

Executive Manager: Jan-Robert Riise  
**Director: Christine Ferguson**

Governance and Law  
**Corporate Services Department**  
Burgh Road,  
Lerwick, Shetland ZE1 0LA

Telephone: 01595 744550  
Fax: 01595 744585  
administrative.services@shetland.gov.uk  
www.shetland.gov.uk

If calling please ask for  
**Louise Adamson**  
Direct Dial: 01595 744555

Date: 28 June 2017

Dear Sir/Madam

You are invited to the following meeting:

**Planning Committee**  
**Auditorium, Shetland Museum and Archives, Hay's Dock, Lerwick**  
**Tuesday 4 July 2017 at 2pm**

Apologies for absence should be notified to Louise Adamson at the above number.

Yours faithfully

Executive Manager – Governance and Law

Chair: Mr T Smith  
Vice-Chair: Ms A Manson

## **AGENDA**

- (a) Hold circular calling the meeting as read.
- (b) Apologies for absence, if any.
- (c) Declarations of Interest – Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.

## **Items**

### **Local Reviews under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) to be considered by the Planning Committee sitting as Local Review Body:**

1. Local Review Ref: 2016/190/PPF – LR27 – Erection of CF15 wind turbine, hub height 15.434m associated cable trench: Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ.
2. Local Review Ref: 2016/191/PPF – LR28 – Erection of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5m x 5.5m square 1m deep: 1 Tresta, Fetlar, Shetland, ZE2 9DJ.



**Guidance on Local Review under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) to be considered by the Planning Committee sitting as Local Review Body: Local Review Ref: 2016/190/PPF – LR27 – Erection of CF15 wind turbine, hub height 15.434m associated cable trench: Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ.**

## **1 Introduction**

- 1.1 The Planning Scheme of Delegations that has been approved by the Council, as well as that which has been approved by the Scottish Ministers, identifies the appropriate level of decision making to ensure compliance with the 1997 Planning Act.
- 1.2 The Scheme of Delegations, following the hierarchy of development introduced by the Planning etc. (Scotland) Act 2006 which is at the heart of the modernised planning system, provides that where a decision on an application for planning permission for a local development (as defined in the Hierarchy of Development) is to be taken it may, subject to certain exceptions, be so by officers as have been appointed by the planning authority.
- 1.3 A decision on an application for planning permission for a local development that is taken by an officer (the appointed person) under the Scheme of Delegations has the same status as other decisions taken by the planning authority other than arrangements for reviewing the decision. Sections 43A(8) to (16) of the 1997 Act remove the right of appeal to the Scottish Ministers, and put in place arrangements for the planning authority reviewing these decisions instead.
- 1.4 The Full Council resolved on 12 May 2011 (Minute Ref: 57/11) that the remit of the Planning Committee be extended to include the functions of the Local Review Body, who would review the decision taken.

## **2 Process**

- 2.1 The procedures for requiring a review and the process that should then be followed are set out in regulations, and these have been followed in the administrative arrangements that have been carried out for support of this review in accordance with its being the intention that decision making by the Local Review Body will follow a public hearing. This however should be confirmed by the Review Body in each case before proceeding.
- 2.2 The Review Body is, where a decision has been taken that the review is to follow the public hearing procedure, required to follow Hearing Session Rules under Schedule 1 of The Town and Country Planning (Schemes of

Delegation and Local Review Procedure) (Scotland) Regulations 2013. In doing so they are to confirm the matters to be considered and the order in which persons entitled to appear are to be heard.

- 2.3 It has been the intention that such hearing sessions will be held in a similar manner to the current Planning Committee, with the Planning Service Case Officer presenting on the matters to be considered, followed by those persons entitled to appear other than the applicant, followed by the applicant, with its being the case that Members of the Review Body can ask questions throughout the process. The hearing session can similarly proceed in the absence of any person entitled to appear at it. The Review Body should confirm this order and confirm the time each person entitled to appear is to be afforded beforehand. During the administrative arrangements that have been carried the persons entitled to appear have been informed that they will each be given a maximum of 5 minutes.
- 2.4 The Hearing Session Rules prescribe that the hearing shall take the form of a discussion led by the local review body and cross-examination shall not be permitted unless the local review body consider that this is required to ensure a thorough examination of the issues. Persons entitled to appear are entitled to call evidence unless the local review body consider it to be irrelevant or repetitious. The local review body may also refuse to permit the cross-examination of persons giving evidence, or the presentation of any matter where they similarly consider them to be irrelevant or repetitious.
- 2.5 The matters that are attached for the purposes of consideration by the Review Body in this case comprise: the decision in respect of the application to which the review relates, the Report on Handling and any documents referred to in that Report (including: the planning application form, and any supporting statement and additional information submitted, and consultation responses and representations received prior to the decision notice by the appointed person being issued); the notice of review given in accordance with Regulation 9; all documents accompanying the notice of review in accordance with Regulation 9(4); any representations or comments made under Regulation 10(4) or (6); and any 'hearing statement' served in relation to the review.
- 2.6 In order to be able to give notice of their decision in accordance with the regulations, the local review body must be clear on the details of the development plan and any other material considerations to which it had regard in determining the application, and, where relevant: include a description of any variation made to the application in accordance with section 32A(a) of the 1997 Act; specify any conditions to which the decision is to be subject; include a statement as to the duration of any permission granted or make a direction as to an alternative (and in the case of a planning permission in principle any substitute time periods to apply to approvals of matters specified in conditions); and if any obligation is to be entered into under section 75 of the 1997 Act in connection with the application state where the terms of such obligation or a summary of such terms may be inspected.



Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013

Local Review Under Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 (As Amended)

Regarding Planning Application Reference: 2016/190/PPF  
Erection of CF15 wind turbine, hub height 15.434m associated cable trench,

Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ

By Mr Neil Bellis

## Contents Page

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Section 6.	Notice of Review
Section 7.	Representations / Hearing Statements

## Section 1. Planning Submission – 2016/190/PPF



# Shetland Islands Council

8 North Ness Business Park Lerwick Shetland ZE1 0LZ Tel: 01595 744814 Email: [planning.control@shetland.gov.uk](mailto:planning.control@shetland.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100006869-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

To install a CF15 wind turbine on a 5.5 metre square foundation.

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) \*

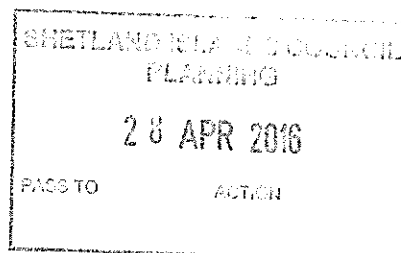
Has the work already been started and/or completed? \*

☒ No ☐ Yes -- Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent



## Agent Details

Please enter Agent details

Company/Organisation:	Groundwater Tait Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Erlend	Building Name:	Ranganoust
Last Name: *	Tait	Building Number:	
Telephone Number: *		Address 1 (Street): *	Ranganoust
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Orphir
Fax Number:		Country: *	United Kingdom
		Postcode: *	KW17 2RB
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Neil	Building Number:	1
Last Name: *	Bellis	Address 1 (Street): *	Isfield Place
Company/Organisation	Neil Bellis	Address 2:	Isfield
Telephone Number: *		Town/City: *	Uckfield
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	RN22 5XR
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Shetland Islands Council

Full postal address of the site (including postcode where available):

Address 1:

BETHANY

Address 2:

AITHSNESS

Address 3:

FETLAR

Address 4:

Address 5:

Town/City/Settlement:

SHETLAND

Post Code:

ZE2 9DJ

Please identify/describe the location of the site or sites

Northing

1189808

Easting

463245

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

We have discussed the application with planning, Environmental Health, SNH and based our proposal on advice received.

Title:

Mr

Other title:

First Name:

Dale

Last Name:

Hunter

Correspondence Reference  
Number:

2015/272/PREAPP

Date (dd/mm/yyyy):

18/01/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

30.25

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Rough agricultural grazing

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☐ Yes ☒ No

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

☐ Yes ☒ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- ☐ Yes  
☐ No, using a private water supply  
☒ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

☐ Yes ☒ No

If Yes or No, please provide further details: \* (Max 500 characters)

Any waste generated at installation will be removed from the site. Likewise any generated during maintenance will be removed.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☐ Yes ☒ No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? \*

☒ Yes ☐ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No



## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☒ Yes ☐ No

Do you have any agricultural tenants? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) – The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) – The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: \*

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

------------------

Signed: Erlend Tait

On behalf of: Neil Bellis

Date: 18/03/2016

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☒ Yes ☐ No ☐ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☒ Yes ☐ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Erlend Tait

Declaration Date: 28/04/2016

## Payment Details

Online payment: 023700

Payment date: 28/04/2016 09:26:00





Created: 28/04/2016 09:26



The Plan includes the following: 1. revised Data; 2. OS MasterMap Plus; and 3. White PDF Location Plan by the Ordnance Survey. The plan is a representation of the land ownership boundaries and the proposed turbine location. It is not a legal document and should not be used as such. The plan is a representation of the land ownership boundaries and the proposed turbine location. It is not a legal document and should not be used as such.

Scale: 1:500, paper size: A2

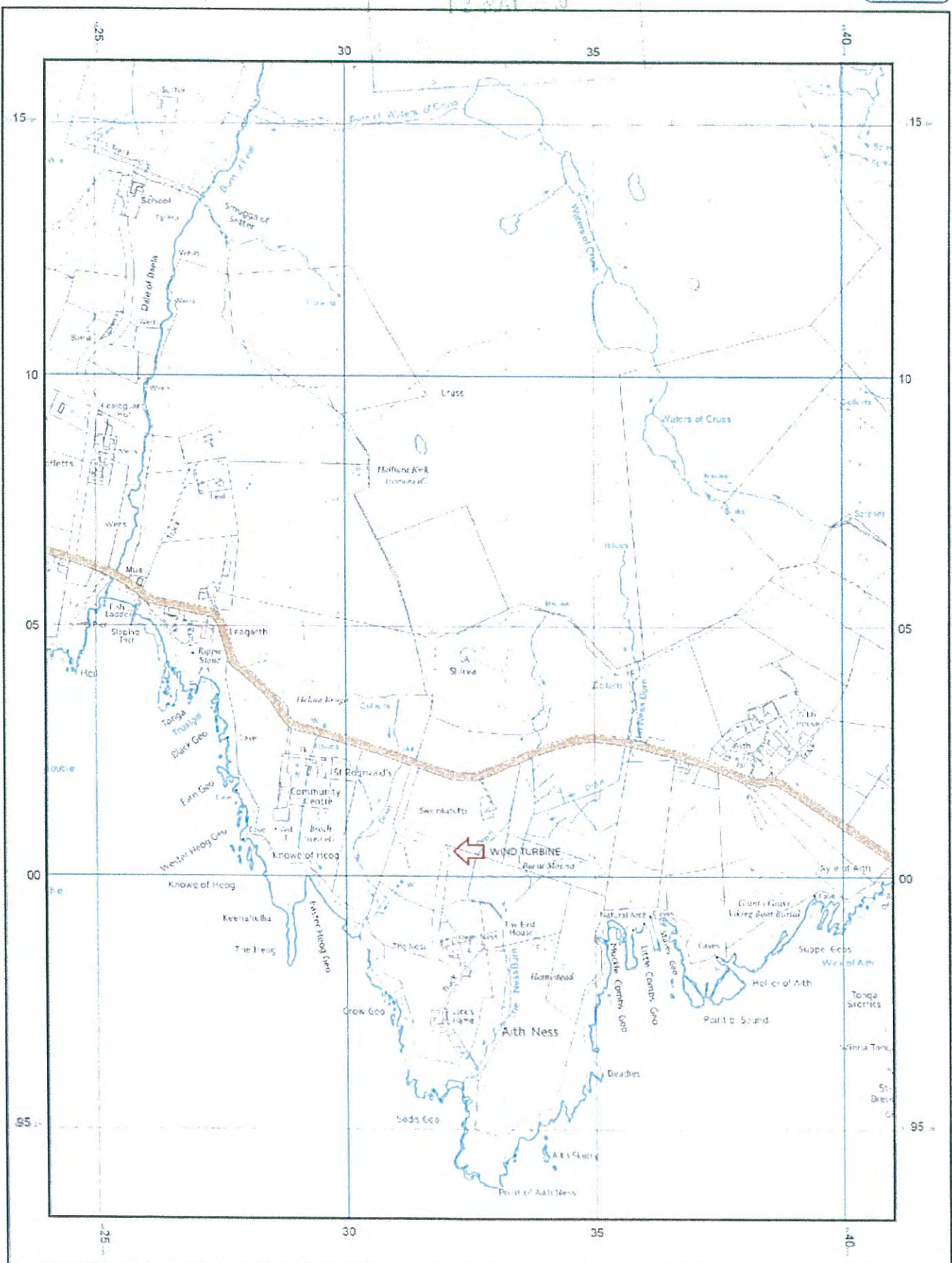
Proposal to erect a CF15 wind turbine  
 Turbine location 463204 1190056  
 Grid connection point 463244 1188612

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary



UK MAP CENTRE  
com

N Bellis



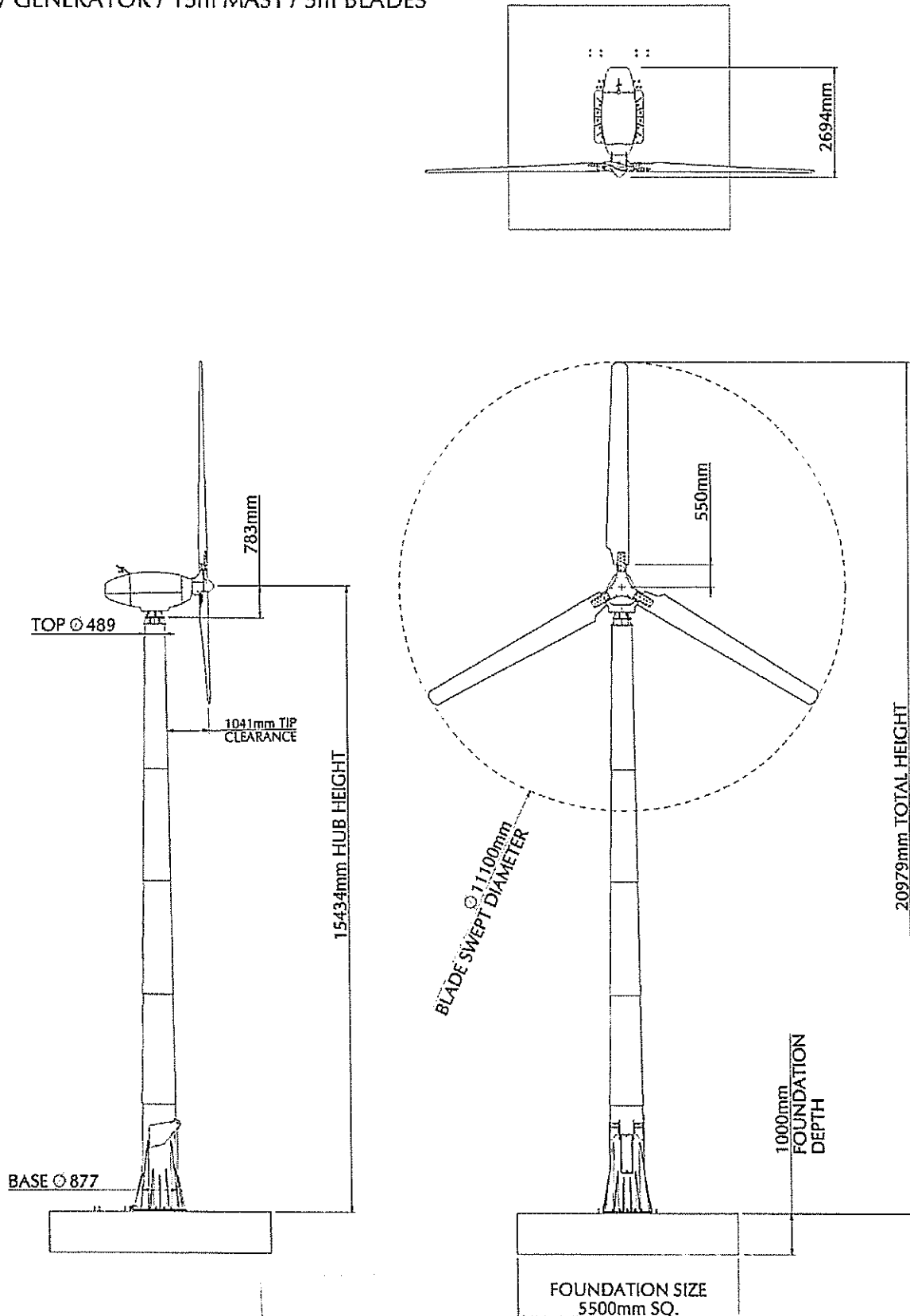
© Crown copyright and database rights 2016 Ordnance Survey 100048957.  
The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.

250m  
Scale 1:10000



Supplied by: www.ukmapcentre.com  
Serial No: 90035  
Centre Coordinates: 463251, 1190473  
Production Date: 10/04/2016 21:53:05

OVERALL DIMENSIONS FOR CF15 TURBINE:  
15kW GENERATOR / 15m MAST / 5m BLADES



**C&F Green-Energy**

DESCRIPTION: OVERALLS / PLANNING

MATERIAL: Mast: S275 Galv

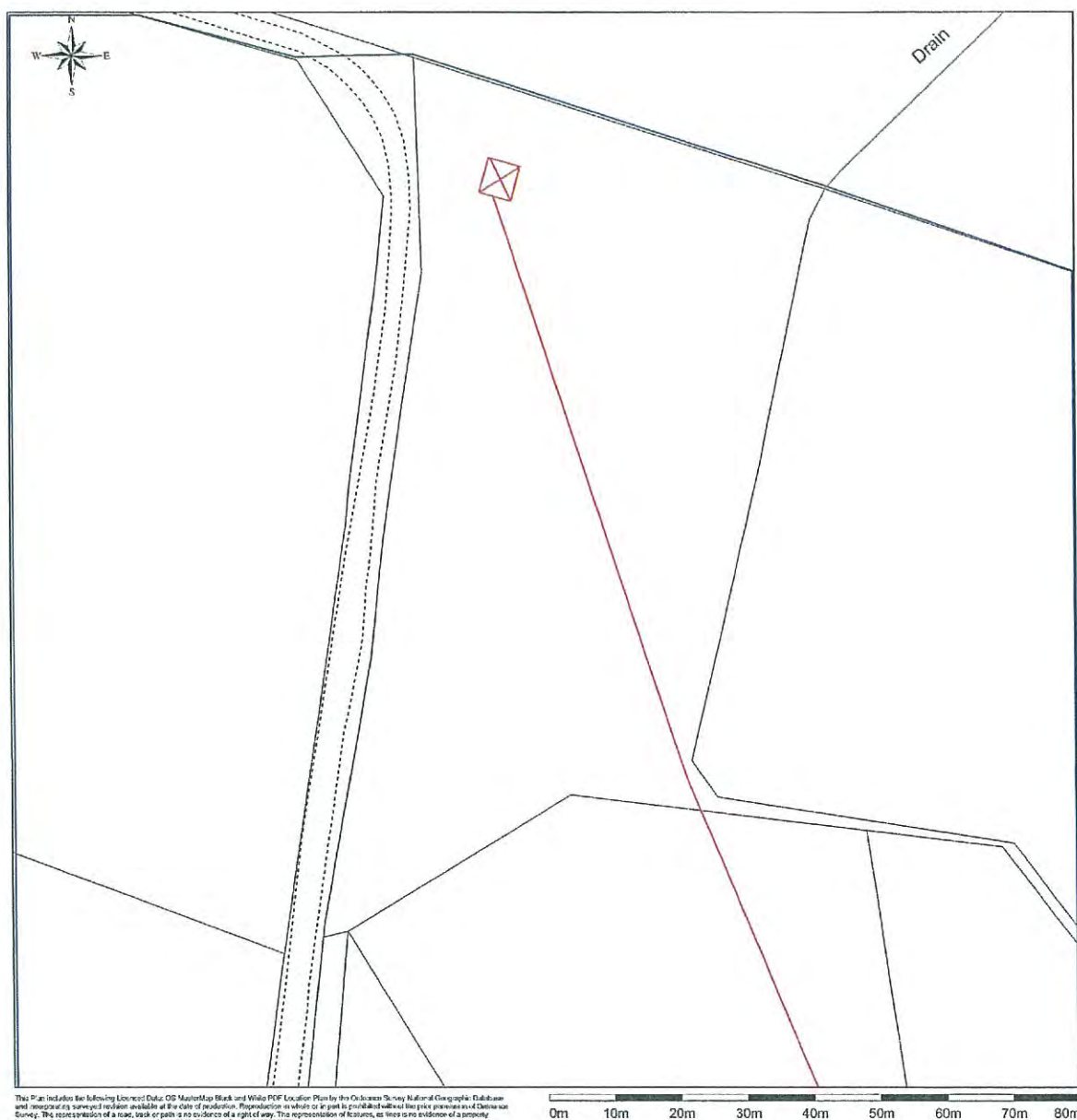
DRAWN: C O'Neill PAINT: -

CHECKED: - FINISH: -

DATE: 16-Feb-11 SHEET: 1 OF 1





CF15	
All Dimensions in mm	
QTY PER UNIT:	-
SCALE:	1:100
DWG SIZE: A3	





Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
 Turbine location 463213 1150044  
 Turbine base 5m x 5m concrete pad, 1m deep

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary



**plans ahead** by **emapsite™**

Prepared by: Ergon Ltd. 17/07/2016

**From:** Hunter Dale@Development Management  
**Sent:** 13 September 2016 11:15  
**To:** 'Erlend Tait'  
**Subject:** 2016/190/PPF - Bethany, Fetlar

Hi Erlend,

I have just been allocated the above planning application. I would note the consultation response from the Roads Service. I would encourage you to look into this. As the application stands I would be looking to recommend refusal.

If you wish to discuss this feel free to call on 01595 743963.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ



**From:**Hunter Dale@Development Management  
**Sent:**15 Sep 2016 11:24:54 +0100  
**To:**'Erlend Tait'  
**Subject:**RE: 2016/190/PPF - Bethany, Fetlar

Hi Erlend,

Thanks for sending this in. I will have a look into this and get back to you.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [REDACTED]  
**Sent:** 15 September 2016 10:44  
**To:** Hunter Dale@Development Management  
**Subject:** Re: 2016/190/PPF - Bethany, Fetlar

Hello,

I was under the impression this was a private road and was looking for good service access to the turbine.

I have attached a map showing a new position for you and Environmental Health to consider. Let me know your views please and if it is OK I will get new maps drawn up,

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)

**Sent:** Tuesday, September 13, 2016 4:31 PM

**To:** [REDACTED]

**Subject:** RE: 2016/190/PPF - Bethany, Fetlar

Hi Erlend,

I'll keep an eye out for your response. I would appreciate if you could Cc [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) with any amended plans.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [[mailto:\[REDACTED\]](mailto:[REDACTED])]

**Sent:** 13 September 2016 16:31

**To:** Hunter Dale@Development Management

**Subject:** Re: 2016/190/PPF - Bethany, Fetlar

Hello,

I was under the impression it was not a council road but was obviously wrong. I will submit a new plan,

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)

**Sent:** Tuesday, September 13, 2016 2:41 PM

**To:** [REDACTED]

**Subject:** FW: 2016/190/PPF - Bethany, Fetlar

Hi Erlend,

Please see the attached consultation response from the Roads Service. It will be uploaded to our website shortly.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)

**Sent:** Tuesday, October 04, 2016 12:16 PM

**To:** [REDACTED]

**Subject:** RE: Fetlar

Good Afternoon Erlend,

I have received a note about your call. Apologies for not having replied to your email yet. You may be aware that the Council's headquarters building was decanted into other venues across Lerwick with one day of notice. As such it has taken us several days to get back into the processing of applications and dealing with the back log. In addition our main database system (Uniform/Idox) is currently going through a major update and will be offline until late on Thursday meaning there are large parts of our work we cannot do including the signing off of applications.

With regards to your email on 20<sup>th</sup> September about the Weatherhead application (2015/457/PPF), that degree of amendment to the application would unlikely be accepted as a section 32A amendment and would very likely need a fresh application to be submitted. The separating distance would likely resolve noise issues at Weatherhead but the new location may raise new material considerations in terms of impacts on the airstrip, natural heritage assets and any other noise sensitive receptors in the area. If the proposal is now not to connect to the property at Weatherhead it would be a significant alteration to the description of development and a fresh application would be required for that reason. I am looking to have the application concluded in the coming days.

We have not yet received consultation responses for the applications at Tresta (2016/191/PPF) or Bethany (2016/190/PPF) and I have followed this up again today.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto: ]  
**Sent:** 30 September 2016 15:03  
**To:** Hunter Dale@Development Management  
**Subject:** Fetlar

Hello,

Has there been any advance with the Fetlar applications with EH or yourselves? I am expecting a call fro Mr Bellis this evening and an update would be very useful,

Regards,

Erlend

**From:**Erlend Tait  
**Sent:**7 Oct 2016 10:29:31 +0100  
**To:**Hunter Dale@Development Management  
**Subject:**Re: Fetlar  
**Importance:**Normal

Hi,

I thought the consultations on the Tresta application was run past EH at the pre planning stage and they were OK with it? Was that not the case?#

We did the pre planning to avoid a delay at this stage,

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Friday, October 07, 2016 9:37 AM  
**To:** [REDACTED]  
**Subject:** RE: Fetlar

Good Morning Erlend,

The consultation is outstanding for both applications.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto:[REDACTED]]  
**Sent:** 06 October 2016 09:35

**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Hello,

What is the position on the Tresta application 2016/191/PPF which was validated on the 27th July and could have been determined on 27th September?

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)

**Sent:** Wednesday, October 05, 2016 4:51 PM

**To:** [REDACTED]

**Subject:** RE: Fetlar

Hi Erlend,

My team leader has followed up on those consultations with the team leader of Environmental Health. If you wish to appeal for non-determination you will be entitled to do so.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 05 October 2016 16:27  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Hi,

Yes, I do realise all that but if possible we would really appreciate a speedy answer,

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Wednesday, October 05, 2016 1:46 PM  
**To:** [REDACTED]  
**Subject:** RE: Fetlar

Hi Erlend,

I can only go with the advice we receive from Environmental Health. Guidance on the way they assess noise impacts can be found on their website here:

[http://www.shetland.gov.uk/environmental\\_health/documents/Smallwindturbineprocedure18-05-15website.pdf](http://www.shetland.gov.uk/environmental_health/documents/Smallwindturbineprocedure18-05-15website.pdf)



We need to look at it from the perspective of future potential occupiers of the house who could live there permanently and could find that they are stuck with a statutory noise nuisance. We can't be approving applications that would result in that situation.

Any consultation responses will be put online where you can sign up for notifications.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto: ]  
**Sent:** 04 October 2016 19:19  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Dale,

The dwelling at Sweinkatofts is a summer dwelling and should not affect the application I do not think.

I have a similar turbine 75 m from my house and you do hear it sometimes when you are outside but it is not intrusive in any way. You certainly can't hear it from inside the house. I know this is only my opinion and is not relevant in this case, but they are very quiet due to the active blade pitching system.

I would appreciate any news on this as soon as we can get it,

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)

**Sent:** Tuesday, October 04, 2016 4:26 PM

**To:** [REDACTED]

**Subject:** RE: Fetlar

Hi Erlend,

No evidence has been provided within the application submission that the proposed turbines will not cause a statutory noise nuisance, so the consultation responses from Environmental Health will be crucial in making any recommendation. I understand that your client has time constraints but I must have the appropriate information/consultations on front of me before I can make a recommendation.

I note that the turbine at Bethany is 84.5m from the dwelling at Sweinkatofts and I would anticipate that Environmental Health will have concerns regarding this, but I will need to wait on the response from Environmental Health before advising further.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 04 October 2016 13:44  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Hi,

Well, that's not going to make things simple for you I'm sure.

We are mostly concerned with Tresta and Bethany and my clients target is to install these turbines before Christmas if possible. This involves a lot of complications in terms of getting turbines ordered and built, arranging concrete for bases, cabling, payments, ferry bookings for getting it all to Fetlar etc. etc

He is moving up from Sussex to farm in Fetlar and is trying to get these turbines in as part of his overall plan to become a successful islander.

What I need to know is what are his chances of achieving this allowing for the fact that the factory won't build a turbine unless there is planning permission and then it takes at least a month?

As these applications were validated in August is he not entitled to an answer on the Tresta application at least?

Regards,

Erlend

**From:** Erlend Tait [REDACTED]  
**Sent:** 10 November 2016 09:25  
**To:** Holden John@Development Management  
**Subject:** Re: Planning Application Refs: 2015/457/PPF, 2016/191/PPF and 2016/190/PPF

Morning,

We did the pre-planning in order to ascertain which site positions would be acceptable and we are no further ahead than we were when we started, albeit for a number of unforeseen circumstances in the cases of Weatherhead and Tresta.

The position of the Aithness application is still undecided too and I cannot present any further information until the positions are agreed.

Specifically what information are we short of?

Regards,  
Erlend

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)  
**Sent:** Wednesday, November 09, 2016 10:05 AM  
**To:** [REDACTED]  
**Cc:** [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) ; [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Subject:** RE: Planning Application Refs: 2015/457/PPF, 2016/191/PPF and 2016/190/PPF

Good morning,

Thank you for your email. It is acknowledged that you submitted a pre-application enquiry, but having reviewed the planning file for application 2015/457/PPF it does seem that the planning officer's consideration of the merits of the proposal has not had the benefit of the level of information the Supplementary Guidance on Onshore Wind Energy sets down as being required, as the response to your enquiry advocated.

It also appears from the file that part of the reason for the application 2015/457/PPF stalling was the lack of clarity for a time over the ownership of Weatherhead. Your saying in your email that the property is back on the market is the first I have been advised this to be the case. I can advise that the objection from the current owner is still valid, and the position as far as relevance to the assessment of the application might only change if the whole of the current application site, and also the dwelling and curtilage for the proposed receptor of the energy the turbine would generate, come under the same ownership.

With regards to the other applications your client has submitted (2016/191/PPF and 2016/190/PPF) I will need to look at the planning files for them in order to reply to your queries about them. I will do this as soon as I can.

Regards

John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland  
ZE1 0PX

Tel: (01595) 743898

Mr Bellis is not very happy with the proceedings so far and is looking to invest a bit of money in Fetlar and feels very discouraged by what he sees as obstacles being put in his way.

Can you please have a look at each of these applications and see if we can find a way forward on any of them.

Best regards,  
Erlend Tait

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)  
**Sent:** Tuesday, November 08, 2016 2:46 PM  
**To:** [REDACTED]  
**Cc:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk) ; [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk)  
**Subject:** Planning Application Ref: 2015/457/PPF

Dear Mr Tait,

We have just been reviewing the file for the above application.

One thing we have found is that it appears we have still to receive the payment from you of £150.00 to cover the cost of the publicising the application in the Shetland Times back in April 2016 (8 April 2016) as Schedule 3 development. We wrote a letter to you on 4 April 2016.

Payment can be made either by cheque (made payable to Shetland Islands Council), by credit/debit card at the Planning Service (Tel: (01595) 744293) or by the exact amount of cash. When you make the payment please quote the planning application reference number for your application.

Regards

John

John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland  
ZE1 0PX

Tel: (01595) 743898

**From:**Taylor Ian@Environmental Health & Trading Standards

**Sent:**Wed, 16 Nov 2016 13:52:14 +0000

**To:**Erlend Tait

**Cc:**Dinsdale Patti@Environmental Health & Trading Standards;Hunter Dale@Development Management

**Subject:**RE: turbine

Hi Erlend

I have looked at the information that you have sent through regarding the potential reduction in noise the 5m bladed CFI 5 turbines offer and have also passed this to the allocated planning office to keep the planning department informed of this change as a possible option to mitigate any potential nuisances that may be caused.

Having discussed this with the planning officer again I would suggest that this possible change of turbine may affect the original application and should be discussed directly with that department. I can confirm that there is a reduction in noise to be gained by the use of this turbine but in the interest of maintaining my neutral position as a consultant to the planning application process I must recommend that you seek the services of a noise specialist to formalise the potential reduction in noise available aligned to the separation distance needed to be in line with the councils small scale wind turbine planning guidance.

I know this has been a frustrating process for you and your clients to go through but it is the responsibility of the developer to quantify the noise data given in any application and demonstrate that the development will not cause a nuisance to any non associated properties in the area.

Should you wish to discuss any of the point detailed above please do not hesitate to contact me.

My kind regards

Ian

Ian Taylor

Assistant Environmental Health Officer

Shetland Islands Council

Environmental Health & Trading Standards Department

Infrastructure Services

Charlotte House

Commercial Road

Lerwick

Shetland

ZE1 0LX

Tel; 01595 744 801

Fax; 01595 744 802

Mob 07919 235 038

**From:** Erlend Tait [mailto: ]  
**Sent:** 11 November 2016 16:15  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** tURBINE

Hello,

As we are not making progress on the Fetlar applications I am attaching a noise report for a different CF model which has a better noise report. It does have a considerably lower noise level and is slightly less efficient but may achieve the necessary distances.

Can you look at all three applications i.e. 2015/457/PPF, 2016/190/PPF and 2016/191/PPF and let me know your views. please?

Regards,

Erlend



**From:** Hunter Dale@Development Management  
**Sent:** 23 Nov 2016 11:11:14 +0000  
**To:** 'Erlend Tait'  
**Subject:** RE: Noise

Hi Erlend,

Thanks for sending this through. I would think that Environmental Health would want to see the calculations so they could verify their robustness. But I can forward it on to Environmental Health just now if you wish?

Regards

Dale

**From:** Erlend Tait [mailto: ]  
**Sent:** 23 November 2016 10:51  
**To:** Hunter Dale@Development Management  
**Subject:** Fw: Noise

Dale,

As discussed. This is really the eleventh hour for this being able to proceed and i would welcome any productive information or assistance of any kind.

I will draw a map for the Tansyknowes proposal which would mean a small shift in position of the turbine and send it on,

Regards,

Erlend

**From:** Erlend Tait

**Sent:** Tuesday, November 22, 2016 3:34 PM

**To:** [ian.taylor@shetland.gov.uk](mailto:ian.taylor@shetland.gov.uk)

**Subject:** Fw: Noise

Ian,

Here is the distance I received from my planner, is this acceptable?

Regards,

Erlend

**From:** [Adele Ellis](#)

**Sent:** Tuesday, November 22, 2016 3:04 PM

**To:** [Erlend Tait](#)

**Subject:** Re: Noise

Hi Erlend

Sorry reception isn't great here just now.

I have worked out that you need to be 135m minimum away from a residential based on the sound power level of 87. This will give you 34dB(A) and comply with both day and night time noise levels.

Kind regards

Adele

On Monday, 21 November 2016, 16:52, Erlend Tait <[REDACTED]> wrote:

Here's the link for the calculation,

Regards,

Erlend

**From:** [ian.taylor@shetland.gov.uk](mailto:ian.taylor@shetland.gov.uk)

**Sent:** Monday, November 21, 2016 9:23 AM

**To:** [REDACTED]

**Subject:** RE: Noise

Good morning Erlend

Please find below a link to the SIC's online guidance note for Small Wind Turbines.

My regards

Ian

[http://www.shetland.gov.uk/environmental\\_health/documents/Smallwindturbineprocedure18-05-15website.pdf](http://www.shetland.gov.uk/environmental_health/documents/Smallwindturbineprocedure18-05-15website.pdf)

**From:** Erlend Tait [[mailto:\[REDACTED\]](mailto:[REDACTED])]

**Sent:** 18 November 2016 15:44

**To:** Taylor Ian@Environmental Health & Trading Standards

**Subject:** Noise

Hi,

I could not find the noise calculation in the guidance, do you have a link?

Regards,

Erlend

**From:**Erlend Tait

**Sent:**Wed, 23 Nov 2016 11:40:52 +0000

**To:**Taylor Ian@Environmental Health & Trading Standards

**Cc:**Hunter Dale@Development Management

**Subject:**Turbines

**Attachments:**Mr N Bellis Weatherhead CF15 5m turbine distance.docx, Mr N Bellis prop Nov 23 distance from campsite.docx, Mr N Bellis Aithness 263 Nov Distances CF15 5.docx

**Importance:**Normal

Hello,

If Environmental Health accept the calculation sent to you both it changes all the proposal distances and I have sent three maps showing the new distances.

Please have a look and let us have your views on a way forward for Mr Bellis. He has invested a considerable amount in these proposals and is keen to move forward if possible,

Regards,

Erlend

**From:**Hunter Dale@Development Management  
**Sent:**28 Nov 2016 13:56:16 +0000  
**To:**'Erlend Tait'  
**Subject:**RE: Distances

Hi Erlend,

I have had a quick look over the draft new locations. They appear to be fine at this stage. The Aithsness turbine will need to be at least 30m from the road, I make it out to be about 42m so that should be acceptable. We will need a response from the Air Ambulance Service regarding the Weatherhead turbine but I can chase that when formal plans are received. I can see no issue with the Tresta turbine.

So subject to a consultation response from Environmental Health on each application which gives us certainty that there will not be statutory nuisance from noise, that the above issues are resolved and that no other issues comes up I think the draft locations would be appropriate. Please note this is informal advice only and cannot prejudice future decisions in the future.

I'll keep an eye out for amended plans.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto: ]  
**Sent:** 25 November 2016 15:45

**To:** Hunter Dale@Development Management  
**Subject:** Distances

Hello,

We now have agreement on distances from noise receptors with Ian Taylor at EH as per the attached maps. What is the position with planning on these site adjustments?

Regards,

Erlend

**Subject:**FW: Maps for Aithness

**Attachments:**OS\_MasterMap\_Black\_and\_White\_PDF\_Location\_Plan\_395628\_518664 Aithness 1 of 2.pdf, OS\_MasterMap\_Black\_and\_White\_PDF\_Location\_Plan\_395628\_518664 Aithness Big.pdf, OS\_MasterMap\_Black\_and\_White\_PDF\_Location\_Plan\_395628\_518664 Aithness 2 of 2.pdf

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 02 December 2016 08:58  
**To:** Hunter Dale@Development Management  
**Subject:** Fw: Maps for Aithness

Dale,

I have attached new maps for the Aithness (Bethany) application for your perusal,

Regards,

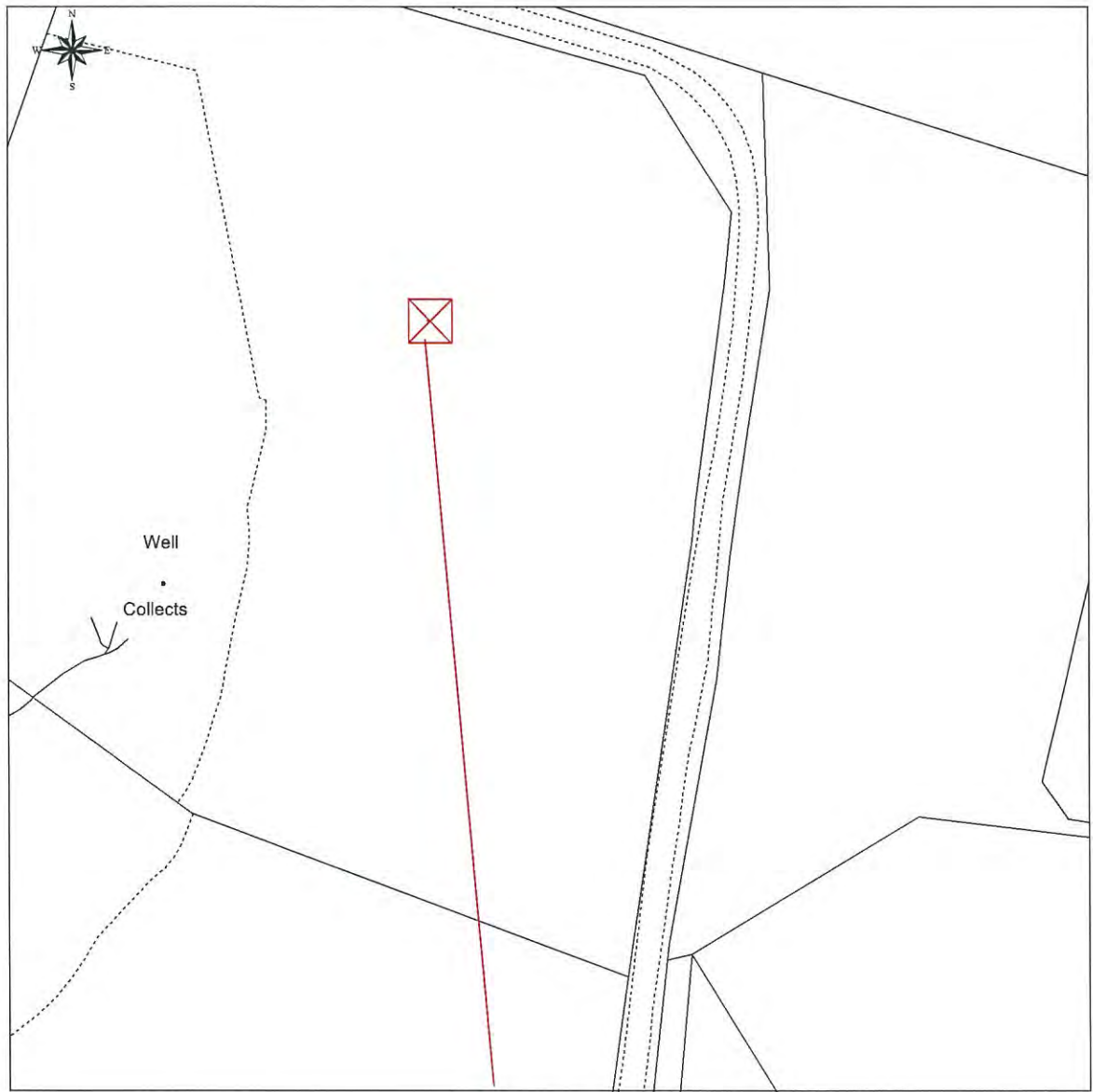
Erlend

**From:** NTS

**Sent:** Thursday, December 01, 2016 12:28 PM

**To:** [REDACTED]





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0m 10m 20m 30m 40m 50m 60m 70m 80m

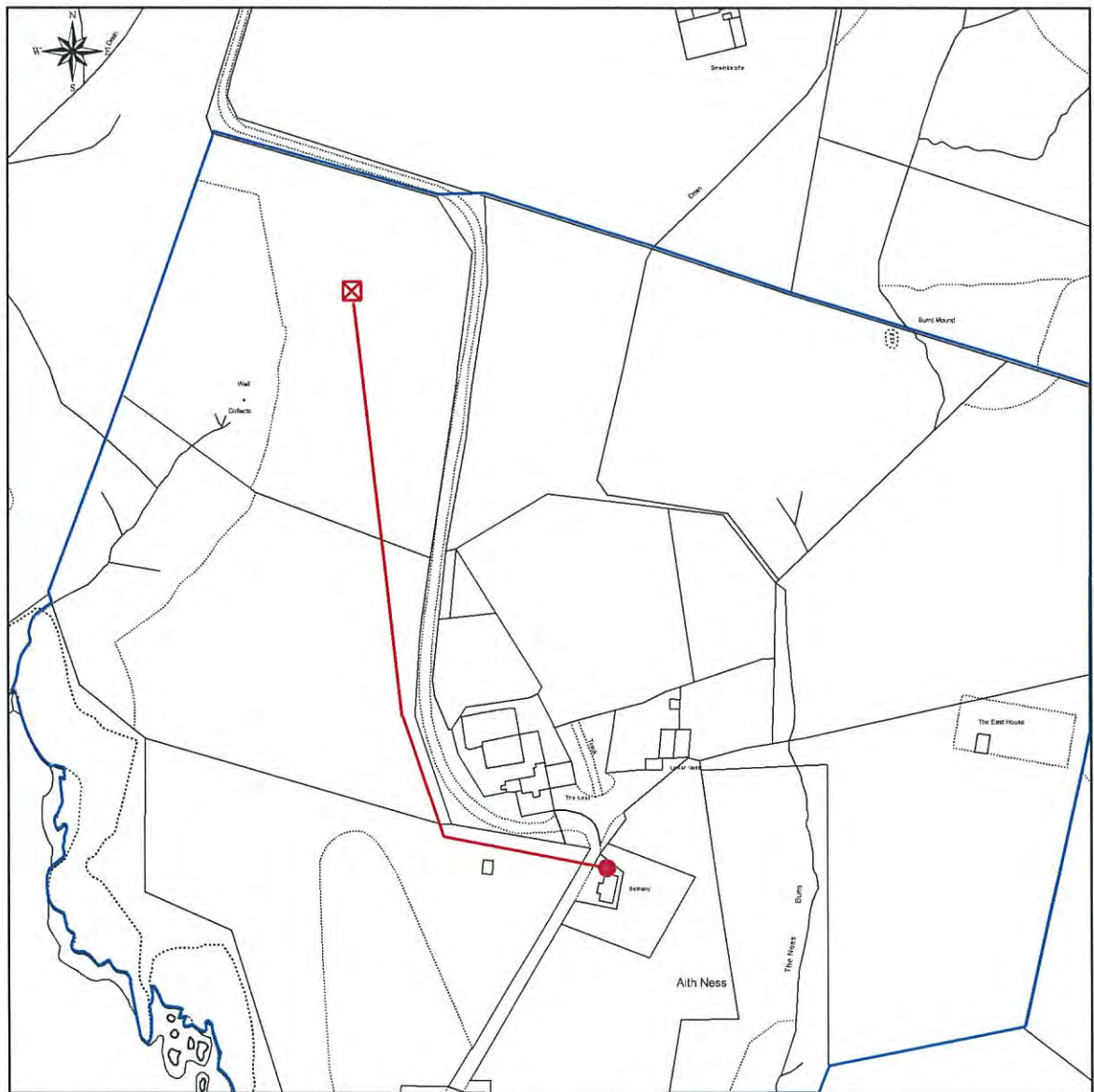
Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine location 463158 1189915  
Turbine base 5m x 5m concrete pad, 1m deep



Scale: 1:500, paper size: A2

Proposal to erect a 15kW wind turbine  
 Proposal to erect a CF15 wind turbine  
 Turbine location 463150 1190027  
 Turbine base 5m x 5m concrete pad, 1m deep







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0m 25m 50m 75m 100m 125m 150m 175m 200m

Scale: 1:2500, paper size: A4

Proposal to erect a 15kW wind turbine

Turbine location 463150 1190027

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

**plans ahead** by **emapsite™**

Prepared by: Erlend Tait, 17-07-2016

**Subject:**FW: Maps for Aithness  
**Attachments:**CF 15 15m mast160.pdf

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 02 December 2016 09:59  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Maps for Aithness

Dale,

Elevation attached, this is also for Weatherhead

Regards,

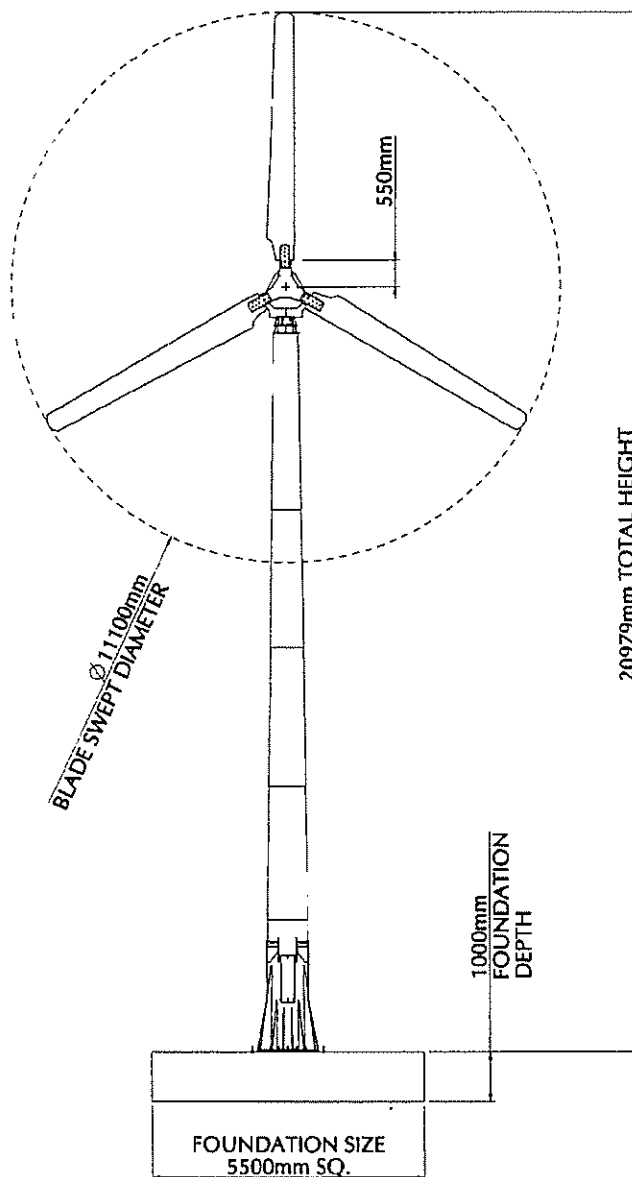
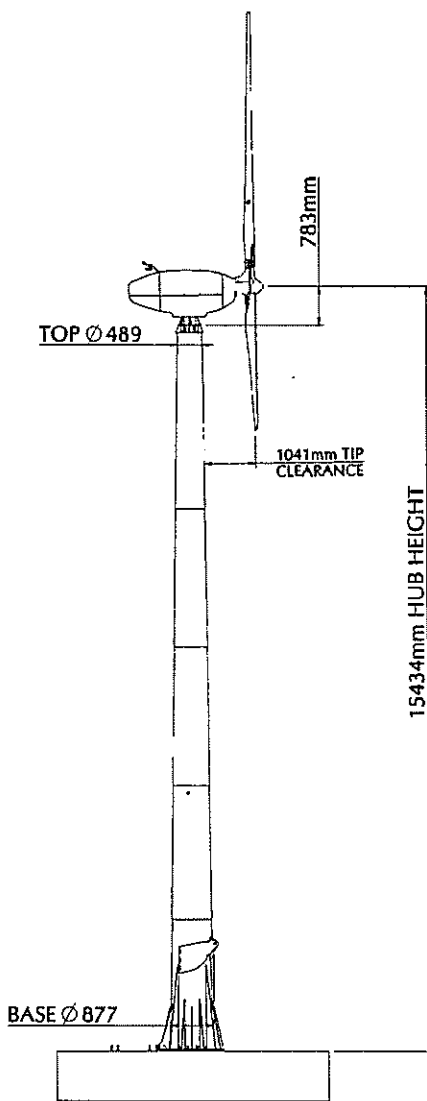
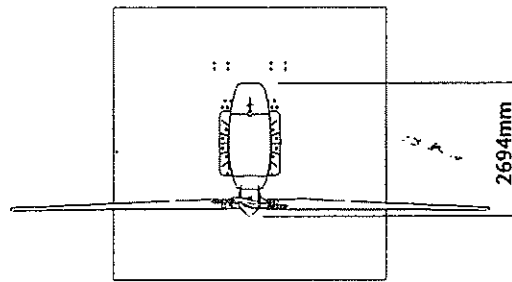
Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Friday, December 02, 2016 9:28 AM  
**To:** [REDACTED]  
**Subject:** RE: Maps for Aithness

Good Morning Erlend,

Thanks for sending in the amended plans. I would appreciate if you would send the amended elevation as well.

