the proposal is considered a Schedule 2 type development as per Part 3(i) of the above Regulations (i.e. Energy Industry – Installations for the harnessing of wind power for energy production (wind farms)). The Council can also confirm that a full Environmental Impact Assessment and submission of an appropriate Environmental Statement would be required should your clients wish to apply for planning permission for the above proposal in the future.

I can also confirm that the methodology and scope of the proposed Environmental Statement for the development at Kenly Wind Farm is broadly acceptable in terms of the headings and summaries provided within your own Scoping Report document dated September 2010. I would however also like to take this opportunity to add additional comments where relevant to each of the main sections of the report to address the responses received from those consultees who have replied to your initial scoping request. To assist in your interpretation of the matters raised and in the interests of completeness I am also copying all the consultation replies received to date for your own records even though it is noted that they have also replied directly to you under separate cover. Please also note that as not all the consultees have responded at the time of writing, Fife Council would wish to reserve the right to request further information or seek clarity on any points raised by the consultees during the processing of any future application.

#### **Review of Planning Policy (Section 3)/...**

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### Review of Planning Policy (Section 3)

In examining the submitted Scoping Report it was noted that there is only a limited reference to the Adopted St Andrews Area Local Plan (1996). Whilst it is appreciated that that document does not contain any specific policies relating directly to wind farm proposals themselves, there are other policies contained within it that will be of relevance to this proposal (e.g. energy generation and transmission, countryside development criteria, impacts on Areas of Great Landscape Value and other environmental/heritage/access and ecological related issues etc) and therefore you should make reference to them in any future Environmental Statement. Whilst I appreciate that this document has been adopted for a number of years, it is still the adopted plan relevant to the site in question and is therefore a material consideration with significant weight in determining any future applications within its area of coverage.

With regards to the references made in your report to the policies contained within the Finalised St Andrews and East Fife Local Plan (2009), I would also agree that they should be referred to given they outline the Council's most up to date policy stance with regards to such developments and the respective local issues or matters associated with them.

Please also note that the individual Scottish Planning Policy (SPP) documents referred to in the report have now all been superseded and their respective topics are now included in one SPP document, which was published by the Scottish Government in February 2010. I would therefore recommend that the SPP references and guidance elements are updated to take note of the changes.

### Landscape and Visual (Section 4)

As Scottish Natural Heritage (SNH) have provided detailed comments and guidance on the landscape and visual matters, as outlined in their letter dated 19<sup>th</sup> October 2010 (copy enclosed), and I would therefore wish to rely on their comments and recommendations at this stage. These matters will obviously be discussed in more detail during the meeting with SNH on the 9<sup>th</sup> November 2010, but I would suggest their comments etc are considered in full and reference is also made to the list of SNH publications and good practice guidance listed in their letter.

On examination of the submitted Scoping Report, it was noted that there is no detailed reference to the scheme's potential impact on Areas of Great Landscape Value (as defined in the Adopted St Andrews Area Local Plan, 1996) or the emerging candidate Special Landscape Areas (as defined in the Finalised St Andrews and East Fife Local Plan, 2009). Whilst it is noted that the site in question is not located within either designated area, the site does lie near to them and therefore further consideration should be given to the potential impacts and the likely mitigating measures proposed to lessen such impacts.

Please note that the following applications for significant wind turbine/wind farm proposals have been submitted to Fife Council for consideration in 2010 and therefore these proposals should also be taken into consideration (especially with regards to the potential cumulative impact) when submitting the final Environmental Statement:-

**10/01469/EIA** – Erection of three 100m tall (ground to tip of blade) wind turbines, formation of access track and erection of ancillary sub-station building – Clatto Farm, near Cupar.

**10/02183/EIA** – Erection of seven wind turbines (maximum 121m high ground to tip of blade), formation of access tracks, erection of ancillary sub-station building and other ancillary development – Devon Wood, near Leven.

**10/02616/FULL** - Erection of two 100m (ground to tip of blade) wind turbines and construction of connection building and access tracks – South Cassingray Farm, Largoward.

**10/02121/FULL** - Erection of single 80kw wind turbine hub height 30m (39 m to tip) – Carhurly Farm, by St Andrews.

The above applications have yet to be formally determined and can be viewed online at [www.fifedirect.org.uk](http://www.fifedirect.org.uk) Likewise, the following significant applications have been approved in 2010 (details also online) and should be taken into considered:-

**10/02425/FULL** - Erection of 11kw wind turbine (hub height 18.3m) – Peekie Cottage, West of Boarhills.

**10/02378/FULL** - Amendment to previous consent (09/00712/EFULL) to increase height of wind turbine to 24 metre high (to tip) from 19.5 metre high (to tip) – Brake Cottage, West of Dunino.

*Please note that the above lists do not include proposals and consents granted for wind turbines of 18 metres (ground to tip height) or less.*

#### Ecology (Section 5)

As Scottish Natural Heritage (SNH) have provided detailed comments and guidance on ecological matters, as outlined in their letter dated 19<sup>th</sup> October, I would therefore wish to rely on their comments and recommendations at this stage in time, however, I would also recommend that you consider their views in full.

#### Ornithology (Section 6)

Although no response has been received from the RSPB, SNH have provided detailed comments and guidance on ornithological matters, as outlined in their letter and again I would wish to rely on their specialist comments and recommendations at this stage in time. Again I would also recommend that you consider their views in full.

