

**P26. Installation of a Single Wind Turbine (Height of 69 Metres to Hub, 99.5 Metres to Blade Tip) Hardstanding, Substation Building, Transformer Housing and Area for Micrositing (Amendment to Planning Permission P/14/0203/FUL) at Land to the South of Westerglen Farm, Falkirk for Bespoke Community Development CIC - P/17/0766/FUL**

The Committee considered a report by the Director of Development Services on an application for planning permission for the erection of a single wind turbine at land to the south of Westerglen Farm, Falkirk for Bespoke Community Development CIC.

With reference to Standing Order 33, the Convener referred to a deputation request received from David Bennett of Bespoke Community Development Company to be heard in relation to this item.

The Committee agreed to hear the deputation.

The Committee heard from David Bennett of Bespoke Community Development Company in support of the application.

The Committee thereafter resumed normal business.

The Committee agreed to an adjournment at 10.20am, to allow information on the physicality of the site to be displayed, and reconvened at 10.30am with all members present as per the sederunt.

**Decision**

**The Committee agreed to grant planning permission subject to the following conditions:-**

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) Prior to operation, the proposed turbine shall be fitted with infrared aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.**
- (3) Prior to initiation of development, the applicant shall inform, in writing, the Ministry of Defence of:**
  - the date construction will start and end;**
  - the maximum height of construction equipment, and**
  - the latitude and longitude of the turbine.**
- (4) Should complaints of noise be received as a result of the operation of the wind turbine, the operator shall, at its expense, employ an independent consultant (not financially involved)**

approved by the Planning Authority to assess the level of noise emissions from the wind turbine at the nearest noise sensitive receptor. At wind speeds not exceeding 12m/s, (referenced to a height of 10m above ground level, at the location of the turbine), the wind turbine noise level, when measured at any dwelling, shall not exceed:-

(a) During night hours, 43 dB LA90,10min or the Night Hours LA90,10min Background Noise Level plus 5 dB(A), whichever is the greater;

(b) During daytime hours 35 dB LA90,10min or the Daytime Hours LA90,10min Background Noise Level plus 5 dB(A), whichever is the greater.

The report shall be submitted to the Planning Authority for perusal with a view to prevent noise disturbance.

- (5) Prior to the initiation of development, the applicant shall confirm the exact colour of turbine colour, hub, blades and all approved infrastructure with the Planning Authority. This shall be submitted for approval in writing and implemented as approved.
- (6) Prior to the initiation of development, the applicant shall provide a plan detailing any landscape features that require to be removed and reinstatement details and specification.
- (7) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.
- (8) Prior to the initiation of development, further information shall be submitted to and approved in writing by the Planning Authority – in consultation with the Coal Authority – as to:-
  - The undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past coal mining activity, specifically shallow coal mining activity;
  - The submission of a report of findings arising from the intrusive site investigations, the results of any gas monitoring and a scheme of proposed remedial works for approval, and
  - The implementation of those remedial works.

- (9) No development shall commence on site until a 'Radar Mitigation Scheme' (RMS), has been agreed with the Operator and approved in writing by the Local Planning Authority.**
- (10) No turbines shall be built until an approved RMS has been implemented. The RMS shall thereafter be implemented and operated in accordance with the approved details. implemented. The RMS shall thereafter be implemented and operated in accordance with the approved details.**

**Reason(s)**

- (1) As these drawings and details constitute the approved development.**
- (2) The development would not be acceptable without these additional works.**
- (3) To enable the Planning Authority to consider this/these aspect(s) in detail.**
- (4) To ensure that the occupants of the property are safeguarded against excessive noise intrusion.**
- (5 – 6) In the interests of visual amenity.**
- (7 – 8) To ensure the suitability of the ground.**
- (9 – 10) To ensure that air traffic control is not compromised.**

**Informatives(s):-**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 – 09.**
- (2) Falkirk Council have determined the application on the basis of available information relating to ground contamination/landfill gas. The responsibility for the safe development and secure occupancy of the site remains with the applicant/developer.**
- (3) The applicant will be required to negotiate pre and post construction road and bridge surveys with Falkirk Council's Roads Services, Earls Road, Grangemouth and Bridge and Structures Design, Abbotsford House, David's Loan, Falkirk.**
- (4) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.**