Regards



OVERALL DIMENSIONS FOR CF15 TURBINE:  
15kW GENERATOR / 15m MAST / 5m BLADES

C&F Green-Energy		CF15	
DESCRIPTION: OVERALLS / PLANNING		QTY PER UNIT:	-
MATERIAL: Max: S275 Galv		SCALE:	1:100
DRAWN: C O'Neill	PAINT: -	DWG SIZE: A3	
CHECKED: -	FINISH: -	DATE: 16-Feb-11	
DATE: 16-Feb-11	SHEET: 1 OF 1		

**From:**Erlend Tait  
**Sent:**Fri, 2 Dec 2016 15:01:29 +0000  
**To:**Hunter Dale@Development Management  
**Subject:**Fw: tURBINE  
**Attachments:**CF15-Summary Report 5m 2.pdf, CF15 Acoustics 5m.pdf  
**Importance:**Normal

Dale,

Here is the noise report sent to Environmental Health and you have the maps. I also sent Google maps showing the new distances on 25/11/16, is there anything else required?  
Regards,  
Erlend

**From:** Erlend Tait  
**Sent:** Friday, November 11, 2016 4:15 PM  
**To:** ian.taylor@shetland.gov.uk  
**Subject:** tURBINE

Hello,

As we are not making progress on the Fetlar applications I am attaching a noise report for a different CF model which has a better noise report. It does have a considerably lower noise level and is slightly less efficient but may achieve the necessary distances.  
Can you look at all three applications i.e. 2015/457/PPF, 2016/190/PPF and 2016/191/PPF and let me know your views. please?  
Regards,  
Erlend



The Immission Noise Map for the CF15 turbine is shown in Figure 8 below. The map shows zones where the audible incident sound pressure level is likely to fall in the 40 – 45 dB(A) range.

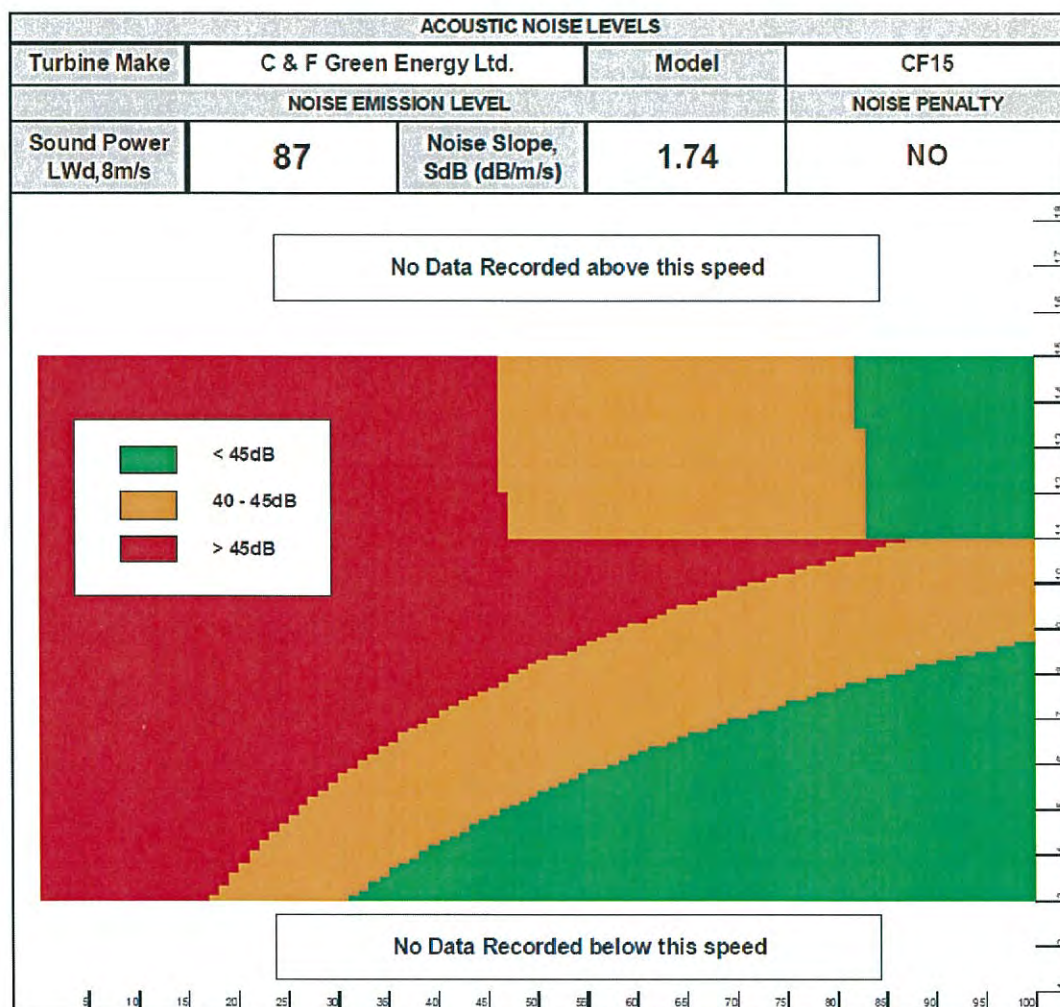


Figure 8 – Noise Immission Map, with the slant distance from the hub in meters plotted on the x-axis and wind speed at hub height in m/s plotted on the y-axis

Intertek Test Report No. 100373741CRT-026a  
December 14<sup>th</sup>, 2011

Dermot Young  
C&F Green Energy  
Cashla, Athenry  
Co. Galway  
Republic of Ireland

email: [REDACTED]

Subject: Acoustics Test Report for the C&F Green Energy CF15 tested at the C&F test location in Ballyspellan, Ireland.

Dear Mr. Young,

This test report summarizes the results of the evaluation and tests of the above referenced equipment to the requirements contained in the following standards:

Title	Reference	Date	Revision
<i>BWEA Small Wind Turbine Performance and Safety Standard</i>		<i>29 Feb 2008</i>	
<i>Wind turbine generator systems – Part 11: Acoustic noise measurement techniques</i>	<i>IEC 61400-11</i>	<i>November 2006</i>	<i>Edition 2:2002 consolidated with amendment 1:2006</i>

This investigation was authorized by signed proposal number 50027050, dated December 2nd, 2010. A production sample was installed at the test location in Ballyspellan, Ireland on May 30<sup>th</sup>, 2011. Acoustic noise data was gathered on three separate days in the months of November and December in 2011.

This Test Report completes the acoustic testing phase of the CF15 turbine under Intertek Project No. G100373741.

If there are any questions regarding the results contained in this report, or any of the other services offered by Intertek, please do not hesitate to contact the signatories on this report.

Please note, this Test Report on its own does not represent authorization for the use of any Intertek certification marks. Completed test reports for Duration, Power Performance, and Strength and Safety testing are required to complete the Microgeneration Certification Scheme (MCS) certification process.

Completed by:	Natalie Pickering	Reviewed by:	Tom Buchal
Title:	Consultant Engineer	Title:	Senior Staff Engineer
Signature:	[REDACTED] on behalf	Signature	[REDACTED]

Page 1 of 25

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**Wind Turbine Generator System  
Acoustics Test Report  
for the  
C&F Green Energy CF15**





## **1.0 Scope**

The purpose of the acoustic test is to characterize the noise emissions of the CF15. This involves using measurement methods appropriate to noise emission assessment at locations close to the turbine, in order to avoid errors due to sound propagation, but far enough away to allow for the finite source size. The evaluation herein characterizes the wind turbine noise with respect to a range of wind speeds and directions. Characterizations of the turbines apparent sound power level, 1/3 octave bands, and tonality are made.

## **2.0 Background**

The CF15 is designed for grid-connected power delivery, with a manufacturer's declared power of 15kW. The CF15 is an upwind turbine with active speed and power control through active blade pitch control actuation and turbine yaw control. The CF15 has a three-phase permanent magnet variable speed generator, the output of which is fully converted by the grid-tie inverter interface. Inverter output configurations can vary according to the electrical network the turbine is connected to, and can accommodate single or three phase, 50 Hz or 60 Hz. The electrical network at the testing location is three-phase 230 VAC at 50 Hz, but the output configuration of the CF15 tested in Ballyspellan was single phase 230 VAC at 50 Hz. Normal electrical network operating voltage and frequency ranges are 207 – 253 V and 49.8 to 50.2 Hz, respectively. The CF15 output was wired onto one phase, while the output of the CF20 20kW turbine was on the second, and the CF6 6kW and CF11 11kW turbines were on the third. Refer to the wiring diagrams in Appendix A of Intertek Test Report No. 100373741CRT-014a for additional detail. A summary of the test turbine configuration and manufacturer's declared ratings can be found in Table 1 below.



<b>Turbine Manufacturer</b>	C&F Green Energy
<b>Model</b>	CF15
<b>Production Year</b>	2 <sup>nd</sup> Quarter, 2011
<b>Rotor Diameter</b>	11.1 m (35.4 ft) – Verified by Intertek to be 11.15 m with calibrated tape measure
<b>Hub Height</b>	15.35 m (50.4 ft)
<b>Swept Area</b>	96.8 m <sup>2</sup> (1042 ft <sup>2</sup> ) – 97.6 m <sup>2</sup> using verified rotor diameter
<b>IEC 61400-2 SWT Class</b>	III
<b>Test Tower Type</b>	Tubular
<b>Rated Electrical Power</b>	15000 W
<b>Cut-in Wind Speed</b>	2.2 m/s (5 mph)
<b>Cut-out Wind Speed</b>	25 m/s (56 mph)
<b>Rated Wind Speed</b>	9 m/s (20 mph)
<b>Survival Wind Speed</b>	70 m/s (157 mph)
<b>Rotor speed range</b>	0 – 110 RPM
<b>Generator Identification</b>	CFGE 15kW
<b>Generator Specification</b>	400 RPM, 56 Hz, 485VAC, 2 plate
<b>Inverter Identification</b>	Power-One Aurora PVI-6000-TL-OUTD-UK-W (Qty 3) SN – 283025, 170177, 395520
<b>Inverter Specifications</b>	6000 W, 50 Hz, 230 VAC, IP 65 CE, EN50178, EN61000-6-1, EN6100-6-3, EN61000-3-11, EN61000-3-12, DK 5940, VDE 0126-1-1, G59/2, EN 50438, RD1663, AS4777
<b>Controller Identification</b>	Power-One Aurora Wind Interface Box 7200 PVI-Windbox-20A-EU (Qty 3) SN – 458902, 280010, 341168
<b>Controller Specification</b>	Input – 400 V, 0-600 Hz, 16.6 A Output – 600 V, 7.2 kW CE, EN 50178, EN 61000-6-2, EN 61000-6-4
<b>Control Software Version</b>	Inverters – C 0.1.6, Controllers – 1.036
<b>Transformer Identification</b>	Briglec 7.5 kW (Qty 2 isolation transformers) SN – B1519, B1517
<b>Transformer Specification</b>	7.5 kW, 230/230 single phase, 50 Hz
<b>Number of Blades</b>	3
<b>Fixed or variable pitch</b>	Variable
<b>Blade Pitch Angle</b>	Variable
<b>Blade Identification</b>	CFGE-BS-5-0013 SN – 63, 67, 68
<b>Blade Specification</b>	Composed of a mix of glass and carbon fibre infused with vinylester, polyurethane foam core with double spar, 16° twist from root to tip, combination of NACA4721, NACA3720, NACA2719, and NACA1818 airfoil geometries

Table 1 – Test Turbine Configuration

### **3.0 Engineering Judgments or Deviations**

Testing and analysis of the CF15 was performed in accordance with the British Wind Energy Association Small Wind Turbine Performance and Safety Standard 29 Feb 2008 Section 3, which refers to the methods in the second edition of IEC 61400-11. Method 2 for the direct measurement of wind speed was employed versus determination of wind speed from the measured power curve as this method is required by the BWEA standard.

### **4.0 Definitions**

For the purpose of this test report, the following definitions apply:

- Apparent sound power level – The A-weighted sound power level re. 1 pW of a point source at the rotor center with the same emissions in the downwind direction as the wind turbine being measured,  $L_{WA}$  is determined at 8 m/s.
- A-weighted or C-weighted sound pressure levels – Sound pressure levels measured with the A or C frequency weighting networks specified in *IEC 60651:1979, Sound level meters*.
- Sound pressure level – 10 times the  $\log_{10}$  of the ratio of the mean-square sound pressure to the square of the reference sound pressure of 20  $\mu$ Pa.



## 5.0 Pre-Test Requirements

### 5.1 Test Site

The Ballyspellan test site is located in central Ireland, approximately 4 km to the northeast of the town of Johnstown in the County of Kilkenny. The site is at an altitude of 300 meters above sea level, situated on the summit of a small hill sitting in a range of similar hills running approximately north to south. The test site and all of the surrounding land is open countryside mostly utilized for livestock farming. There are a few small farm buildings and houses, but none more than 2 stories high and the nearest of which being located approximately 0.5 km to the southeast. Towards the south-eastern corner of the test site there is a compound approximately 200 meters by 100 meters enclosed by a 2.5 meter tall wire fence. Within this compound are a number of masts supporting communications equipment, along with single story flat-roofed buildings housing ancillary equipment. There are dry stone walls up to 1.2 meters high to the east and west of the site, both running approximately north to south, and an additional wall of the same height running east-west through the site between the CF11 and CF15 turbine locations. There are some occasional shrubs in the surrounding land between 0.5 and 2 meters in height.

Figure 1 below shows tower locations for the CF15 and its meteorological tower ("Met15"), as well as the turbine and meteorological towers for the three other C&F Green Energy turbines under test in Ballyspellan.

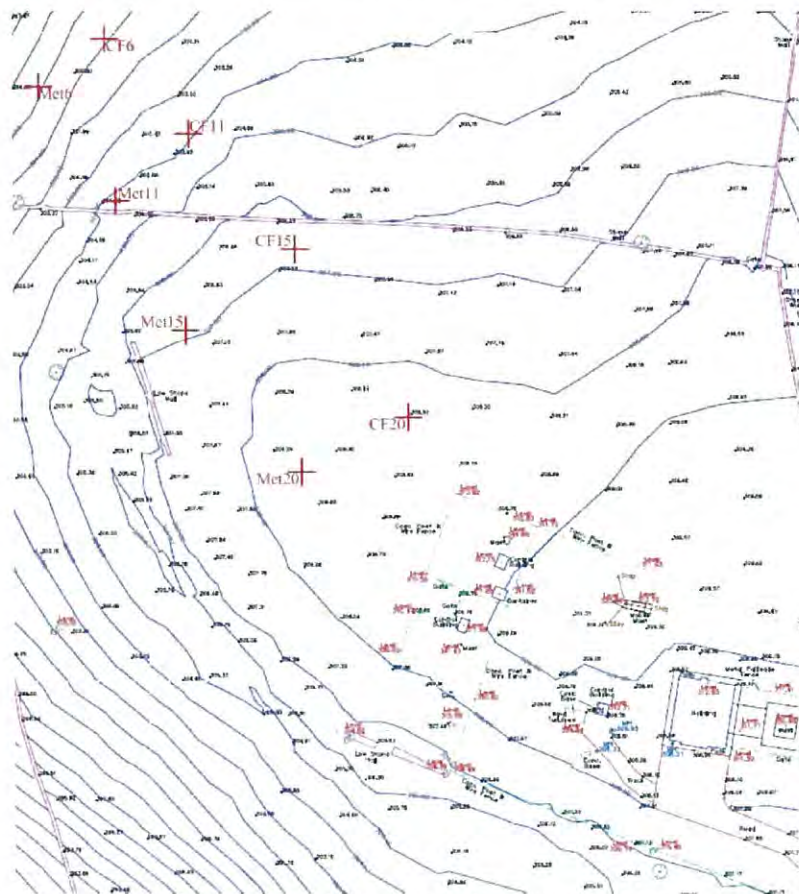


Figure 1 - Test turbine and meteorological tower locations

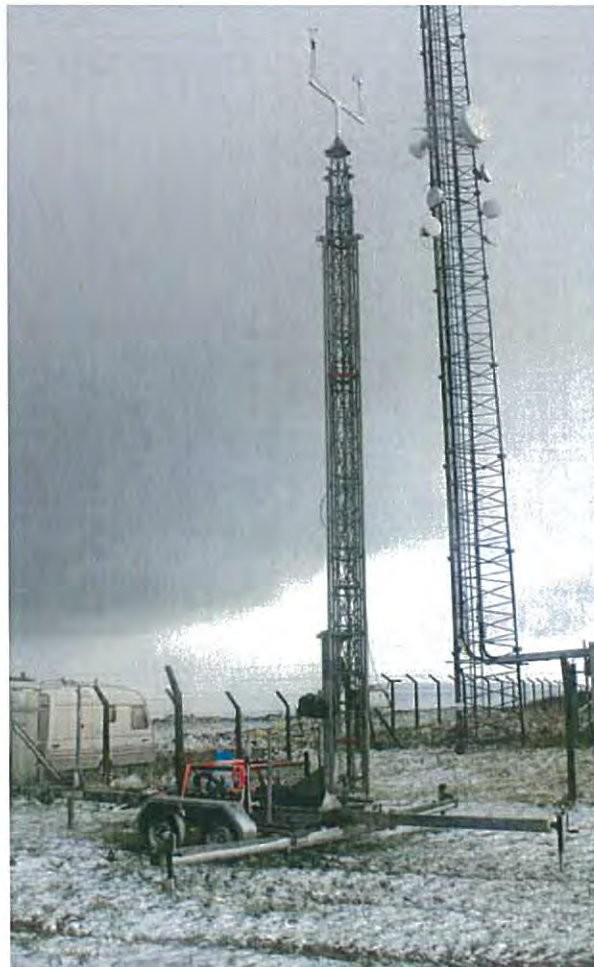
## 5.2 Test Equipment

The test equipment utilized during the acoustic noise measurement program can be found in the Appendix. The meteorological equipment utilized during this test program is in compliance with the IEC 61400-12-1. Table 2 below identifies meteorological equipment locations on the meteorological masts. Calibration certifications of all equipment used during testing are kept on file in the Intertek equipment calibration directory.

Instrument	Height
Anemometer (portable mast)	15 m (49 ft 3 in)
Wind Direction (portable mast)	15 m (49 ft 3 in)
Temperature	12.25 m (40 ft 2 in)
Pressure	12.25 m (40 ft 2 in)

**Table 2** – Instrument installation height above ground level

Due to unfavorable wind directions at the time of testing, a portable mast was used instead of the static mast for most of the measurements as it would have been outside of the allowable sector. The portable mast had one anemometer and one wind vane installed (photo 1). Other meteorological conditions were taken from the instruments installed on the static mast.



**Photo 1** – Portable Met Mast



### 5.3 Pre-Test Criterion

Acoustic testing began as a result of completion of the Intertek Pre-Test Evaluation. Official pre-test and commissioning results can be found in Intertek Report Nos. 100306154CRT-004 and 11051481LHD-001.

The Pre-Test Evaluation consists of:

- Obstacle assessment
- Terrain assessment
- Site calibration
- Initial inspection of equipment
- Turbine system installation
- Turbine system commissioning

## 6.0 Method

### 6.1 General

The general method applied during this test program follows the method described in Clause 3 of the BWEA standard which refers to the methods laid out in IEC 61400-11. The main purpose is to provide the Declared Apparent Emission Sound Power Level at 8 m/s, reference Sound Power Levels at 25m and 60m, and an Emission Noise Map.

Acoustic noise data was gathered on four separate days in the months of November and December in 2011. On all four days, winds were primarily out of the South West, ranging from 184° to 277°. Meteorological and wind turbine data has been gathered continuously since commissioning of the CF15 on February 4<sup>th</sup>, 2011. The anemometer for wind speed measurements was located at 15 m (49' 3") above ground level. Table 3 below shows the date, time, microphone location, and allowable wind sector for each day acoustic measurements were taken.

Date	Start Time	End Time	Microphone Location	Horizontal Distance	Allowable Sector
09-Nov-11	11:36:00	13:40:00	159°	20.75 m (68 feet)	99° to 219°
23-Nov-11	19:57:00	21:57:00	190°	20.75 m (68 feet)	130° to 250°
27-Nov-11	08:57:00	11:05:00	210°	20.75 m (68 feet)	150° to 270°
03-Dec-11	12:45:00	15:01:00	250°	20.75 m (68 feet)	190° to 310°

Table 3 – Acoustic measurement information

### 6.2 Database

For all acoustic measurements taken during the periods indicated in Table 3 above, the following considerations apply:

- The complete measurement chain was calibrated at least at one frequency before and after the measurements, or if the microphones were disconnected during repositioning.
- All acoustical signals were recorded and stored for later analysis.
- Periods with intruding intermittent background noise (as from an aircraft) were omitted from the database.
- With the wind turbine stopped, and using the same measurement setup, the background noise was measured immediately before or after each measurement series of wind turbine noise and during similar wind conditions.

The equivalent continuous A-weighted sound pressure level and one-third octave band spectrum were measured at the microphone locations described in Table 3 above. Each measurement for A-weighted sound pressure level and one-third octave band spectrum was integrated over a period of 60 seconds for both turbine and background noise. One-third octave bands with center frequencies ranging from 20 Hz to 16 kHz were recorded.



As the wind speed was measured at the rotor centre height, according to Clause 3.4.3 of the BWEA standard, there was no requirement to apply a correction.

A total of 359 one-minute data points were included in the database; 214 of which were turbine noise data points. Table 4 below shows the total number of measurements at each integer wind speed that were included in the database.

Turbine + Background		Background Only	
V <sub>s</sub>	Data points	V <sub>s</sub>	Data points
3	11	3	0
4	45	4	9
5	36	5	11
6	32	6	26
7	14	7	11
8	35	8	24
9	17	9	6
10	28	10	7
11	25	11	20
12	31	12	26
13	17	13	5
14	1	14	0

Table 4 – Measurement database

Plots of wind speed, wind direction, temperature, and pressure during the measurement periods are shown in Figures 2, 3, 4, and 5 below

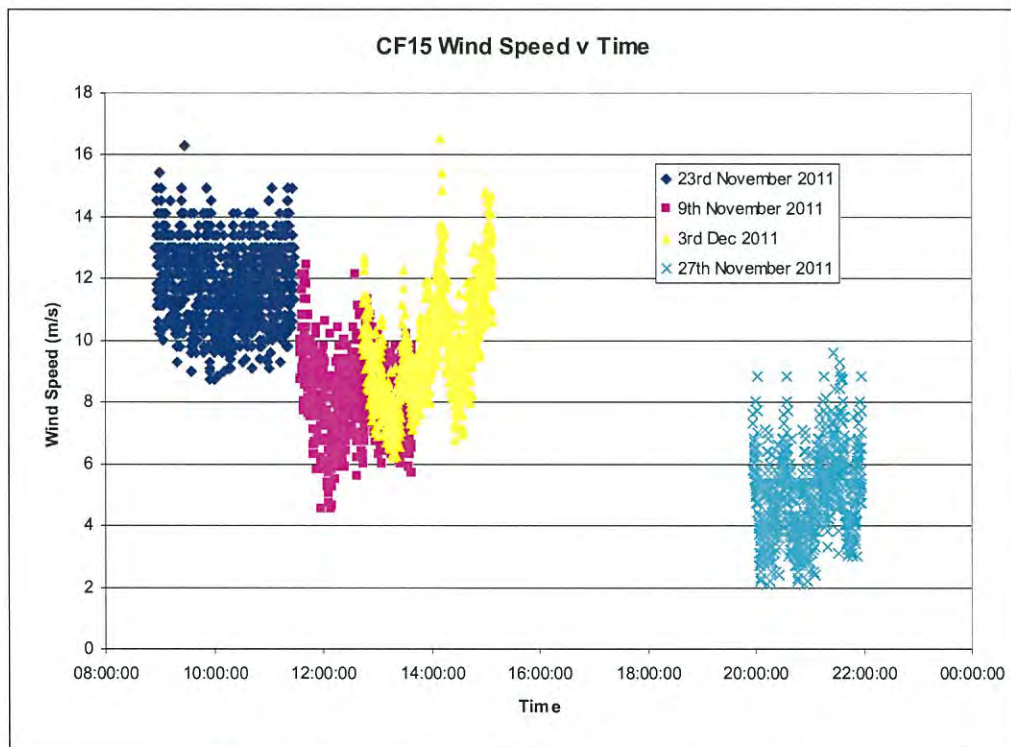


Figure 2 – Standardized wind speed during the measurement periods

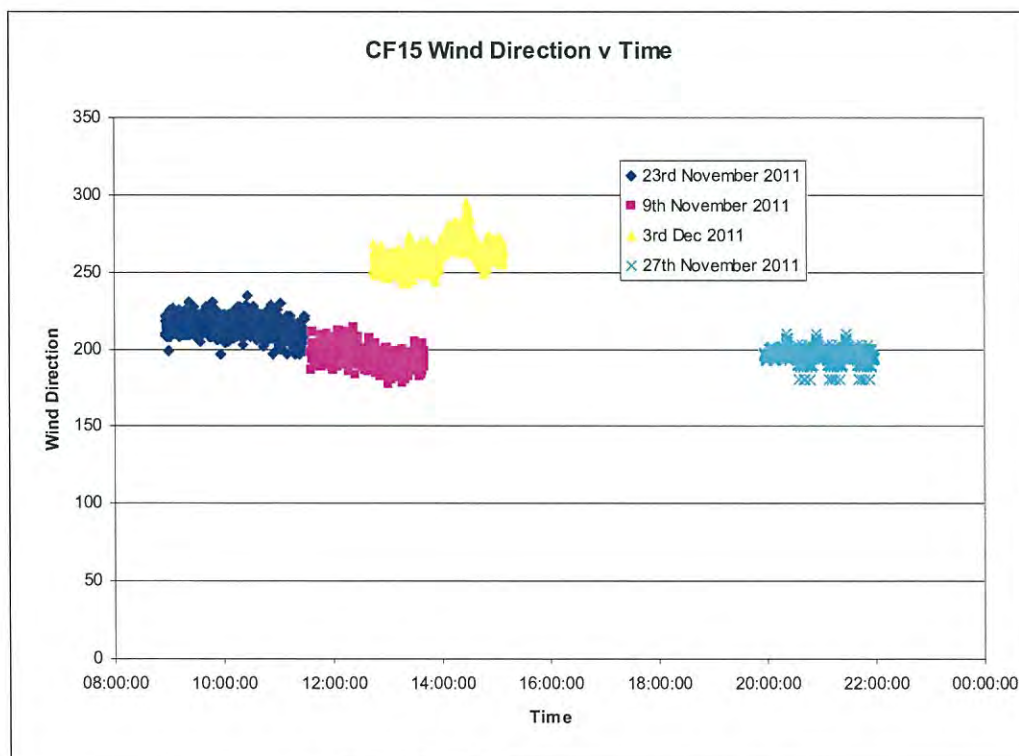


Figure 3 – Wind direction during the measurement periods

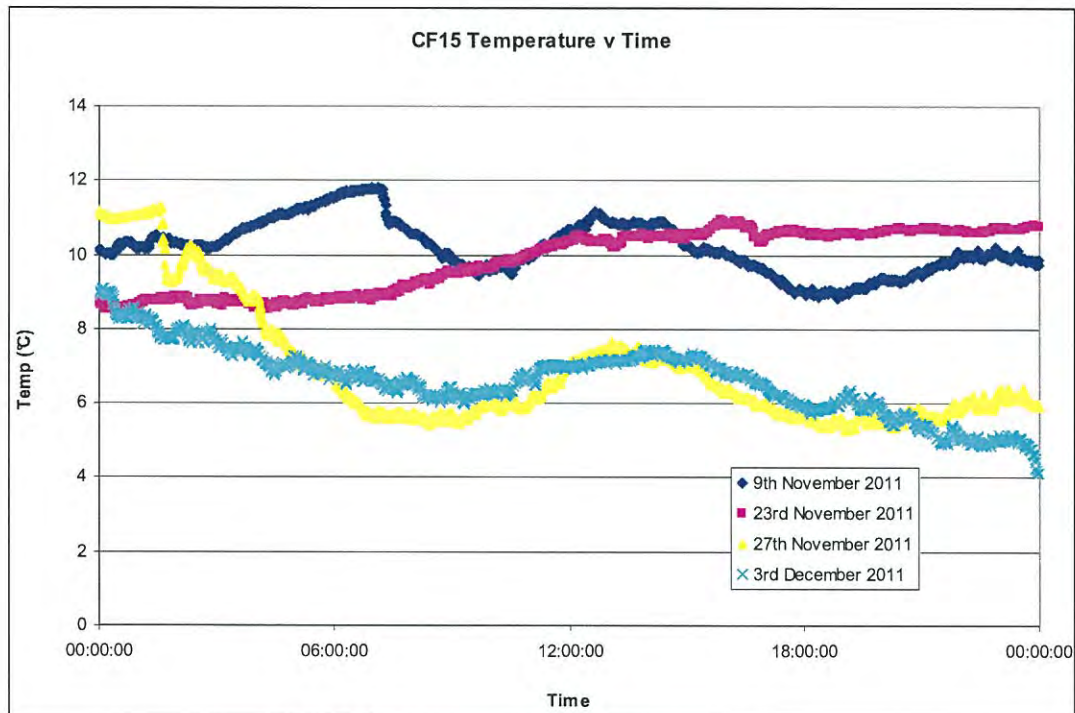


Figure 4 – Air temperature during the measurement periods

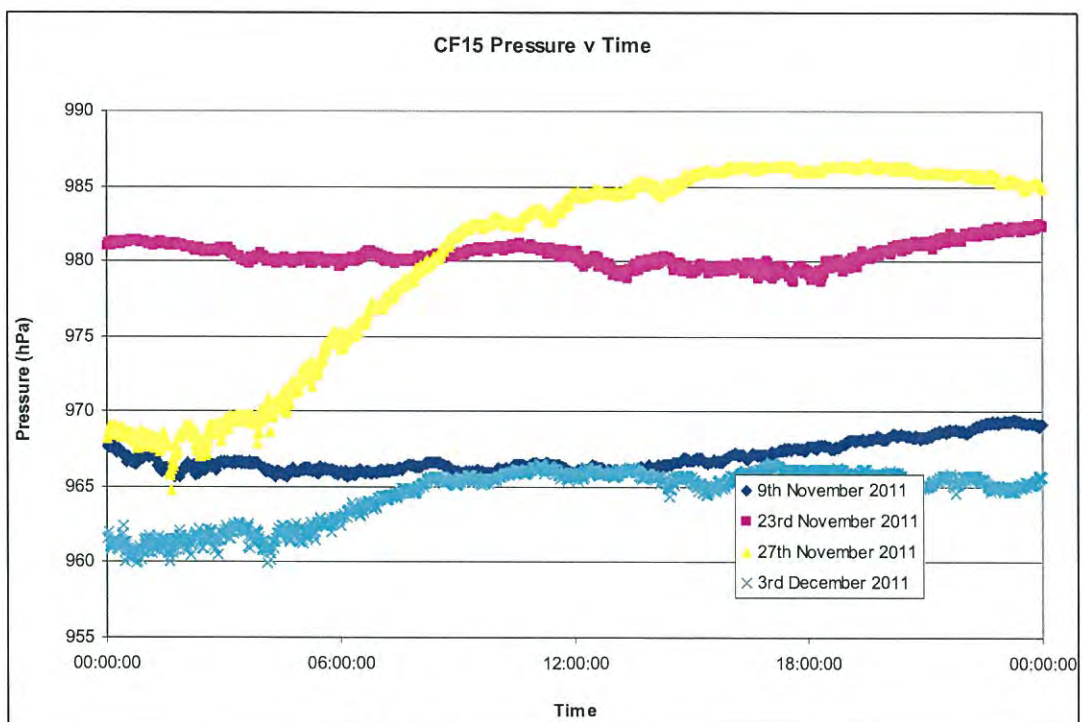
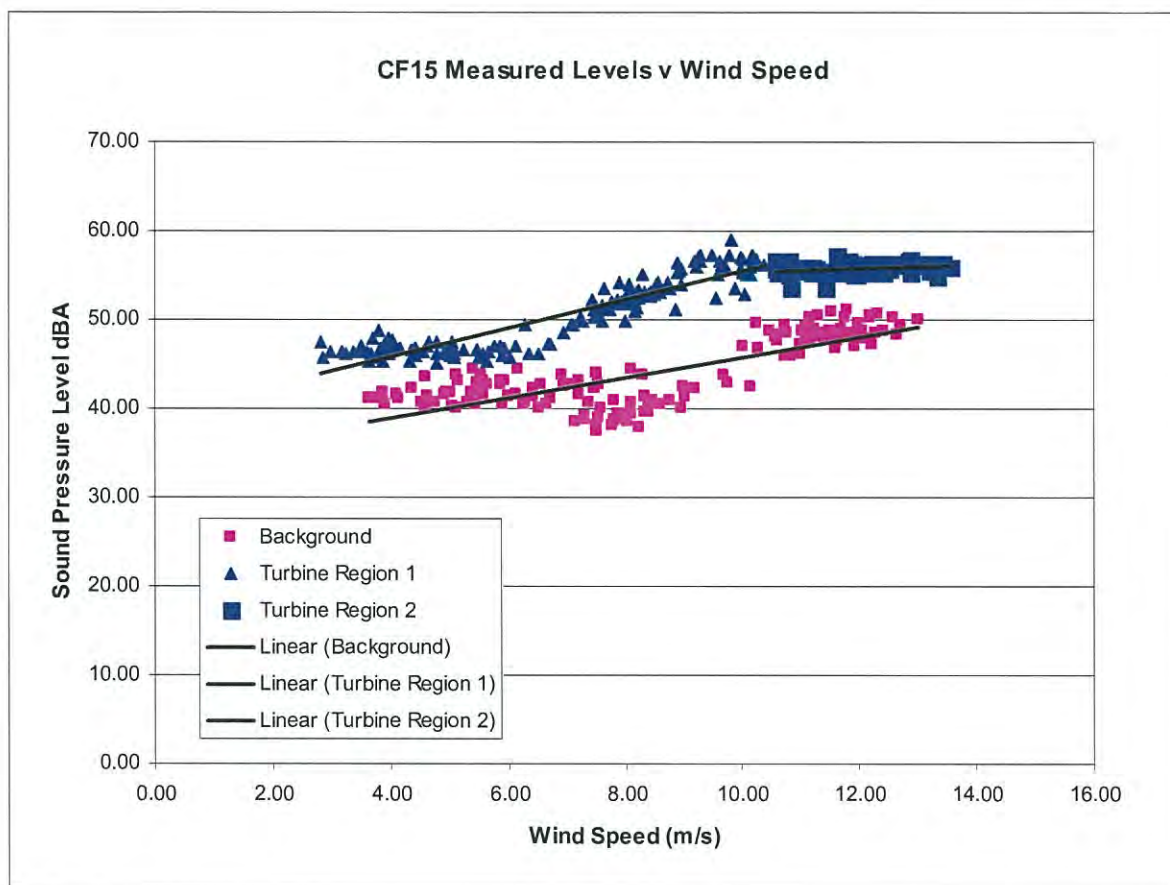


Figure 5 – Air pressure during the measurement periods



## 7.0 Results

Figure 6 below shows the measured data pairs of sound pressure levels recorded at various standardized wind speeds.



**Figure 6** – Measured 60 second averaged sound pressure levels as a function of standardized wind speed

The apparent sound power levels at integer wind speeds were derived using linear regression and corrected for background noise as outlined in the standard. Results are displayed in Table 5 on the next page. Figure 6 shows two distinct linear regions, so the regression was split into two sections: 3-10 m/s and 11-14 m/s.

Integer Wind Speeds	Turbine $L_{Aeq,k}$	BGN	Corrected for BGN $L_{Aeq,c,k}$	Apparent LW $L_{WA,k}$
3	44.41	37.82	43.34	74.67
4	46.08	38.94	45.15	76.49
5	47.75	40.06	46.94	78.28
6	49.42	41.18	48.72	80.05
7	51.09	42.30	50.48	81.81
8	52.77	43.43	52.23	<b>83.56</b>
9	54.44	44.55	53.97	85.30
10	56.11	45.67	55.70	87.03
11	55.56	46.79	54.95	86.28
12	55.74	47.91	54.96	86.29
13	55.91	49.03	54.92	86.25
14	56.09	50.16	54.81	86.15

 $L_{WA,8m/s}$ 

Table 5 – Sound power levels for integer wind speeds

Using the above result for a reference wind speed of 8 m/s, the Declared Apparent Emission Sound Power Level was calculated to be:

$$L_{Wd,8m/s} = 86.62 \text{ dB}_{WA}$$

The wind speed dependence was calculated for each slope. The slope which spans 8 m/s was calculated to be

$$S_{dB} = 1.74 \text{ dB/m/s.}$$

From this value the sound pressure levels at 60m and 25 m were calculated: -

$$\text{Immission Sound Pressure Level at 60m } L_{p60} = 47 \text{ dBA}$$

$$\text{Immission Sound Pressure Level at 25m } L_{p25} = 55 \text{ dBA}$$

The A-weighted third octave spectra were corrected for background noise. Figure 7 below shows the results for 8m/s. At frequencies where there is no data, the background level was measured to be slightly higher than the turbine plus background level.

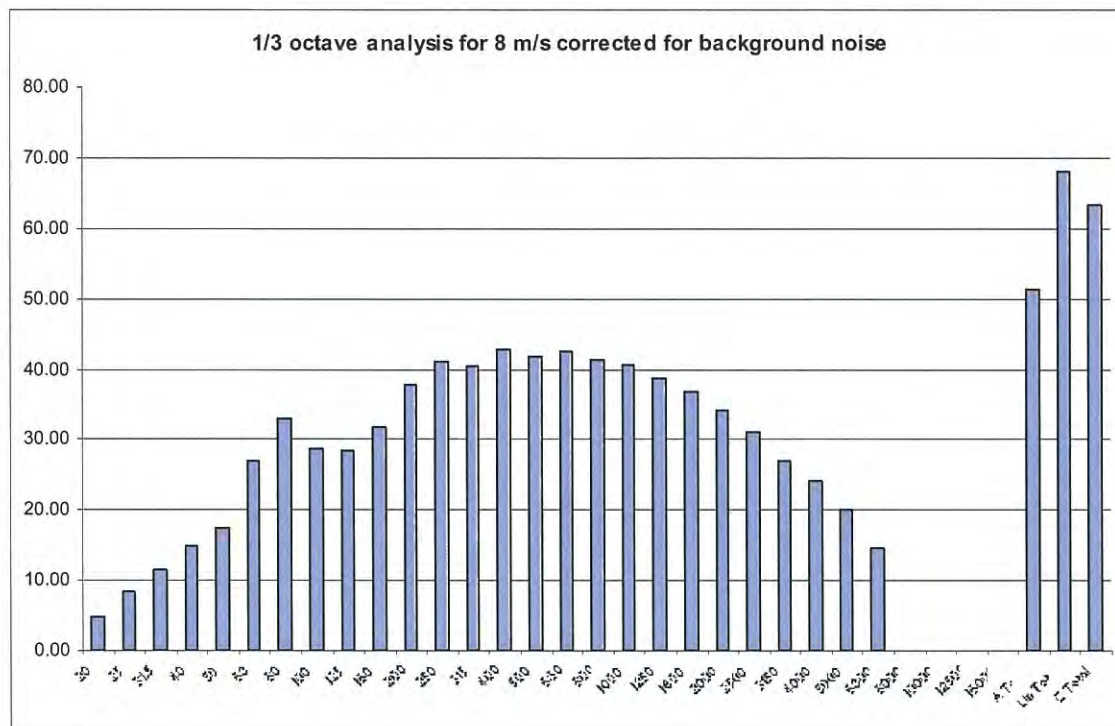
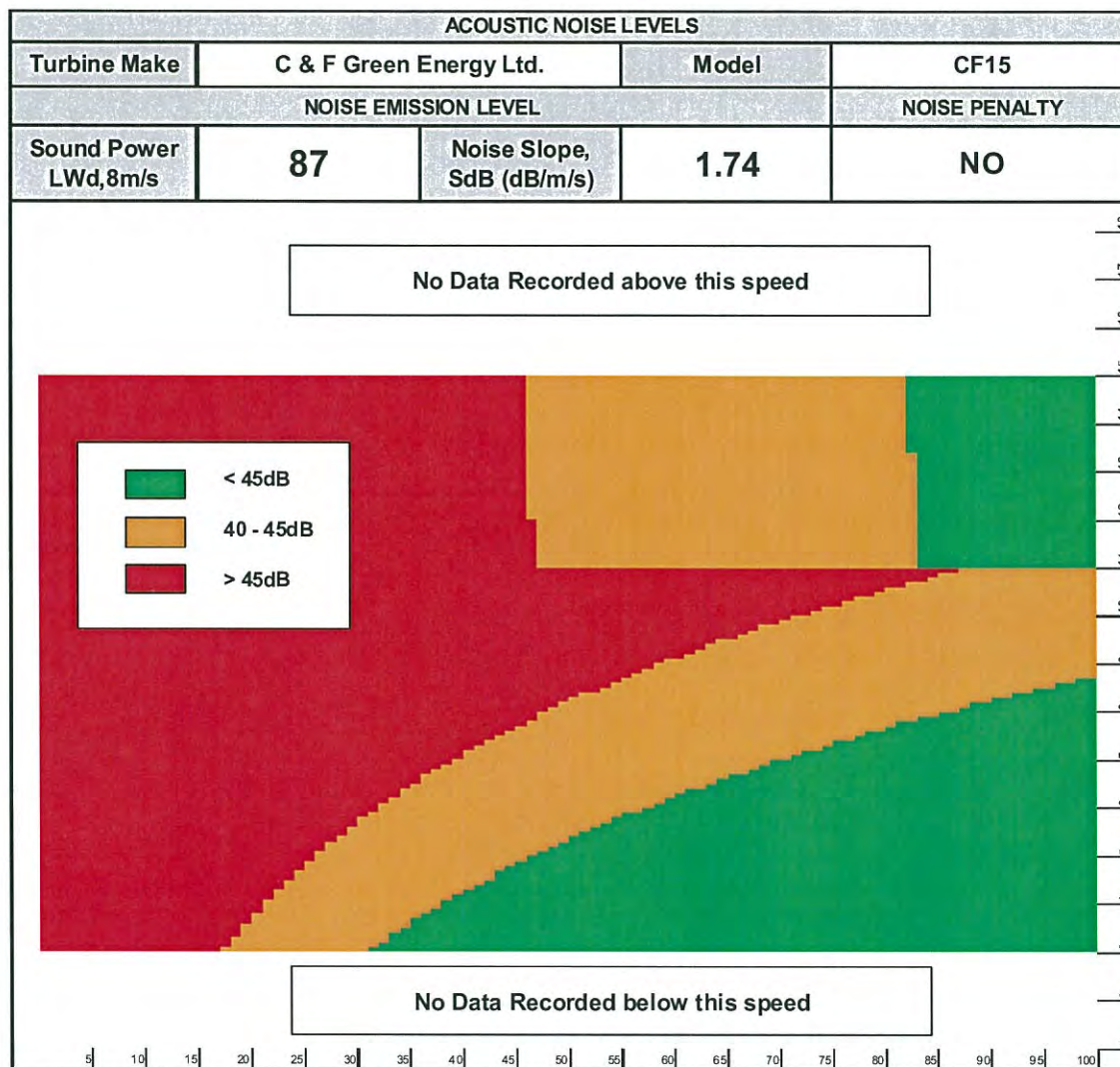


Figure 7 – Third octave spectra at 8m/s with A-Weighted, C-Weighted and Linear overall totals.