#### Site Geology, Hydrology, Hydrogeology and Hydromorphology (Section 7)

Although SEPA and Scottish Water have not been able to provide detailed comments for us at this stage in time, I would recommend that this section of any future statement also considers the potential for any adjacent watercourses to become polluted both during and after the construction phases and what mitigating measures are to be put in place to minimise such risks etc.

#### Cultural Heritage and Archaeology (Section 8)

As Historic Scotland (HS) have provided detailed comments and guidance on the cultural heritage and national archaeological matters, as outlined in their letter dated 22<sup>nd</sup> October 2010 (copy enclosed), I would therefore wish to rely on their specialist comments and recommendations at this stage and would suggest their comments etc are considered in full. Please note that we will also seek formal comments from the Council's Built Heritage and Archaeological teams once the final statement has been lodged.

#### Noise (Section 9)

Fife Council's Environmental Services officers have advised that although the methodology employed is as they would expect they are concerned regarding the lack of designated monitoring points. They have also advised that they would require written confirmation as to why the properties known as Primrose and those located at Upper Kenly have been excluded from the monitoring process. Further to this, they have also requested that a more detailed plan showing the measured distances from the turbines to the identified receptors should also be submitted.

#### Shadow Flicker (Section 10)

Fife Council's Environmental Service officers have not provided any comments to date on this particular matter. On examining the submitted Scoping Report, it was noted that no reference has been made to this issue and the potential impact on adjacent roads. Whilst it

is appreciated that the roads network locally is unclassified this minor point should be included in any future statement given shadow flicker can be a road safety issue.

#### Telecommunications (Section 11)

On examination of the submitted Scoping Report, whilst it was noted that specific mentions have been made to Ofcom providing advice relating to microwave telecommunication links and the JRC and CSS providing advice on telemetry links for the power and water industries respectively, there does not appear to be any reference to specific advice received relating to general public television or radio receptions. Indeed, the submitted report advises that "*...if there are any affects on television and radio reception similar technical mitigation measures will be employed*". In light of this statement and the fact that this is a potentially contentious issue, I would strongly recommend that further advice is sought prior to a formal submission and the guidance received fully considered in advance of the final design. If advice has already been sought then I would recommend that you include the guidance provided in the future statement. The key contacts on such matters are currently the Ofcom Radio Communications Unit, Channel 5 Broadcasting, Arqiva (ITV and C4 transmissions) and the BBC Online Consultation Tool facility maintained by the BBC Research Department.

In addition to the above, it was also noted that no reference has been made to the potential impact the scheme may have on the Emergency Services communication network system(s). I would therefore recommend that you consult with Fife Constabulary and the Maritime and Coastguard Agency to ascertain any potential issues associated with this proposal at this location.

#### Aviation and Defence (Section 12)

To date no response has been received from the Ministry of Defence, the Civil Aviation Authority, or the National Air Traffic Services regarding the above scheme, therefore I am unable at present to provide any further advice or guidance on these matters. With regards to potential impacts on radar systems, I would also suggest that in addition to considering the potential impacts on both Edinburgh and Dundee airports and RAF Leuchars, you should also consider the potential impacts on the Meteorological Office mast facility at Munduff Hill, near Glenrothes.

#### Economy and Tourism (Section 13)

The proposed socio-economic and tourism impact assessment methodologies contained within the submitted report have been noted and are considered acceptable at this point in time. Please note that we will also seek formal comments from the Council's Economic Development team once the final statement has been lodged.

#### Traffic and Transport (Section 14)

Fife Council's Transportation Service officers have advised that the key issues outlined for consideration in the submitted report are broadly acceptable. The key issues for consideration should include details of the final chosen access point, the provision of preferred and alternative route access plans (for the construction/delivery and operational/dismantling phases), details of the construction timescales, and the provision of a Dilapidation Survey of the route options (prior to components being delivered). Further to these, they have also recommended that details of any transportation related infrastructural improvements required should be outlined from the outset as well as details of the number/type/size and frequency of vehicles accessing the site during the construction / delivery / operational / dismantling phases. They have also advised that they would wish to reserve the right to make further recommendations etc once the submitted details have been provided.

## Public Consultation (Section 15)

With regards to the need to carry out Pre-Application Consultations (PAC) and the need to provide the planning authority with at least 12-weeks notice prior to the formal submission of an application for planning permission (i.e. through the submission of a Proposal of Application Notice – PAN), I can confirm that as this proposal would be considered as a Local development, as opposed to being classed as a National or Major type, as defined under The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, there would be no formal requirement for your client to carry out a PAC exercise, nor would your client need to go through the 12-week PAN pre-submission process etc. This advice is based on the information provided to date – i.e. that the proposal is wholly for Electricity Generation (e.g. not part of a mixed-use scheme or combination of developments) and the generating capacity would not exceed 20 megawatts. Should your client however wish to carry out one final community engagement exercise prior to submission then I am sure this would be looked upon favourably by local groups and the community as a whole.

These comments are made at officer level only and are made strictly without prejudice to the eventual decision of Fife Council as Planning Authority with regards to any future applications for this site.

I trust the above is of assistance to you and your client and can allow you to develop the Environmental Statement further. However, should you have any further queries then please do not hesitate to contact me on the above telephone number. Please note that I am also more than happy to meet and discuss any further issues you may have prior to the submission of any future application even if only to discuss technical or administrative / procedural matters.

Yours Faithfully



Chris Smith

Lead Officer (Planner)  
Development Promotion & Design

cc - Scottish Natural Heritage  
- Historic Scotland  
- Fife Council Environmental Services  
- Fife Council Transportation Services