The character of the noise was assessed using 1/3 octave data. The turbine is not declared to be tonal because no band is sufficiently higher than its adjacent bands to be a problem at any wind speed. Therefore no noise penalty has been applied.



The Immission Noise Map for the CF15 turbine is shown in Figure 8 below. The map shows zones where the audible incident sound pressure level is likely to fall in the 40 – 45 dB(A) range.



**Figure 8** – Noise Immission Map, with the slant distance from the hub in meters plotted on the x-axis and wind speed at hub height in m/s plotted on the y-axis



C&F Green Energy

Test Report No. 100373741CRT-026a  
December 14<sup>th</sup>, 2011

## **Appendix**

The following sections can be found within this Appendix:

**A Test Equipment**

**B Photographs**

**C Calibration Certificates of Acoustic Equipment**



## A.1 Test Equipment

### A.1.1 Calibrated Equipment

Measurement	Manufacturer	Model	Serial	Cal Date	Cal Due
Primary anemometer	Windspeed LTD	A100LK	9664	14-Nov-11	14-Nov-12
Wind cup on primary anemometer	Windspeed LTD	A100LK	E1C6		
Reference anemometer	Windspeed LTD	A100LK	9667	14-Nov-11	14-Nov-12
Wind cup on reference anemometer	Windspeed LTD	A100LK	E1C9		
Wind vane	Vector Instruments	W200P	56297	16-Dec-10	16-Dec-11
Barometric pressure sensor	R.M. Young	Model 61302V	BPA2475	22-Feb-11	22-Feb-12
Temperature/RH sensor	R.M. Young	Model 41382V	TSI8947	25-Feb-11	25-Feb-12
Power transducer	Socomec	Diris A40	10342310125_T	28-Feb-11	28-Feb-12
Current transducer	Socomec	TCA22	A10007078060200/5	28-Feb-11	28-Feb-12
Datalogger	Secondwind	Nomad 2	10467	1-Feb-11	1-Feb-12
Portable met mast anemometer	Windspeed LTD	A100LK	9666	7-Mar-11	7-Mar-12
Wind cup on portable met mast anemometer	Windspeed LTD	A100LK	E5N6		
Wind Vane (Portable Met Mast)	Vector Instruments	W200P	56713	10-Feb-11	10-Feb-12
Microphone*	BSWA Technology	MP201	461274	9/13/2011	9/13/2012
Preamplifier	BSWA Technology	MA211	470788	9/13/2011	9/13/2012
DAQ Module	National Instruments	USB-9233	151A388	9/23/2011	9/23/2012
Acoustical Calibrator	BSWA Technology	CA111	470127	9/13/2011	9/13/2012

\*Microphone and preamplifier calibrated simultaneously

### A.1.2 Non-Calibrated Equipment

Description	Manufacturer	Model	Comments
Windscreen	Brueel & Kjaer	WS-10	Cut and attached to board

### A.1.3 Software

Description	Manufacturer	Model	Comments
Acoustic Data Analysis Software	Delta	NoiseLab Pro	Verified software
Excel Analysis	Microsoft	2003	Verified software

Note – Calibration records are not included in this report, but are maintained in Intertek Cortland's Calibration Database

**B Photographs**





**Picture 1** – Microphone and sound board



## C Calibration Certificates of Acoustic Equipment

### C.1 Microphone Calibration Certificate

ISO 17025: 2005, ANSI/NCSL Z540:1994 Part 1  
ACCREDITED by NVLAP (an ILAC and APLAC signatory)

NVLAP Lab Code: 200625-0

---

## Calibration Certificate No.24635

### LIMITED USE

**Instrument:** Microphone  
**Model:** MP201  
**Manufacturer:** BSWA  
**Serial number:** 461274

**Date Calibrated:** 9/13/2011 **Cal Due:**

<b>Status:</b>	Received	Sent
<b>In tolerance:</b>		
<b>Out of tolerance:</b>	X	X
<b>See comments:</b>	X	

**Contains non-accredited tests:** ☐ Yes ☒ No

**Customer:** Intertek Testing Services NA, Inc.  
**Tel/Fax:** [REDACTED]

**Address:** 3933 US Route 11,  
Cortland, NY 13045

**Tested in accordance with the following procedures and standards:**  
Procedure for Calibration of Measurement Microphones, Scantek Inc., Rev. 11/30/2010

**Instrumentation used for calibration:** N-1504 Norsonic Test System:

Instrument - Manufacturer	Description	S/N	Cal. Date	Traceability evidence Cal. Lab / Accreditation	Cal. Due
483B-Norsonic	SME Cal Unit	31061	Jul 14, 2011	Scantek, Inc./ NVLAP	Jul 14, 2012
DS-360-SRS	Function Generator	88077	Aug 17, 2010	ACR Env./ A2LA	Aug 17, 2012
34401A-Agilent Technologies	Digital Voltmeter	MY47011118	Aug 9, 2011	Tektronix/ AClass	Aug 9, 2012
HM30-Thommen	Meteo Station	1040170/39633	Jun 26, 2010	ACR Env./ A2LA	Dec 26, 2011
PC Program 1017 Norsonic	Calibration software	v.5.0	Validated July 2009	-	-
1253-Norsonic	Calibrator	28326	Dec 6, 2010	Scantek, Inc./ NVLAP	Dec 6, 2011
1203-Norsonic	Preamplifier	14051	Sep 10, 2010	Scantek, Inc./ NVLAP	Sep 13, 2012
4134-Brueel&Kjaer	Microphone	456196	Sep 15, 2010	Scantek / NVLAP	Sep 15, 2011

**Instrumentation and test results are traceable to SI - BIPM through standards maintained by NPL (UK) and NIST (USA)**

<b>Calibrated by</b>	Kristen van Otterloo	<b>Checked by</b>	Valentin Bezduga
<b>Signature</b>	[REDACTED]	<b>Signature</b>	[REDACTED]
<b>Date</b>	9/13/2011	<b>Date</b>	9/30/2011

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Document stored as: Z:\Calibration Lab\Mic 2011\BSWAMP201\_461274\_M1.doc

Page 1 of 2

**Results summary:** Device was tested and complies with following clauses of mentioned specifications:

CLAUSES / METHODS <sup>1</sup> FROM PROCEDURES		MET <sup>2,3</sup>	NOT MET	NOT TESTED	MEASUREMENT EXPANDED UNCERTAINTY (coverage factor 2)
Open circuit sensitivity (insert voltage method, 250 Hz);			X		See below
Frequency response	Actuator response	X			63 – 200Hz: 0.3 dB 200 – 8000 Hz: 0.2 dB 8 – 10 kHz: 0.5 dB 10 – 20 kHz: 0.7 dB 20 – 50 kHz: 0.9 dB 50 – 100 kHz: 1.2 dB
	FF/Diffuse field responses	X			63 – 200Hz: 0.3 dB 200 – 4000 Hz: 0.2 dB 4 – 10 kHz: 0.6 dB 10 – 20 kHz: 0.9 dB 20 – 50 kHz: 2.2 dB 50 – 100 kHz: 4.4 dB
	Scantek, Inc. acoustical method			X	31.5 – 125 Hz: 0.16 dB 250, 1000 Hz: 0.12 dB 2 – 8 kHz: 0.8 dB 12.5 – 16 kHz: 2.4 dB

<sup>1</sup> The results of this calibration apply only to the instrument type with serial number identified in this report.

<sup>2</sup> Parameters are certified at actual environmental conditions.

<sup>3</sup> The tests marked with (\*) are not covered by the current NVLAP accreditation.

**Note:** The free field/diffuse field characteristics were calculated based on the measured actuator response and adjustment coefficients as provided by the manufacturer. The uncertainties reported for these characteristics may include assumed uncertainty components for the adjustment coefficients.

**Comments:** The microphone was tested and met most specifications found in the referenced procedures, excepting the sensitivity which is slightly lower than the specified limit. The unit may be normally used with an instrument which has provisions to compensate the lower sensitivity of the microphone, for example the noiseLab3-NI-9233 sound level meter s/n 151A388.

#### Environmental conditions:

Temperature (°C)	Barometric pressure (kPa)	Relative Humidity (%)
22.3 ± 1.0	100.05 ± 0.006	55.2 ± 2.1

#### Main measured parameters:

Tone frequency (Hz)	Measured <sup>4</sup> /Acceptable Open circuit sensitivity (dB)	Sensitivity (mV/Pa)
250	-28.16 ± 0.12/ -26.0 ± 2	39.07

<sup>4</sup> The reported expanded uncertainty is calculated with a coverage factor k=2.00

#### Tests made with following attachments to instrument and auxiliary devices:

	Grid as actuator
X	Actuator type: G.R.A.S. RA 0014
	Coupler type: G.R.A.S. 51 AB

**Measured Data:** Found on Microphone Test Report # 24635 of one page.

#### Place of Calibration: Scantek, Inc.

6430 Dobbin Road, Suite C  
Columbia, MD 21045 USA


Ph/Fax: [REDACTED]


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## C.2 Sound Level Meter Calibration Certificate


  
**Scantek, Inc.**  
 CALIBRATION LABORATORY  
 ISO 17025: 2005, ANSI/NCSL Z540:1994 Part 1  
 ACCREDITED by NVLAP (an ILAC and APLAC signatory)


  
 NVLAP Lab Code: 200625-0

---

### Calibration Certificate No.24636

<b>Instrument:</b> Sound Level Meter <b>Model:</b> noiseLab3-NI-9233 <b>Manufacturer:</b> Delta <b>Serial number:</b> 151A388 <b>Tested with:</b> Microphone MP201 s/n 461274 Preamplifier MA231 s/n 470788 <b>Type (class):</b> 1 <b>Customer:</b> Intertek Testing Services NA, Inc. <b>Tel/Fax:</b> 607-758-6245 / 607-753-1045	<b>Date Calibrated:</b> 9/23/2011 <b>Cal Due:</b> <b>Status:</b> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Received</td> <td style="padding: 2px;">Sent</td> </tr> <tr> <td style="text-align: center; padding: 2px;">X</td> <td style="text-align: center; padding: 2px;">X</td> </tr> </table> <b>In tolerance:</b> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">X</td> <td style="padding: 2px;">X</td> </tr> </table> <b>Out of tolerance:</b> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> </table> <b>See comments:</b> <b>Contains non-accredited tests:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Calibration service:</b> Basic <input checked="" type="checkbox"/> Standard <input type="checkbox"/>	Received	Sent	X	X	X	X			<b>Address:</b> 3933 US Route 11 Cortland, NY 13045
Received	Sent									
X	X									
X	X									

**Tested in accordance with the following procedures and standards:**  
 Calibration of Sound Level Meters, Scantek Inc., Rev. 6/7/2005  
 SLM & Dosimeters – Acoustical Tests, Scantek Inc., Rev. 7/6/2011

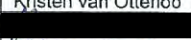
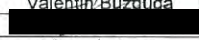
**Instrumentation used for calibration:** Nor-1504 Norsonic Test System:

Instrument - Manufacturer	Description	S/N	Cal. Date	Traceability evidence	Cal. Due
				Cal. Lab / Accreditation	
483B-Norsonic	SME Cal Unit	31061	Jul 14, 2011	Scantek, Inc./ NVLAP	Jul 14, 2012
DS-360-SRS	Function Generator	88077	Aug 17, 2010	ACR Env./ A2LA	Aug 17, 2012
34401A-Agilent Technologies	Digital Voltmeter	MY470111 18	Aug 9, 2011	Tektronix/ AClass	Aug 9, 2012
HM30-Thommen	Meteo Station	1040170/39633	Jun 26, 2010	ACR Env./ A2LA	Dec 26, 2011
PC Program 1019 Norsonic	Calibration software	v.5.0	Validated July 2009	-	-
1251-Norsonic	Calibrator	30878	Dec 7, 2010	Scantek, Inc./ NVLAP	Dec 7, 2011

**Instrumentation and test results are traceable to SI (International System of Units) through standards maintained by NIST (USA) and NPL (UK).**

**Environmental conditions:**

Temperature (°C)	Barometric pressure (kPa)	Relative Humidity (%)
22.4 °C	100.71 kPa	61.8 %RH

<b>Calibrated by</b>	Kristen van Otterloo	<b>Checked by</b>	Valentin Buzduga
<b>Signature</b>		<b>Signature</b>	
<b>Date</b>	9/29/2011	<b>Date</b>	9/29/2011

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 Document stored as: Z:\Calibration Lab\SLM 2011\DeltaNoiseLab3-9233\_151A388\_M1.doc

Page 1 of 2

Results summary: Device complies with following clauses of mentioned specifications:

CLAUSES <sup>1</sup> FROM IEC/ANSI STANDARDS REFERENCED IN PROCEDURES:	MET <sup>2,3</sup>	NOT MET	MEASUREMENT EXPANDED UNCERTAINTY (coverage factor 2) [dB]
IEC 61672-3			
Self Generated Noise (#10): Electrical Noise	X		0.2
Frequency Weighting (#12): A	X		0.2
Frequency Weighting (#12): C	X		0.2
Frequency Weighting (#12): Z	X		0.2
Frequency & time Weightings @ 1 kHz (#13)	X		0.2
Level Linearity on the Reference range Level (#14)	X		0.2
Tone-Burst Response (#16)	X		0.2
Peak C Sound Level (#17)	X		0.2
Overload Indication (#18)	X		0.2
Acoustical Test: Accuracy at selected frequencies	X		0.15
Global Acoustical response: Summation (w/ actuator) (#11)	X		0.2-0.5
Filter Test: Octave Filters	X		0.15
Filter Test: 1/3 Octave Filters	X		0.15

<sup>1</sup> The results of this calibration apply only to the instrument type with serial number identified in this report.

<sup>2</sup> Parameters are certified at actual environmental conditions.

<sup>3</sup> The tests marked with (\*) are not covered by the current NVLAP accreditation.

**Comments:** The sound level meter submitted for testing has successfully completed the class 1 periodic tests of IEC 61672-3:2006, for the environment conditions under which the tests were performed. However, no general statement or conclusion can be made about conformance of the SLM to the full requirements of IEC 61672-1:2002 because evidence was not publicly available, from an independent testing organization responsible for pattern approval, to demonstrate that the model of SLM fully conformed to the requirements in IEC 61672-1: 2002 and because the periodic tests of IEC 61672-3:2006 cover only a limited subset of the specifications in IEC 61672-1:2002.

Note: The instrument was tested for the parameters listed in the table above, using the test methods described in the listed standards. All tests were performed around the reference conditions. The test results were compared with the manufacturer's or with the standard's specifications, whichever are larger. Compliance with any standard cannot be claimed based solely on the periodic tests.

Tests made with the following attachments to the instrument:

X	Microphone	MP201 s/n 461274 for acoustical test
X	Preamplifier	MA231 s/n 470788 for all tests
X	Other:	line adaptor ADP005 (18pF) for electrical tests

Measured Data: in Test Report #24636 of two sections totaling 18 pages.

Place of Calibration: Scantek, Inc.  
6430 Dobbin Road, Suite C  
Columbia, MD 21045 USA

Ph/Fax: [REDACTED]  
callab@scantekinc.com

Calibration Certificates or Test Reports shall not be reproduced, except in full, without written approval of the laboratory. This Calibration Certificate or Test Reports shall not be used to claim product certification, approval or endorsement by NVLAP, NIST, or any agency of the federal government.

Document stored as: Z:\Calibration Lab\SLM 201\DeltaNoiseLab3-9233\_151A388\_M1.doc

Page 2 of 2



### C.3 Calibrator Calibration Certificate

**Scantek, Inc.**  
CALIBRATION LABORATORY

ISO 17025: 2005, ANSI/NCSL Z540:1994 Part 1  
ACCREDITED by NVLAP (an ILAC and APLAC signatory)

NVLAP Lab Code: 200625-0

---

## Calibration Certificate No.24638

*Instrument:* **Acoustical Calibrator**

*Model:* **CA111**

*Manufacturer:* **BSWA**

*Serial number:* **470127**

*Class (IEC 60942):* **1**

*Barometer type:*

*Barometer s/n:*

*Date Calibrated:* **9/13/2011**    *Cal Due:*

Status:	Received	Sent
<i>In tolerance:</i>	<b>X</b>	<b>X</b>
<i>Out of tolerance:</i>		
<i>See comments:</i>		

*Contains non-accredited tests:* ☐ Yes ☒ No

*Customer:* **Intertek Testing Services NA, Inc.**

*Tel/Fax:* **607-758-6245 / 607-753-1045**

*Address:* **3933 US Route 11,  
Cortland, NY 13045**

**Tested in accordance with the following procedures and standards:**  
Calibration of Acoustical Calibrators, Scantek Inc., Rev. 10/1/2010

**Instrumentation used for calibration:** Nor-1504 Norsonic Test System:

Instrument - Manufacturer	Description	S/N	Cal. Date	Traceability	Cal. Due
				Cal. Lab / Accreditation	
483B-Norsonic	SME Cal Unit	31061	Jul 14, 2011	Scantek, Inc./ NVLAP	Jul 14, 2012
DS-360-SRS	Function Generator	88077	Aug 17, 2010	ACR Env./ A2LA	Aug 17, 2012
34401A-Agilent Technologies	Digital Voltmeter	MY47011118	Aug 9, 2011	Tektronix/ AClass	Aug 9, 2012
HM30-Thommen	Meteo Station	1040170/39633	Jun 26, 2010	ACR Env./ A2LA	Dec 26, 2011
140-Norsonic	Real Time Analyzer	1403978	Mar 3, 2011	Scantek, Inc. / NVLAP	Mar 3, 2012
PC Program 1018 Norsonic	Calibration software	v.5.2	Validated March 2011	-	
1253-Norsonic	Calibrator	28326	Dec 6, 2010	Scantek, Inc./ NVLAP	Dec 6, 2011
1203-Norsonic	Preamplifier	14051	Sep 10, 2010	Scantek, Inc./ NVLAP	Sep 13, 2012
4134-Bruel&Kjaer	Microphone	456196	Sep 15, 2010	Scantek / NVLAP	Sep 15, 2011

**Instrumentation and test results are traceable to SI (International System of Units) through standards maintained by NIST (USA) and NPL (UK)**

<b>Calibrated by</b>	Kristen van Otterloo	<b>Checked by</b>	Mariana Buzduga
<b>Signature</b>		<b>Signature</b>	
<b>Date</b>	9/13/2011	<b>Date</b>	9/14/2011

Calibration Certificates or Test Reports shall not be reproduced, except in full, without written approval of the laboratory.  
This Calibration Certificate or Test Reports shall not be used to claim product certification, approval or endorsement by NVLAP, NIST, or any agency of the federal government.  
Document stored as: Z:\Calibration Lab\Cal 2011\BSWACA111\_470127\_M1.doc

Page 1 of 2

Results summary: Device was tested and complies with following clauses of mentioned specifications:

CLAUSES <sup>1</sup> FROM STANDARDS REFERENCED IN PROCEDURES:	MET <sup>2</sup>	NOT MET	COMMENTS
<b>Manufacturer specifications</b>			
Manufacturer specifications: Sound pressure level	X		
Manufacturer specifications: Frequency	X		
Manufacturer specifications: Total harmonic distortion			
<b>Current standards</b>			
ANSI S1.40:2006 B.3 / IEC 60942: 2003 B.2 - Preliminary inspection	X		
ANSI S1.40:2006 B.4.4 / IEC 60942: 2003 B.3.4 - Sound pressure level	X		
ANSI S1.40:2006 A.5.4 / IEC 60942: 2003 A.4.4 - Sound pressure level stability	-	-	
ANSI S1.40:2006 B.4.5 / IEC 60942: 2003 B.3.5 - Frequency	X		
ANSI S1.40:2006 B.4.6 / IEC 60942: 2003 B.3.6 - Total harmonic distortion	X		

<sup>1</sup> The results of this calibration apply only to the instrument type with serial number identified in this report.

<sup>2</sup> The tests marked with (\*) are not covered by the current NVLAP accreditation.

#### Main measured parameters<sup>3</sup>:

Measured <sup>4</sup> /Acceptable Tone frequency (Hz):	Measured <sup>4</sup> /Acceptable Total Harmonic Distortion (%):	Measured <sup>4</sup> /Acceptable Level (dB):
999.81 ± 1.0/1000.0 ± 10.0	0.4 ± 0.5/ < 3	94.09 ± 0.12/94.0 ± 0.4
999.73 ± 1.0/1000.0 ± 10.0	1.5 ± 0.5/ < 3	114.14 ± 0.12/114.0 ± 0.4

<sup>3</sup> Parameters are certified at actual environmental conditions.

<sup>4</sup> The above expanded uncertainties for frequency and distortion are calculated with a coverage factor k=2; for level k=2.00

#### Environmental conditions:

Temperature (°C)	Barometric pressure (kPa)	Relative Humidity (%)
23.2 ± 1.0	99.93 ± 0.016	46.4 ± 2.2

#### Tests made with following attachments to instrument:

X	Calibrator ½" Adaptor
	Other

**Adjustments:** Unit was not adjusted.

**Comments:** The instrument was tested and met all specifications found in the referenced procedures.

*Note:* The instrument was tested for the parameters listed in the table above, using the test methods described in the listed standards. All tests were performed around the reference conditions. The test results were compared with the manufacturer's or with the standard's specifications, whichever are larger. Compliance with any standard cannot be claimed based solely on the periodic tests.

**Measured Data:** in Acoustical Calibrator Test Report # 24638 of two pages.

**Place of Calibration:** Scantek, Inc.

6430 Dobbin Road, Suite C  
Columbia, MD 21045 USA

Ph/Fax: [REDACTED]

Calibration Certificates or Test Reports shall not be reproduced, except in full, without written approval of the laboratory. This Calibration Certificate or Test Reports shall not be used to claim product certification, approval or endorsement by NVLAP, NIST, or any agency of the federal government.  
Document stored as: Z:\Calibration Lab\Cal 2011\BSWACA111\_470127\_M1.doc

Page 2 of 2



**From:**Holden John@Development Management  
**Sent:**Tue, 20 Dec 2016 15:32:26 +0000  
**To:**'Erlend Tait'  
**Cc:**Hunter Dale@Development Management;Development Management@Development  
**Subject:**RE: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

Thank you for your emails from last Friday and today. Apologies for the further short delay. I am to look through the Report of Handling that Dale has prepared next.

Yours sincerely

John Holden

Team Leader – Development Management

Planning

Shetland Islands Council

Planning

Development Services Department

c/o Train Shetland

North Gremista Industrial Estate

Lerwick

Shetland

ZE1 0PX

Tel: (01595) 743898

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 20 December 2016 12:24  
**To:** Holden John@Development Management  
**Subject:** Re: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Hello,

Any news on the Fetlar wind turbine applications?

Regards,

Erlend Tait

pp N Bellis

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)  
**Sent:** Tuesday, December 13, 2016 10:39 AM  
**To:** [REDACTED]  
**Cc:** [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk)  
**Subject:** FW: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

If as you say you have been trying to contact Dale, I can advise that you will not have been able to contact him because I instructed him last week to work (without distraction) on reporting on a number of applications, including those of your client, Mr Bellis. I was concerned at the timescales a number of applications he had as part of his caseload had been with us, and with the resultant uncertainty that this was bringing for interested parties - including your client.

I can confirm that Dale has now completed his Report on Handling on each application, and whilst I have still to review them and the recommendations made, I gather that you have had opportunity to meet further information requests that have been made. Part of my checking of the Reports includes that of whether a determination can be made by an officer under delegated powers. Should this be the case any objections that have been received will be taken into consideration by the officer to the extent that they raise material planning considerations. If there is a requirement for a proposal to be considered by the Council's Members and there had been objections both the objectors and your client will have the right to address the meeting in the context of a Hearing.

I hope to be reviewing the Reports later on today.

Yours sincerely

John Holden

Team Leader – Development Management

Planning

Shetland Islands Council

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Development Services Department

c/o Train Shetland

North Gremista Industrial Estate

Lerwick

Shetland

ZE1 0PX


Tel: (01595) 743898

**From:** Hunter Dale@Development Management  
**Sent:** 12 December 2016 12:48  
**To:** Holden John@Development Management  
**Subject:** FW: Fetlar applications

FYI

Thanks

Dale

**From:** Erlend Tait [<mailto:>   
**Sent:** 12 December 2016 12:48  
**To:** Hunter Dale@Development Management  
**Subject:** Fetlar applications

Hello,

I have called on a number of occasions to check that you have all the necessary information on the 3 applications numbers 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

If not what more is required?

Also my client, Mr Bellis is requesting an update on likely recommendations and timescales for each application. Can you comment on this ,please?

Where there are objections do SIC allow us to address these at a council meeting? If so when would that be likely?

Regards,

Erlend

**From:** Holden John@Development Management  
**Sent:** 04 January 2017 13:15  
**To:** 'Erlend Tait'  
**Cc:** Development Management@Development; Hunter Dale@Development Management  
**Subject:** RE: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

I am sorry for the delay in responding. After I finished for the festive period on 22 December, today is the first day back at work after the 'Christmas Shutdown' that the Planning Service (amongst many Council services) has here in Shetland.

I did sign off on the determinations of the applications before I went on leave, but unfortunately it has only been today that the decision notices have been generated and will be issued.

The outcome on each application is one of refusal. In each case the planning officer reported that it had been anticipated that a competent request would be made for a Variation of Application under Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) in connection with (either in whole or part - depending on the particular application): change in proposed turbine location (along with a different associated cable trench route); revision of proposed turbine blade diameter; and taking account of resultant changes to the sound power level for the turbine that would be demonstrated in a revised noise impact assessment. However, the planning officer went on to state that the information that was received was not of a level or type that would allow a request to be accepted or give confidence that it would be demonstrated by you that there would not be a significant unacceptable impact on existing neighbouring land uses from each proposal.

Accordingly it is stated as the Reasons for the Council's decision for applications 2015/457/PPF and 2016/190/PPF that: "It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed developments incompatibility with the existing neighbouring residential use."; and for 2016/191/PPF that "It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses."

I appreciate that these outcomes will not be the ones that you or your client will have been hopeful of. The determinations do however give all interested parties confirmation of the Council's position as far as the merits of the proposals as they were presented is concerned. The Reports of Handling will shortly be available to view on the Council's website, and if your client is aggrieved by the decision(s) there is of course the ability to require the planning authority to review the case(s). The necessary form for doing so can be obtained on request, or alternatively appeals can be lodged online at:

<https://www.eplanning.scot/ePlanningClient/default.aspx>

Yours sincerely

John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland

ZE1 0PX

Tel: (01595) 743898

---

**From:** Erlend Tait [mailto: ]  
**Sent:** 23 December 2016 09:32  
**To:** Holden John@Development Management  
**Subject:** Re: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Hello,

I am writing again to see if there is any news on the Fetlar applications? As we move into the festive season and another year we would like to know what the likely outcomes are,

Regards,  
Erlend

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)  
**Sent:** Tuesday, December 20, 2016 3:32 PM  
**To:** [redacted]  
**Cc:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk) ; [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk)  
**Subject:** RE: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

Thank you for your emails from last Friday and today. Apologies for the further short delay. I am to look through the Report of Handling that Dale has prepared next.

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John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland  
ZE1 0PX

Tel: (01595) 743898

---

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**To:** Holden John@Development Management  
**Subject:** Re: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

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Regards,

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pp N Bellis

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**Sent:** Tuesday, December 13, 2016 10:39 AM  
**To:** [REDACTED]  
**Cc:** [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk)  
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John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland  
ZE1 0PX

Tel: (01595) 743898

**From:** Hunter Dale@Development Management  
**Sent:** 12 December 2016 12:48  
**To:** Holden John@Development Management  
**Subject:** FW: Fetlar applications

FYI

Thanks  
Dale



---

**From:** Erlend Tait [mailto: ]  
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**To:** Hunter Dale@Development Management  
**Subject:** Fetlar applications

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Regards,  
Erlend

## Section 2. Statutory Advert

# PUBLIC NOTICES

## PUBLIC NOTICES

£3.00 per line (minimum £12.00)

Panel £5.88 extra

Advertisements must be prepaid

Rates include VAT

### SHETLAND ISLANDS COUNCIL

The Council has made the (Micro Surfacing of Various Roads, Lerwick) (Temporary Road Closure) Temporary Traffic Regulation Order T18/2016 under the Road Traffic Regulation Act 1984 as amended, to allow various roads in Lerwick to be micro surfaced safely from 5.00pm on Sunday, 14th August, to 5.00pm on Sunday, 17th September, 2016.

Roads Affected by Temporary Road Closure

The roads that will be temporarily closed by the Order are:-

Hoofields, Burnside, Norstane - from Ladies Drive to Norstane junction, Gremista Brae, Hoolesgarth Road, Stoneyhill - from No. 29 to road end, Bruce Crescent, from North Road to North Lochside, Anderson Road, Haldane Burgess Crescent - from Anderson Road to Robertson Crescent, Robertson Crescent, Hayfield Lane, Cheyne Crescent, Cairnfield Road - from Hayfield Lane to Russell Crescent, Russell Crescent - from Cairnfield Road to Clickimin Road, Goodlad Crescent - from Gilbertson Road to Russell Crescent, Clickimin Road, West Slatts Road, Union Street - from Burch Road to King Harald Street, King Harald Street, St Olaf Street, King Erik Street, Upper Hillhead, Lower Hillhead, Commercial Road - from North Ness Roundabout to Viking Bus Station entrance, Braiwick Road - from Knab Road heading generally northwards for 450 metres, Ronald Street, Lovers Lane, Twageos Road - from Gressy Loan heading north-eastwards for 450 metres, Knab Road - from viewpoint heading eastwards for 190 metres.

It should be noted that the works on each street should not take longer than a day to complete commencing at 8am until 6pm.

## NORTHERN ISLES DIGITAL FORUM

- SHETLAND

Skeld Public Hall

Saturday,  
20th August, 2016

10.00am - 12noon

Organised by

Alistair Carmichael MP

## Shetland Islands Council

These applications, associated plans and documents can be examined, 9.00am-5.00pm, Mon-Fri, at: Shetland Islands Council, Development Services Department, 8 North Ness Business Park, Lerwick, ZE1 0LZ. Please call 744293 to make an appointment if you wish to discuss any application. Applications, associated plans and documents can also be viewed on the Council website at [www.shetland.gov.uk](http://www.shetland.gov.uk).

Town and County Planning (Development Management Procedure) (Scotland) Regulations 2013

Format: Ref No; Proposal & Address

2016/191/PPF: Installation of a CF15 wind turbine to supply power, the base will be a 5.5m x 5.5m square, 1m deep; 1 Trestla, Fellar, Shetland, ZE2 9DJ

2016/190/PPF: Installation of a CF15 wind turbine, hub height 15.434m associated cable trench, Bethany, Allisness, Fellar, Shetland, ZE2 9DJ

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) by 2nd September, 2016.

Town and County Planning (Development Management Procedure) (Scotland) Regulations 2013

Format: Ref No; Proposal & Address

2016/309/PPF: Extension to existing dwelling to form additional habitable accommodation and a garage; 1 Hogalee, Scalloway, Shetland, ZE1 0UU

2016/329/PPF: To change use from office to pharmacy; Kanterstedt Road, Lerwick, Shetland, ZE1 0RJ

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) by 26th August, 2016.



Keeping you  
in the picture

Improving services in your area

If you have any questions about  
Scottish Water and our services,  
please visit [www.scottishwater.co.uk](http://www.scottishwater.co.uk)  
or call our Customer Helpline on  
0845 601 6555

## Interruption to Supply Notice

UNST

Due to essential work on the water network, customers in Belmont & Uyeasound may experience interruption to their supply or reduced pressure on:

**Tuesday 16th August 2016**  
**from 9.30am to 3.30pm**  
Scottish Water apologise for any inconvenience caused by this essential work.

If you have any queries regarding this matter please call our customer helpline:

**0800 0778 778**

## SHETLAND ISLANDS COUNCIL ROADS SERVICE LERWICK ROAD CLOSURES FOR MICRO SURFACING AUGUST/SEPTEMBER 2016

### MICRO SURFACING

The Roads Service intends to undertake a programme of micro-surfacing on Lerwick's roads in August and September. This essential maintenance is a simple and cost effective method of improving skid resistance, sealing the road surface and preventing further deterioration. It is the equivalent of surface dressing used on our rural roads.

The public should be aware that road closures will be required to allow the contractor to undertake these works. Access to each of the affected roads will be prohibited for up to one day and parking restrictions will also be in place as indicated on site by yellow "no parking" cones. The micro-surfacing process is weather dependent so residents will be advised of the dates of these closures by letter. There will also be regular information bulletins on local radio.

In the interests of safety we would ask the public to observe these closures and parking restrictions. Please note that these restrictions are mandatory, not advisory, and a traffic order is in place to allow their enforcement by Police Scotland. Vehicles parked on these roads during the closures will be committing a traffic offence and may be removed.

Shetland Islands Council apologises for any inconvenience these essential works cause and would also like to thank road users for their co-operation in this matter.

### ROADS TO BE TREATED/CLOSED

The lengths of road to be closed from 14th August are as follows:

- Hoofields (not including cul-de-sac)
- Burnside (not including parking areas)
- Norstane (frontage of Nos 39 to 45 but not parking area)
- Gremista Brae
- Holmsgarth Brae
- Stoneyhill (not including parking areas)
- Bruce Crescent
- Anderson Road
- Haldane Burgess Crescent (Anderson Rd to Robertson Cres)
- Robertson Crescent
- Hayfield Lane
- Cairnfield Road
- Russell Crescent
- Goodlad Crescent (frontage of Nos 1-23 and 2-18)
- Clickimin Road
- Cheyne Crescent (not including cul-de-sac)
- West Slatts Park
- Union Street (Burch Road to King Harald Street)
- King Harald Street (not including parking areas)
- South King Harald Street
- St Olaf Street
- South St Olaf Street
- King Erik Street
- Upper Hillhead
- Lower Hillhead
- Commercial Road (at North Ness Roundabout)
- Breiwick Road (Nos 1 to 68)
- Ronald Street
- Lovers Lane
- Twageos Road
- Knab Road (Gressy Loan to Viewpoint)

Please note that in the parking areas mentioned above it will be possible to leave vehicles for the duration of the works. However, access to and from these areas will not be possible on the day of the works. The works on each street should not take longer than a day between the hours of 8am and 6pm. However, parking will be prohibited from 8pm the previous evening to ensure that the road is clear of parked vehicles for the start of work the following day.

### ADVICE FOR RESIDENTS

We would also recommend that you follow the precautionary measures listed below:

1. DO NOT walk on the freshly laid material because it may stick to your shoes and be transferred to carpets, wooden floors, paved driveways etc.
2. AVOID driving across the fresh material e.g. from your driveway. Not only would this ruin the new surface, it may also cause damage to your tyres or paintwork
3. OBSERVE the traffic control measures that will be in place during the operation.

Should you require any advice on the day of works, please ask one of the operatives to refer you to the on-site Foreman.

Should you have any queries regarding these closures please contact Neil Hutchison at the following address.

## Section 3. Consultation Responses

E

## **Bryant Marion@Development Management**

---

**From:** Cooper Richard@Environmental Health & Trading Standards  
**Sent:** 05 August 2016 14:05  
**To:** McDiarmid Iain@Planning  
**Cc:** Development Management@Development  
**Subject:** 2016/190/PPF

<b>Planning Ref:</b> 2016/190/PPF
<b>Proposal:</b> Erection of CF15 wind turbine, hub height 15.434m associated cable trench.
<b>Address:</b> Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ
<b>Applicant:</b> Mr Neil Bellis
<b>Date of Consultation:</b> 3 August 2016

Hi Iain

With reference to planning application number for the erection of a small scale wind turbine; the Environmental Health department would like to make the following comments:

Having completed my investigation using the information provided, I can confirm that the department has no concerns from the noise aspect.

Richard Cooper  
EHO  
x4816

Shetland Islands Council  
Planning  
Development Services  
Grantfield  
Lerwick  
Shetland  
ZE1 0NT



Serco UK & Europe  
Scatsta Airport  
Brae  
Shetland  
ZE2 9QP  
United Kingdom

www.serco.com

25<sup>th</sup> August 2016

**Your Ref: 2016/190/PPF**

**Ref: Erection of a CF15 wind turbine, hub height 15.434m associated cable trench.  
Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ**

Dear Sir/Madam

Thank you for your recent consultation in regards to the erection of a CF15 wind turbine, hub height 15.434m associated cable trench. Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ.

Scatsta Airport has no objections to this project.

Yours sincerely

John Thorne  
Airport Director



## **MEMO**

---

To: Development Control

From: Roads

If calling please ask for  
Ian Leask  
Direct Dial: 4166

Medium: email  
Our Ref: IAL/SMG/R/G2/YUF  
Your Ref:

Date: 24th August 2016

---

**Application: 2016/190/PPF**

**Address: Bethany, Aithsness, Fetlar, ZE2 9DJ**

**Proposal: Erection of CF15 wind turbine, hub height 15.434 metres and associated cable trench.**

**Date of Consultation: 3<sup>rd</sup> August 2016**

---

**Recommended Action: RECOMMEND REFUSAL / REVISED DETAILS REQUIRED.**

---

### **Road Authority Comments:**

1. The proposed location for the turbine is too close to the public road. The turbine must be located a minimum distance of 30 metres from the edge of the public road.

Executive Manager, Roads

## Bryant Marion@Development Management

**From:** Cooper Richard@Environmental Health & Trading Standards  
**Sent:** 06 October 2016 09:46  
**To:** Development Management@Development  
**Subject:** RE: Planning Consultation 2016/190/PPF

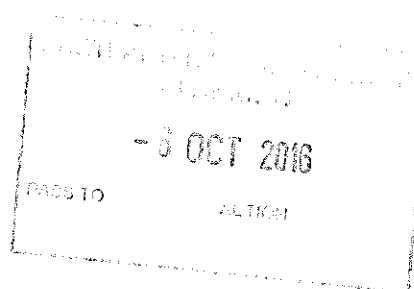
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Iain

Unfortunately I thought that 'Sweinkatofts' was a summer dwelling only and that the noise from the proposed turbine would be 39.6dB above the daytime background. Due to the small distance between the turbine and the nearest sensitive receptors, I consider that the noise is likely to be a statutory nuisance from this development.

Regards

Richard Cooper  
 EHO  
 x4816



**From:** Development Management@Development  
**Sent:** 03 August 2016 15:20  
**To:** foodsafety; Roads Traffic; Thomason, Bridgette  
**Subject:** Planning Consultation 2016/190/PPF

Dear Sir/Madam,

<b>Planning Ref:</b> 2016/190/PPF
<b>Proposal:</b> Erection of CF15 wind turbine, hub height 15.434m associated cable trench.
<b>Address:</b> Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ
<b>Applicant:</b> Mr Neil Bellis
<b>Date of Consultation:</b> 3 August 2016

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) or 01595 744864.

Consultation replies should be sent to: [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk).

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.



## Bryant Marion@Development Management

---

**From:** Cooper Richard@Environmental Health & Trading Standards  
**Sent:** 13 October 2016 16:58  
**To:** McDiarmid Iain@Planning  
**Cc:** Development Management@Development  
**Subject:** 2016/190/PPF - Bethany, Aithsness

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

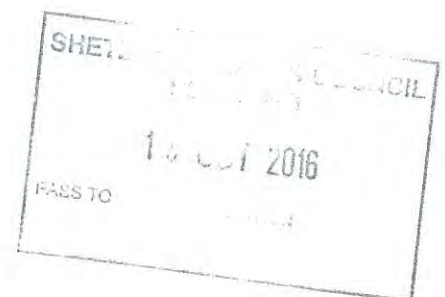
Hi Iain

Due to the large distance between the turbine and the nearest sensitive receptors (*Sweinkatofts*), I consider that the noise is unlikely to be a statutory nuisance from this development.

Regards

Richard Cooper  
Environmental Health Officer  
Environmental Health & Trading Standards  
Shetland Islands Council  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
ZE1 0LX

Direct Dial: 01595 744816  
Fax: 01595 744802  
[ehadmin@shetland.gov.uk](mailto:ehadmin@shetland.gov.uk)  
[www.shetland.gov.uk](http://www.shetland.gov.uk)



## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 26 October 2016 12:57  
**To:** Dinsdale Patti@Environmental Health & Trading Standards  
**Subject:** RE: 2016/190/PPF - Wind turbine consultation response at Bethany, Fetlar

Hi Patti,

That would be great thanks.

I should have clarified, there are three responses but I had only attached the two most recent ones.

- 5<sup>th</sup> August said no objections
- 6<sup>th</sup> October said there would be a statutory noise nuisance
- 13<sup>th</sup> October said no objections

Many Thanks  
Dale

**From:** Dinsdale Patti@Environmental Health & Trading Standards  
**Sent:** 26 October 2016 12:50  
**To:** Hunter Dale@Development Management  
**Subject:** RE: 2016/190/PPF - Wind turbine consultation response at Bethany, Fetlar

Hi Dale

I'm just on my way to a course running from 13:00 to 17:00 – will call you tomorrow

I've discussed this one with John H. And the latter is the correct response (although not how I would have worded it)

I'll speak with you tomorrow

P

Patti Dinsdale  
Team Leader - Environmental Health  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX  
T: 01595 744842  
F: 01595 744802

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**From:** Hunter Dale@Development Management  
**Sent:** 26 October 2016 11:22  
**To:** foodsafety

**Cc:** Holden John@Development Management

**Subject:** 2016/190/PPF - Wind turbine consultation response at Bethany, Fetlar

Hi Patti,

I'm currently dealing with a planning application for a turbine at Bethany, Fetlar but I have received two conflicting Environmental Health consultation responses. One says there will likely be a statutory noise nuisance at Sweinkatofts due to the short distances and the other says that due to the large separating distances to Sweinkatofts there are no concerns. I have attached them for reference. Feel free to give me a call 3963.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)

8 North Ness, Lerwick, Shetland, ZE1 0LZ

## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 27 October 2016 10:48  
**To:** Dinsdale Patti@Environmental Health & Trading Standards  
**Subject:** RE: Planning application responses 2016/190/PPF - Wind turbine consultation response at Bethany, Fetlar

Hi Patti,

Many thanks for the update.

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
3 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Dinsdale Patti@Environmental Health & Trading Standards  
**Sent:** 27 October 2016 10:43  
**To:** Hunter Dale@Development Management  
**Cc:** Holden John@Development Management  
**Subject:** Planning application responses 2016/190/PPF - Wind turbine consultation response at Bethany, Fetlar

Hi Dale

Yes I agree there is a lot of confusion at the moment with this particular application. I was asked to take a view on the original response and asked Richard to review it, he produced the second response on 6 October 2016.

This stated the development was likely to be a statutory nuisance as the dwelling mentioned is a summer dwelling. This summer dwelling should, in my opinion, still be considered a sensitive receptor as it is on land not associated with the turbine and could be permanently occupied (either permanently let or sold) at any time in the future.

I have no knowledge of the third response on 13<sup>th</sup> October 2016 however Richard is away and not back in the office until 7<sup>th</sup> November 2016, so I will ask Ian Taylor to review the application again on his return to the office on Monday as a matter of urgency.

I have now requested by e-mail that both Ian and Richard check their responses with me (or each other if I am not available) prior to sending to Development Planning for publication.

Regards

Patti Dinsdale  
Team Leader - Environmental Health  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX  
T: 01595 744842  
F: 01595 744802

Find us on Facebook: [Environmental Health Shetland Islands Council](#)

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**Bryant Marion@Development Management**

---

**From:** Taylor Ian@Environmental Health & Trading Standards  
**Sent:** 31 October 2016 13:48  
**To:** Development Management@Development  
**Cc:** Dinsdale Patti@Environmental Health & Trading Standards  
**Subject:** RE: Planning Consultation 2016/190/PPF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon

As per our departments previous response, see below, pertaining to application 2016/190/PPF, Erection of CF15 wind turbine, hub height 15.434m associated cable trench, Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ, the department can confirm that "Sweinkatofts" has been identified as the closest non-associated noise receptor and is 97m from the proposed wind turbine location, as such the property will be subject to predicted noise propagation level of 39.6dB(A) which may give rise to nuisance.

Should you wish to discuss this further please do not hesitate to contact the department.

Regards

Ian



---

**From:**Cooper Richard@Environmental Health & Trading Standards  
**Sent:**6 Oct 2016 09:46:07 +0100  
**To:**Development Management@Development  
**Subject:**RE: Planning Consultation 2016/190/PPF

Hi Iain

Unfortunately I thought that 'Sweinkatofts' was a summer dwelling only and that the noise from the proposed turbine would be 39.6dB above the daytime background. Due to the small distance between the turbine and the nearest sensitive receptors, I consider that the noise is likely to be a statutory nuisance from this development.

Regards

Richard Cooper  
EHO  
x4816

**From:** Development Management@Development  
**Sent:** 03 August 2016 15:20  
**To:** foodsafety; Roads Traffic; Thomason, Bridgette  
**Subject:** Planning Consultation 2016/190/PPF

Dear Sir/Madam,

<b>Planning Ref:</b> 2016/190/PPF
<b>Proposal:</b> Erection of CF15 wind turbine, hub height 15.434m associated cable trench.
<b>Address:</b> Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ



<b>Applicant:</b> Mr Neil Bellis
<b>Date of Consultation:</b> 3 August 2016

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) or 01595 744864.

Consultation replies should be sent to: [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk).

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid  
Executive Manager - Planning Service  
Shetland Islands Council  
8 North Ness Business Park  
Lerwick  
ZE1 0LZ

## Section 4. Report of Handling



## **Delegated Report of Handling**

**Development:** Erection of CF15 wind turbine, hub height 15.434m associated cable trench.

**Location:** Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ,

**By:** Mr Neil Bellis

**Application Ref:** 2016/190/PPF

### **1. Introduction**

The application proposes the erection of a CF15 15kW wind turbine on a 15m high tower near Bethany, Aithsness, Fetlar. The proposed site for the turbine is in the centre of a wide coastal plateau to the north of the dwelling and immediately adjacent to the access track serving the dwelling.

The turbine blades under the proposal that is being reported on for a determination will have a rotor diameter of 11.1 metres.

There is no relevant planning history for this site.

### **2. Statutory Development Plan Policies**

#### **Shetland Local Development Plan**

GP1 - Sustainable Development

GP2 - General Requirements for All Development

GP3 - All Development: Layout and Design

RE1 - Renewable Energy

H2 - Areas of Best Fit

### **3. Safeguarding**

- 30km Radius Scatsta - 30km Sumburgh Scatsta: 2
- Landscape Character Assessment - Landscape Character Assessment: Farmed and Settled Voes and Sounds
- Shetland Local Landscape Designations - Shetland Local Landscape Designations: Wick of Tresta

### **4. Consultations**

Environmental Health was consulted on the 3 August 2016. Their comments dated 5 August 2016 can be summarised as follows:

Having completed my investigation using the information provided, I can confirm that the department has no concerns from the noise aspect.

Environmental Health provided an updated consultation response following on from discussions and clarifications. Their comments dated 6 October 2016 can be summarised as follows:

Unfortunately I thought that 'Sweinkatofts' was a summer dwelling only and that the noise from the proposed turbine would be 39.6dB above the daytime background. Due to the small distance between the turbine and the nearest sensitive receptors, I consider that the noise is likely to be a statutory nuisance from this development.

Environmental Health provided an updated consultation response following on from discussions and clarifications. Their comments dated 13 October 2016 can be summarised as follows:

Due to the large distance between the turbine and the nearest sensitive receptors (Sweinkatofts), I consider that the noise is unlikely to be a statutory nuisance from this development.

Environmental Health provided an updated consultation response following on from discussions and clarifications. Their comments dated 31 October 2016 can be summarised as follows:

As per our departments previous response, see below, pertaining to application 2016/190/PPF, Erection of CF15 wind turbine, hub height 15.434m associated cable trench, Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ, the department can confirm that "Sweinkatofts" has been identified as the closest non-associated noise receptor and is 97m from the proposed wind turbine location, as such the property will be subject to predicted noise propagation level of 39.6dB(A) which may give rise to nuisance.

Should you wish to discuss this further please do not hesitate to contact the department.

Roads Traffic was consulted on the 3 August 2016. Their comments dated 24 August 2016 can be summarised as follows:

Recommended Action: RECOMMEND REFUSAL / REVISED DETAILS REQUIRED.

Road Authority Comments:

1. The proposed location for the turbine is too close to the public road. The

turbine must be located a minimum distance of 30 metres from the edge of the public road.

Executive Manager, Roads

Fetlar Community Council Clerk was consulted on the 3 August 2016. There was no response from this consultee at the time of report preparation.

Airport Manager - Scatsta was consulted on the 3 August 2016. Their comments dated 25 August 2016 can be summarised as follows:

Scatsta Airport has no objections to this project.

#### 5. **Statutory Advertisements**

The application was advertised in the Shetland Times on 12.08.2016

A site notice was not required to be posted.

#### 6. **Representations**

None.

#### 7. **Report**

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states that:

*Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan.*

There are statutory Development Plan Policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with Development Plan Policy, or there are any other material considerations which would warrant the setting aside of Development Plan Policy.

Shetland Local Development Plan 2014 (SLDP) Policy RE1 states the Council's commitment to delivering renewable energy developments that contribute to the sustainable development of Shetland. The policy states that renewable energy developments will be supported where it can be demonstrated that there are no unacceptable impacts on people (benefits and disbenefits for communities and tourism and recreation interests), the natural and water environment, landscape, historic environment and the built and cultural environment of Shetland.

The Shetland Local Development Plan 2014 (SLDP) Policies RE1 and GP1 support sustainable renewable energy developments where they do not sterilise future development and there are no unacceptable impacts on people or the environment, or the ability of people (both present and in future) to enjoy the area's high quality environment. The proposal would not sterilise any designated or anticipated residential development sites identified in the SLDP, and so the proposal complies with SLDP Policy GP1 in this respect. Further assessment of specific potential impacts on people and the environment is however required to consider whether the proposal complies with SLDP Policy RE1 and SLDP Policy GP1 in their entirety.

SLDP Policy GP3 requires that developments are sited and designed to respect the character of the area. More specifically in this instance the landscape and visual impact must be assessed. When any new distinctive feature is introduced into the landscape, it is inevitable that there will be some form of visual impact in the immediate vicinity of the development. Any visual impact has to be balanced against the material considerations of the provision of a sustainable renewable resource. The turbine would be relatively prominent within the area given the lack of vegetative screening or intervening built development. However, the main viewpoints towards the turbine would be from the road to the north of the site. The road is elevated when compared to the siting of the turbine and it is anticipated that the turbine would be viewed below the horizon line and blend in with its surroundings – it is not anticipated it would result in a prominent feature on the skyline from the common viewing locations. The exterior colour finishes and materials would contribute to minimising the visual impact of the proposed turbine on the landscape. The turbine is of a relatively small size in relation to other scale features within the landscape and it is considered unlikely that the proposed turbine would result in undue landscape or visual impacts. The proposal complies with SLDP Policy GP3.

SLDP Policy GP2 contains various requirements. In this instance the most relevant part relates to the compatibility of use between proposed and existing developments. A major part of this consideration is the potential for adverse amenity impacts resulting from the proposed wind turbine.

Potential shadow flicker impacts must be assessed with wind energy developments. Shadow flicker can occur in specific areas around a wind turbine: to the east, west and to a lesser degree the north of the turbine. This area extends to a distance of 10 times the blade diameter. In this instance the nearest sensitive receptor is Sweinkatofts, located 90.2 metres to the north east of the proposed turbine. With a blade diameter of 11m, the dwelling is closer than 110m from the turbine.

The application proposes to connect to the residential dwelling at Bethany which is located 200 metres to the south of the proposed turbine. The nearest noise

sensitive receptor is at Sweinkatofts, where the curtilage of the dwelling is located 90.2 metres to the north east of the proposed turbine. The consultation response from the Council's Environmental Health Officer has indicated that the level of noise at the dwelling is expected to result in a statutory noise nuisance which is considered to be a significant, unacceptable impact on the residential amenity of the dwellinghouse. Therefore the proposal is contrary to SLDP Policy GP2 in terms of the proposed development's incompatibility with existing uses, and Policy RE1 because the proposal would result in unreasonable impacts on people.

In the supporting statement provided with the application, the agent states that the dwelling at Sweinkatofts should not be included as a noise sensitive receptor as it is not currently occupied full time. However, the dwelling is capable of being inhabited full time without any alteration and should be considered in the same way as any other residential unit.

The requirements for a site specific noise impact assessment were raised within the preapplication enquiry response that was made for this development proposal. This information was not submitted with the application. There have been extensive negotiations and communications with the agent, as the agent has investigated the means of possibly addressing the identified noise and shadow flicker impacts of the proposed turbine. These reached the point when it was anticipated that there would be a competent request made for a Variation of Application under Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) in connection with: a change to the proposed turbine's location (along with a different associated cable trench route); revision of the proposed turbine's blade diameter, and taking account of resultant changes to the sound power level for the turbine that would be demonstrated in a revised noise impact assessment. However, the information that was received was not of a level or type that would allow a request to be accepted or give confidence that it will be demonstrated by the agent that there would not be a significant unacceptable impact on the residential amenity of the dwellinghouse.

It is noted in the consultation response from the Council's Roads Service that the proposed turbine must be located over 30 metres from the edge of the public road. The proposed turbine is located 10 metres from the public road and this issue has not been resolved, given that the proposed is recommended for refusal on the basis of other issues.

Notwithstanding the opportunities the applicant has had, it has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring residential use.

**8. Recommendation**

Refusal

**Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring residential use.

**9. List of refused plans:**

- |   |            |
|---|------------|
| • Site Plan Drawing No. 2016/190/PPF-04     | 25.05.2016 |
| • Location Plan Drawing No. 2016/190/PPF-01 | 12.05.2016 |
| • Elevations Drawing No. 2016/190/PPF-02    | 12.05.2016 |
| • Site Plan Drawing No. 2016/190/PPF-04     | 18.07.2016 |

**11. Further Notifications Required**

None.

**12. Background Information Considered**

- 2015/272/PREAPP
- 2015/273/PREAPP
- 2015/274/PREAPP

2016/190/PPF\_Delegated\_Report\_of\_Handling.doc  
Officer: Dale Hunter  
Date: 12/12/2016



## Section 5.      Decision Notice



## **SHETLAND ISLANDS COUNCIL**

### **Town and Country Planning (Scotland) Acts**

---

With reference to the application for **Planning Permission** (described below) under the above Acts, the Shetland Islands Council in exercise of these powers hereby **REFUSE Planning Permission** for the development in accordance with the particulars given in, and the plans accompanying the application as are identified subject to the reasons specified below.

#### **Applicant Name and Address**

Mr Neil Bellis  
1 Isfield Place  
Isfield  
Uckfield  
United Kingdom  
RN22 5XR

#### **Agent Name and Address**

Erlend Tait  
Ranganoust  
Orphir  
United Kingdom  
KW17 2RB

#### **Reference Number:** 2016/190/PPF

Erection of CF15 wind turbine, hub height 15.434m associated cable trench.:  
Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ

#### **Details of Refused Plans and Drawings:**

- Site Plan Drawing No. 2016/190/PPF-04  
Stamped Received. 25.05.2016
- Location Plan Drawing No. 2016/190/PPF-01  
Stamped Received. 12.05.2016
- Elevations Drawing No. 2016/190/PPF-02  
Stamped Received. 12.05.2016
- Site Plan Drawing No. 2016/190/PPF-04  
Stamped Received. 18.07.2016

#### **Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring residential use.

4 January 2017

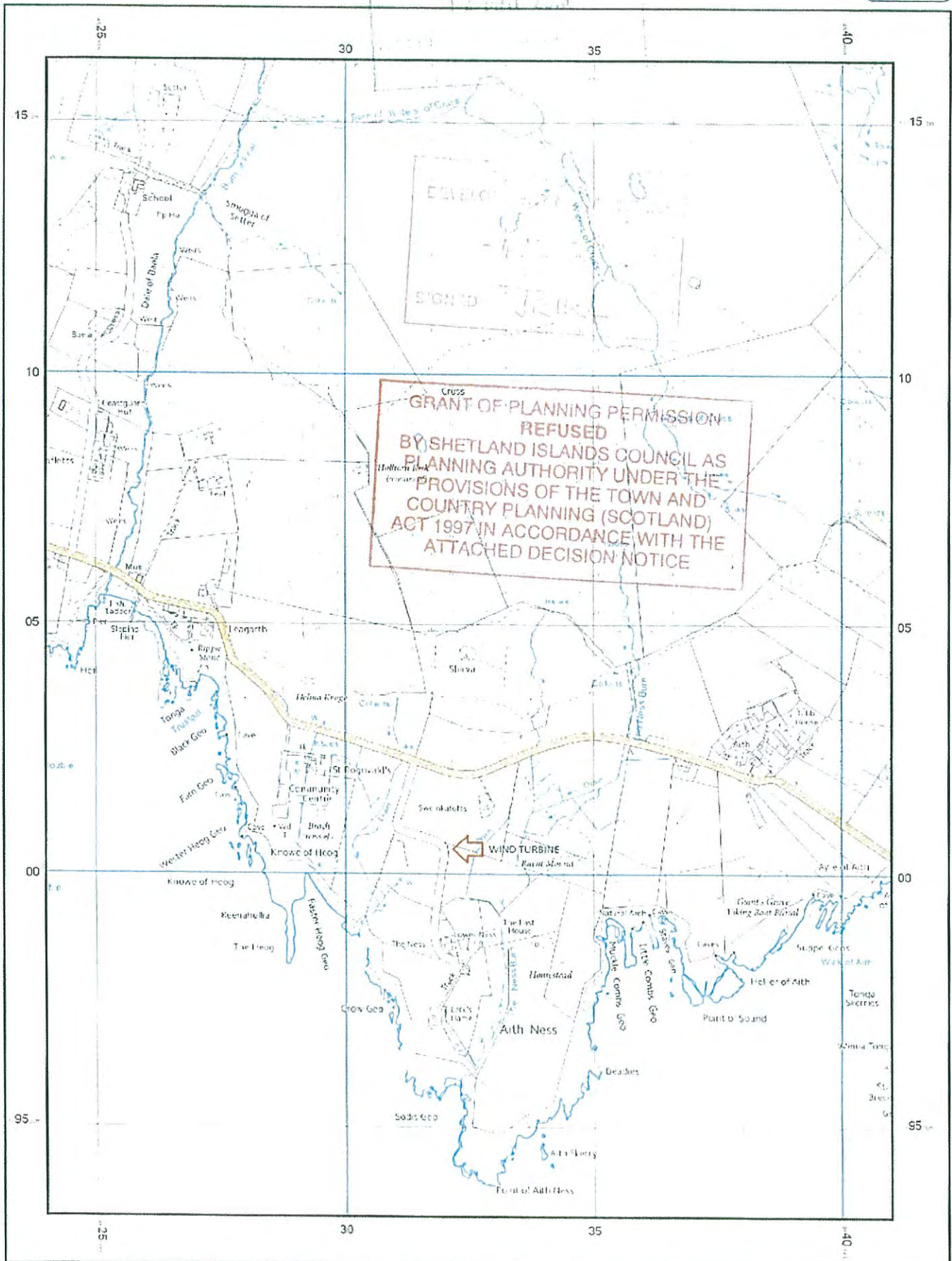


Executive Manager

## **IMPORTANT INFORMATION**

If you are aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, you may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to: Shetland Islands Council, Planning, Development Services Department, 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ. The necessary form can be obtained upon request from the same address.

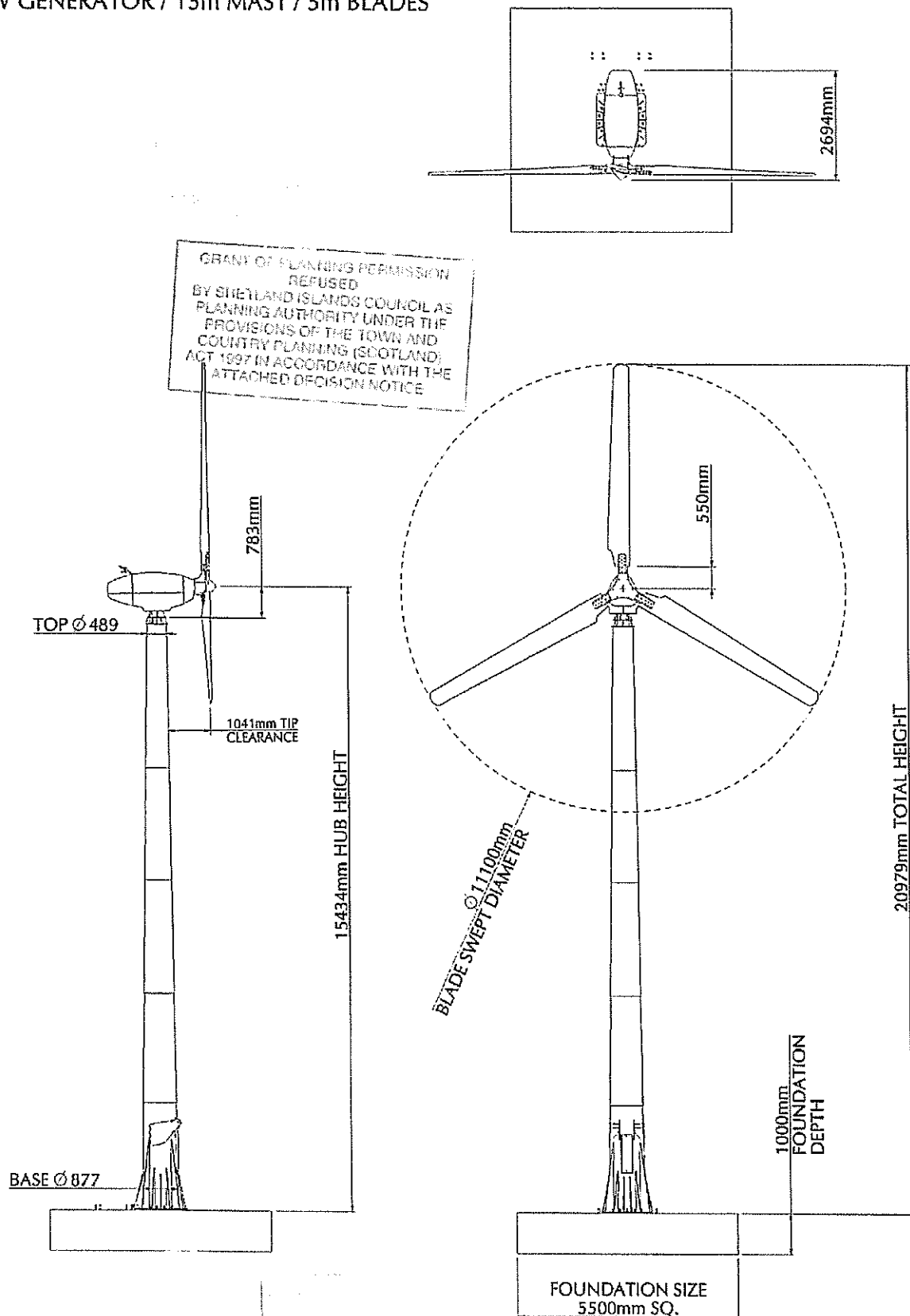
If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



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 Centre Coordinates: 463251, 1190473  
 Production Date: 10/04/2016 21:53:05

# OVERALL DIMENSIONS FOR CF15 TURBINE: 15kW GENERATOR / 15m MAST / 5m BLADES



<b>C&amp;F Green-Energy</b>		<b>CF15</b>	
All Dimensions in mm		QTY PER UNIT: -	
DESCRIPTION: OVERALLS / PLANNING		SCALE: 1:100	
MATERIAL: Mast: S275 Galv		DWG SIZE: A3	
DRAWN: C O'NEILL	PAINT: -	SHEET: 1 OF 1	
CHECKED: -	FINISH: -	DATE: 16-Feb-11	
DATE: 16-Feb-11	SHEET: 1 OF 1		

GRANT OF PLANNING PERMISSION  
REFUSED  
BY SHELLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1967 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE





THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1967  
SECTION 17(1)(b)  
SIGNED: J. K. McE...



0m 10m 20m 30m 40m 50m 60m 70m 80m

Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine location 463204 1190055  
Grid connection point 403244 1189812

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

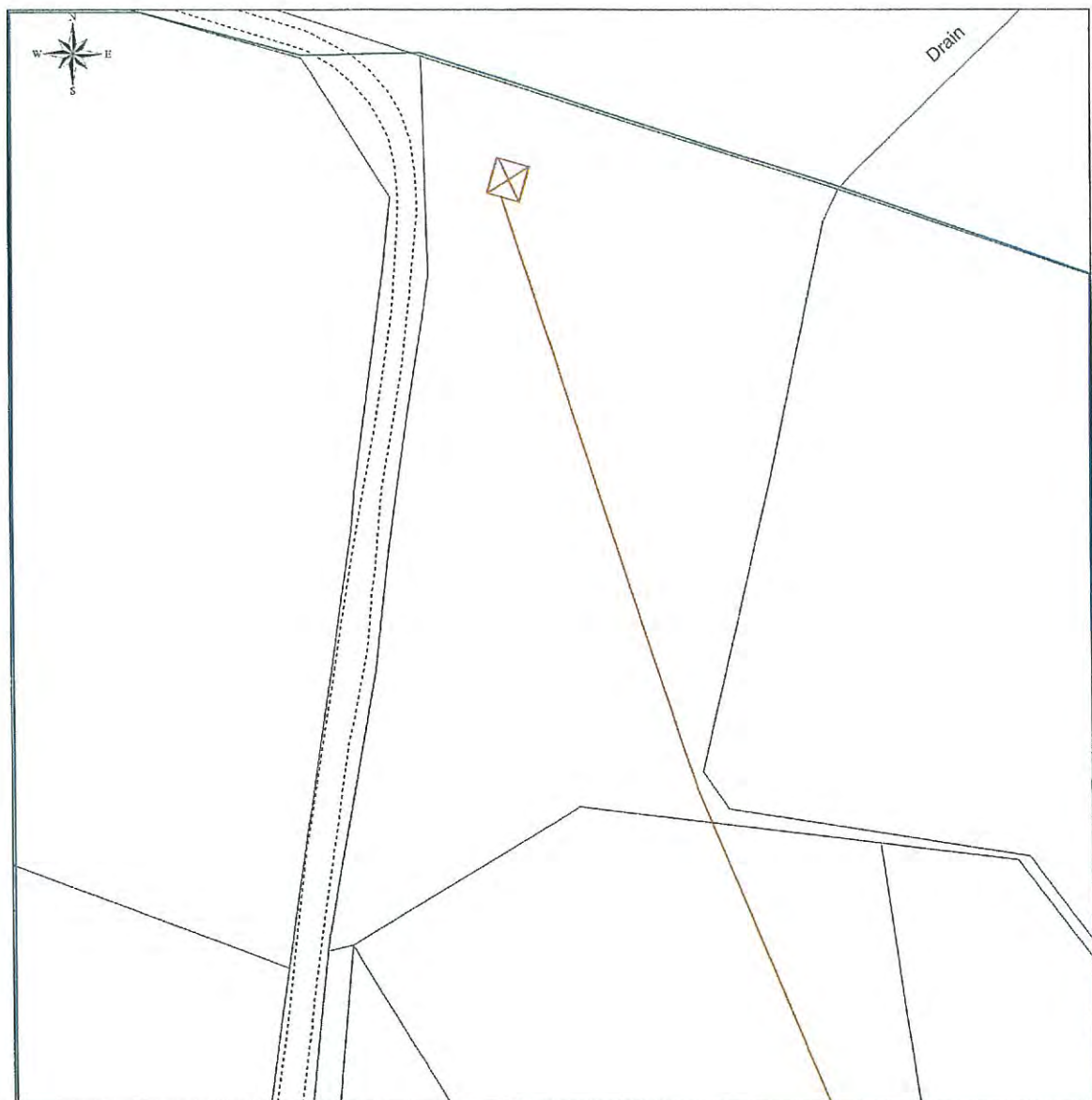
**plans ahead** by **emapsite™**

Prepared by Eddard Tait, 26-05-2016



GRANT OF PLANNING PERMISSION  
REFUSED  
BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1997 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE

DEVELOPMENT REFUSED  
- 1 -  
CHECKED: J. G. H. H.







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0m 10m 20m 30m 40m 50m 60m 70m 80m

Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine location 463213 1190044  
Turbine base 5m x 5m concrete pad, 1m deep

18 JUL 2016

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary



## Section 6. Notice of Review



# Shetland Islands Council

8 North Ness Business Park Lerwick Shetland ZE1 0LZ Tel: 01595 744814 Email: [planning.control@shetland.gov.uk](mailto:planning.control@shetland.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100038448-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	AE Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Adele	Building Name:	Cameron House
Last Name: *	Ellis	Building Number:	26
Telephone Number: *		Address 1 (Street): *	Cupar Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Auchtermuchty
Fax Number:		Country: *	Fife
		Postcode: *	KY14 7DD
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	C/o Erlend Tait, Goundwater Tait Ltd
First Name: *	Neil	Building Number:	
Last Name: *	Bellis	Address 1 (Street): *	Ranganoust
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Orphir
Extension Number:		Country: *	Uk
Mobile Number:		Postcode: *	KW17 2RB
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:	Shetland Islands Council
Full postal address of the site (including postcode where available):	
Address 1:	BETHANY
Address 2:	AITHSNESS
Address 3:	FETLAR
Address 4:	
Address 5:	
Town/City/Settlement:	SHETLAND
Post Code:	ZE2 9DJ

Please identify/describe the location of the site or sites

--	--

Northing	1189808	Easting	463245
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erection of CF15 wind turbine, hub height 15.434m associated cable trench.

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).  
☐ Application for planning permission in principle.  
☐ Further application.  
☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.  
☐ Grant of permission with Conditions imposed.  
☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Attached in Supporting Document sections

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Refused plans Updated location plan Updated site plan Statement of review Copy of Officers report Copy of refusal notice

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2016/190/PPF

What date was the application submitted to the planning authority? \*

27/07/2016

What date was the decision issued by the planning authority? \*

04/01/2017

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Adele Ellis

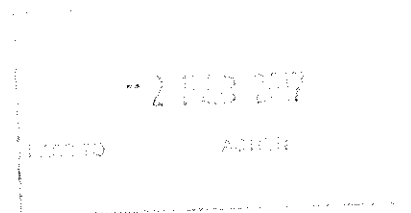
Declaration Date: 02/02/2017



## STATEMENT OF REVIEW

REFERENCE: 2016/190/PPF

ERECTION OF CF15 WIND TURBINE  
HUB HEIGHT 15.43m, ASSOCIATED CABLE TRENCH  
BETHANY, AITHSNESS, FETLAR, SHETLAND, ZE2 9DJ





## **INTRODUCTION**

This statement relates to the application for Review of the Refused planning application ref: 2016/00190/PPF for the installation of a single CF15 wind turbine on land at Bethany, Aithsness on Fetlar. The turbine for on site use would serve the applicants property and make a large improvement towards the burden of fuel costs on the small enterprise.

The site lies within the agricultural landscape some 140m south of the B9088. The landscape is wide coastal plateau which is open with no available screening from trees or any other natural or man made shelter. This however improves the performance and reliability of the proposed turbine which will generate a good level of electricity for the use of the applicant. The turbine is to be sited adjacent to the track which serves the property and therefore there is no requirement for any new access track to be constructed therefore a minimum land take is required for the turbine. The turbine has a hub height of 15m and a blade diameter of 11.1m. The nearest permanent residential dwelling appears to be some 210m from the proposed turbine.

The turbine is a good method of producing power in this type of environment where fuel poverty is of great concern.

## **BACKGROUND TO APPLICATION**

As a cautionary approach to the application the applicants Agent, Mr Erlend Tait, took steps to ensure that major consultees were consulted before submitting a full application. Mr Tait also engaged in continued dialogue with the appointed Planning Officer to ensure that any potential issues were dealt with in a timely manner. Approaches were made to SNH, Historic Scotland and RSPB in order to ensure that any sensitive receptor or area of concern where not overly impacted upon due to the installation of the turbine. None of the aforementioned raised an objection to the turbine.

## **REASONS FOR REFUSAL**

As per the Planning Officers report on the application the turbine was refused consent due to the objections lodged by Environmental Health on the basis of Noise and Flicker impact and also The Roads Department due to the separation distance from the existing track. These

objections led to the determination that in adoption of the precautionary principle the proposal is contrary to The Shetland Local Development Plan (2014) Policies GP1 and RE1 as well as Shetland Local Development Plan (2014) Policy GP2.

## **RESPONSE TO CONSULTEE OBJECTIONS**

**The Roads Department** initially raised an objection due to the turbine not being 30m from the track. The applicant Agent was made aware of this and as such submitted a revised plan showing a position for the turbine which was 30m from the track way.

As is shown in the email response from The Road Department on the 27<sup>th</sup> January this revised position and plan were accepted and they no longer had an objection to the turbine.

Although this response was received after the decision was issued we would have assumed that the response from a major consultee that had initially objected would have been checked before stating in the official report that this was a reason for refusal.

**Environmental Health** were initially consulted and responded on the 5<sup>th</sup> August that as the nearest property was of Summer use only that there would be no objection.

This statement was however reversed On the 6<sup>th</sup> October stating that they now considered the property known as Sweinkatofts to be a sensitive receptor as it could be resided in full time.

A further update was issued on the 13<sup>th</sup> October stating that due to the separation distance they now no longer had an objection. Although this is not stated we are assuming that they now have sight of the updated plans showing the new position. This new position does have adequate separation and there would be no issued with noise or flicker impact.

Yet another update on the 31<sup>st</sup> October was issued, again revising their statement to say they now had an objection but referring once more to the original position which was 97m from the property.

We can assume once more that the correct statement was not clarified before issuing a decision as the updated location for the turbine would raise no objection with regard to noise impact.

As the updated turbine location is some 156m from the boundary of Sweinkatofts which is more than 10 times the rotor diameter with regard to potential flicker impact then there will be no reason for the objection due to flicker impact to be valid.

## **CONCLUSION**

As is clearly shown above the Decision to Refuse the application for the CF15 win turbine has been issued on the position and plans of the initial application. The revised location, which plans are logged under the application and are clearly shown and readily available to view would raise no objection and should not have been refused.

The Roads department did remove their objection based on this new position but this was not clarified before the decision to refuse was issued.

Environmental Health repeatedly changed their statement however did correctly remove their objection on sight of the revised position but once more reinstated their objection only based on the original position. Why clarification of the correct position and the correct statement regarding their position was not sought has not been made clear.

In summation it appears that the decision to refuse the application was based on a position and plans which were superseded. The updated position for the turbine would raise no objection from Environmental health nor The Roads Department. The decision to refuse the application has been incorrectly issued on outdated information.

Due to the above we would respectfully request that the Review of this application be that of approval for the installation of the CF15 wind turbine.



## **SHETLAND ISLANDS COUNCIL**

### **Town and Country Planning (Scotland) Acts**

With reference to the application for **Planning Permission** (described below) under the above Acts, the Shetland Islands Council in exercise of these powers hereby **REFUSE Planning Permission** for the development in accordance with the particulars given in, and the plans accompanying the application as are identified subject to the reasons specified below.

**Applicant Name and Address**

Mr Neil Bellis  
1 Isfield Place  
Isfield  
Uckfield  
United Kingdom  
RN22 5XR

**Agent Name and Address**

Erlend Tait  
Ranganoust  
Orphir  
United Kingdom  
KW17 2RB

**Reference Number:** 2016/190/PPF

Erection of CF15 wind turbine, hub height 15.434m associated cable trench.:  
Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ

**Details of Refused Plans and Drawings:**

- Site Plan Drawing No. 2016/190/PPF-04  
Stamped Received. 25.05.2016
- Location Plan Drawing No. 2016/190/PPF-01  
Stamped Received. 12.05.2016
- Elevations Drawing No. 2016/190/PPF-02  
Stamped Received. 12.05.2016
- Site Plan Drawing No. 2016/190/PPF-04  
Stamped Received. 18.07.2016

**Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring residential use.

4 January 2017



Executive Manager

## **IMPORTANT INFORMATION**

If you are aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, you may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to: Shetland Islands Council, Planning, Development Services Department, 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ. The necessary form can be obtained upon request from the same address.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



## **SHETLAND ISLANDS COUNCIL**

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**Agent Name and Address**

Erlend Tait  
Ranganoust  
Orphir  
United Kingdom  
KW17 2RB

**Reference Number:** 2016/190/PPF

Erection of CF15 wind turbine, hub height 15.434m associated cable trench.:  
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Stamped Received. 18.07.2016

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4 January 2017



Executive Manager

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## **Delegated Report of Handling**

**Development:** Erection of CF15 wind turbine, hub height 15.434m associated cable trench.

**Location:** Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ,

**By:** Mr Neil Bellis

**Application Ref:** 2016/190/PPF

### **1. Introduction**

The application proposes the erection of a CF15 15kW wind turbine on a 15m high tower near Bethany, Aithsness, Fetlar. The proposed site for the turbine is in the centre of a wide coastal plateau to the north of the dwelling and immediately adjacent to the access track serving the dwelling.

The turbine blades under the proposal that is being reported on for a determination will have a rotor diameter of 11.1 metres.

There is no relevant planning history for this site.

### **2. Statutory Development Plan Policies**

#### **Shetland Local Development Plan**

GP1 - Sustainable Development

GP2 - General Requirements for All Development

GP3 - All Development: Layout and Design

RE1 - Renewable Energy

H2 - Areas of Best Fit

### **3. Safeguarding**

- 30km Radius Scatsta - 30km Sumburgh Scatsta: 2
- Landscape Character Assessment - Landscape Character Assessment: Farmed and Settled Voes and Sounds
- Shetland Local Landscape Designations - Shetland Local Landscape Designations: Wick of Tresta

### **4. Consultations**

Environmental Health was consulted on the 3 August 2016. Their comments dated 5 August 2016 can be summarised as follows:

Having completed my investigation using the information provided, I can confirm that the department has no concerns from the noise aspect.

Environmental Health provided an updated consultation response following on from discussions and clarifications. Their comments dated 6 October 2016 can be summarised as follows:

Unfortunately I thought that 'Sweinkatofts' was a summer dwelling only and that the noise from the proposed turbine would be 39.6dB above the daytime background. Due to the small distance between the turbine and the nearest sensitive receptors, I consider that the noise is likely to be a statutory nuisance from this development.

Environmental Health provided an updated consultation response following on from discussions and clarifications. Their comments dated 13 October 2016 can be summarised as follows:

Due to the large distance between the turbine and the nearest sensitive receptors (Sweinkatofts), I consider that the noise is unlikely to be a statutory nuisance from this development.

Environmental Health provided an updated consultation response following on from discussions and clarifications. Their comments dated 31 October 2016 can be summarised as follows:

As per our departments previous response, see below, pertaining to application 2016/190/PPF, Erection of CF15 wind turbine, hub height 15.434m associated cable trench, Bethany, Aithsness, Fetlar, Shetland, ZE2 9DJ, the department can confirm that "Sweinkatofts" has been identified as the closest non-associated noise receptor and is 97m from the proposed wind turbine location, as such the property will be subject to predicted noise propagation level of 39.6dB(A) which may give rise to nuisance.

Should you wish to discuss this further please do not hesitate to contact the department.

Roads Traffic was consulted on the 3 August 2016. Their comments dated 24 August 2016 can be summarised as follows:

Recommended Action: RECOMMEND REFUSAL / REVISED DETAILS REQUIRED.

Road Authority Comments:

1. The proposed location for the turbine is too close to the public road. The

turbine must be located a minimum distance of 30 metres from the edge of the public road.

Executive Manager, Roads

Fetlar Community Council Clerk was consulted on the 3 August 2016. There was no response from this consultee at the time of report preparation.

Airport Manager - Scatsta was consulted on the 3 August 2016. Their comments dated 25 August 2016 can be summarised as follows:

Scatsta Airport has no objections to this project.

**5. Statutory Advertisements**

The application was advertised in the Shetland Times on 12.08.2016

A site notice was not required to be posted.

**6. Representations**

None.

**7. Report**

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states that:

*Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan.*

There are statutory Development Plan Policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with Development Plan Policy, or there are any other material considerations which would warrant the setting aside of Development Plan Policy.

Shetland Local Development Plan 2014 (SLDP) Policy RE1 states the Council's commitment to delivering renewable energy developments that contribute to the sustainable development of Shetland. The policy states that renewable energy developments will be supported where it can be demonstrated that there are no unacceptable impacts on people (benefits and disbenefits for communities and tourism and recreation interests), the natural and water environment, landscape, historic environment and the built and cultural environment of Shetland.

The Shetland Local Development Plan 2014 (SLDP) Policies RE1 and GP1 support sustainable renewable energy developments where they do not sterilise future development and there are no unacceptable impacts on people or the environment, or the ability of people (both present and in future) to enjoy the area's high quality environment. The proposal would not sterilise any designated or anticipated residential development sites identified in the SLDP, and so the proposal complies with SLDP Policy GP1 in this respect. Further assessment of specific potential impacts on people and the environment is however required to consider whether the proposal complies with SLDP Policy RE1 and SLDP Policy GP1 in their entirety.

SLDP Policy GP3 requires that developments are sited and designed to respect the character of the area. More specifically in this instance the landscape and visual impact must be assessed. When any new distinctive feature is introduced into the landscape, it is inevitable that there will be some form of visual impact in the immediate vicinity of the development. Any visual impact has to be balanced against the material considerations of the provision of a sustainable renewable resource. The turbine would be relatively prominent within the area given the lack of vegetative screening or intervening built development. However, the main viewpoints towards the turbine would be from the road to the north of the site. The road is elevated when compared to the siting of the turbine and it is anticipated that the turbine would be viewed below the horizon line and blend in with its surroundings – it is not anticipated it would result in a prominent feature on the skyline from the common viewing locations. The exterior colour finishes and materials would contribute to minimising the visual impact of the proposed turbine on the landscape. The turbine is of a relatively small size in relation to other scale features within the landscape and it is considered unlikely that the proposed turbine would result in undue landscape or visual impacts. The proposal complies with SLDP Policy GP3.

SLDP Policy GP2 contains various requirements. In this instance the most relevant part relates to the compatibility of use between proposed and existing developments. A major part of this consideration is the potential for adverse amenity impacts resulting from the proposed wind turbine.

Potential shadow flicker impacts must be assessed with wind energy developments. Shadow flicker can occur in specific areas around a wind turbine: to the east, west and to a lesser degree the north of the turbine. This area extends to a distance of 10 times the blade diameter. In this instance the nearest sensitive receptor is Sweinkatofts, located 90.2 metres to the north east of the proposed turbine. With a blade diameter of 11m, the dwelling is closer than 110m from the turbine.

The application proposes to connect to the residential dwelling at Bethany which is located 200 metres to the south of the proposed turbine. The nearest noise

sensitive receptor is at Sweinkatofts, where the curtilage of the dwelling is located 90.2 metres to the north east of the proposed turbine. The consultation response from the Council's Environmental Health Officer has indicated that the level of noise at the dwelling is expected to result in a statutory noise nuisance which is considered to be a significant, unacceptable impact on the residential amenity of the dwellinghouse. Therefore the proposal is contrary to SLDP Policy GP2 in terms of the proposed development's incompatibility with existing uses, and Policy RE1 because the proposal would result in unreasonable impacts on people.

In the supporting statement provided with the application, the agent states that the dwelling at Sweinkatofts should not be included as a noise sensitive receptor as it is not currently occupied full time. However, the dwelling is capable of being inhabited full time without any alteration and should be considered in the same way as any other residential unit.

The requirements for a site specific noise impact assessment were raised within the preapplication enquiry response that was made for this development proposal. This information was not submitted with the application. There have been extensive negotiations and communications with the agent, as the agent has investigated the means of possibly addressing the identified noise and shadow flicker impacts of the proposed turbine. These reached the point when it was anticipated that there would be a competent request made for a Variation of Application under Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) in connection with: a change to the proposed turbine's location (along with a different associated cable trench route); revision of the proposed turbine's blade diameter, and taking account of resultant changes to the sound power level for the turbine that would be demonstrated in a revised noise impact assessment. However, the information that was received was not of a level or type that would allow a request to be accepted or give confidence that it will be demonstrated by the agent that there would not be a significant unacceptable impact on the residential amenity of the dwellinghouse.

It is noted in the consultation response from the Council's Roads Service that the proposed turbine must be located over 30 metres from the edge of the public road. The proposed turbine is located 10 metres from the public road and this issue has not been resolved, given that the proposed is recommended for refusal on the basis of other issues.

Notwithstanding the opportunities the applicant has had, it has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring residential use.

**8. Recommendation**

Refusal

**Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring residential use.

**9. List of refused plans:**

• Site Plan Drawing No. 2016/190/PPF-04	25.05.2016
• Location Plan Drawing No. 2016/190/PPF-01	12.05.2016
• Elevations Drawing No. 2016/190/PPF-02	12.05.2016
• Site Plan Drawing No. 2016/190/PPF-04	18.07.2016

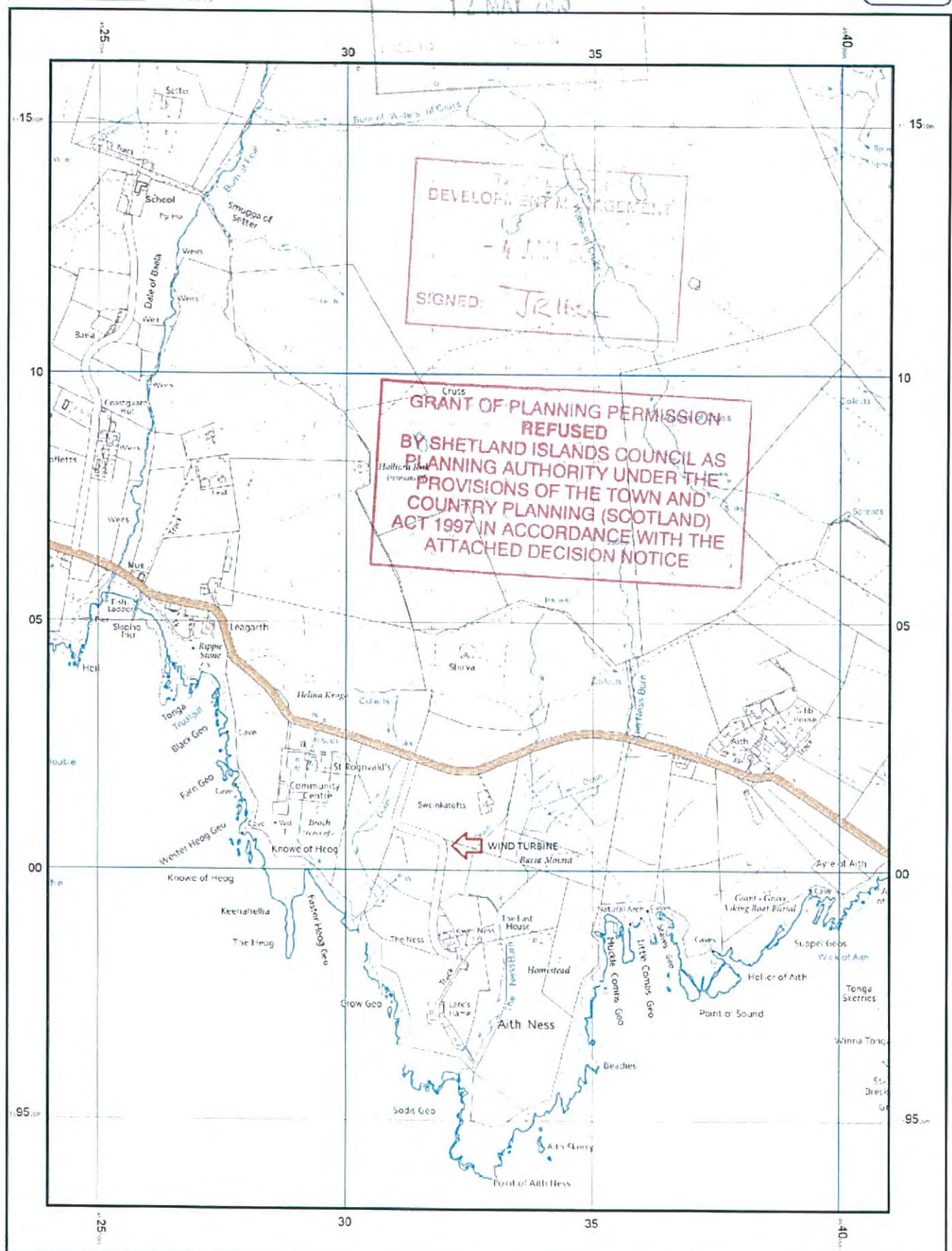
**11. Further Notifications Required**

None.

**12. Background Information Considered**

- 2015/272/PREAPP
- 2015/273/PREAPP
- 2015/274/PREAPP

2016/190/PPF\_Delegated\_Report\_of\_Handling.doc  
Officer: Dale Hunter  
Date: 12/12/2016



© Crown copyright and database rights 2016 Ordnance Survey 100048957.  
The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.

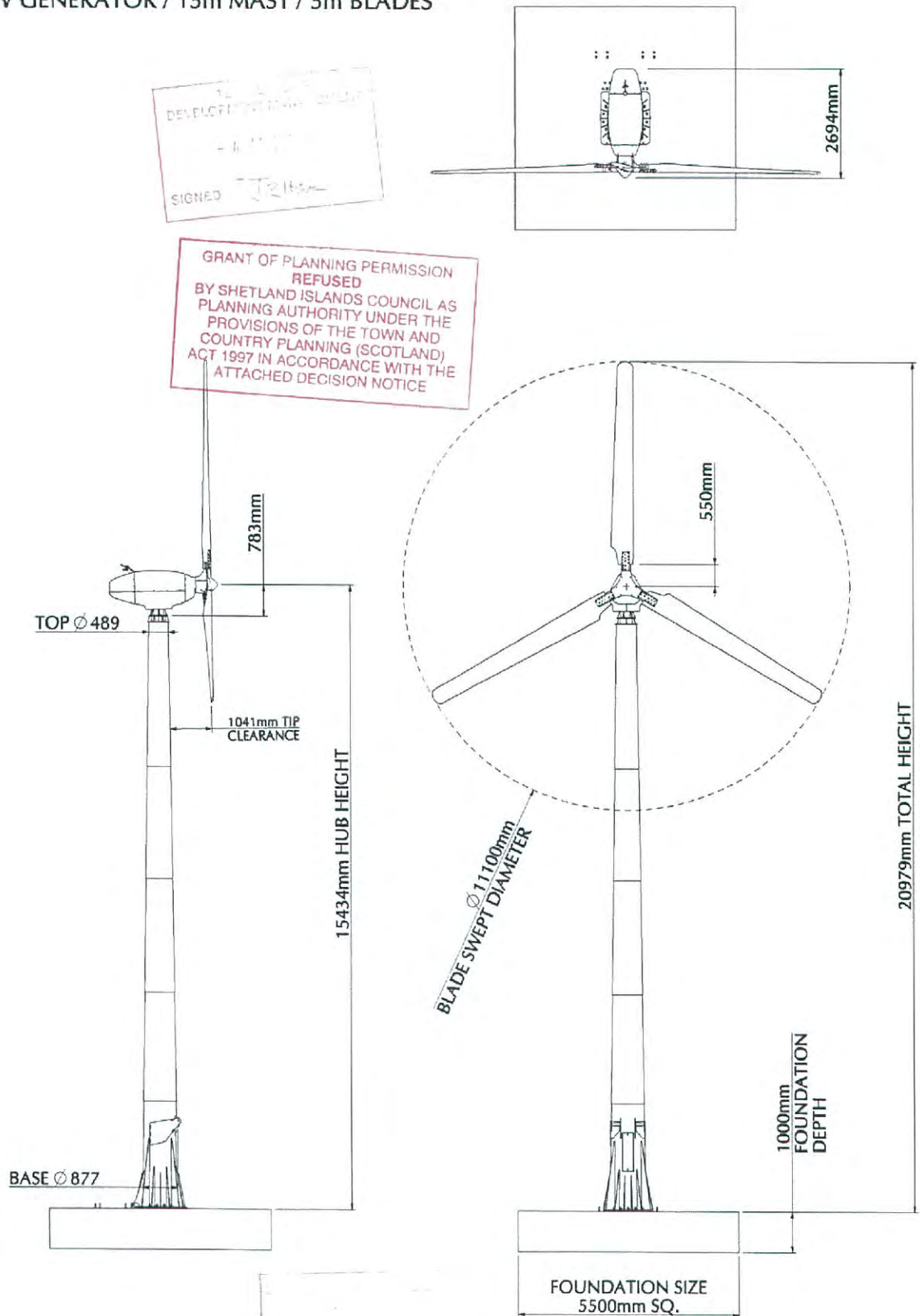
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Scale 1:10000



Supplied by: [www.ukmapcentre.com](http://www.ukmapcentre.com)  
Serial No: 90035  
Centre Coordinates: 463251, 1190473  
Production Date: 10/04/2016 21:53:05



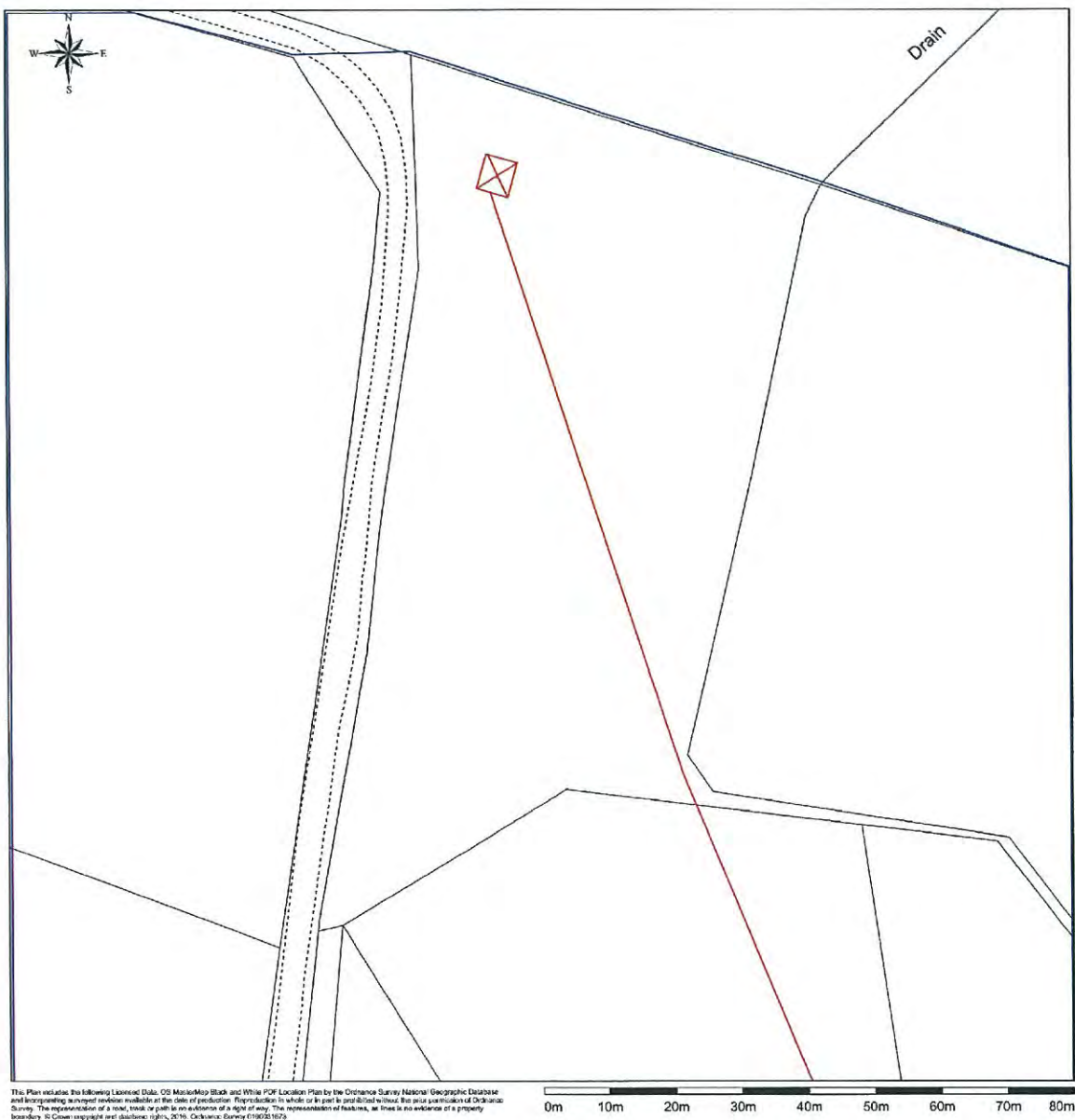
**OVERALL DIMENSIONS FOR CF15 TURBINE:  
15kW GENERATOR / 15m MAST / 5m BLADES**



<b>C&amp;F Green-Energy</b>		<b>CF15</b> All Dimensions in mm	
DESCRIPTION: OVERALLS / PLANNING		QTY PER UNIT: -	
MATERIAL: Mast: S275 Galv		SCALE: 1:100	
DRAWN: C O'Neill	PAYNT: -		DWG SIZE: A3
CHECKED: -	FINISH: -		PLANNING PERMISSION NO. 2016/190/PPF-012
DATE: 16-Feb-11	SHEET: 1 OF 1		

GRANT OF PLANNING PERMISSION  
REFUSED  
BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1997 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE

THIS PLANNING  
DEVELOPMENT MANAGEMENT  
- 4 JUL 2015  
SIGNED: J.R. Hume







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Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine location 463213 1190044  
Turbine base 5m x 5m concrete pad, 1m deep

SHETLAND ISLANDS COUNCIL  
PLANNING  
16 JUL 2015  
FACED  
FACED

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

GRANT OF PLANNING PERMISSION  
REFUSED  
BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1997 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE





TEAM LEADER  
DEVELOPMENT MANAGEMENT  
- 4 JAN 2016  
SIGNED: J.R. Hume



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Scale: 1:500, paper size: A2

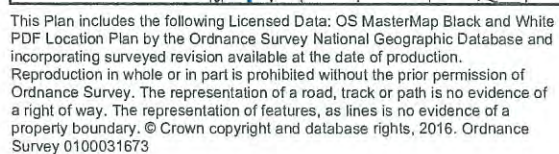
Proposal to erect a CF15 wind turbine  
Turbine location 463204 1180056  
Grid connection point 463244 1189812

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

**plans ahead** by **emapsite™**

Prepared by: Eriand Tait, 25-05-2016





Turbine location 463150 1190027

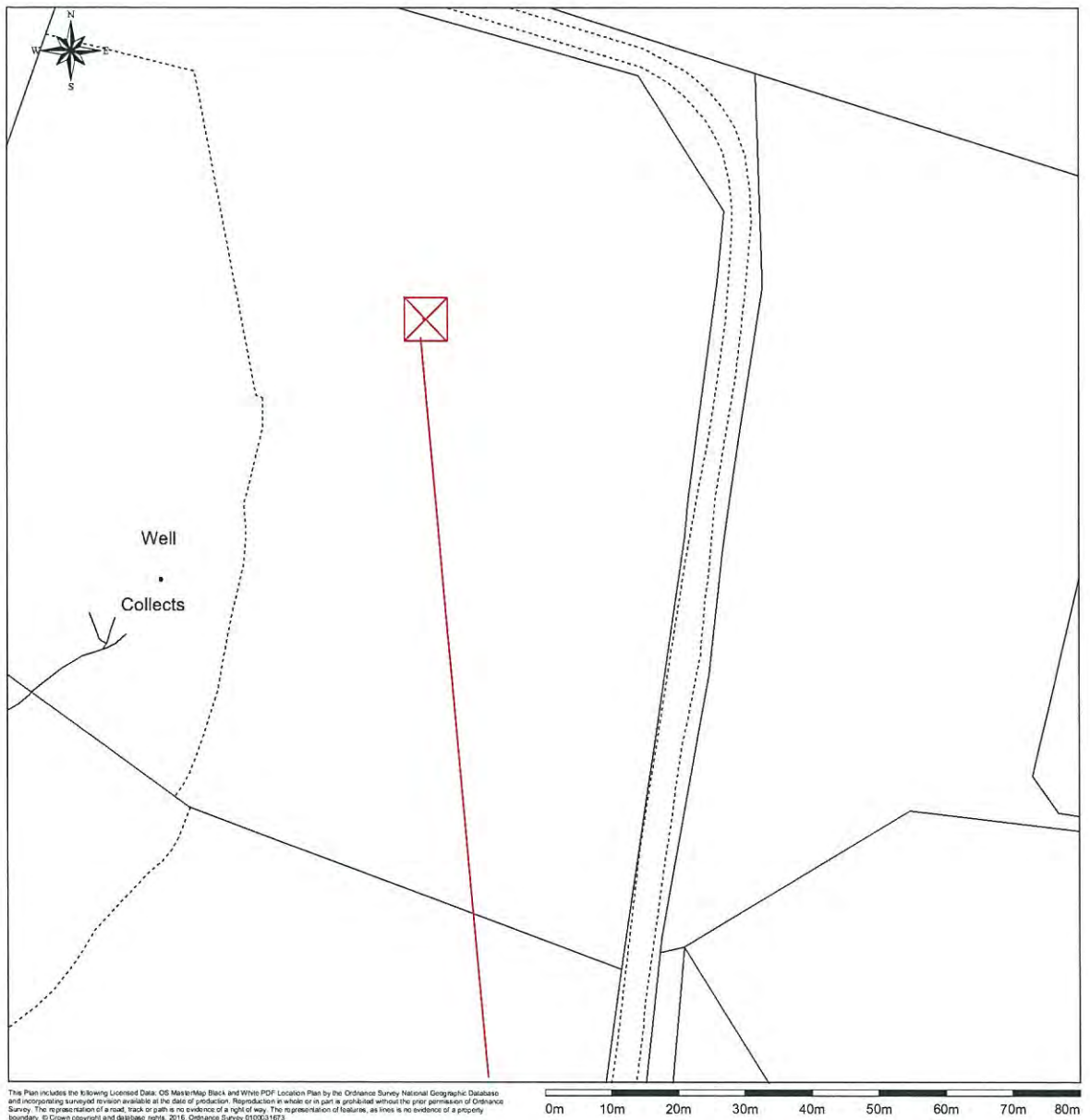
**plans ahead** by **emapsite**™

Prepared by: Erlend Tait, 17-07-201



Scale: 1:500, paper size: A2

Proposal to erect a 15kW wind turbine  
 Proposal to erect a CF15 wind turbine  
 Turbine location 463150 1190027  
 Turbine base 5m x 5m concrete pad, 1m deep



Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
 Turbine location 463159 1189915  
 Turbine base 5m x 5m concrete pad, 1m deep

## Section 7. Representations / Hearing Statements







**#**

**Guidance on Local Review under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) to be considered by the Planning Committee sitting as Local Review Body: Local Review Ref: 2016/191/PPF – LR28 – Erection of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5m x 5.5m square 1m deep: 1 Tresta, Fetlar, Shetland, ZE2 9DJ.**

## **1 Introduction**

- 1.1 The Planning Scheme of Delegations that has been approved by the Council, as well as that which has been approved by the Scottish Ministers, identifies the appropriate level of decision making to ensure compliance with the 1997 Planning Act.
- 1.2 The Scheme of Delegations, following the hierarchy of development introduced by the Planning etc. (Scotland) Act 2006 which is at the heart of the modernised planning system, provides that where a decision on an application for planning permission for a local development (as defined in the Hierarchy of Development) is to be taken it may, subject to certain exceptions, be so by officers as have been appointed by the planning authority.
- 1.3 A decision on an application for planning permission for a local development that is taken by an officer (the appointed person) under the Scheme of Delegations has the same status as other decisions taken by the planning authority other than arrangements for reviewing the decision. Sections 43A(8) to (16) of the 1997 Act remove the right of appeal to the Scottish Ministers, and put in place arrangements for the planning authority reviewing these decisions instead.
- 1.4 The Full Council resolved on 12 May 2011 (Minute Ref: 57/11) that the remit of the Planning Committee be extended to include the functions of the Local Review Body, who would review the decision taken.

## **2 Process**

- 2.1 The procedures for requiring a review and the process that should then be followed are set out in regulations, and these have been followed in the administrative arrangements that have been carried out for support of this review in accordance with its being the intention that decision making by the Local Review Body will follow a public hearing. This however should be confirmed by the Review Body in each case before proceeding.
- 2.2 The Review Body is, where a decision has been taken that the review is to follow the public hearing procedure, required to follow Hearing Session Rules under Schedule 1 of The Town and Country Planning (Schemes of

Delegation and Local Review Procedure) (Scotland) Regulations 2013. In doing so they are to confirm the matters to be considered and the order in which persons entitled to appear are to be heard.

- 2.3 It has been the intention that such hearing sessions will be held in a similar manner to the current Planning Committee, with the Planning Service Case Officer presenting on the matters to be considered, followed by those persons entitled to appear other than the applicant, followed by the applicant, with its being the case that Members of the Review Body can ask questions throughout the process. The hearing session can similarly proceed in the absence of any person entitled to appear at it. The Review Body should confirm this order and confirm the time each person entitled to appear is to be afforded beforehand. During the administrative arrangements that have been carried the persons entitled to appear have been informed that they will each be given a maximum of 5 minutes.
- 2.4 The Hearing Session Rules prescribe that the hearing shall take the form of a discussion led by the local review body and cross-examination shall not be permitted unless the local review body consider that this is required to ensure a thorough examination of the issues. Persons entitled to appear are entitled to call evidence unless the local review body consider it to be irrelevant or repetitious. The local review body may also refuse to permit the cross-examination of persons giving evidence, or the presentation of any matter where they similarly consider them to be irrelevant or repetitious.
- 2.5 The matters that are attached for the purposes of consideration by the Review Body in this case comprise: the decision in respect of the application to which the review relates, the Report on Handling and any documents referred to in that Report (including: the planning application form, and any supporting statement and additional information submitted, and consultation responses and representations received prior to the decision notice by the appointed person being issued); the notice of review given in accordance with Regulation 9; all documents accompanying the notice of review in accordance with Regulation 9(4); any representations or comments made under Regulation 10(4) or (6); and any 'hearing statement' served in relation to the review.
- 2.6 In order to be able to give notice of their decision in accordance with the regulations, the local review body must be clear on the details of the development plan and any other material considerations to which it had regard in determining the application, and, where relevant: include a description of any variation made to the application in accordance with section 32A(a) of the 1997 Act; specify any conditions to which the decision is to be subject; include a statement as to the duration of any permission granted or make a direction as to an alternative (and in the case of a planning permission in principle any substitute time periods to apply to approvals of matters specified in conditions); and if any obligation is to be entered into under section 75 of the 1997 Act in connection with the application state where the terms of such obligation or a summary of such terms may be inspected.

planning committee.doc  
J R Holden  
Planning Committee: 4/7/2017

Town and Country Planning (Scheme of Delegation and Local Review  
Procedure) (Scotland) Regulations 2013

Local Review Under Section 43A(8) of the Town and Country Planning  
(Scotland) Act 1997 (As Amended)

Regarding Planning Application Reference: 2016/191/PPF

Erection of a CF15 wind turbine to supply power to Tresta, Fetlar,  
Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep

1 Tresta, Fetlar, Shetland, ZE2 9DJ

By Mr Neil Bellis

## Contents Page

Section 1.	Planning Submission – 2016/191/PPF
Section 2.	Statutory Advert
Section 3.	Consultation Responses
Section 4.	Representations
Section 5.	Report of Handling
Section 6.	Decision Notice
Section 7.	Notice of Review
Section 8.	Representations / Hearing Statements

## Section 1. Planning Submission – 2016/190/PPF



# Shetland Islands Council

8 North Ness Business Park Lerwick Shetland ZE1 0LZ Tel: 01595 744814 Email: [planning.control@shetland.gov.uk](mailto:planning.control@shetland.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100006138-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Installation of a CF15 wind turbine to supply power to Tresta, Fellar, Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep.

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) \*

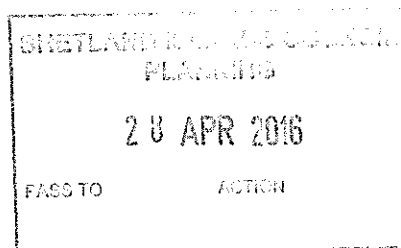
Has the work already been started and/or completed? \*

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent





## Agent Details

Please enter Agent details

Company/Organisation:	Groundwater Tait Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Erlend	Building Name:	Ranganoust
Last Name: *	Tait	Building Number:	
Telephone Number: *		Address 1 (Street): *	Ranganoust
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Orphir
Fax Number:		Country: *	United Kingdom
		Postcode: *	KW17 2RB
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? \*

☐ Individual ☒ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Neil	Building Number:	1
Last Name: *	Bellis	Address 1 (Street): *	Isfield Place
Company/Organisation	N Bellis	Address 2:	Isfield
Telephone Number: *		Town/City: *	Uckfield
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	RN22 5XR
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Shetland Islands Council

Full postal address of the site (including postcode where available):

Address 1:

1

Address 2:

TRESTA

Address 3:

FETLAR

Address 4:

Address 5:

Town/City/Settlement:

SHETLAND

Post Code:

ZE2 9DJ

Please identify/describe the location of the site or sites

Northing

1190526

Easting

461149

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

☐ Meeting ☒ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

I spoke with planning who advised us to discuss the application with SNH which we did and they had no objections. We also spoke to Environmental Health regarding noise and they have also stated that the distances from noise receptors is adequate and they have no objections.

Title:

Mr

Other title:

Environmental Health Officer

First Name:

Richard

Last Name:

Cooper

Correspondence Reference  
Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

30.25

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Rough agricultural grazing

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☐

Yes

☒

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☐

Yes

☒

No

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

☐

Yes

☒

No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

☐

Yes

☐

No, using a private water supply

☒

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

☐ Yes ☒ No

If Yes or No, please provide further details: \* (Max 500 characters)

There will not be any waste generated during operation of the turbine. Any waste produced during installation will be removed from the site.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☐ Yes ☒ No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? \*

☒ Yes ☐ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☒ Yes ☐ No

Do you have any agricultural tenants? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) – The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) – The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: \*

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

--

Signed: Erlend Tail

On behalf of: N Bellis

Date: 18/03/2016

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☒ Yes ☐ No ☐ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☒ Yes ☐ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Erlend Tait

Declaration Date: 28/04/2016

## Payment Details

Online payment: 378600

Payment date: 28/04/2016 10:54:00

Created: 28/04/2016 10:54



Erlend Tait

Groundwater Tait Ltd

Ranganoust, Orphir, Orkney,

KW17 2RB.

To whom it may concern,

Ref 2016/191/PPF

I write regarding the above application and the situation with the site position and noise receptors. We had previously done some pre-planning work and believed we had an acceptable position agreed in principle with EH earlier this year. On this basis we went for full planning.

There has since been a development in that the property "Tansyknowes" which was previously unoccupied is now being renovated as a Summer Let only. This property is 180 metres from the proposed turbine site "as the crow flies" so this makes no allowance for topography which may increase this measurement slightly, or not. A distance of 175 metres is acceptable to EH.

The planning officer has referred me to his GIS map which shows a surrounding area back in an easterly direction to the fence of the field. This distance is enough to make it impossible to site the turbine on Mr Bellis's land and effectively kills off the project. It is a piece of land which is not a garden or barbecue area and arguably should not affect the distance. The amenity areas are in front of the property facing the best view over the loch and the sea.

I have been in touch with the owners of Tansyknowes and they have no objection to siting a turbine on this position. They are turbine owners themselves and are in favour of wind energy and reducing greenhouse gases. They are happy for this proposal to proceed and would not object to it in any way. As a Fetlar native she is unlikely to sell the property or change its use in the future.

If the land is used as agricultural grazing can it also be an amenity area? If it is on an IAC's form will that change the situation?

Mr Bellis has moved to Fetlar this week and is a forward thinking farmer who will develop and improve his properties on the island and should be encouraged.

The turbine has to be installed before Christmas to be viable and it can't be ordered until it has planning consent then take 6-8 weeks to build, so we are at the eleventh hour with this application.

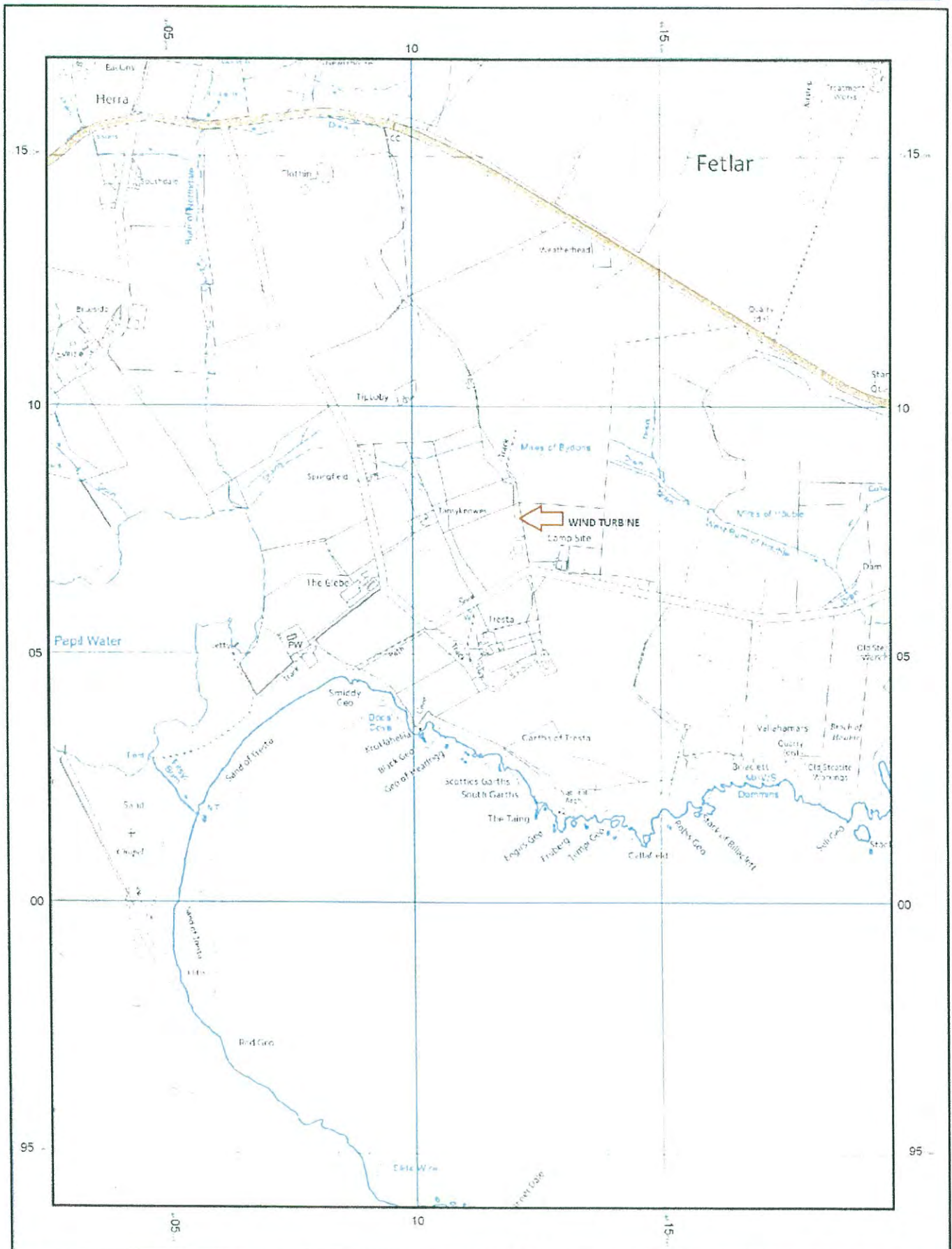
Is it possible to consider these points bearing in mind that Fetlar has been deprived of development over recent years and this project could herald a new era for the island and should be welcomed?

If planning is granted it is still possible to make this happen in time. I await your views.



UK MAP CENTRE  
com

Tresta



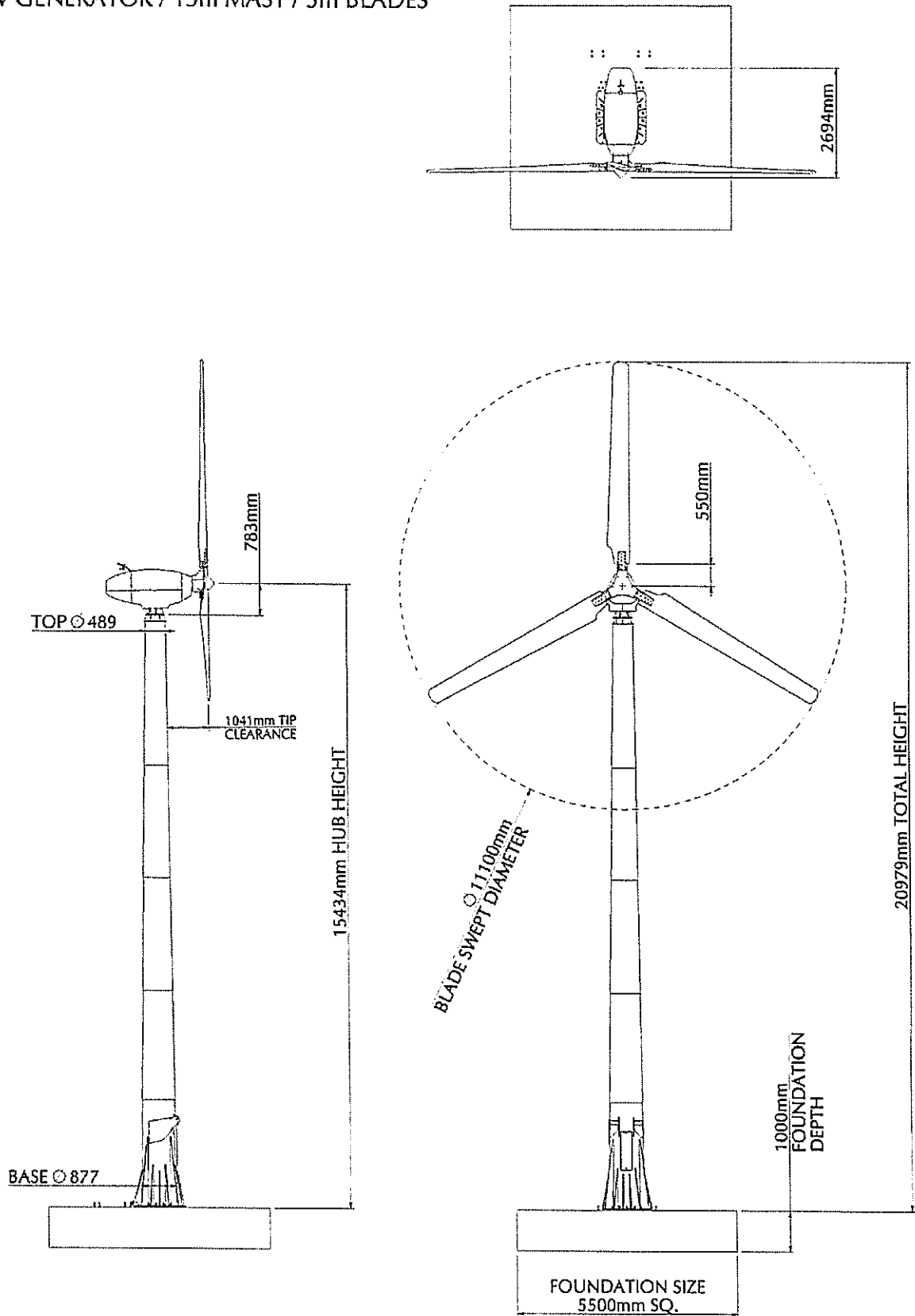
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The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.

250m  
Scale 1:10000



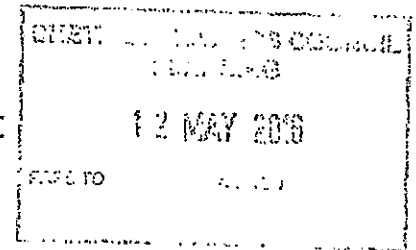
Supplied by: [www.ukmapcentre.com](http://www.ukmapcentre.com)  
Serial No. 89930  
Centre Coordinates 461116,1190543  
Production Date: 07/04/2016 22:49:05

OVERALL DIMENSIONS FOR CF15 TURBINE:  
15kW GENERATOR / 15m MAST / 5m BLADES



<b>C&amp;F Green-Energy</b>		<b>CF15</b> All Dimensions in mm	
DESCRIPTION: OVERALLS / PLANNING		QTY PER UNIT: -	
MATERIAL: Maste S275 Galv		SCALE: 1:100	
DRAWN: C O'Neill	PAINT: -	OWG SIZE: A3	
CHECKED: -	FINISH: -		
DATE: 16-Feb-11	SHEET: 1 OF 1		

## Design and Access Statement



### Introduction

Further to our e-planning application for the installation of a CF15 15kW wind turbine at Tresta, Fetlar, Shetland, ZE2 9DJ please consider the following information in support of the application.

In line with guidelines for small scale wind turbine applications we have taken the following into consideration:

A full site survey was carried out by Erlend Tait on behalf of C & F Green Energy, The survey was carried out to determine a site which was suitable for this type of machine in terms of wind conditions, suitability of this design of turbine, topography, visual and noise impact on neighbours, flicker assessment, impact on road users, accessibility, connection to the property as well as the economic benefits to a family run farm which keeps the surrounding countryside in rude health.

It is understood the output of the turbine will largely be used on the farm at Tresta with some excess going into the island grid. This will generate an income that will increase the sustainability of the farm into the future. We believe this to be important in a fragile island economy.

The site survey has indicated that the small scale of the wind turbine will not have a significant effect on the surrounding environment due to it's size, low noise output and positioning.

We have had discussions with Historic Scotland, Scottish Natural Heritage and RSPB who raised no objections to the installation at the time of the aforesaid discussion.

### Site.

The site is on a rural agricultural landscape with no trees , hedges or shrubs. The area has some dwellings, farms and smallholdings scattered over the countryside in a fairly random manner. The turbine is to be situated close to the Farm building on the north side of the road which runs between Herra and Houbie on the south side of the B9088. It will be partially concealed by the building and will appear to be in harmony with the farm building.

The B9088 passes 580 metres to the north side of the turbine site. There are hills rising to the N to heights of over 100 metres at a distance of over 2 km and again to 100 m to the south at Lamb Hogga at 1.57 km thus minimising any skyline impact from many viewpoints.

The nearest noise receptor is 290 metres away from the site. The nearest dwelling is closer but is owned by the applicant and will be receiving the power and as such will have a financial interest.

## Design

We have chosen the site to minimise any visual impact and the design of the turbine is similar to the turbine situated at Leagarth 450 metres to the WNW and identical to the two turbines at Setter Croft approximately one mile to the north.

These are all C & F horizontal axis turbines with three blades and no tail fin. As such it would fit in with these other turbines in a visual manner.

They are mounted on a tubular galvanised steel monopole tower with a nacelle on top. There is a choice of light or dark grey covers for the nacelle.

## Access

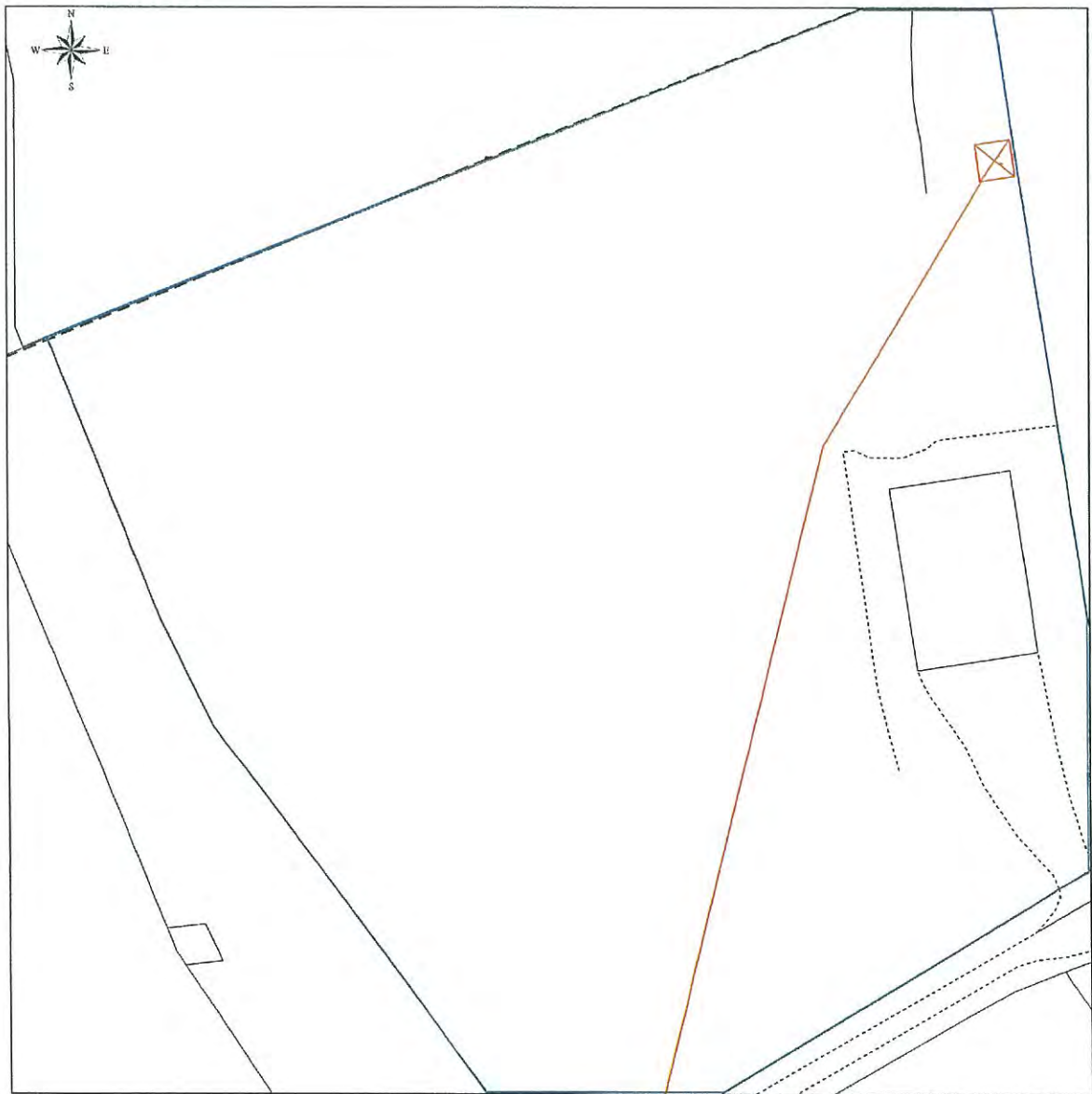
The turbine does not require any parking areas or a road as there is a farm track for access for installation and maintenance. The turbine is assembled on site approximately three weeks after the base is poured and once erected the site will be cleared of all rubbish created during the process. The site is not in a flood risk area and there are no drains required and there will not be a flood risk increase due to the installation.

As stated access will be from the farm track which runs past the site and is sufficient for delivery of the materials for the base and the turbine. The turbine will be delivered by a standard flat platform truck in one load with a weight of approximately four tonnes.

It will be handled on-site by a telehandler and it is raised into position by hydraulic rams with no requirement for a crane at any stage of its life.

The installation will be carried out in as unobtrusive a manner as possible and should leave no evidence of the work carried out other than the turbine mounted on its concrete base.

SUPERSEDED



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0m 10m 20m 30m 40m 50m 60m 70m 80m

Scale: 1:500, paper size: A2

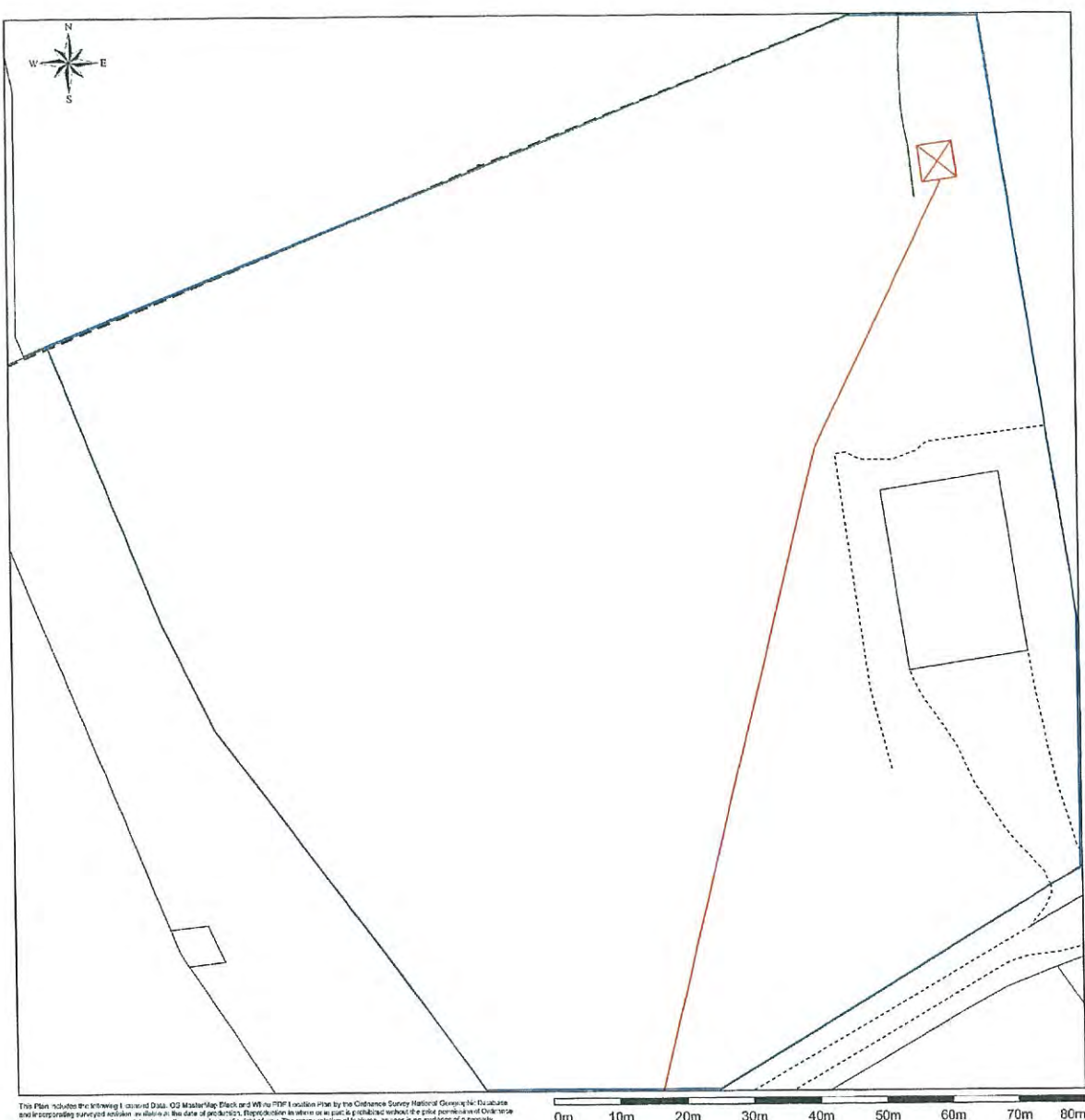
Proposal to erect a Cf-15 wind turbine  
Turbine position 451218 1150776  
Turbine base 5m X 5m concrete pad, 1m deep

- Turbine location
- Grid Connection Point
- Intended Cable Route
- Land Ownership Boundary

**plans ahead** by **emapsite™**

Prepared by ERM Ltd 26-05-2016









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Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine position 451210 1190777  
Turbine base 5m X 5m concrete pad, 1m deep

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary



## Hunter Dale@Development Management

---

**From:** Erlend Tait [REDACTED]  
**Sent:** 07 October 2016 10:30  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

**Categories:** Blue Category

Hi,

I thought the consultations on the Tresta application was run past EH at the pre planning stage and they were OK with it? Was that not the case?#

We did the pre planning to avoid a delay at this stage,

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Friday, October 07, 2016 9:37 AM  
**To:** [REDACTED]  
**Subject:** RE: Fetlar

Good Morning Erlend,

The consultation is outstanding for both applications.

Regards

Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto:[REDACTED]]  
**Sent:** 06 October 2016 09:35  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Hello,

What is the position on the Tresta application 2016/191/PPF which was validated on the 27th July and could have been determined on 27th September?

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Wednesday, October 05, 2016 4:51 PM  
**To:** [REDACTED]  
**Subject:** RE: Fetlar

Hi Erlend,

My team leader has followed up on those consultations with the team leader of Environmental Health. If you wish to appeal for non-determination you will be entitled to do so.

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto: ]  
**Sent:** 05 October 2016 16:27  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Hi,

Yes, I do realise all that but if possible we would really appreciate a speedy answer,  
Regards,  
Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Wednesday, October 05, 2016 1:46 PM  
**To:** [redacted]  
**Subject:** RE: Fetlar

Hi Erlend,

I can only go with the advice we receive from Environmental Health. Guidance on the way they assess noise impacts can be found on their website here:

[http://www.shetland.gov.uk/environmental\\_health/documents/Smallwindturbineprocedure18-05-15website.pdf](http://www.shetland.gov.uk/environmental_health/documents/Smallwindturbineprocedure18-05-15website.pdf)

We need to look at it from the perspective of future potential occupiers of the house who could live there permanently and could find that they are stuck with a statutory noise nuisance. We can't be approving applications that would result in that situation.

Any consultation responses will be put online where you can sign up for notifications.

Kind Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [mailto: ]  
**Sent:** 04 October 2016 19:19  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Dale,

The dwelling at Sweinkatofts is a summer dwelling and should not affect the application I do not think. I have a similar turbine 75 m from my house and you do hear it sometimes when you are outside but it is not intrusive in any way. You certainly can't hear it from inside the house. I know this is only my opinion and is not relevant in this case, but they are very quiet due to the active blade pitching system.

I would appreciate any news on this as soon as we can get it,

Regards,  
Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Tuesday, October 04, 2016 4:26 PM  
**To:** [REDACTED]  
**Subject:** RE: Fetlar

Hi Erlen,

No evidence has been provided within the application submission that the proposed turbines will not cause a statutory noise nuisance, so the consultation responses from Environmental Health will be crucial in making any recommendation. I understand that your client has time constraints but I must have the appropriate information/consultations on front of me before I can make a recommendation.

I note that the turbine at Bethany is 84.5m from the dwelling at Sweinkatofts and I would anticipate that Environmental Health will have concerns regarding this, but I will need to wait on the response from Environmental Health before advising further.

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlen Tait [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** 04 October 2016 13:44  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Fetlar

Hi,

Well, that's not going to make things simple for you I'm sure.

We are mostly concerned with Tresta and Bethany and my clients target is to install these turbines before Christmas if possible. This involves a lot of complications in terms of getting turbines ordered and built, arranging concrete for bases, cabling, payments, ferry bookings for getting it all to Fetlar etc. etc. He is moving up from Sussex to farm in Fetlar and is trying to get these turbines in as part of his overall plan to become a successful islander.

What I need to know is what are his chances of achieving this allowing for the fact that the factory won't build a turbine unless there is planning permission and then it takes at least a month?

As these applications were validated in August is he not entitled to an answer on the Tresta application at least?

Regards,  
Erlend

**From:** Dale.Hunter@shetland.gov.uk  
**Sent:** Tuesday, October 04, 2016 12:16 PM  
**To:** [REDACTED]  
**Subject:** RE: Fetlar

Good Afternoon Erlend,

I have received a note about your call. Apologies for not having replied to your email yet. You may be aware that the Council's headquarters building was decanted into other venues across Lerwick with one day of notice. As such it has taken us several days to get back into the processing of applications and dealing with the back log. In addition our main database system (Uniform/Idox) is currently going through a major update and will be offline until late on Thursday meaning there are large parts of our work we cannot do including the signing off of applications.

With regards to your email on 20<sup>th</sup> September about the Weatherhead application (2015/457/PPF), that degree of amendment to the application would unlikely be accepted as a section 32A amendment and would very likely need a fresh application to be submitted. The separating distance would likely resolve noise issues at Weatherhead but the new location may raise new material considerations in terms of impacts on the airstrip, natural heritage assets and any other noise sensitive receptors in the area. If the proposal is now not to connect to the property at Weatherhead it would be a significant alteration to the description of development and a fresh application would be required for that reason. I am looking to have the application concluded in the coming days.

We have not yet received consultation responses for the applications at Tresta (2016/191/PPF) or Bethany (2016/190/PPF) and I have followed this up again today.

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** 30 September 2016 15:03  
**To:** Hunter Dale@Development Management  
**Subject:** Fetlar

Hello,

Has there been any advance with the Fetlar applications with EH or yourselves? I am expecting a call from Mr Bellis this evening and an update would be very useful,

Regards,  
Erlend

## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 12 October 2016 16:41  
**To:** 'Erlend Tait'  
**Subject:** 2016/191/PPF - 1 Tresta, Fetlar

Hi Erlend,

I should have included in my previous email that there has been no updated consultation response from Environmental Health for 2016/191/PPF at Tresta, either. Both responses will be added to the case files on our website when they are received.

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

## Hunter Dale@Development Management

---

**From:** Summers Claire@Development Management  
**Sent:** 13 October 2016 08:44  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Cc:** Hunter Dale@Development Management  
**Subject:** RE: Planning Consultation 2016/191/PPF

Hi Ian,

This is one of Dale's applications so I have cc'd him in to this email.

Regards  
Claire

---

**From:** Taylor Ian@Environmental Health & Trading Standards  
**Sent:** 12 October 2016 14:32  
**To:** Summers Claire@Development Management  
**Subject:** FW: Planning Consultation 2016/191/PPF

Hi Claire

I've been informed you are dealing with this one, can you give me a call to discuss.

Many thanks

Ian

---

**From:** Development Management@Development  
**Sent:** 03 August 2016 15:47  
**To:** foodsafety; Roads Traffic; Thomason, Bridgette  
**Subject:** Planning Consultation 2016/191/PPF

Dear Sir/Madam,

<b>Planning Ref:</b> 2016/191/PPF
<b>Proposal:</b> Installation of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep.
<b>Address:</b> 1 Tresta, Fetlar, Shetland, ZE2 9DJ
<b>Applicant:</b> Mr Neil Bellis
<b>Date of Consultation:</b> 3 August 2016

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) or 01595 744864.

Consultation replies should be sent to: [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk).

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid  
Executive Manager - Planning Service  
Shetland Islands Council  
8 North Ness Business Park  
Lerwick  
ZE1 0LZ



## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 13 October 2016 10:32  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** 2016/191/PPF - Tresta

Hi Ian,

I think the property at Tansyknowes is the nearest non-associated receptor and is 158m to the west of the turbine.  
Next nearest is 263m to the south.

Many Thanks  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 13 October 2016 15:26  
**To:** 'Erlend Tait'  
**Subject:** RE: 2016/191/PPF - 1 Tresta, Fetlar  
**Attachments:** 168294.tif

Hi Erlend,

Environmental Health have highlighted this information as a requirement in their consultation response. I highlighted that this information was required at the preapplication stage and I have attached a copy of my preapplication response for reference. The requirement is also highlighted in the Supplementary Guidance on onshore wind energy which was mentioned in the preapplication response. I would appreciate if you could indicate if you intend to submit this information or whether you wish the application to be determined on the basis of the information submitted?

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Erlend Tait [<mailto:>]  
**Sent:** 13 October 2016 14:39  
**To:** Hunter Dale@Development Management  
**Subject:** Re: 2016/191/PPF - 1 Tresta, Fetlar

Hi,

I did all this months ago as a pre planning exercise and was under the impression they had accepted the proposal,

Regards,  
Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Thursday, October 13, 2016 1:24 PM  
**To:** <mailto:>  
**Subject:** 2016/191/PPF - 1 Tresta, Fetlar

Hi Erlend,

We have received a consultation response from Environmental Health for the application at Tresta. It can be viewed on our website but I have attached a copy for reference.

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ



## Shetland Islands Council

Executive Manager: Iain S McDiarmid  
Director: Neil Grant

Erland Tait  
Groundwater Tait Ltd

Planning  
Development Services  
8 North Ness Business Park  
Lerwick  
Shetland  
ZE1 0LZ

Telephone: 01595 744293  
[www.shetland.gov.uk](http://www.shetland.gov.uk)

If calling please ask for:  
Dale Hunter  
Planning Officer - Development  
Management  
[dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
Direct Dial: 01595 743963  
Date: 13 January 2016

Our Ref: 2015/272/PREAPP, 2015/273/PREAPP and 2015/274/PREAPP

### **Town and Country Planning (Scotland) Act 1997 (as amended)**

<b>Development</b>	<b>Install wind Turbine</b>
<b>Location</b>	<b>Tresta, Herr and Aithness, Fetlar, Shetland, ZE2 9DJ</b>
<b>Applicant Name</b>	<b>Erland Tait</b>

Dear Sir,

Thank you for your preapplication enquiry regarding the installation of wind turbines at three locations on Fetlar.

I would encourage you to review the Council's Draft Supplementary Guidance on wind energy developments which can be found on our website titled 'Supplementary Guidance Onshore Wind Energy'. This document would be used as part of the assessment of any future wind energy applications submitted. While this document is in draft form, it is a material consideration in the determination of applications.

In line with this, I would encourage you to mark the nearest noise sensitive properties and nearest wind turbines on the site or location plan as appropriate.

A site specific noise impact assessment would be required for each planning application. Additional advice on this requirement can be found within the Supplementary Guidance highlighted above. This noise impact assessment will be assessed during the application process by Environmental Health to determine if the turbine would result in a statutory noise nuisance.

I understand that you have spoken to both Scottish Natural Heritage and Historic Environment Scotland. As a matter of course we would be consulting them during the application process. From an initial review of our safeguarding maps, Fetlar has Sites of Special Scientific Interest, a Special Area of Conservation and a Special Protection Area. While it appears that none of the proposed sites are within the boundaries of these protected areas, there is still the potential for impacts. This is an area of concern and we would be looking closely at consultation responses from SNH and RSPB to determine if the proposals can be accommodated.

I note that there are a number of wind turbines on Fetlar of similar scales. As such, the potential cumulative landscape and cumulative visual impacts will need to be carefully considered. I would encourage you to submit a supporting statement with any future application which reviews and considers these potential impacts. I would also encourage you to consider the potential for shadow flicker impacts and interference of telecommunications within the supporting statement.

While the 'small' category of the turbines is more likely to be acceptable on Shetland than larger turbines, it is considered that the scale may cause landscape or visual impacts. While I consider that it likely the turbines would be acceptable in these regards, a site visit would be conducted during the application process and would confirm whether any concerns exist in this area.

I hope this response is of assistance and I can be contacted as above if you wish any further advice. Please note this is informal advice only and cannot prejudice future decisions by the Council.

Yours faithfully

Dale Hunter  
Planning Officer - Development Management

**Bryant Marion@Development Management**

---

**From:** Erlend Tait [REDACTED]  
**Sent:** 04 December 2015 16:28  
**To:** Development Management@Development  
**Subject:** Fetlar  
**Attachments:** Mr N Bellis Aithness site map.docx; Mr N Bellis Herra site map.docx; Mr N Bellis Tresta site map.docx; CF 15 15m mast160.pdf; CF15 Acoustic Summary report.pdf

Hello,

I have attached a pre planning application for advice before applying for full planning. There are three maps for three turbines, an elevation and a noise report. My client is keen to press ahead if this proposal looks good and would appreciate a speedy response. He has bought a number of properties on the island and is enthusiastic about tapping the wind resource for renewable energy.

I have spoken with SNH and HS and they have not voiced any objections at this stage,

Regards,  
Erlend Tait

Groundwater Tait Ltd

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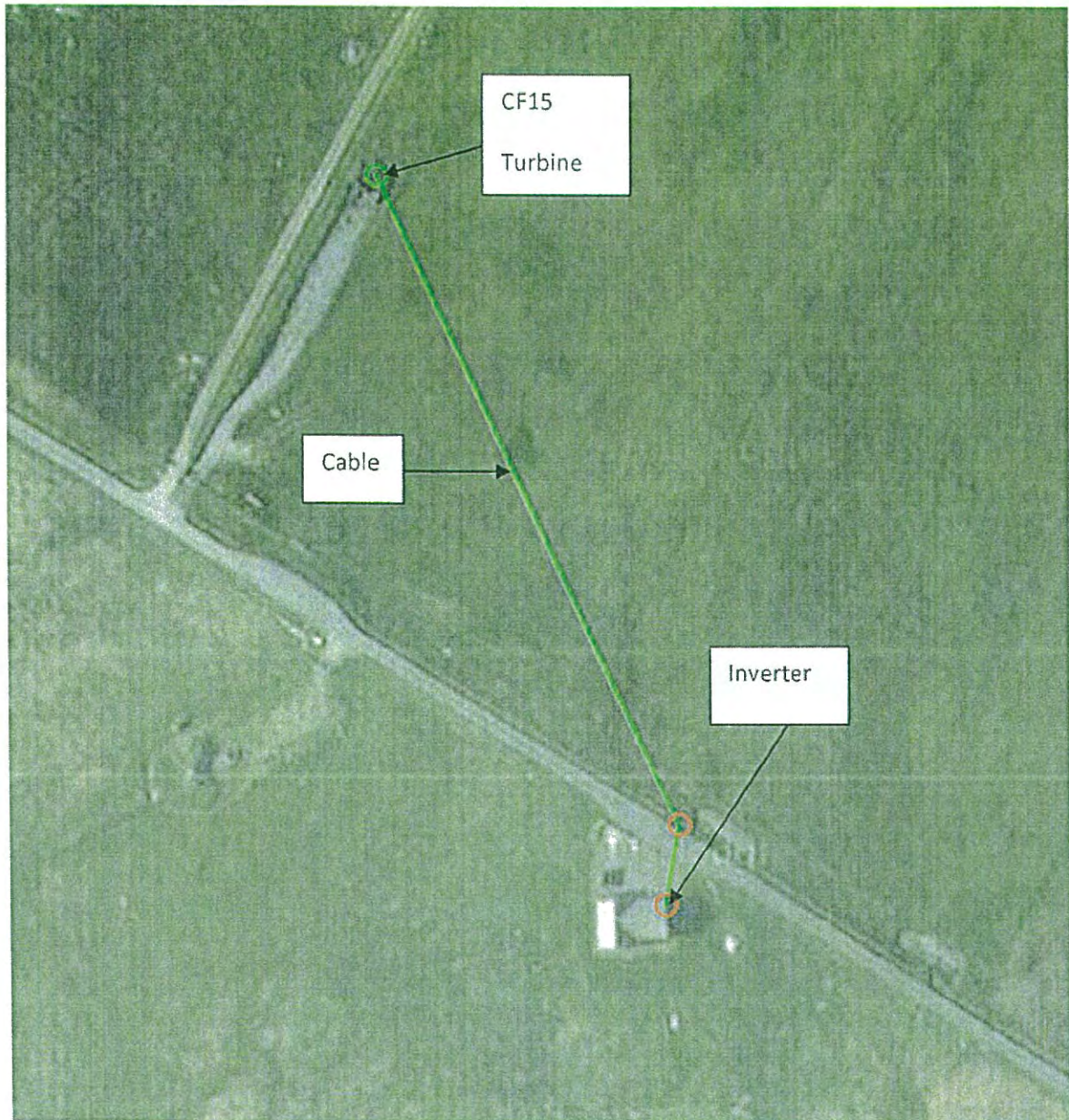
Mr N Bellis, Tresta, Fetlar, Shetland, ZE2 9DJ.

Proposed turbine location 461200, 1190790

Inverter position 461135, 1190480.

Cable length 360 metres





Mr N Bellis, Herra, Fetlar, Shetland, ZE2 9DJ.

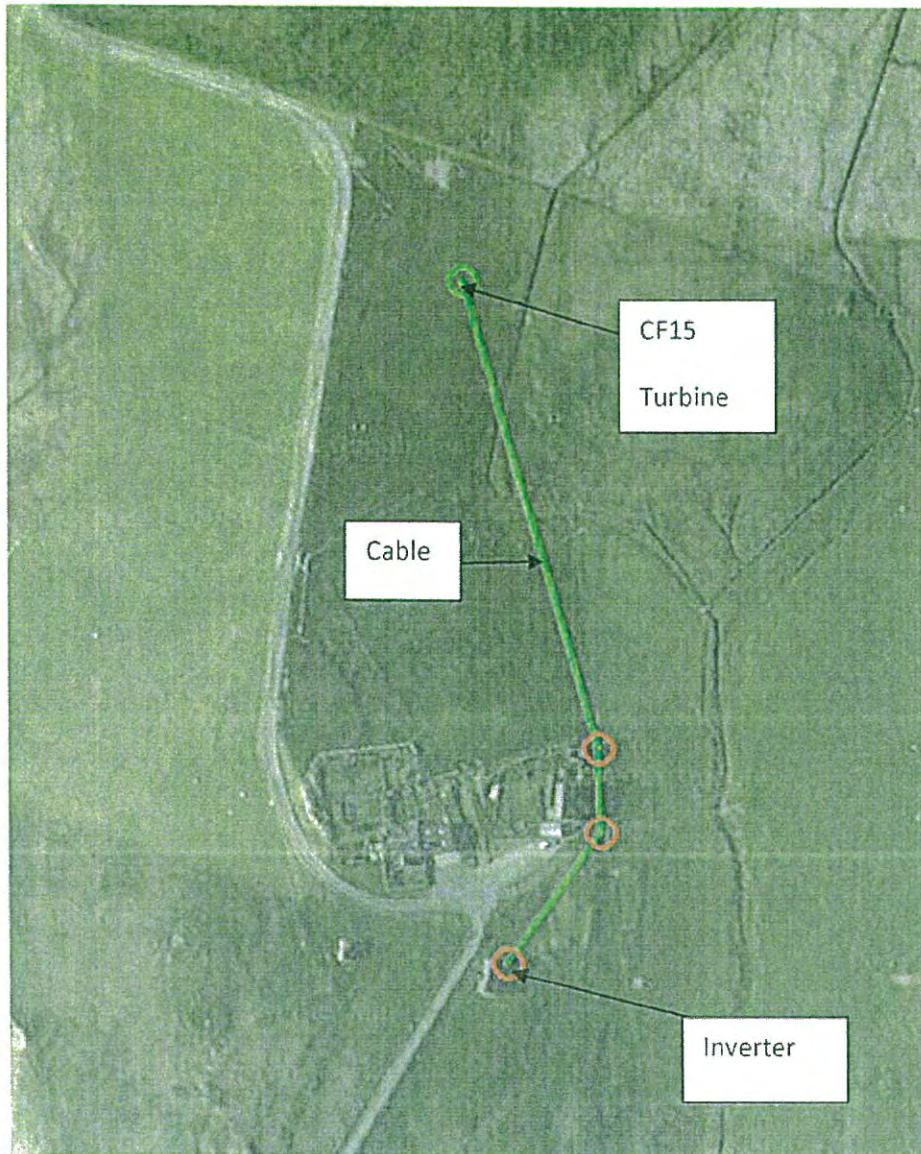
Proposed turbine position 461327, 1191468.

Inverter position 461388, 1191326.

able length 163 metres

r





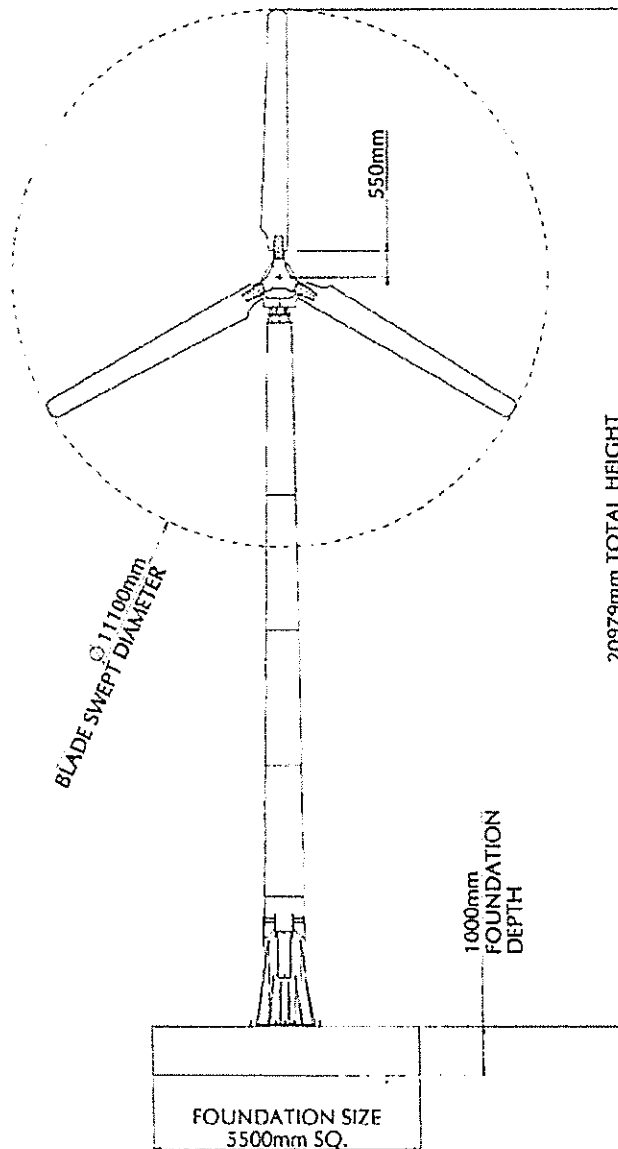
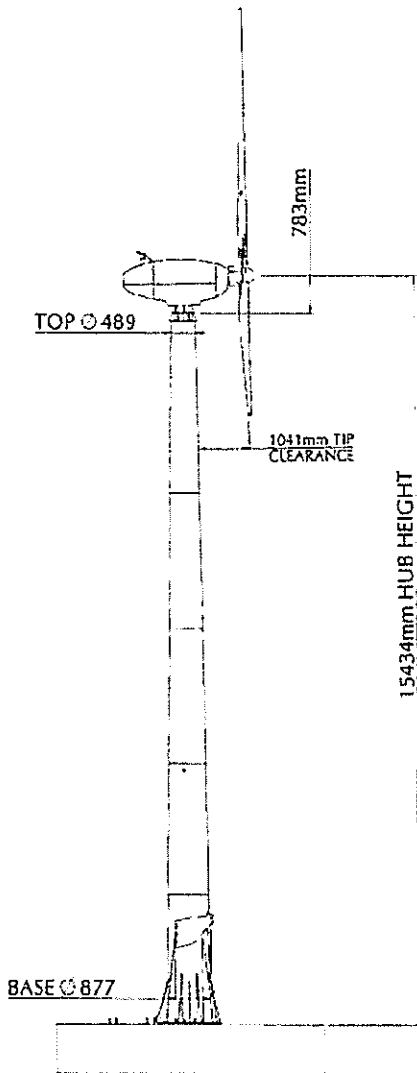
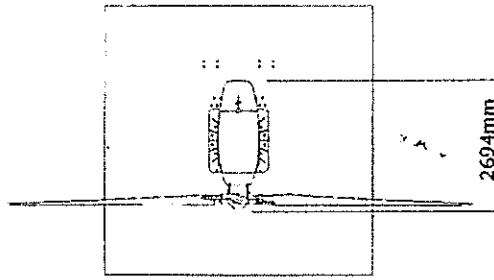
Mr N Bellis, Aithness, Fetlar, Shetland, ZE2 9DJ.

Proposed turbine position 463233, 1190016.

Inverter position 463256, 1189811

Cable length 220 metres





OVERALL DIMENSIONS FOR CF15 TURBINE:  
15kW GENERATOR / 15m MAST / 5m BLADES

<b>C&amp;F Green-Energy</b>		<b>CF15</b>	
DESCRIPTION: OVERALLS / PLANNING		All Dimensions in mm	
MATERIAL: Max. S275 Galv		QTY PER UNIT: 1	
DRAWN: C O'Neill		SCALE: 1:100	
CHECKED: JEN-SH		DWG. NO. A3	
DATE: 16-Feb-11		SHEET 1 OF 1	

## 4.0 Acoustic Test Results including Noise label

This is a summary of the evaluation of the CF15 wind turbine noise over a range of wind speeds and directions. Characterizations of the turbines apparent sound power level, 1/3 octave bands, and tonality are made.

Acoustic noise data was gathered on four separate days in the months of November and December in 2011. On all four days, winds were primarily out of the South West, ranging from 184° to 277°. Meteorological and wind turbine data has been gathered continuously since commissioning of the CF15 on February 4th, 2011.

The resulting acoustic performance for normal operation in accordance with the BWEA standard is as follows:

Wind speed dependence **1.74 dB/m/s**

Immission Sound Pressure Level at 60m  $L_{p,60m}$  **47 dBA**

Immission Sound Pressure Level at 25m  $L_{p,25m}$  **55 dBA**

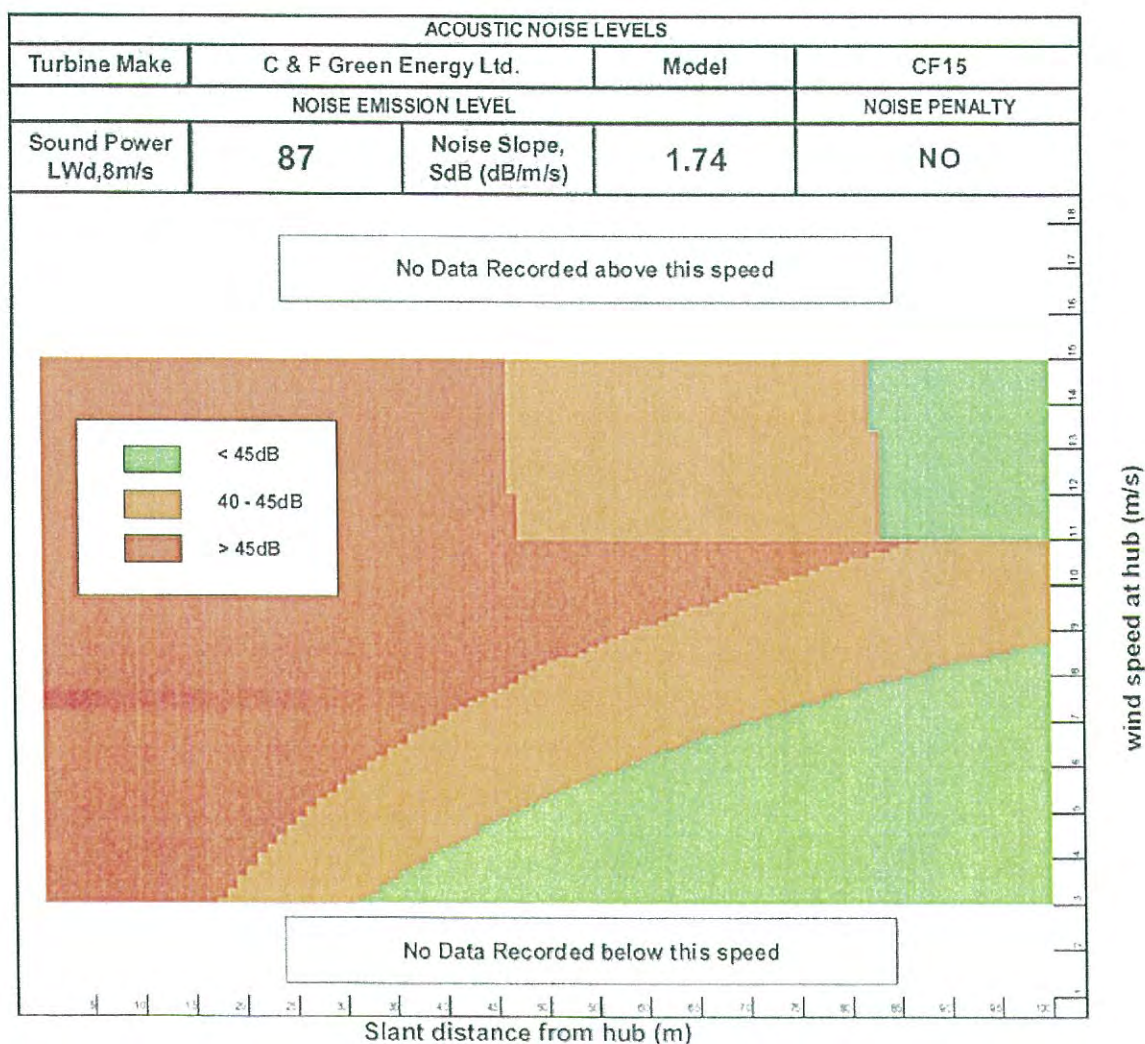


Figure 1 – Noise Immission Map for CF15

## Hunter Dale@Development Management

---

**From:** Taylor Ian@Environmental Health & Trading Standards  
**Sent:** 25 October 2016 09:40  
**To:** Hunter Dale@Development Management  
**Subject:** FW: acoustic CF15  
**Attachments:** CF15 - Acoustic Report 6m.pdf

Good morning Dale

Please see response below from Erlend Tait pertaining to planning application 2016/191/PPF.

Can you call when you get in to discuss.

My thanks

Ian

**From:** Erlend Tait [mailto:████████████████████]  
**Sent:** 19 October 2016 15:17  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** Fw: acoustic CF15

Ian,

Here is the current noise report and unfortunately it is the higher one but only marginally. If this is a problem we can look at moving the site to avoid this possibly.  
I have spoken to the owners of Tansyknowes and they are renovating the property for summer lets only. They have a turbine themselves and have no objection to this proposal at all.

Is this acceptable now?

Regards,  
Erlend

**From:** Amanda Flaherty  
**Sent:** Wednesday, October 19, 2016 11:50 AM  
**To:** Erlend Tait  
**Subject:** acoustic CF15

Hi Erlend,

Attached is the acoustic for the CF15.

Kind Regards,

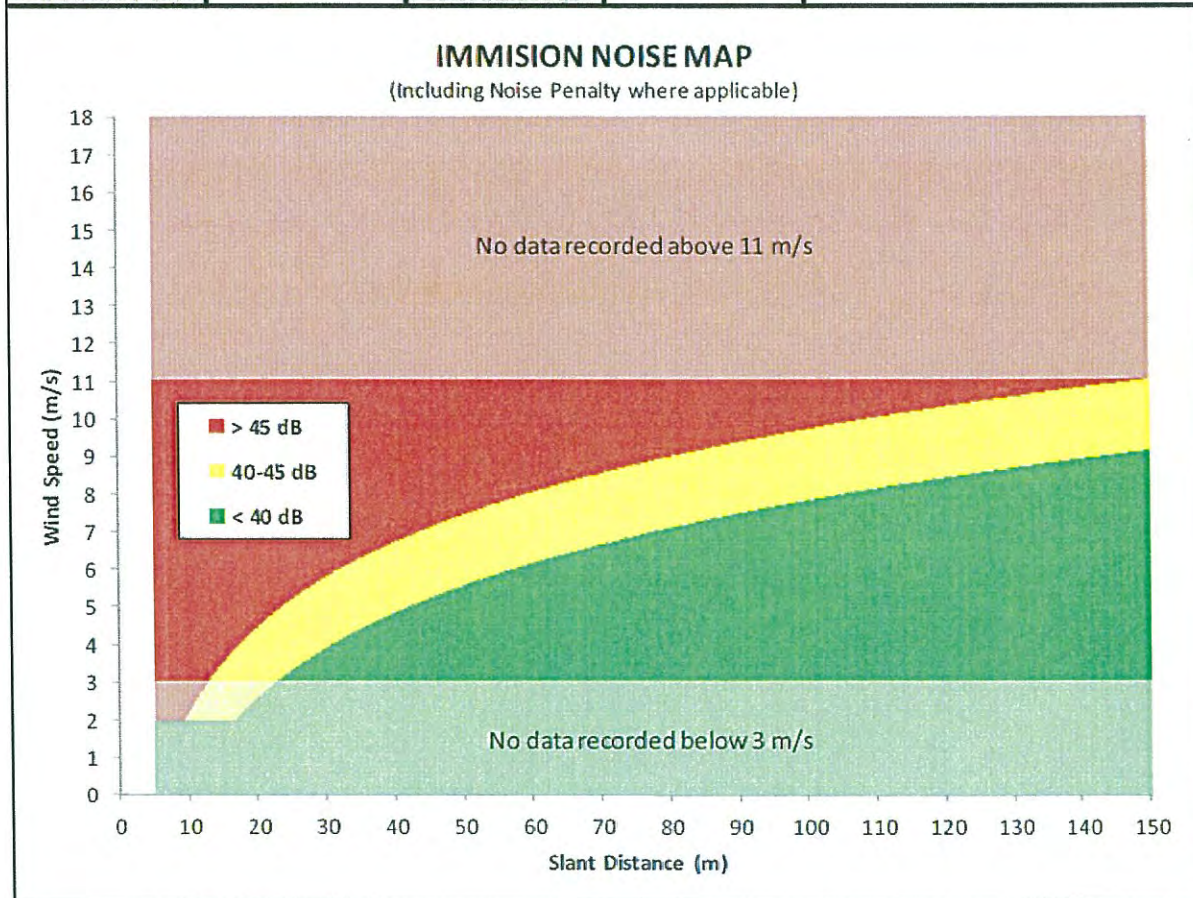
Amanda Flaherty  
Sales Department  
C&F Green Energy Ltd.  
Coshla - Athenry  
Co. Galway  
IRELAND  
Phone: ██████████  
Email: ██████████  
Web: [www.cfgreenenergy.ie](http://www.cfgreenenergy.ie)



## 5 Acoustic Noise Measurements

## Noise Label

ACOUSTIC NOISE LEVELS				
Turbine Make	C & F Green Energy Ltd	Model	CF15	
NOISE EMISSION LEVEL			NOISE PENALTY	
Sound Power LWd,8m/s (dBA)	88.4	Noise Slope SdB (dB/m/s)	2.65	NO



Immission Sound Pressure Levels at 8 m/s hub height wind speed:

BWEA Reference 60m Sound Level  $L_{p,60} = 44.89$  dBA

BWEA Reference 25m Sound Level  $L_{p,25} = 52.39$  dBA

## **Hunter Dale@Development Management**

---

**From:** Hunter Dale@Development Management  
**Sent:** 25 October 2016 14:20  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** 2016/191/PPF - 1 Tresta

Hi Ian,

I have discussed the amenity space / curtilage considerations with my team. We have consistently been measuring the distance from curtilage to turbine because the amenity space of the dwelling should not experience a statutory noise nuisance.

Many Thanks  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

## **Hunter Dale@Development Management**

---

**From:** Hunter Dale@Development Management  
**Sent:** 25 October 2016 15:29  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** 2016/191/PPF - 1 Tresta

Hi Ian,

The duty officer received a call today from a neighbour to the above application saying that they were concerned about noise impacts at the camp site. We are likely to receive a representation for this in the coming days but it is an issue that should be looked into whether raised in an objection or not. I should have picked up this aspect earlier. We have strong policy protection for existing land uses. In this case if the turbine was to introduce a statutory noise nuisance at the campsite and sterilise the use, we would not be able to support it. Could you look into the potential for noise nuisance at the camp site?

Many Thanks  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 26 October 2016 10:47  
**To:** foodsafety  
**Subject:** FW: Tansyknowes Fetlar

Hi Patti,

I was supposed to copy you in to this one for your information.

Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Hunter Dale@Development Management  
**Sent:** 25 October 2016 16:16  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Cc:** Holden John@Development Management  
**Subject:** RE: Tansyknowes Fetlar

Hi Ian,

I've had a look at the guidance on the Environmental Health section of the website and it defines amenity boundary in the definition section. This is the guidance that we use to determine that it should be the amenity boundary and not the dwelling itself.

[http://www.shetland.gov.uk/environmental\\_health/documents/Smallwindturbineprocedure18-05-15website.pdf](http://www.shetland.gov.uk/environmental_health/documents/Smallwindturbineprocedure18-05-15website.pdf)

Kind Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Taylor Ian@Environmental Health & Trading Standards  
**Sent:** 25 October 2016 15:16  
**To:** Erlend Tait  
**Cc:** Hunter Dale@Development Management; Dinsdale Patti@Environmental Health & Trading Standards  
**Subject:** RE: Tansyknowes Fetlar

Good afternoon Erlend

With reference to your last email detailed below, I fully understand your point but feel at this stage that the final decision as to the extent of Tansyknowes amenity be decided by the planning officer dealing with this case.

I have applied the council's planning protocol pertaining to potential noise nuisance resulting from small scale wind turbines as directed in responding to this application (2016/191/PPF). I feel that in light of our differing opinions and



in the interests of ensuring a full and fair assessment process the planning officer dealing with this application be charged with defining the true extent of the amenity surrounding Tansyknowes.

I have passed all our correspondence to the planning officer this morning and have discussed them with the officer reaching a conclusion that the amenity of Tansyknowes is delineated by the shaded area (buff coloured area as detailed on the GIS map sent this morning), therefore the current position of the turbine detailed in the application (2016/191/PPF) may give rise to noise nuisance, the predicted noise propagation level is 35.43dB(A) at the amenity boundary which is above the 34.6dB(A) limit adopted by the council.

If you wish to identify a new location for the turbine with the defined amenity boundary taken into consideration I will be more than happy to evaluate its potential for noise nuisance and feedback accordingly.

My kind regards

Ian

Ian Taylor  
Assistant Environmental Health Officer  
Shetland Islands Council  
Environmental Health & Trading Standards Department  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX

Tel; 01595 744 801  
Fax; 01595 744 802  
Mob 07919 235 038

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 25 October 2016 11:56  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** Re: Tansyknowes Fetlar

Hi,

i appreciate what you are saying here but if you look at the Google map I sent the "amenity area" is being grazed by sheep! Surely can't seriously be considered to be an amenity area when it is clearly being grazed as agricultural land, can it? It may be the case that there are IAC's payments made on the grazings, would that settle it?

Regards,  
Erlend

**From:** [ian.taylor@shetland.gov.uk](mailto:ian.taylor@shetland.gov.uk)  
**Sent:** Tuesday, October 25, 2016 10:53 AM  
**To:** [REDACTED]  
**Subject:** Tansyknowes Fetlar

Hi Erlend

Please see attached GIS map detailing the distance as measured from my mapping information system. Please note the shaded area attached to the house that delineates the amenity area as recorded on our system.

The northing and easting relating to the possible turbine position identified is 461,225.2 – 1,190,740.3.

My regards

Ian

Ian Taylor  
Assistant Environmental Health Officer  
Shetland Islands Council  
Environmental Health & Trading Standards Department  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX

Tel; 01595 744 801  
Fax; 01595 744 802  
Mob 07919 235 038

**From:** [ian.taylor@shetland.gov.uk](mailto:ian.taylor@shetland.gov.uk)  
**Sent:** Tuesday, October 25, 2016 10:53 AM  
**To:** [REDACTED]  
**Subject:** Tansyknowes Fetlar

Hi Erlend

Please see attached GIS map detailing the distance as measured from my mapping information system. Please note the shaded area attached to the house that delineates the amenity area as recorded on our system.

The northing and easting relating to the possible turbine position identified is 461,225.2 – 1,190,740.3.

My regards

Ian

Ian Taylor  
Assistant Environmental Health Officer  
Shetland Islands Council  
Environmental Health & Trading Standards Department  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX

Tel; 01595 744 801  
Fax; 01595 744 802  
Mob 07919 235 038

## **Hunter Dale@Development Management**

---

**From:** Erlend Tait [REDACTED]  
**Sent:** 27 October 2016 12:24  
**To:** Hunter Dale@Development Management  
**Subject:** Tresta  
**Attachments:** Letter to planner.docx

Hi,

I have attached a letter making the points on the Tresta site, perhaps you could let me know what you think? Any further thoughts on Aithness?

Regards,  
Erlend

Erlend Tait

Groundwater Tait Ltd

Ranganoust, Orphir, Orkney,

KW17 2RB.

To whom it may concern,

Ref 2016/191/PPF

I write regarding the above application and the situation with the site position and noise receptors. We had previously done some pre-planning work and believed we had an acceptable position agreed in principle with EH earlier this year. On this basis we went for full planning.

There has since been a development in that the property "Tansyknowes" which was previously unoccupied is now being renovated as a Summer Let only. This property is 180 metres from the proposed turbine site "as the crow flies" so this makes no allowance for topography which may increase this measurement slightly, or not. A distance of 175 metres is acceptable to EH.

The planning officer has referred me to his GIS map which shows a surrounding area back in an easterly direction to the fence of the field. This distance is enough to make it impossible to site the turbine on Mr Bellis's land and effectively kills off the project. It is a piece of land which is not a garden or barbecue area and arguably should not affect the distance. The amenity areas are in front of the property facing the best view over the loch and the sea.

I have been in touch with the owners of Tansyknowes and they have no objection to siting a turbine on this position. They are turbine owners themselves and are in favour of wind energy and reducing greenhouse gases. They are happy for this proposal to proceed and would not object to it in any way. As a Fetlar native she is unlikely to sell the property or change its use in the future.

If the land is used as agricultural grazing can it also be an amenity area? If it is on an IAC's form will that change the situation?

Mr Bellis has moved to Fetlar this week and is a forward thinking farmer who will develop and improve his properties on the island and should be encouraged.

The turbine has to be installed before Christmas to be viable and it can't be ordered until it has planning consent then take 6-8 weeks to build, so we are at the eleventh hour with this application.

Is it possible to consider these points bearing in mind that Fetlar has been deprived of development over recent years and this project could herald a new era for the island and should be welcomed?

If planning is granted it is still possible to make this happen in time. I await your views.

## Hunter Dale@Development Management

---

**From:** Erlend Tait [REDACTED]  
**Sent:** 01 November 2016 10:55  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Cc:** Hunter Dale@Development Management  
**Subject:** Re: Tansyknowes Fetlar

Morning,

My sources in Fetlar assure me it is no longer a campsite and the building has been used for storage purposes since. SIC shed there interest in the campsite some 3 years ago I believe but the Community Council should be able to advise on this,

Regards,  
Erlend

**From:** [ian.taylor@shetland.gov.uk](mailto:ian.taylor@shetland.gov.uk)  
**Sent:** Tuesday, November 01, 2016 10:16 AM  
**To:** [REDACTED]  
**Cc:** [Patti.Hammond-Dinsdale@shetland.gov.uk](mailto:Patti.Hammond-Dinsdale@shetland.gov.uk) ; [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Subject:** RE: Tansyknowes Fetlar

Good morning Erlend

With regards to the campsite as a receptor I was asked by the planning department to consider it and calculate the potential noise propagation it would be subject to and submitted my response accordingly.

As I was acting as instructed by the planning department please speak to the planning officer allocated to this application to discuss this issue further.

My kind regards

Ian

**From:** Erlend Tait [mailto:[REDACTED]]  
**Sent:** 31 October 2016 15:24  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** Re: Tansyknowes Fetlar

Hello,

I have read your response on the planning application 2016/191/PPF and it cites the camping area as a noise receptor. When I was in Fetlar I was advised that it is no longer used as a campsite and was not relevant to this application.

If it had been in use we would have considered this from the beginning and it would have ended the proposal at an early stage.

What is the case? Is it still in use?

Regards,  
Erlend

**From:** [ian.taylor@shetland.gov.uk](mailto:ian.taylor@shetland.gov.uk)  
**Sent:** Tuesday, October 25, 2016 3:16 PM  
**To:** [REDACTED]  
**Cc:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk) ; [Patti.Hammond-Dinsdale@shetland.gov.uk](mailto:Patti.Hammond-Dinsdale@shetland.gov.uk)  
**Subject:** RE: Tansyknowes Fetlar

Good afternoon Erlend

With reference to your last email detailed below, I fully understand your point but feel at this stage that the final decision as to the extent of Tansyknowes amenity be decided by the planning officer dealing with this case.

I have applied the council's planning protocol pertaining to potential noise nuisance resulting from small scale wind turbines as directed in responding to this application (2016/191/PPF). I feel that in light of our differing opinions and in the interests of ensuring a full and fair assessment process the planning officer dealing with this application be charged with defining the true extent of the amenity surrounding Tansyknowes.

I have passed all our correspondence to the planning officer this morning and have discussed them with the officer reaching a conclusion that the amenity of Tansyknowes is delineated by the shaded area (buff coloured area as detailed on the GIS map sent this morning), therefore the current position of the turbine detailed in the application (2016/191/PPF) may give rise to noise nuisance, the predicted noise propagation level is 35.43dB(A) at the amenity boundary which is above the 34.6dB(A) limit adopted by the council.

If you wish to identify a new location for the turbine with the defined amenity boundary taken into consideration I will be more than happy to evaluate its potential for noise nuisance and feedback accordingly.

My kind regards

Ian

Ian Taylor  
Assistant Environmental Health Officer  
Shetland Islands Council  
Environmental Health & Trading Standards Department  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX

Tel; 01595 744 801  
Fax; 01595 744 802  
Mob 07919 235 038

**From:** Erlend Tait [mailto: ]  
**Sent:** 25 October 2016 11:56  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** Re: Tansyknowes Fetlar

Hi,

i appreciate what you are saying here but if you look at the Google map I sent the "amenity area" is being grazed by sheep! Surely can't seriously be considered to be an amenity area when it is clearly being grazed as agricultural land, can it? It may be the case that there are IAC's payments made on the grazings, would that settle it?

Regards,  
Erlend



## Hunter Dale@Development Management

---

**From:** Holden John@Development Management  
**Sent:** 10 November 2016 10:20  
**To:** Hunter Dale@Development Management  
**Subject:** FW: Planning Application Refs: 2015/457/PPF, 2016/191/PPF and 2016/190/PPF

FYI in context of note on positions as regards applications.

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 10 November 2016 09:25  
**To:** Holden John@Development Management  
**Subject:** Re: Planning Application Refs: 2015/457/PPF, 2016/191/PPF and 2016/190/PPF

Morning,

We did the pre-planning in order to ascertain which site positions would be acceptable and we are no further ahead than we were when we started, albeit for a number of unforeseen circumstances in the cases of Weatherhead and Tresta.

The position of the Aithness application is still undecided too and I cannot present any further information until the positions are agreed.

Specifically what information are we short of?

Regards,  
Erlend

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)  
**Sent:** Wednesday, November 09, 2016 10:05 AM  
**To:** [REDACTED]  
**Cc:** [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) ; [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Subject:** RE: Planning Application Refs: 2015/457/PPF, 2016/191/PPF and 2016/190/PPF

Good morning,

Thank you for your email. It is acknowledged that you submitted a pre-application enquiry, but having reviewed the planning file for application 2015/457/PPF it does seem that the planning officer's consideration of the merits of the proposal has not had the benefit of the level of information the Supplementary Guidance on Onshore Wind Energy sets down as being required, as the response to your enquiry advocated.

It also appears from the file that part of the reason for the application 2015/457/PPF stalling was the lack of clarity for a time over the ownership of Weatherhead. Your saying in your email that the property is back on the market is the first I have been advised this to be the case. I can advise that the objection from the current owner is still valid, and the position as far as relevance to the assessment of the application might only change if the whole of the current application site, and also the dwelling and curtilage for the proposed receptor of the energy the turbine would generate, come under the same ownership.

With regards to the other applications your client has submitted (2016/191/PPF and 2016/190/PPF) I will need to look at the planning files for them in order to reply to your queries about them. I will do this as soon as I can.

Regards

John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department

c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland  
ZE1 0PX

Tel: (01595) 743898

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 08 November 2016 17:36  
**To:** Holden John@Development Management  
**Subject:** Re: Planning Application Ref: 2015/457/PPF

Hello,

My apologies, if we are due that sum we will arrange payment.

It is fortunate you contacted me as I was intending to get in touch regarding three applications for our client Mr Neil Bellis. He has made these applications for wind turbines on Fetlar where he has set up home and bought a number of crofts. He wanted to produce his own power and reduce his carbon footprint to help the environment.

We consulted your department, environmental Health, Historic Scotland and SNH before we submitted anything to planning. We tried to ensure we avoided as many pitfalls as possible by doing so and felt we went to planning reasonably well prepared.

The first application was 2015/457/PPF and Mr Bellis was negotiating to buy Weatherhead but did not have the highest bid and failed to buy it. By this time we had submitted the application and the successful bidder objected to the turbine

This application stalled when there was an objection submitted by people who have since decided to leave Fetlar and put the property Weatherhead back on the market. Is the objection still valid in that case?

We could move the site further away but I am told that would require a new application.

The second application was 2016/191/PPF at Tresta and we seem to have run into problems there too. The property Tansyknowes was unoccupied we thought, but is now being renovated by an ex Fetlar family and there property is 180 metres from the site but EH have stated that it is required to be measured from the fence of the field area behind the property and have ruled it is too close. The owners of Tansyknowes have no objection to the turbine application and as owners of a turbine in Yell have demonstrated their acceptance of that.

We then looked at moving the site to make the required distance from Tansyknowes and an objection is raised from the owner of an area of ground that was a campsite in the past but has not been used as one for years. In fact it has changed hands a couple of times and the owner has made it clear to people in Fetlar that he does not intend to use it as a campsite.

Is this objection valid?

There is in fact plans to have a new campsite in Fetlar because this one is defunct. Can the community council clarify this one?

The third application is 2016/192/PPF at Aithness and we have run into problems with this one too. Our original site was considered to be too close to Sweinkatofts which is a summer residence only and we thought would not be considered as a noise receptor ( in my experience not the case with all councils). We have considered other positions but have been told that would require a new planning application.

The problem for Mr Bellis is that the current tariff regime ends in December so there is no time for a new application and the economics become very doubtful after that.

Mr Bellis is not very happy with the proceedings so far and is looking to invest a bit of money in Fetlar and feels very discouraged by what he sees as obstacles being put in his way.

Can you please have a look at each of these applications and see if we can find a way forward on any of them.

Best regards,  
Erlend Tait

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)  
**Sent:** Tuesday, November 08, 2016 2:46 PM  
**To:** [REDACTED]  
**Cc:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk) ; [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk)  
**Subject:** Planning Application Ref: 2015/457/PPF

Dear Mr Tait,

We have just been reviewing the file for the above application.

One thing we have found is that it appears we have still to receive the payment from you of £150.00 to cover the cost of the publicising the application in the Shetland Times back in April 2016 (8 April 2016) as Schedule 3 development. We wrote a letter to you on 4 April 2016.

Payment can be made either by cheque (made payable to Shetland Islands Council), by credit/debit card at the Planning Service (Tel: (01595) 744293) or by the exact amount of cash. When you make the payment please quote the planning application reference number for your application.

Regards

John

John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland  
ZE1 0PX

Tel: (01595) 743898

## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 16 November 2016 13:54  
**To:** Holden John@Development Management  
**Subject:** FW: turbine

FYI, Ian Taylor asking agent to get a noise consultant.

Thanks  
Dale

---

**From:** Taylor Ian@Environmental Health & Trading Standards  
**Sent:** 16 November 2016 13:52  
**To:** Erlend Tait  
**Cc:** Dinsdale Patti@Environmental Health & Trading Standards; Hunter Dale@Development Management  
**Subject:** RE: turbine

Hi Erlend

I have looked at the information that you have sent through regarding the potential reduction in noise the 5m bladed CF15 turbines offer and have also passed this to the allocated planning office to keep the planning department informed of this change as a possible option to mitigate any potential nuisances that may be caused.

Having discussed this with the planning officer again I would suggest that this possible change of turbine may affect the original application and should be discussed directly with that department. I can confirm that there is a reduction in noise to be gained by the use of this turbine but in the interest of maintaining my neutral position as a consultant to the planning application process I must recommend that you seek the services of a noise specialist to formalise the potential reduction in noise available aligned to the separation distance needed to be in line with the councils small scale wind turbine planning guidance.

I know this has been a frustrating process for you and your clients to go through but it is the responsibility of the developer to quantify the noise data given in any application and demonstrate that the development will not cause a nuisance to any non associated properties in the area.

Should you wish to discuss any of the point detailed above please do not hesitate to contact me.

My kind regards

Ian

Ian Taylor  
Assistant Environmental Health Officer  
Shetland Islands Council  
Environmental Health & Trading Standards Department  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX

Tel; 01595 744 801  
Fax; 01595 744 802

---

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 11 November 2016 16:15  
**To:** Taylor Ian@Environmental Health & Trading Standards  
**Subject:** tURBINE

Hello,

As we are not making progress on the Fetlar applications I am attaching a noise report for a different CF model which has a better noise report. It does have a considerably lower noise level and is slightly less efficient but may achieve the necessary distances.

Can you look at all three applications i.e. 2015/457/PPF, 2016/190/PPF and 2016/191/PPF and let me know your views. please?

Regards,  
Erlend

**Subject:**FW: Tresta maps

**Attachments:**OS\_MasterMap\_Black\_and\_White\_PDF\_Location\_Plan\_395257\_518135 Tresta new loc 5m blades Big.pdf, OS\_MasterMap\_Black\_and\_White\_PDF\_Location\_Plan\_395257\_518135 Tresta new loc 5m blades.pdf

**From:** Erlend Tait [mailto: ]  
**Sent:** 29 November 2016 14:21  
**To:** Hunter Dale@Development Management  
**Subject:** Fw: Tresta maps

Dale,

Here are the new maps for the Tresta site,

Regards,

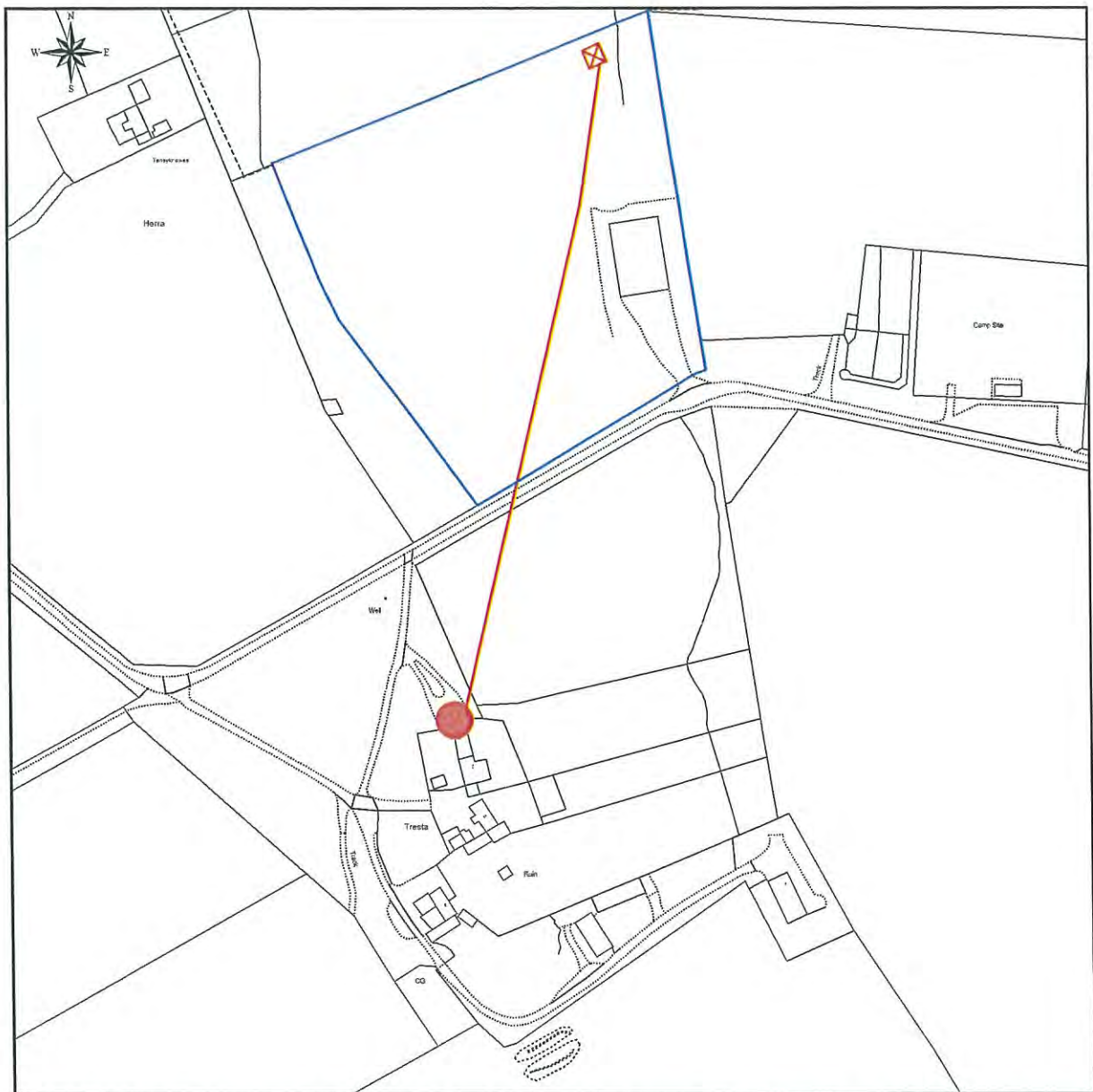
Erlend

**From:** NTS

**Sent:** Tuesday, November 29, 2016 12:28 PM

**To:**

**Subject:** Tresta maps



This Plan includes the following Licensed Data: OS MasterMap Black and White PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2016. Ordnance Survey 0100031673

0m 25m 50m 75m 100m 125m 150m 175m 200m

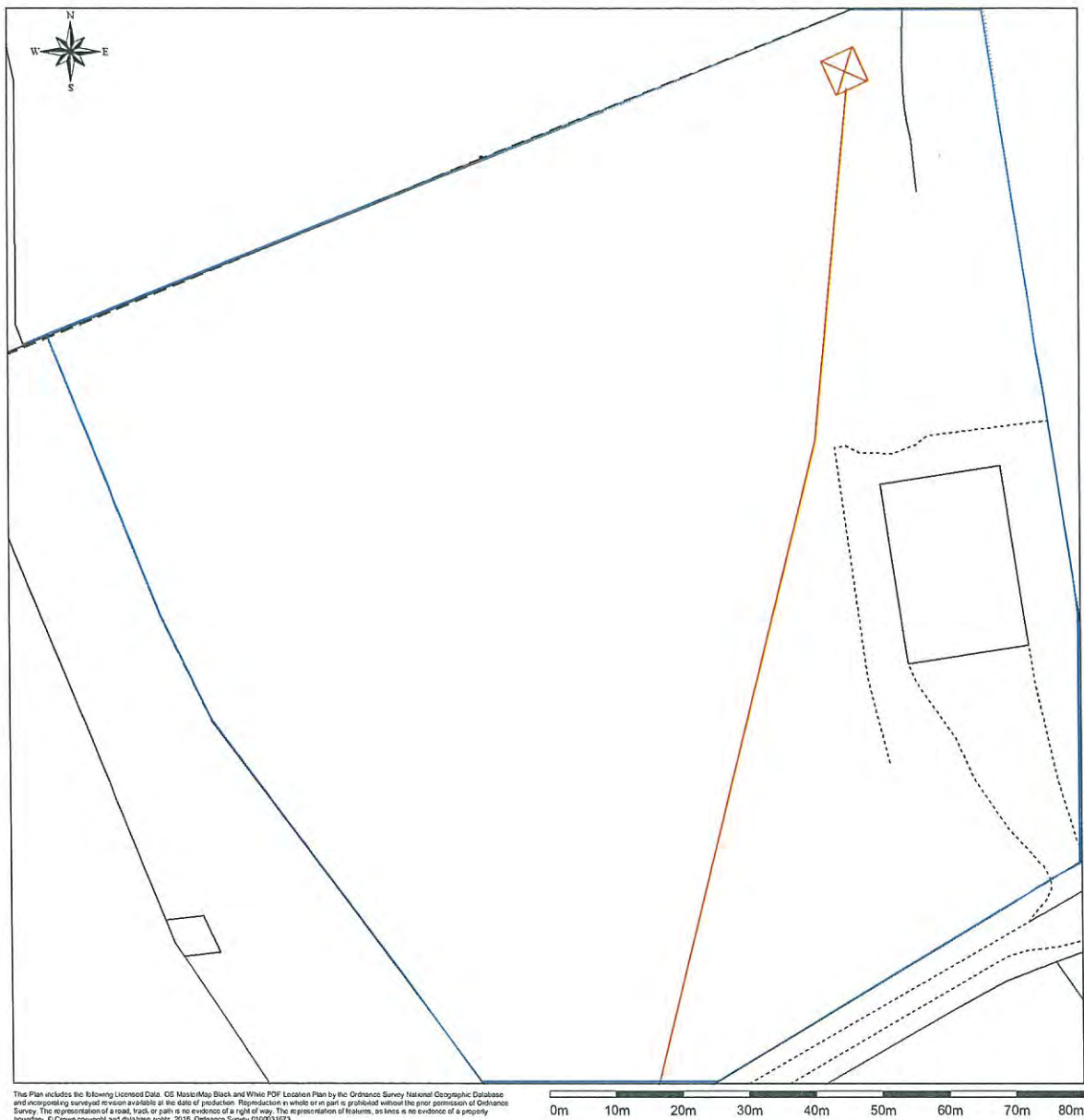
Scale: 1:2500, paper size: A4

Proposal to erect a CF15 wind turbine

Turbine position 461196, 1190789

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary





Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
 Turbine position 461196 1190789  
 Turbine base 5m X 5m concrete pad, 1m deep

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

**plans ahead** by **emapsite™**

Prepared by: Erleend Tait, 17.07.20

**Subject:**FW: Tresta maps  
**Attachments:**CF 15 15m mast160.pdf

**From:** Erlend Tait [REDACTED]  
**Sent:** 29 November 2016 19:04  
**To:** Hunter Dale@Development Management  
**Subject:** Re: Tresta maps

Hi Dale,

I have attached an elevation drawing for your files,

Regards,

Erlend

**From:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk)  
**Sent:** Tuesday, November 29, 2016 2:33 PM  
**To:** [REDACTED]  
**Subject:** RE: Tresta maps

Hi Erlend,

Thanks for providing the amended plans. I would appreciate if you could also include an updated specification for the turbine to show the change to the blade lengths similar to the attached.

Regards

Dale

**From:** Erlend Tait [mailto: [REDACTED]]  
**Sent:** 29 November 2016 14:21  
**To:** Hunter Dale@Development Management  
**Subject:** Fw: Tresta maps

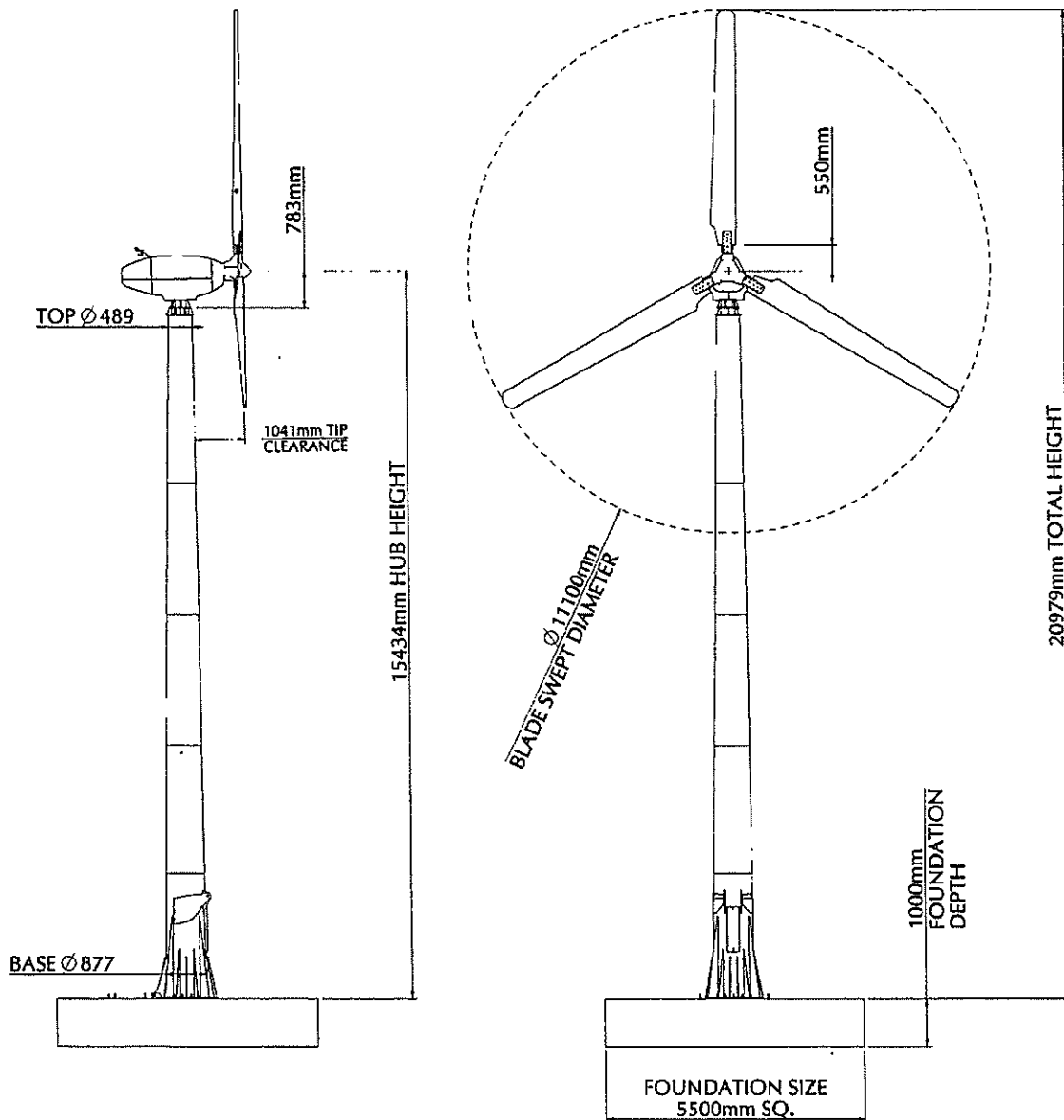
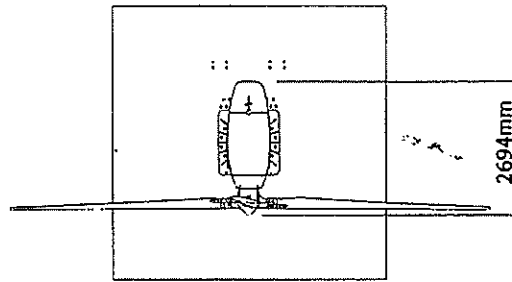
Dale,

Here are the new maps for the Tresta site,

Regards,

Erlend

**From:** NTS  
**Sent:** Tuesday, November 29, 2016 12:28 PM  
**To:** [REDACTED]  
**Subject:** Tresta maps



# OVERALL DIMENSIONS FOR CF15 TURBINE: 15kW GENERATOR / 15m MAST / 5m BLADES

C&F Green-Energy				CF15	
DESCRIPTION: OVERALLS / PLANNING				All Dimensions in mm	
MATERIAL:	Mast: S275 Galv	PAINT:	-	QTY PER UNIT:	-
DRAWN:	C O'Neill	FINISH:	-	SCALE:	1:100
CHECKED:	-	DATE:	16-Feb-11	DWG SIZE:	A3
SHEET:	1 OF 1	NOT FOR CONSTRUCTION			

**From:**Erlend Tait  
**Sent:**Fri, 2 Dec 2016 15:01:29 +0000  
**To:**Hunter Dale@Development Management  
**Subject:**Fw: tURBINE  
**Attachments:**CF15-Summary Report 5m 2.pdf, CF15 Acoustics 5m.pdf  
**Importance:**Normal

Dale,

Here is the noise report sent to Environmental Health and you have the maps. I also sent Google maps showing the new distances on 25/11/16, is there anything else required?  
Regards,  
Erlend

**From:** Erlend Tait  
**Sent:** Friday, November 11, 2016 4:15 PM  
**To:** ian.taylor@shetland.gov.uk  
**Subject:** tURBINE

Hello,

As we are not making progress on the Fetlar applications I am attaching a noise report for a different CF model which has a better noise report. It does have a considerably lower noise level and is slightly less efficient but may achieve the necessary distances.  
Can you look at all three applications i.e. 2015/457/PPF, 2016/190/PPF and 2016/191/PPF and let me know your views. please?  
Regards,  
Erlend

The Inmission Noise Map for the CF15 turbine is shown in Figure 8 below. The map shows zones where the audible incident sound pressure level is likely to fall in the 40 – 45 dB(A) range.

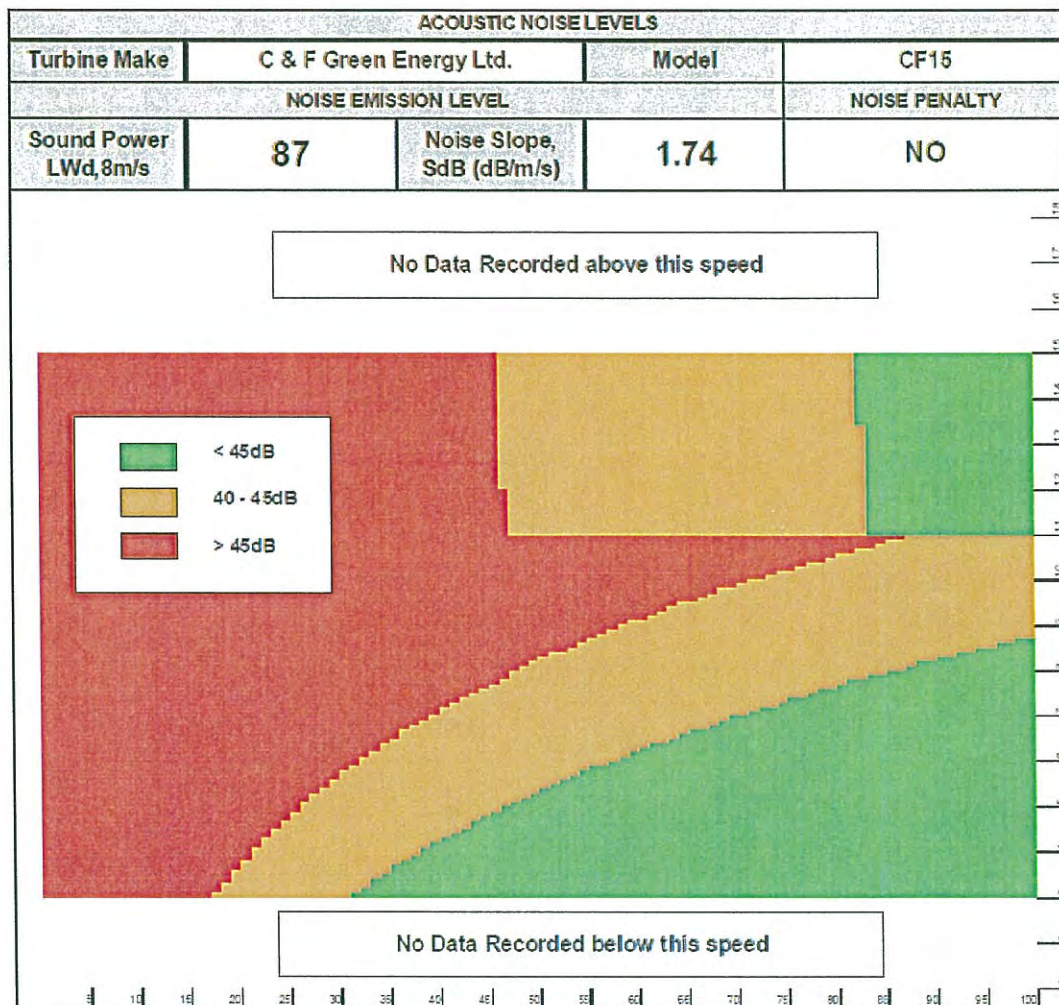


Figure 8 – Noise Inmission Map, with the slant distance from the hub in meters plotted on the x-axis and wind speed at hub height in m/s plotted on the y-axis



Intertek Test Report No. 100373741CRT-026a  
December 14<sup>th</sup>, 2011

Dermot Young  
C&F Green Energy  
Cashla, Athenry  
Co. Galway  
Republic of Ireland

Ph: [REDACTED]  
Fx: [REDACTED]  
email: [REDACTED]

Subject: Acoustics Test Report for the C&amp;F Green Energy CF15 tested at the C&amp;F test location in Ballyspellan, Ireland.

Dear Mr. Young,

This test report summarizes the results of the evaluation and tests of the above referenced equipment to the requirements contained in the following standards:

Title	Reference	Date	Revision
<i>BWEA Small Wind Turbine Performance and Safety Standard</i>		29 Feb 2008	
<i>Wind turbine generator systems – Part 11: Acoustic noise measurement techniques</i>	IEC 61400-11	November 2006	Edition 2:2002 consolidated with amendment 1:2006

This investigation was authorized by signed proposal number 50027050, dated December 2nd, 2010. A production sample was installed at the test location in Ballyspellan, Ireland on May 30<sup>th</sup>, 2011. Acoustic noise data was gathered on three separate days in the months of November and December in 2011.

This Test Report completes the acoustic testing phase of the CF15 turbine under Intertek Project No. G100373741.

If there are any questions regarding the results contained in this report, or any of the other services offered by Intertek, please do not hesitate to contact the signatories on this report.

Please note, this Test Report on its own does not represent authorization for the use of any Intertek certification marks. Completed test reports for Duration, Power Performance, and Strength and Safety testing are required to complete the Microgeneration Certification Scheme (MCS) certification process.

Completed by:	Natalie Pickering
Title:	Consultant Engineer
Signature:	[REDACTED] on behalf

Reviewed by:	Tom Buchal
Title:	Senior Staff Engineer
Signature	[REDACTED]

Page 1 of 25

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**Wind Turbine Generator System  
Acoustics Test Report  
for the  
C&F Green Energy CF15**





## Revision history page

[illegible]

## **1.0 Scope**

The purpose of the acoustic test is to characterize the noise emissions of the CF15. This involves using measurement methods appropriate to noise emission assessment at locations close to the turbine, in order to avoid errors due to sound propagation, but far enough away to allow for the finite source size. The evaluation herein characterizes the wind turbine noise with respect to a range of wind speeds and directions. Characterizations of the turbines apparent sound power level, 1/3 octave bands, and tonality are made.

## **2.0 Background**

The CF15 is designed for grid-connected power delivery, with a manufacturer's declared power of 15kW. The CF15 is an upwind turbine with active speed and power control through active blade pitch control actuation and turbine yaw control. The CF15 has a three-phase permanent magnet variable speed generator, the output of which is fully converted by the grid-tie inverter interface. Inverter output configurations can vary according to the electrical network the turbine is connected to, and can accommodate single or three phase, 50 Hz or 60 Hz. The electrical network at the testing location is three-phase 230 VAC at 50 Hz, but the output configuration of the CF15 tested in Ballyspellan was single phase 230 VAC at 50 Hz. Normal electrical network operating voltage and frequency ranges are 207 – 253 V and 49.8 to 50.2 Hz, respectively. The CF15 output was wired onto one phase, while the output of the CF20 20kW turbine was on the second, and the CF6 6kW and CF11 11kW turbines were on the third. Refer to the wiring diagrams in Appendix A of Intertek Test Report No. 100373741CRT-014a for additional detail. A summary of the test turbine configuration and manufacturer's declared ratings can be found in Table 1 below.



<b>Turbine Manufacturer</b>	C&F Green Energy
<b>Model</b>	CF15
<b>Production Year</b>	2 <sup>nd</sup> Quarter, 2011
<b>Rotor Diameter</b>	11.1 m (35.4 ft) – Verified by Intertek to be 11.15 m with calibrated tape measure
<b>Hub Height</b>	15.35 m (50.4 ft)
<b>Swept Area</b>	96.8 m <sup>2</sup> (1042 ft <sup>2</sup> ) – 97.6 m <sup>2</sup> using verified rotor diameter
<b>IEC 61400-2 SWT Class</b>	III
<b>Test Tower Type</b>	Tubular
<b>Rated Electrical Power</b>	15000 W
<b>Cut-in Wind Speed</b>	2.2 m/s (5 mph)
<b>Cut-out Wind Speed</b>	25 m/s (56 mph)
<b>Rated Wind Speed</b>	9 m/s (20 mph)
<b>Survival Wind Speed</b>	70 m/s (157 mph)
<b>Rotor speed range</b>	0 – 110 RPM
<b>Generator Identification</b>	CFGE 15kW
<b>Generator Specification</b>	400 RPM, 56 Hz, 485VAC, 2 plate
<b>Inverter Identification</b>	Power-One Aurora PVI-6000-TL-OUTD-UK-W (Qty 3) SN – 283025, 170177, 395520
<b>Inverter Specifications</b>	6000 W, 50 Hz, 230 VAC, IP 65 CE, EN50178, EN61000-6-1, EN6100-6-3, EN61000-3-11, EN61000-3-12, DK 5940, VDE 0126-1-1, G59/2, EN 50438, RD1663, AS4777
<b>Controller Identification</b>	Power-One Aurora Wind Interface Box 7200 PVI-Windbox-20A-EU (Qty 3) SN – 458902, 280010, 341168
<b>Controller Specification</b>	Input – 400 V, 0-600 Hz, 16.6 A Output – 600 V, 7.2 kW CE, EN 50178, EN 61000-6-2, EN 61000-6-4
<b>Control Software Version</b>	Inverters – C 0.1.6, Controllers – 1.036
<b>Transformer Identification</b>	Briglec 7.5 kW (Qty 2 isolation transformers) SN – B1519, B1517
<b>Transformer Specification</b>	7.5 kW, 230/230 single phase, 50 Hz
<b>Number of Blades</b>	3
<b>Fixed or variable pitch</b>	Variable
<b>Blade Pitch Angle</b>	Variable
<b>Blade Identification</b>	CFGE-BS-5-0013 SN – 63, 67, 68
<b>Blade Specification</b>	Composed of a mix of glass and carbon fibre infused with vinylester, polyurethane foam core with double spar, 16° twist from root to tip, combination of NACA4721, NACA3720, NACA2719, and NACA1818 airfoil geometries

Table 1 – Test Turbine Configuration

### **3.0 Engineering Judgments or Deviations**

Testing and analysis of the CF15 was performed in accordance with the British Wind Energy Association Small Wind Turbine Performance and Safety Standard 29 Feb 2008 Section 3, which refers to the methods in the second edition of IEC 61400-11. Method 2 for the direct measurement of wind speed was employed versus determination of wind speed from the measured power curve as this method is required by the BWEA standard.

### **4.0 Definitions**

For the purpose of this test report, the following definitions apply:

- Apparent sound power level – The A-weighted sound power level re. 1 pW of a point source at the rotor center with the same emissions in the downwind direction as the wind turbine being measured,  $L_{WA}$  is determined at 8 m/s.
- A-weighted or C-weighted sound pressure levels – Sound pressure levels measured with the A or C frequency weighting networks specified in *IEC 60651:1979, Sound level meters*.
- Sound pressure level – 10 times the  $\log_{10}$  of the ratio of the mean-square sound pressure to the square of the reference sound pressure of 20  $\mu\text{Pa}$ .



## 5.0 Pre-Test Requirements

### 5.1 Test Site

The Ballyspellan test site is located in central Ireland, approximately 4 km to the northeast of the town of Johnstown in the County of Kilkenny. The site is at an altitude of 300 meters above sea level, situated on the summit of a small hill sitting in a range of similar hills running approximately north to south. The test site and all of the surrounding land is open countryside mostly utilized for livestock farming. There are a few small farm buildings and houses, but none more than 2 stories high and the nearest of which being located approximately 0.5 km to the southeast. Towards the south-eastern corner of the test site there is a compound approximately 200 meters by 100 meters enclosed by a 2.5 meter tall wire fence. Within this compound are a number of masts supporting communications equipment, along with single story flat-roofed buildings housing ancillary equipment. There are dry stone walls up to 1.2 meters high to the east and west of the site, both running approximately north to south, and an additional wall of the same height running east-west through the site between the CF11 and CF15 turbine locations. There are some occasional shrubs in the surrounding land between 0.5 and 2 meters in height.

Figure 1 below shows tower locations for the CF15 and its meteorological tower ("Met15"), as well as the turbine and meteorological towers for the three other C&F Green Energy turbines under test in Ballyspellan.

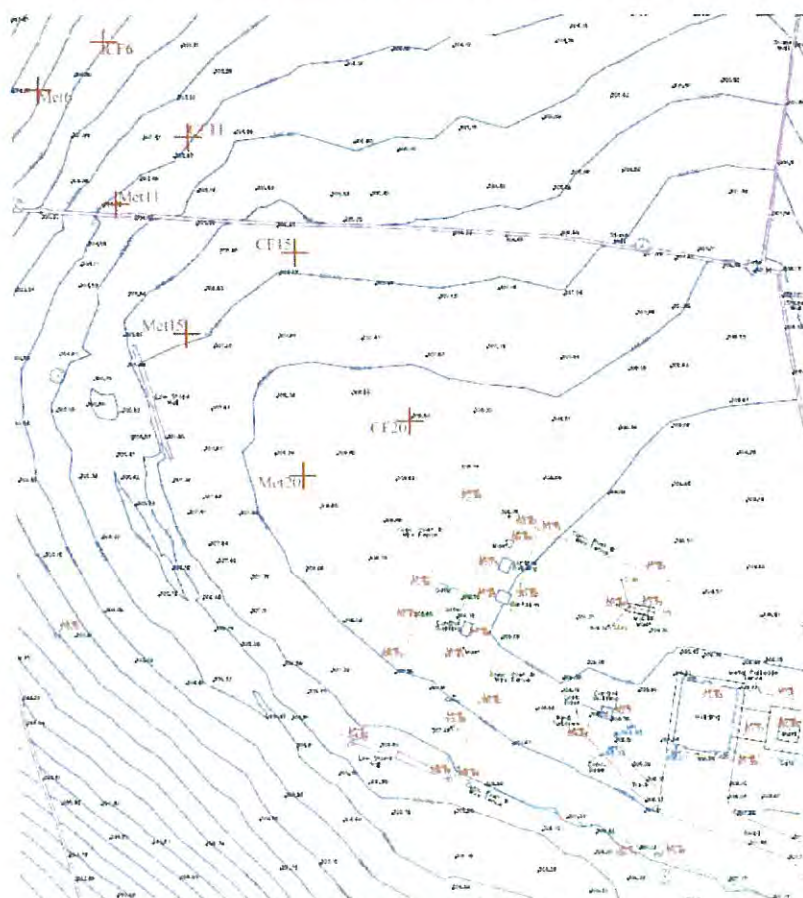


Figure 1 - Test turbine and meteorological tower locations

## 5.2 Test Equipment

The test equipment utilized during the acoustic noise measurement program can be found in the Appendix. The meteorological equipment utilized during this test program is in compliance with the IEC 61400-12-1. Table 2 below identifies meteorological equipment locations on the meteorological masts. Calibration certifications of all equipment used during testing are kept on file in the Intertek equipment calibration directory.

Instrument	Height
Anemometer (portable mast)	15 m (49 ft 3 in)
Wind Direction (portable mast)	15 m (49 ft 3 in)
Temperature	12.25 m (40 ft 2 in)
Pressure	12.25 m (40 ft 2 in)

Table 2 – Instrument installation height above ground level

Due to unfavorable wind directions at the time of testing, a portable mast was used instead of the static mast for most of the measurements as it would have been outside of the allowable sector. The portable mast had one anemometer and one wind vane installed (photo 1). Other meteorological conditions were taken from the instruments installed on the static mast.



Photo 1 – Portable Met Mast



### 5.3 Pre-Test Criterion

Acoustic testing began as a result of completion of the Intertek Pre-Test Evaluation. Official pre-test and commissioning results can be found in Intertek Report Nos. 100306154CRT-004 and 11051481LHD-001.

The Pre-Test Evaluation consists of:

- Obstacle assessment
- Terrain assessment
- Site calibration
- Initial inspection of equipment
- Turbine system installation
- Turbine system commissioning

## 6.0 Method

### 6.1 General

The general method applied during this test program follows the method described in Clause 3 of the BWEA standard which refers to the methods laid out in IEC 61400-11. The main purpose is to provide the Declared Apparent Emission Sound Power Level at 8 m/s, reference Sound Power Levels at 25m and 60m, and an Emission Noise Map.

Acoustic noise data was gathered on four separate days in the months of November and December in 2011. On all four days, winds were primarily out of the South West, ranging from 184° to 277°. Meteorological and wind turbine data has been gathered continuously since commissioning of the CF15 on February 4<sup>th</sup>, 2011. The anemometer for wind speed measurements was located at 15 m (49' 3") above ground level. Table 3 below shows the date, time, microphone location, and allowable wind sector for each day acoustic measurements were taken.

Date	Start Time	End Time	Microphone Location	Horizontal Distance	Allowable Sector
09-Nov-11	11:36:00	13:40:00	159°	20.75 m (68 feet)	99° to 219°
23-Nov-11	19:57:00	21:57:00	190°	20.75 m (68 feet)	130° to 250°
27-Nov-11	08:57:00	11:05:00	210°	20.75 m (68 feet)	150° to 270°
03-Dec-11	12:45:00	15:01:00	250°	20.75 m (68 feet)	190° to 310°

Table 3 – Acoustic measurement information

### 6.2 Database

For all acoustic measurements taken during the periods indicated in Table 3 above, the following considerations apply:

- The complete measurement chain was calibrated at least at one frequency before and after the measurements, or if the microphones were disconnected during repositioning.
- All acoustical signals were recorded and stored for later analysis.
- Periods with intruding intermittent background noise (as from an aircraft) were omitted from the database.
- With the wind turbine stopped, and using the same measurement setup, the background noise was measured immediately before or after each measurement series of wind turbine noise and during similar wind conditions.

The equivalent continuous A-weighted sound pressure level and one-third octave band spectrum were measured at the microphone locations described in Table 3 above. Each measurement for A-weighted sound pressure level and one-third octave band spectrum was integrated over a period of 60 seconds for both turbine and background noise. One-third octave bands with center frequencies ranging from 20 Hz to 16 kHz were recorded.

As the wind speed was measured at the rotor centre height, according to Clause 3.4.3 of the BWEA standard, there was no requirement to apply a correction.

A total of 359 one-minute data points were included in the database; 214 of which were turbine noise data points. Table 4 below shows the total number of measurements at each integer wind speed that were included in the database.

Turbine + Background		Background Only	
$V_s$	Data points	$V_s$	Data points
3	11	3	0
4	45	4	9
5	36	5	11
6	32	6	26
7	14	7	11
8	35	8	24
9	17	9	6
10	28	10	7
11	25	11	20
12	31	12	26
13	17	13	5
14	1	14	0

Table 4 – Measurement database

Plots of wind speed, wind direction, temperature, and pressure during the measurement periods are shown in Figures 2, 3, 4, and 5 below



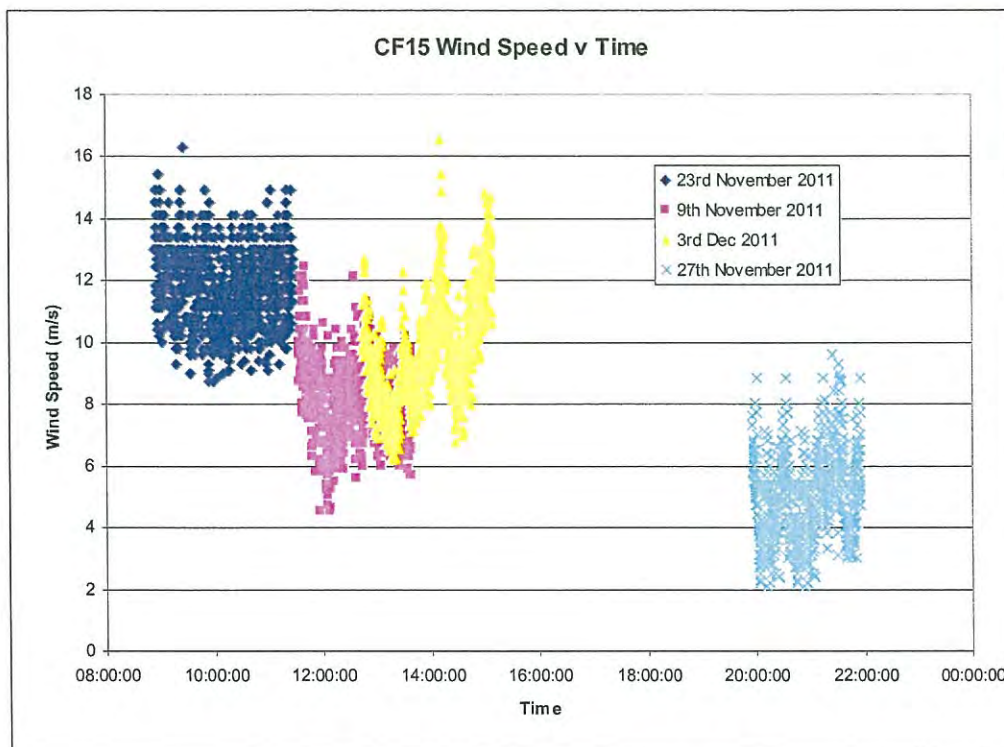


Figure 2 – Standardized wind speed during the measurement periods

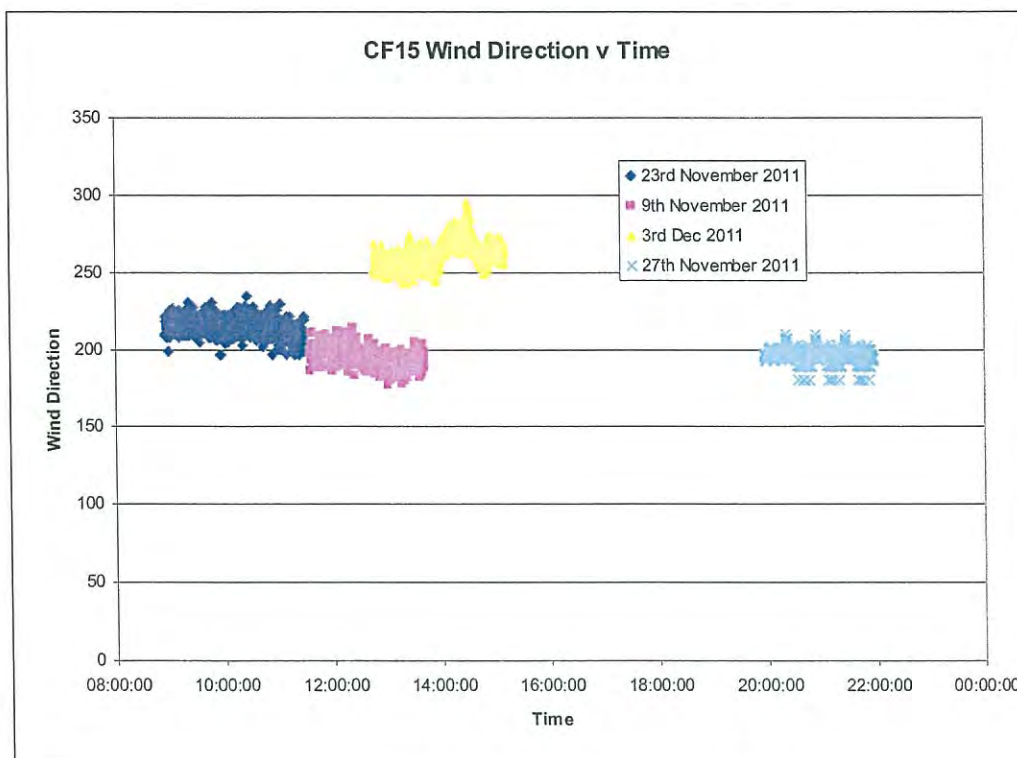


Figure 3 – Wind direction during the measurement periods

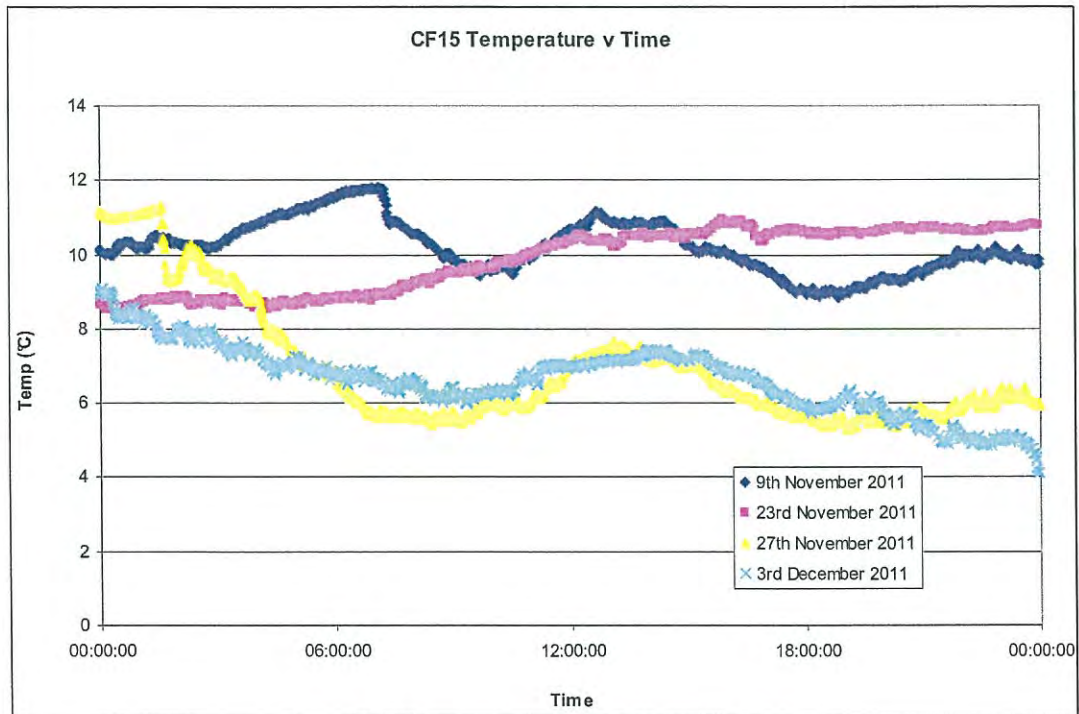


Figure 4 – Air temperature during the measurement periods

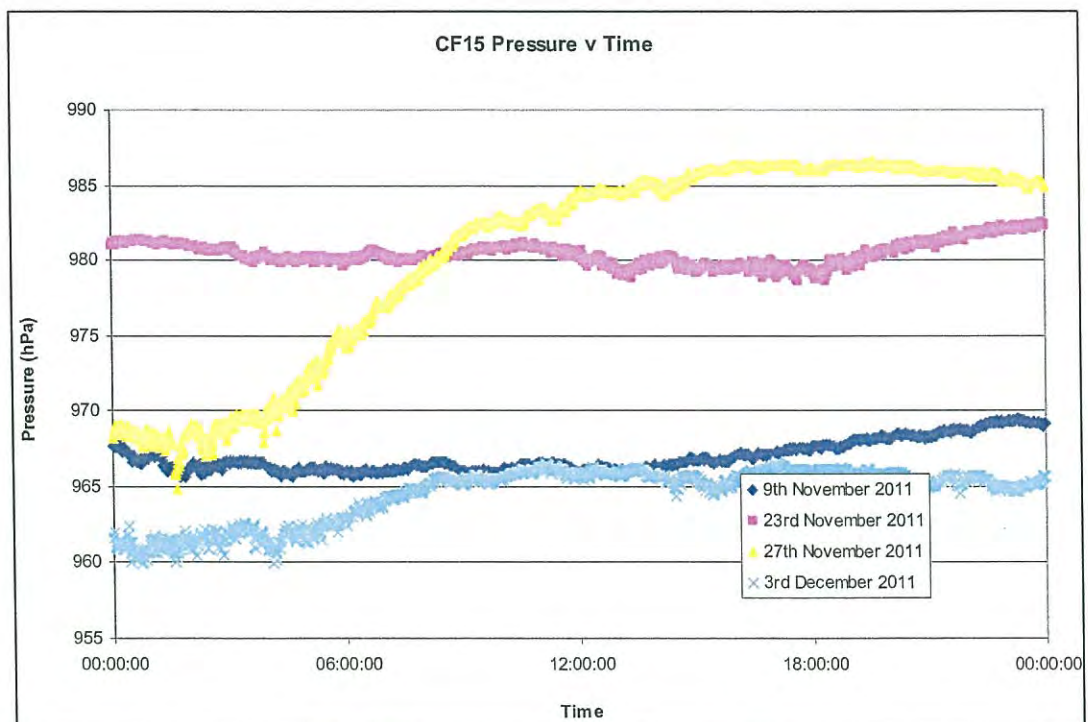


Figure 5 – Air pressure during the measurement periods

## 7.0 Results

Figure 6 below shows the measured data pairs of sound pressure levels recorded at various standardized wind speeds.

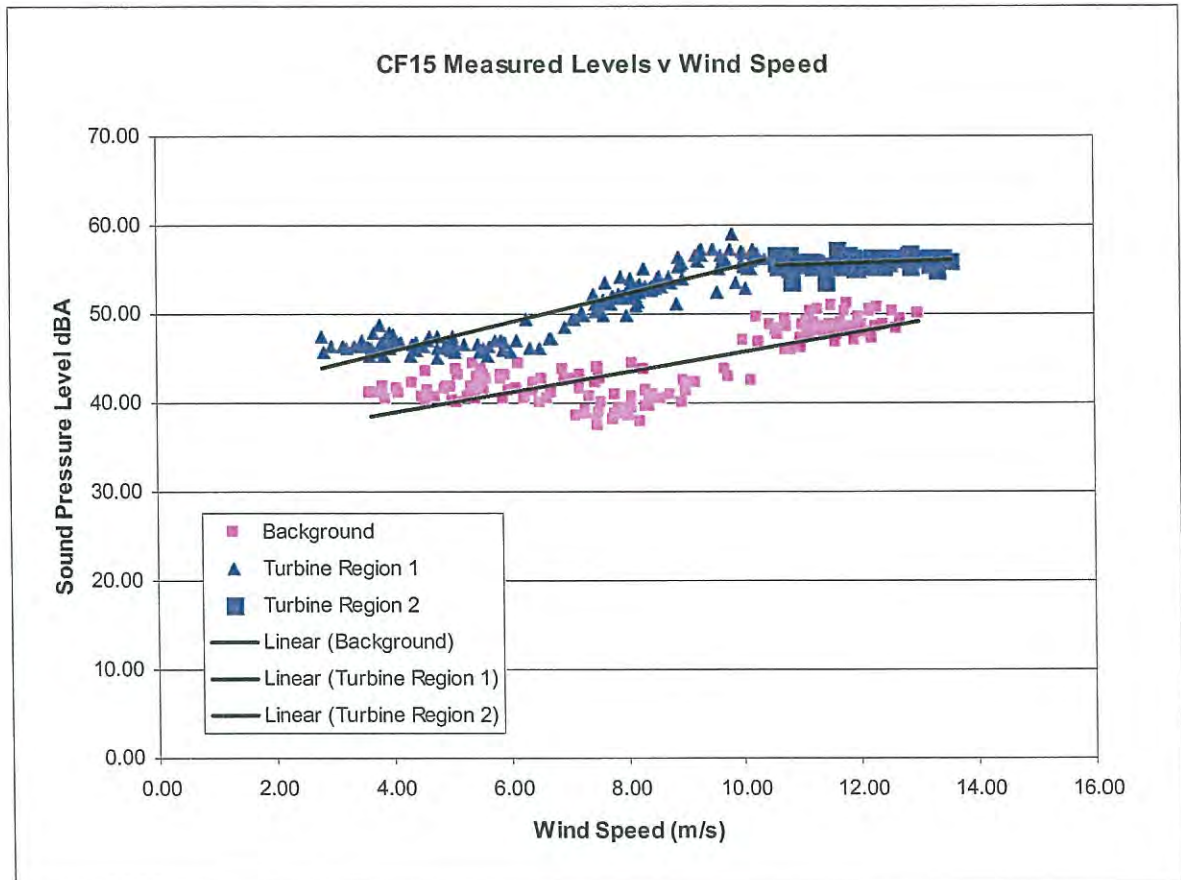


Figure 6 – Measured 60 second averaged sound pressure levels as a function of standardized wind speed

The apparent sound power levels at integer wind speeds were derived using linear regression and corrected for background noise as outlined in the standard. Results are displayed in Table 5 on the next page. Figure 6 shows two distinct linear regions, so the regression was split into two sections: 3-10 m/s and 11-14 m/s.



Integer Wind Speeds	Turbine $L_{Aeq,k}$	BGN	Corrected for BGN $L_{Aeq,c,k}$	Apparent LW $L_{WA,k}$
3	44.41	37.82	43.34	74.67
4	46.08	38.94	45.15	76.49
5	47.75	40.06	46.94	78.28
6	49.42	41.18	48.72	80.05
7	51.09	42.30	50.48	81.81
8	52.77	43.43	52.23	<b>83.56</b>
9	54.44	44.55	53.97	85.30
10	56.11	45.67	55.70	87.03
11	55.56	46.79	54.95	86.28
12	55.74	47.91	54.96	86.29
13	55.91	49.03	54.92	86.25
14	56.09	50.16	54.81	86.15

 $L_{WA,8m/s}$ 

**Table 5** – Sound power levels for integer wind speeds

Using the above result for a reference wind speed of 8 m/s, the Declared Apparent Emission Sound Power Level was calculated to be:

$$L_{Wd,8m/s} = 86.62 \text{ dB}_{WA}$$

The wind speed dependence was calculated for each slope. The slope which spans 8 m/s was calculated to be

$$S_{dB} = 1.74 \text{ dB/m/s.}$$

From this value the sound pressure levels at 60m and 25 m were calculated: -

$$\text{Immission Sound Pressure Level at 60m } L_{p60} = 47 \text{ dBA}$$

$$\text{Immission Sound Pressure Level at 25m } L_{p25} = 55 \text{ dBA}$$

The A-weighted third octave spectra were corrected for background noise. Figure 7 below shows the results for 8m/s. At frequencies where there is no data, the background level was measured to be slightly higher than the turbine plus background level.

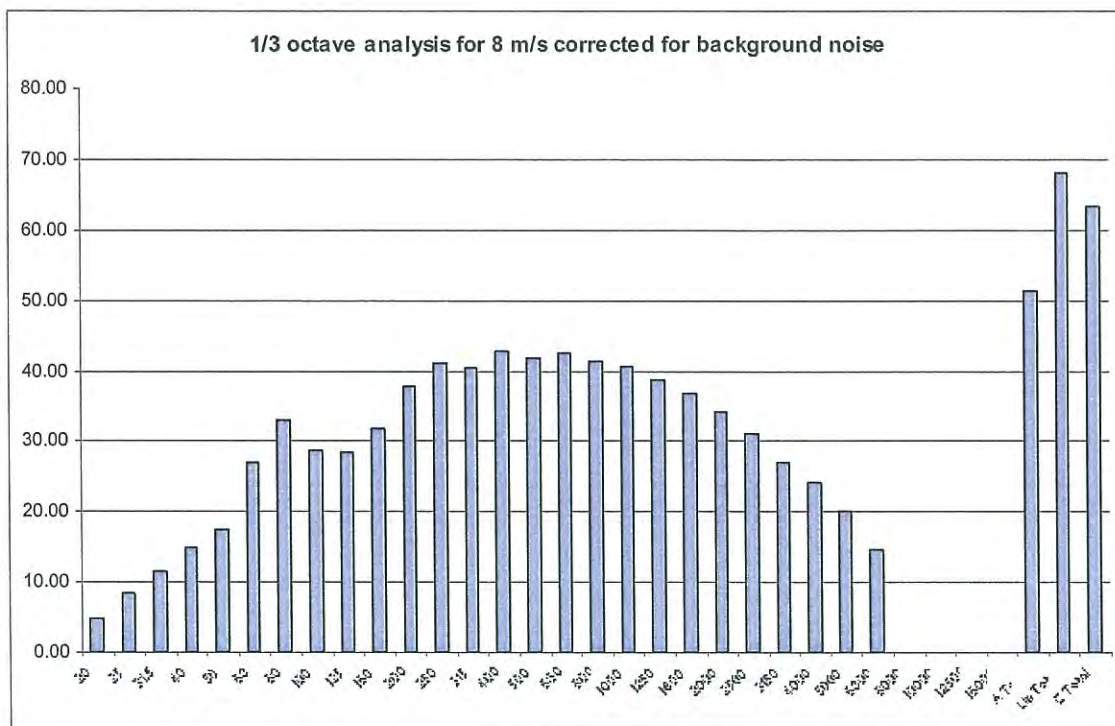


Figure 7 – Third octave spectra at 8m/s with A-Weighted, C-Weighted and Linear overall totals.

The character of the noise was assessed using 1/3 octave data. The turbine is not declared to be tonal because no band is sufficiently higher than its adjacent bands to be a problem at any wind speed. Therefore no noise penalty has been applied.





The Immission Noise Map for the CF15 turbine is shown in Figure 8 below. The map shows zones where the audible incident sound pressure level is likely to fall in the 40 – 45 dB(A) range.

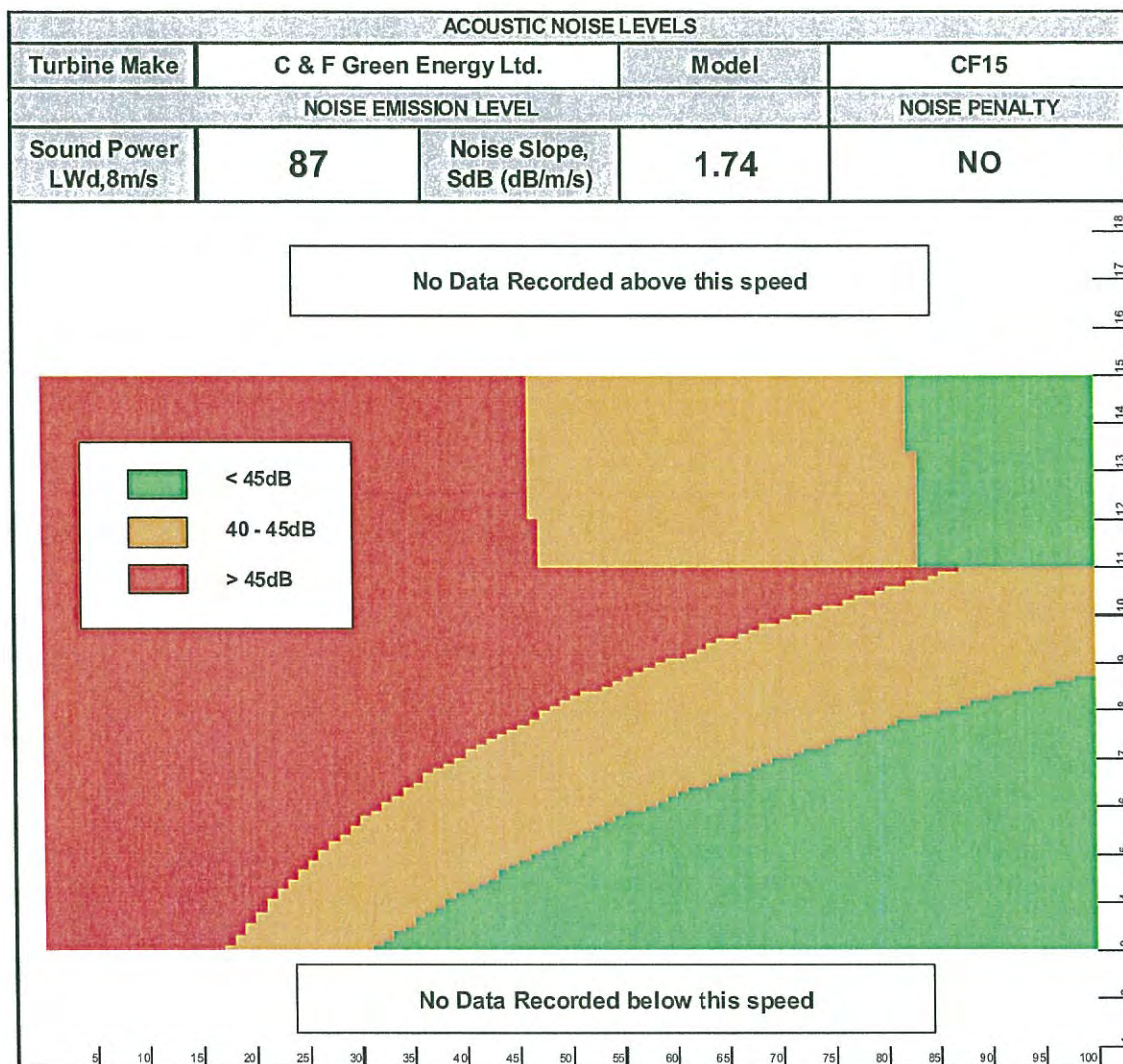


Figure 8 – Noise Immission Map, with the slant distance from the hub in meters plotted on the x-axis and wind speed at hub height in m/s plotted on the y-axis





C&F Green Energy

Test Report No. 100373741CRT-026a  
December 14<sup>th</sup>, 2011

## **Appendix**

The following sections can be found within this Appendix:

**A Test Equipment**

**B Photographs**

**C Calibration Certificates of Acoustic Equipment**



## A.1 Test Equipment

### A.1.1 Calibrated Equipment

Measurement	Manufacturer	Model	Serial	Cal Date	Cal Due
Primary anemometer	Windspeed LTD	A100LK	9664	14-Nov-11	14-Nov-12
Wind cup on primary anemometer	Windspeed LTD	A100LK	E1C6		
Reference anemometer	Windspeed LTD	A100LK	9667	14-Nov-11	14-Nov-12
Wind cup on reference anemometer	Windspeed LTD	A100LK	E1C9		
Wind vane	Vector Instruments	W200P	56297	16-Dec-10	16-Dec-11
Barometric pressure sensor	R.M. Young	Model 61302V	BPA2475	22-Feb-11	22-Feb-12
Temperature/RH sensor	R.M. Young	Model 41382V	TSI8947	25-Feb-11	25-Feb-12
Power transducer	Socomec	Diris A40	10342310125_T	28-Feb-11	28-Feb-12
Current transducer	Socomec	TCA22	A10007078060200/5	28-Feb-11	28-Feb-12
Datalogger	Secondwind	Nomad 2	10467	1-Feb-11	1-Feb-12
Portable met mast anemometer	Windspeed LTD	A100LK	9666	7-Mar-11	7-Mar-12
Wind cup on portable met mast anemometer	Windspeed LTD	A100LK	E5N6		
Wind Vane (Portable Met Mast)	Vector Instruments	W200P	56713	10-Feb-11	10-Feb-12
Microphone*	BSWA Technology	MP201	461274	9/13/2011	9/13/2012
Preamplifier	BSWA Technology	MA211	470788	9/13/2011	9/13/2012
DAQ Module	National Instruments	USB-9233	151A388	9/23/2011	9/23/2012
Acoustical Calibrator	BSWA Technology	CA111	470127	9/13/2011	9/13/2012
*Microphone and preamplifier calibrated simultaneously					

### A.1.2 Non-Calibrated Equipment

Description	Manufacturer	Model	Comments
Windscreen	Brueel & Kjaer	WS-10	Cut and attached to board

### A.1.3 Software

Description	Manufacturer	Model	Comments
Acoustic Data Analysis Software	Delta	NoiseLab Pro	Verified software
Excel Analysis	Microsoft	2003	Verified software

Note – Calibration records are not included in this report, but are maintained in Intertek Cortland's Calibration Database

**B Photographs**



**Picture 1** – Microphone and sound board



## C Calibration Certificates of Acoustic Equipment

### C.1 Microphone Calibration Certificate




ISO 17025: 2005, ANSI/NCCL Z540:1994 Part 1  
ACCREDITED by NVLAP (an ILAC and APLAC signatory)

NVLAP Lab Code: 200625-0

---

## Calibration Certificate No.24635

### LIMITED USE

**Instrument:** Microphone  
**Model:** MP201  
**Manufacturer:** BSWA  
**Serial number:** 461274

**Date Calibrated:** 9/13/2011 **Cal Due:**

<b>Status:</b>	Received	Sent
<b>In tolerance:</b>		
<b>Out of tolerance:</b>	X	X
<b>See comments:</b>	X	
<b>Contains non-accredited tests:</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

**Customer:** Intertek Testing Services NA, Inc.  
**Tel/Fax:** 607-758-6245/607-753-1045

**Address:** 3933 US Route 11,  
Cortland, NY 13045

**Tested in accordance with the following procedures and standards:**  
Procedure for Calibration of Measurement Microphones, Scantek Inc., Rev. 11/30/2010

**Instrumentation used for calibration:** N-1504 Norsonic Test System:

Instrument - Manufacturer	Description	S/N	Cal. Date	Traceability evidence Cal. Lab / Accreditation	Cal. Due
483B-Norsonic	SME Cal Unit	31061	Jul 14, 2011	Scantek, Inc./ NVLAP	Jul 14, 2012
DS-360-SRS	Function Generator	88077	Aug 17, 2010	ACR Env./ A2LA	Aug 17, 2012
34401A-Agilent Technologies	Digital Voltmeter	MY47011118	Aug 9, 2011	Tektronix/ AClass	Aug 9, 2012
HM30-Thommen	Meteo Station	1040170/39633	Jun 26, 2010	ACR Env./ A2LA	Dec 26, 2011
PC Program 1017 Norsonic	Calibration software	v 5.0	Validated July 2009	-	-
1253-Norsonic	Calibrator	28326	Dec 6, 2010	Scantek, Inc./ NVLAP	Dec 6, 2011
1203-Norsonic	Preamplifier	14051	Sep 10, 2010	Scantek, Inc./ NVLAP	Sep 13, 2012
4134-Bruel&Kjaer	Microphone	456186	Sep 15, 2010	Scantek / NVLAP	Sep 15, 2011

**Instrumentation and test results are traceable to SI - BIPM through standards maintained by NPL (UK) and NIST (USA)**

<b>Calibrated by</b>	Kristen van Otterloo	<b>Checked by</b>	Valentin Buzduga
<b>Signature</b>		<b>Signature</b>	
<b>Date</b>	9/13/2011	<b>Date</b>	9/30/2011

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NIST, or any agency of the federal government.  
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Page 1 of 2

Results summary: Device was tested and complies with following clauses of mentioned specifications:

CLAUSES / METHODS <sup>1</sup> FROM PROCEDURES		MET <sup>2,3</sup>	NOT MET	NOT TESTED	MEASUREMENT EXPANDED UNCERTAINTY (coverage factor 2)
Open circuit sensitivity (insert voltage method, 250 Hz);			X		See below
Frequency response	Actuator response	X			63 – 200Hz: 0.3 dB 200 – 8000 Hz: 0.2 dB 8 – 10 kHz: 0.5 dB 10 – 20 kHz: 0.7 dB 20 – 50 kHz: 0.9 dB 50 – 100 kHz: 1.2 dB
	FF/Diffuse field responses	X			63 – 200Hz: 0.3 dB 200 – 4000 Hz: 0.2 dB 4 – 10 kHz: 0.6 dB 10 – 20 kHz: 0.9 dB 20 – 50 kHz: 2.2 dB 50 – 100 kHz: 4.4 dB
	Scantek, Inc. acoustical method			X	31.5 – 125 Hz: 0.16 dB 250, 1000 Hz: 0.12 dB 2 – 8 kHz: 0.8 dB 12.5 – 16 kHz: 2.4 dB

<sup>1</sup> The results of this calibration apply only to the instrument type with serial number identified in this report.

<sup>2</sup> Parameters are certified at actual environmental conditions.

<sup>3</sup> The tests marked with (\*) are not covered by the current NVLAP accreditation.

Note: The free field/diffuse field characteristics were calculated based on the measured actuator response and adjustment coefficients as provided by the manufacturer. The uncertainties reported for these characteristics may include assumed uncertainty components for the adjustment coefficients.

**Comments:** The microphone was tested and met most specifications found in the referenced procedures, excepting the sensitivity which is slightly lower than the specified limit. The unit may be normally used with an instrument which has provisions to compensate the lower sensitivity of the microphone, for example the noiseLab3-NI-9233 sound level meter s/n 151A388.

#### Environmental conditions:

Temperature (°C)	Barometric pressure (kPa)	Relative Humidity (%)
22.3 ± 1.0	100.05 ± 0.006	55.2 ± 2.1

#### Main measured parameters:

Tone frequency (Hz)	Measured <sup>4</sup> /Acceptable Open circuit sensitivity (dB)	Sensitivity (mV/Pa)
250	-28.16 ± 0.12/ -26.0 ± 2	39.07

<sup>4</sup> The reported expanded uncertainty is calculated with a coverage factor k=2.00

#### Tests made with following attachments to instrument and auxiliary devices:

	Grid as actuator
X	Actuator type: G.R.A.S. RA 0014
	Coupler type: G.R.A.S. 51 AB

Measured Data: Found on Microphone Test Report # 24635 of one page.

#### Place of Calibration: Scantek, Inc.

6430 Dobbin Road, Suite C  
Columbia, MD 21045 USA

Ph/Fax: 410-290-7726/ -9167  
[callab@scantekinc.com](mailto:callab@scantekinc.com)

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Page 2 of 2



## C.2 Sound Level Meter Calibration Certificate

**Scantek, Inc.**  
CALIBRATION LABORATORY

ISO 17025: 2005, ANSI/NC SL Z540:1994 Part I  
ACCREDITED by NVLAP (an ILAC and APLAC signatory)

**NVLAP**<sup>®</sup>

NVLAP Lab Code: 200625-0

### Calibration Certificate No.24636

**Instrument:** Sound Level Meter  
**Model:** noiseLab3-NI-9233  
**Manufacturer:** Delta  
**Serial number:** 151A388  
**Tested with:** Microphone MP201 s/n 461274  
Preamplifier MA231 s/n 470788  
**Type (class):** 1  
**Customer:** Intertek Testing Services NA, Inc.  
**Tel/Fax:** 607-758-6245 / 607-753-1045

**Date Calibrated:** 9/23/2011 **Cal Due:**  
**Status:**

Received	Sent
X	X

  
**In tolerance:**

--	--

  
**Out of tolerance:**

--	--

  
**See comments:**  
**Contains non-accredited tests:** Yes ☐ No ☒  
**Calibration service:** Basic ☐ Standard ☒

**Address:** 3933 US Route 11  
Cortland, NY 13045

Tested in accordance with the following procedures and standards:  
Calibration of Sound Level Meters, Scantek Inc., Rev. 6/7/2005  
SLM & Dosimeters – Acoustical Tests, Scantek Inc., Rev. 7/6/2011


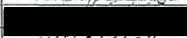
Instrumentation used for calibration: Nor-1504 Norsonic Test System:

Instrument - Manufacturer	Description	S/N	Cal. Date	Traceability evidence Cal. Lab / Accreditation	Cal. Due
483B-Norsonic	SME Cal Unit	31061	Jul 14, 2011	Scantek, Inc./ NVLAP	Jul 14, 2012
DS-360-SRS	Function Generator	88077	Aug 17, 2010	ACR Env / A2LA	Aug 17, 2012
34401A-Agilent Technologies	Digital Voltmeter	MY47011118	Aug 9, 2011	Tektronix/ AClass	Aug 9, 2012
HM30-Thommen	Meteo Station	1040170/39633	Jun 26, 2010	ACR Env / A2LA	Dec 26, 2011
PC Program 1019 Norsonic	Calibration software	v.5.0	Validated July 2009	-	-
1251-Norsonic	Calibrator	30878	Dec 7, 2010	Scantek, Inc./ NVLAP	Dec 7, 2011

Instrumentation and test results are traceable to SI (International System of Units) through standards maintained by NIST (USA) and NPL (UK).

#### Environmental conditions:

Temperature (°C)	Barometric pressure (kPa)	Relative Humidity (%)
22.4 °C	100.71 kPa	61.8 %RH

Calibrated by	Kristen van Otterloo	Checked by	Valentin Buzduga
Signature		Signature	
Date	9/29/2011	Date	9/29/2011

Calibration Certificates or Test Reports shall not be reproduced, except in full, without written approval of the laboratory.  
This Calibration Certificate or Test Reports shall not be used to claim product certification, approval or endorsement by NVLAP,  
NIST, or any agency of the federal government.  
Document stored as: Z:\Calibration Lab\SLM 2011\DeltaNoiseLab3-9233\_151A388\_M1.doc

Page 1 of 2

Results summary: Device complies with following clauses of mentioned specifications:

CLAUSES <sup>1</sup> FROM IEC/ANSI STANDARDS REFERENCED IN PROCEDURES:	MET <sup>2,3</sup>	NOT MET	MEASUREMENT EXPANDED UNCERTAINTY (coverage factor 2) [dB]
IEC 61672-3			
Self Generated Noise (#10): Electrical Noise	X		0.2
Frequency Weighting (#12): A	X		0.2
Frequency Weighting (#12): C	X		0.2
Frequency Weighting (#12): Z	X		0.2
Frequency & time Weightings @ 1 kHz (#13)	X		0.2
Level Linearity on the Reference range Level (#14)	X		0.2
Tone-Burst Response (#16)	X		0.2
Peak C Sound Level (#17)	X		0.2
Overload Indication (#18)	X		0.2
Acoustical Test: Accuracy at selected frequencies	X		0.15
Global Acoustical response: Summation (w/ actuator) (#11)	X		0.2-0.5
Filter Test: Octave Filters	X		0.15
Filter Test: 1/3 Octave Filters	X		0.15

<sup>1</sup> The results of this calibration apply only to the instrument type with serial number identified in this report.

<sup>2</sup> Parameters are certified at actual environmental conditions.

<sup>3</sup> The tests marked with (\*) are not covered by the current NVLAP accreditation.

**Comments:** The sound level meter submitted for testing has successfully completed the class 1 periodic tests of IEC 61672-3:2006, for the environment conditions under which the tests were performed. However, no general statement or conclusion can be made about conformance of the SLM to the full requirements of IEC 61672-1:2002 because evidence was not publicly available, from an independent testing organization responsible for pattern approval, to demonstrate that the model of SLM fully conformed to the requirements in IEC 61672-1:2002 and because the periodic tests of IEC 61672-3:2006 cover only a limited subset of the specifications in IEC 61672-1:2002.

Note: The instrument was tested for the parameters listed in the table above, using the test methods described in the listed standards. All tests were performed around the reference conditions. The test results were compared with the manufacturer's or with the standard's specifications, whichever are larger. Compliance with any standard cannot be claimed based solely on the periodic tests.

Tests made with the following attachments to the instrument:

X	Microphone	MP201 s/n 461274 for acoustical test
X	Preamplifier	MA231 s/n 470788 for all tests
X	Other:	line adaptor ADP005 (18pF) for electrical tests

Measured Data: in Test Report #24636 of two sections totaling 18 pages.

Place of Calibration: Scantek, Inc.  
6430 Dobbin Road, Suite C  
Columbia, MD 21045 USA

Ph/Fax: [REDACTED]



Calibration Certificates or Test Reports shall not be reproduced, except in full, without written approval of the laboratory. This Calibration Certificate or Test Reports shall not be used to claim product certification, approval or endorsement by NVLAP, NIST, or any agency of the federal government.

Document stored as: Z:\Calibration Lab\SLM 2011\DeltaNoiseLab3-9233\_151A388\_M1.doc

Page 2 of 2



### C.3 Calibrator Calibration Certificate

ISO 17025: 2005, ANSI/NCSL Z540:1994 Part 1  
 ACCREDITED by NVLAP (an ILAC and APLAC signatory)

NVLAP Lab Code: 200625-0

---

## Calibration Certificate No.24638

**Instrument:** Acoustical Calibrator  
**Model:** CA111  
**Manufacturer:** BSWA  
**Serial number:** 470127  
**Class (IEC 60942):** 1  
**Barometer type:**  
**Barometer s/n:**

**Date Calibrated:** 9/13/2011    **Cal Due:**  
**Status:**

Received	Sent
X	X

  
**In tolerance:**

X	X
---	---

  
**Out of tolerance:**

--	--

  
**See comments:**

--	--

  
**Contains non-accredited tests:**    Yes    X    No

**Customer:** Intertek Testing Services NA, Inc.  
**Tel/Fax:** [REDACTED]

**Address:** 3933 US Route 11,  
 Cortland, NY 13045

**Tested in accordance with the following procedures and standards:**  
 Calibration of Acoustical Calibrators, Scantek Inc., Rev. 10/1/2010

**Instrumentation used for calibration:** Nor-1504 Norsonic Test System:

Instrument - Manufacturer	Description	S/N	Cal. Date	Traceability	Cal. Due
				Cal. Lab / Accreditation	
483B-Norsonic	SME Cal Unit	31061	Jul 14, 2011	Scantek, Inc./ NVLAP	Jul 14, 2012
DS-360-SRS	Function Generator	88077	Aug 17, 2010	ACR Env./ A2LA	Aug 17, 2012
34401A-Agilent Technologies	Digital Voltmeter	MY47011118	Aug 9, 2011	Tektronix/ AClass	Aug 9, 2012
HM30-Thommen	Meteo Station	1040170/39633	Jun 26, 2010	ACR Env./ A2LA	Dec 26, 2011
140-Norsonic	Real Time Analyzer	1403978	Mar 3, 2011	Scantek, Inc. / NVLAP	Mar 3, 2012
PC Program 1018 Norsonic	Calibration software	v.5.2	Validated March 2011		
1253-Norsonic	Calibrator	28326	Dec 6, 2010	Scantek, Inc./ NVLAP	Dec 6, 2011
1203-Norsonic	Preamplifier	14051	Sep 10, 2010	Scantek, Inc./ NVLAP	Sep 13, 2012
4134-Bruel&Kjaer	Microphone	456196	Sep 15, 2010	Scantek / NVLAP	Sep 15, 2011

**Instrumentation and test results are traceable to SI (International System of Units) through standards maintained by NIST (USA) and NPL (UK)**

<b>Calibrated by</b>	Kristen van Otterloo	<b>Checked by</b>	Mariana Buzduga
<b>Signature</b>	[REDACTED]	<b>Signature</b>	[REDACTED]
<b>Date</b>	9/13/2011	<b>Date</b>	9/14/2011

Calibration Certificates or Test Reports shall not be reproduced, except in full, without written approval of the laboratory.  
 This Calibration Certificate or Test Reports shall not be used to claim product certification, approval or endorsement by NVLAP, NIST, or any agency of the federal government.  
 Document stored as: Z:\Calibration Lab\Cal 2011\BSWACA111\_470127\_M1.doc

Page 1 of 2

Results summary: Device was tested and complies with following clauses of mentioned specifications:

CLAUSES <sup>1</sup> FROM STANDARDS REFERENCED IN PROCEDURES:	MET <sup>2</sup>	NOT MET	COMMENTS
<b>Manufacturer specifications</b>			
Manufacturer specifications: Sound pressure level	X		
Manufacturer specifications: Frequency	X		
Manufacturer specifications: Total harmonic distortion			
<b>Current standards</b>			
ANSI S1.40:2006 B.3 / IEC 60942: 2003 B.2 - Preliminary inspection	X		
ANSI S1.40:2006 B.4.4 / IEC 60942: 2003 B.3.4 - Sound pressure level	X		
ANSI S1.40:2006 A.5.4 / IEC 60942: 2003 A.4.4 - Sound pressure level stability	-	-	
ANSI S1.40:2006 B.4.5 / IEC 60942: 2003 B.3.5 - Frequency	X		
ANSI S1.40:2006 B.4.6 / IEC 60942: 2003 B.3.6 - Total harmonic distortion	X		

<sup>1</sup> The results of this calibration apply only to the instrument type with serial number identified in this report.

<sup>2</sup> The tests marked with (\*) are not covered by the current NVLAP accreditation.

#### Main measured parameters<sup>3</sup>:

Measured <sup>4</sup> /Acceptable Tone frequency (Hz):	Measured <sup>4</sup> /Acceptable Total Harmonic Distortion (%):	Measured <sup>4</sup> /Acceptable Level (dB):
999.81 ± 1.0/1000.0 ± 10.0	0.4 ± 0.5/ < 3	94.09 ± 0.12/94.0 ± 0.4
999.73 ± 1.0/1000.0 ± 10.0	1.5 ± 0.5/ < 3	114.14 ± 0.12/114.0 ± 0.4

<sup>3</sup> Parameters are certified at actual environmental conditions.

<sup>4</sup> The above expanded uncertainties for frequency and distortion are calculated with a coverage factor k=2; for level k=2.00

#### Environmental conditions:

Temperature (°C)	Barometric pressure (kPa)	Relative Humidity (%)
23.2 ± 1.0	99.93 ± 0.016	46.4 ± 2.2

#### Tests made with following attachments to instrument:

X	Calibrator 1/2" Adaptor
	Other

**Adjustments:** Unit was not adjusted.

**Comments:** The instrument was tested and met all specifications found in the referenced procedures.

**Note:** The instrument was tested for the parameters listed in the table above, using the test methods described in the listed standards. All tests were performed around the reference conditions. The test results were compared with the manufacturer's or with the standard's specifications, whichever are larger. Compliance with any standard cannot be claimed based solely on the periodic tests.

**Measured Data:** in Acoustical Calibrator Test Report # 24638 of two pages.

**Place of Calibration:** Scantek, Inc.

6430 Dobbin Road, Suite C  
Columbia, MD 21045 USA

Ph/Fax: [REDACTED]

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Document stored as: Z:\Calibration Lab\Cal 2011\BSWACA111\_470127\_M1.doc

Page 2 of 2

**From:** Holden John@Development Management  
**Sent:** Tue, 20 Dec 2016 15:32:26 +0000  
**To:** 'Erlend Tait'  
**Cc:** Hunter Dale@Development Management; Development Management@Development  
**Subject:** RE: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

Thank you for your emails from last Friday and today. Apologies for the further short delay. I am to look through the Report of Handling that Dale has prepared next.

Yours sincerely

John Holden

Team Leader – Development Management

Planning

Shetland Islands Council

Planning

Development Services Department

c/o Train Shetland

North Gremista Industrial Estate

Lerwick

Shetland

ZE1 0PX

Tel: (01595) 743898

**From:** Erlend Tait [mailto: ]  
**Sent:** 20 December 2016 12:24  
**To:** Holden John@Development Management  
**Subject:** Re: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Hello,

Any news on the Fetlar wind turbine applications?

Regards,

Erlend Tait

pp N Bellis

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)

**Sent:** Tuesday, December 13, 2016 10:39 AM

**To:** [redacted]

**Cc:** [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk)

**Subject:** FW: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

If as you say you have been trying to contact Dale, I can advise that you will not have been able to contact him because I instructed him last week to work (without distraction) on reporting on a number of applications, including those of your client, Mr Bellis. I was concerned at the timescales a number of applications he had as part of his caseload had been with us, and with the resultant uncertainty that this was bringing for interested parties - including your client.

I can confirm that Dale has now completed his Report on Handling on each application, and whilst I have still to review them and the recommendations made, I gather that you have had opportunity to meet further information requests that have been made. Part of my checking of the Reports includes that of whether a determination can be made by an officer under delegated powers. Should this be the case any objections that have been received will be taken into consideration by the officer to the extent that they raise material planning considerations. If there is a requirement for a proposal to be considered by the Council's Members and there had been objections both the objectors and your client will have the right to address the meeting in the context of a Hearing.

I hope to be reviewing the Reports later on today.

Yours sincerely

John Holden

Team Leader – Development Management

Planning

Shetland Islands Council

Planning

Development Services Department

c/o Train Shetland

North Gremista Industrial Estate

Lerwick

Shetland

ZE1 0PX

Tel: (01595) 743898

**From:** Hunter Dale@Development Management  
**Sent:** 12 December 2016 12:48  
**To:** Holden John@Development Management  
**Subject:** FW: Fetlar applications

FYI

Thanks

Dale

**From:** Erlend Tait [mailto: ]  
**Sent:** 12 December 2016 12:48  
**To:** Hunter Dale@Development Management  
**Subject:** Fetlar applications

Hello,

I have called on a number of occasions to check that you have all the necessary information on the 3 applications numbers 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

If not what more is required?

Also my client, Mr Bellis is requesting an update on likely recommendations and timescales for each application. Can you comment on this ,please?



Where there are objections do SIC allow us to address these at a council meeting? If so when would that be likely?

Regards,

Erlend

**From:** Holden John@Development Management  
**Sent:** 04 January 2017 13:15  
**To:** 'Erland Tait'  
**Cc:** Development Management@Development; Hunter Dale@Development Management  
**Subject:** RE: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

I am sorry for the delay in responding. After I finished for the festive period on 22 December, today is the first day back at work after the 'Christmas Shutdown' that the Planning Service (amongst many Council services) has here in Shetland.

I did sign off on the determinations of the applications before I went on leave, but unfortunately it has only been today that the decision notices have been generated and will be issued.

The outcome on each application is one of refusal. In each case the planning officer reported that it had been anticipated that a competent request would be made for a Variation of Application under Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) in connection with (either in whole or part - depending on the particular application): change in proposed turbine location (along with a different associated cable trench route); revision of proposed turbine blade diameter; and taking account of resultant changes to the sound power level for the turbine that would be demonstrated in a revised noise impact assessment. However, the planning officer went on to state that the information that was received was not of a level or type that would allow a request to be accepted or give confidence that it would be demonstrated by you that there would not be a significant unacceptable impact on existing neighbouring land uses from each proposal.

Accordingly it is stated as the Reasons for the Council's decision for applications 2015/457/PPF and 2016/190/PPF that: "It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed developments incompatibility with the existing neighbouring residential use."; and for 2016/191/PPF that "It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses."

I appreciate that these outcomes will not be the ones that you or your client will have been hopeful of. The determinations do however give all interested parties confirmation of the Council's position as far as the merits of the proposals as they were presented is concerned. The Reports of Handling will shortly be available to view on the Council's website, and if your client is aggrieved by the decision(s) there is of course the ability to require the planning authority to review the case(s). The necessary form for doing so can be obtained on request, or alternatively appeals can be lodged online at:  
<https://www.eplanning.scot/ePlanningClient/default.aspx>

Yours sincerely

John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland

ZE1 0PX

Tel: (01595) 743898

---

**From:** Erlend Tait [mailto: ]  
**Sent:** 23 December 2016 09:32  
**To:** Holden John@Development Management  
**Subject:** Re: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Hello,

I am writing again to see if there is any news on the Fetlar applications? As we move into the festive season and another year we would like to know what the likely outcomes are,

Regards,  
Erlend

---

**From:** [john.holden@shetland.gov.uk](mailto:john.holden@shetland.gov.uk)  
**Sent:** Tuesday, December 20, 2016 3:32 PM  
**To:** [redacted]  
**Cc:** [Dale.Hunter@shetland.gov.uk](mailto:Dale.Hunter@shetland.gov.uk) ; [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk)  
**Subject:** RE: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

Dear Mr Tait,

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Yours sincerely

John Holden  
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Planning

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Tel: (01595) 743898

---

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**To:** Holden John@Development Management  
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Regards,

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pp N Bellis

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**Sent:** Tuesday, December 13, 2016 10:39 AM  
**To:** [REDACTED]  
**Cc:** development.management@shetland.gov.uk  
**Subject:** FW: Fetlar applications 2015/457/PPF, 2016/190/PPF and 2016/191/PPF ?

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John Holden  
Team Leader – Development Management  
Planning

Shetland Islands Council  
Planning  
Development Services Department  
c/o Train Shetland  
North Gremista Industrial Estate  
Lerwick  
Shetland  
ZE1 0PX

Tel: (01595) 743898

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**To:** Holden John@Development Management  
**Subject:** FW: Fetlar applications

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Dale

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Regards,  
Erlend

## Section 2. Statutory Advert



# PUBLIC NOTICES

## PUBLIC NOTICES

£3.00 per line (minimum £12.00)

Panel £5.88 extra

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Rates include VAT

### SHETLAND ISLANDS COUNCIL

The Council has made the (Micro Surfacing of Various Roads, Lerwick) (Temporary Road Closure) Temporary Traffic Regulation Order T18/2016 under the Road Traffic Regulation Act 1984 as amended, to allow various roads in Lerwick to be micro surfaced safely from 5.00pm on Sunday, 14th September, to 5.00pm on Sunday, 17th September, 2016.

**Roads Affected by Temporary Road Closure**

The roads that will be temporarily closed by the Order are:-

Hoofields, Burnside, Norstane - from Ladies Drive to Norstane junction, Gremista Brae, Holmsgarth Road, Stoneyhill - from No. 29 to road end, Bruce Crescent, from North Road to North Lochside, Anderson Road, Haldane Burgess Crescent - from Anderson Road to Robertson Crescent, Robertson Crescent, Hayfield Lane, Cheyne Crescent, Cairnfield Road - from Hayfield Lane to Russell Crescent, Russell Crescent - from Cairnfield Road to Clickimin Road, Goodlad Crescent - from Gilbertson Road to Russell Crescent, Clickimin Road, West Slets Road, Union Street - from Burgil Road to King Harald Street, King Harald Street, St Olaf Street, King Erik Street, Upper Hillhead, Lower Hillhead, Commercial Road - from North Ness Roundabout to Viking Bus Station entrance, Breiwick Road - from Knab Road heading generally northwards for 450 metres, Ronald Street, Lovers Lane, Twageos Road - from Gressy Loan heading north-eastwards for 450 metres, Knab Road - from viewpoint heading eastwards for 190 metres.

It should be noted that the works on each street should not take longer than a day to complete commencing at 8am until 5pm.

## NORTHERN ISLES DIGITAL FORUM - SHETLAND

**Skeld Public Hall**  
**Saturday,**  
**20th August, 2016**  
**10.00am - 12noon**

Organised by  
Alistair Carmichael MP

## Shetland Islands Council

These applications, associated plans and documents can be examined, 9.00am-5.00pm, Mon-Fri, at: Shetland Islands Council, Development Services Department, 8 North Ness Business Park, Lerwick, ZE1 0LZ. Please call 744293 to make an appointment if you wish to discuss any application. Applications, associated plans and documents can also be viewed on the Council website at [www.shetland.gov.uk](http://www.shetland.gov.uk).

**Town and County Planning (Development Management Procedure) (Scotland) Regulations 2013**

**Format: Ref No; Proposal & Address**

2016/190/PF: Installation of a CF15 wind turbine to supply power, the base will be a 5.5m x 5.5m square, 1m deep; 1 Trestla, Fellar, Shetland, ZE2 9DJ  
2016/190/PF: Installation of a CF15 wind turbine, hub height 15.434m associated cable trench, Bethany, Athness, Fellar, Shetland, ZE2 9DJ

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) by 2nd September, 2016.

**Town and County Planning (Development Management Procedure) (Scotland) Regulations 2013**

**Format: Ref No; Proposal & Address**

2016/309/PF: Extension to existing dwelling to form additional habitable accommodation and a garage; 1 Hogaalee, Scalloway, Shetland, ZE1 0JU  
2016/329/PF: To change use from office to pharmacy; Kanterstedt Road, Lerwick, Shetland, ZE1 0RJ

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) by 28th August, 2016.



**Keeping you  
in the picture**

Improving services in your area

If you have any questions about Scottish Water and our services, please visit [www.scottishwater.co.uk](http://www.scottishwater.co.uk) or call our Customer Helpline on 0845 661 6855

## Interruption to Supply Notice

UNST

Due to essential work on the water network, customers in Belmont & Uyeasound may experience interruption to their supply or reduced pressure on:

**Tuesday 16th August 2016**  
**from 9.30am to 3.30pm**

Scottish Water apologise for any inconvenience caused by this essential work.

If you have any queries regarding this matter please call our customer helpline:

**0800 0778 778**



## SHETLAND ISLANDS COUNCIL ROADS SERVICE

### LERWICK ROAD CLOSURES FOR MICRO SURFACING AUGUST/SEPTEMBER 2016

#### MICRO SURFACING

The Roads Service intends to undertake a programme of micro-surfacing on Lerwick's roads in August and September. This essential maintenance is a simple and cost effective method of improving skid resistance, sealing the road surface and preventing further deterioration. It is the equivalent of surface dressing used on our rural roads.

The public should be aware that road closures will be required to allow the contractor to undertake these works.

Access to each of the affected roads will be prohibited for up to one day and parking restrictions will also be in place as indicated on site by yellow "no parking" cones. The micro-surfacing process is weather dependent so residents will be advised of the dates of these closures by letter. There will also be regular information bulletins on local radio.

In the interests of safety we would ask the public to observe these closures and parking restrictions. Please note that these restrictions are mandatory, not advisory, and a traffic order is in place to allow their enforcement by Police Scotland. Vehicles parked on these roads during the closures will be committing a traffic offence and may be removed.

Shetland Islands Council apologises for any inconvenience these essential works cause and would also like to thank road users for their co-operation in this matter.

#### ROADS TO BE TREATED/CLOSED

The lengths of road to be closed from 14th August are as follows:

- Hoofields
- Burnside (not including parking areas)
- Norstane (frontage of Nos 39 to 45 but not parking area)
- Gremista Brae
- Holmsgarth Brae
- Stoneyhill (not including parking areas)
- Bruce Crescent
- Anderson Road
- Haldane Burgess Crescent (Anderson Rd to Robertson Cres)
- Robertson Crescent
- Hayfield Lane
- Cairnfield Road
- Russell Crescent
- Goodlad Crescent (frontage of Nos 1-23 and 2-18)
- Clickimin Road
- Cheyne Crescent (not including cut-de-sac)
- West Slets Park
- Union Street (Burgil Road to King Harald Street)
- King Harald Street
- South King Harald Street (not including parking areas)
- St Olaf Street
- South St Olaf Street
- King Erik Street
- Upper Hillhead
- Lower Hillhead
- Commercial Road (at North Ness Roundabout)
- Breiwick Road (Nos 1 to 68)
- Ronald Street
- Lovers Lane
- Twageos Road
- Knab Road (Gressy Loan to Viewpoint)

Please note that in the parking areas mentioned above it will be possible to leave vehicles for the duration of the works. However, access to and from these areas will not be possible on the day of the works. The works on each street should not take longer than a day between the hours of 8am and 6pm. However, parking will be prohibited from 5pm the previous evening to ensure that the road is clear of parked vehicles for the start of work the following day.

#### ADVICE FOR RESIDENTS

We would also recommend that you follow the precautionary measures listed below:

1. DO NOT walk on the freshly laid material because it may stick to your shoes and be transferred to carpets, wooden floors, paved driveways etc.
2. AVOID driving across the fresh material e.g. from your driveway. Not only would this ruin the new surface, it may also cause damage to your tyres or paintwork
3. OBSERVE the traffic control measures that will be in place during the operation.

Should you require any advice on the day of works, please ask one of the operatives to refer you to the on-site Foreman.

Should you have any queries regarding these closures please contact Neil Hutchison at the following address.

## Section 3. Consultation Responses

## **MEMO**

---

To: Development Control

From: Roads

If calling please ask for  
Ian Leask  
Direct Dial: 4166

Medium: email

Our Ref: IAL/SMG/R/G2/YUF

Your Ref:

Date: 24<sup>th</sup> August 2016

---

**Application: 2016/191/PPF**

**Address: 1 Tresta, Fetlar, ZE2 9DJ**

**Proposal: Installation of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5 metre x 5.5 metre square 1 metre deep.**

**Date of Consultation: 3<sup>rd</sup> August 2016**

---

**Recommended Action: NO OBJECTIONS**

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### **Road Authority Comments:**

1. A Road Opening Permit must be obtained from The Shetland Islands Council Roads Service prior to carrying out any trench works across the public road.

*It is illegal to carry out works within or adjacent to the public road without first obtaining the necessary consents from the Roads Authority. This is a separate legal process from the Planning process.*

---

Executive Manager, Roads

Bringing service to life



Shetland Islands Council  
Planning  
Development Services  
Grantfield  
Lerwick  
Shetland  
ZE1 0NT



Serco UK & Europe  
Scatsta Airport  
Brae  
Shetland  
ZE2 9QP  
United Kingdom

  
[www.serco.com](http://www.serco.com)

25<sup>th</sup> August 2016

**Your Ref: 2016/191/PPF**

**Ref: Installation of a CF15 wind turbines to supply power to Tresta, Fetlar, Shetland.  
The base will be a 5.5m x 5.5m square 1m deep.**

Dear Sir/Madam

Thank you for your recent consultation in regards to the installation of a CF15 wind turbines to supply power to Tresta, Fetlar, Shetland. The base being a 5.5m x 5.5m square 1m deep.

Scatsta Airport has no objections to this project.

Yours sincerely



John Thorne  
Airport Director



**From:** Holden John@Development Management  
**Sent:** 04 October 2016 14:44  
**To:** foodsafety  
**Cc:** Dinsdale Patti@Environmental Health & Trading Standards; Hunter Dale@Development Management; Development Management@Development  
**Subject:** Planning Application ref. 2016/191/PPF - Installation of CF15 wind turbine, 1 Tresta, Fetlar, Shetland, ZE2 9DJ

Hello,

I am writing to you at a time when we don't have our back office system, which is good from the point of view that it is a chance to catch up and compose emails such as this, but bad from the point of view of you possibly being able to help and respond until after it is up and running again on Thursday – when application details will be available once again to view online.

On checking the planning file for the above detailed application (valid date 27 July 2016) it appears that we have not yet received a response from you to a consultation. Please advise if you intend making a response.

Thank you.

John Holden  
Team Leader – Development Management  
Planning  
Ext 3898

## Bryant Marion@Development Management

---

**From:** Taylor Ian@Environmental Health & Trading Standards  
**Sent:** 13 October 2016 11:22  
**To:** Development Management@Development  
**Subject:** RE: Planning Consultation 2016/191/PPF

Good morning

Thank you for consulting with Environmental Health regarding Planning Application 2016/191/PPF for the Installation of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland.

Having reviewed the information pertaining to this application I can confirm that the developer needs to submit noise emission data for the proposed turbine together with identifying the closest non-associated noise receptor that may be affected by this development before the Environmental Health Department can make a formal comment on this application.

Should you wish to discuss this issue further please do not hesitate to contact me

Many kind regards

Ian Taylor

Assistant Environmental Health Officer  
Shetland Islands Council  
Environmental Health & Trading Standards Department  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX

Tel; 01595 744 801  
Fax; 01595 744 802  
Mob 07919 235 038



---

**From:** Development Management@Development  
**Sent:** 03 August 2016 15:47  
**To:** foodsafety; Roads Traffic; Thomason, Bridgette  
**Subject:** Planning Consultation 2016/191/PPF

Dear Sir/Madam,

<b>Planning Ref:</b> 2016/191/PPF
<b>Proposal:</b> Installation of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep.
<b>Address:</b> 1 Tresta, Fetlar, Shetland, ZE2 9DJ
<b>Applicant:</b> Mr Neil Bellis
<b>Date of Consultation:</b> 3 August 2016



This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) or 01595 744864.

Consultation replies should be sent to: [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk).

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email [development.management@shetland.gov.uk](mailto:development.management@shetland.gov.uk) to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid  
Executive Manager - Planning Service  
Shetland Islands Council  
8 North Ness Business Park  
Lerwick  
ZE1 0LZ

## **Bryant Marion@Development Management**

---

**From:** Taylor Ian@Environmental Health & Trading Standards  
**Sent:** 31 October 2016 10:30  
**To:** Development Management@Development  
**Cc:** Dinsdale Patti@Environmental Health & Trading Standards  
**Subject:** Planning Application 2016/191/PPF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon

Thank you for consulting with Environmental Health regarding Planning Application 2016/191/PPF for the Installation of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland.

Having reviewed the updated information pertaining to this application I can confirm that the predicted noise impact level of the wind turbine in its current position may give rise to noise nuisance at the amenity boundary of Tansyknowes Fetlar, the predicted noise propagation level is 35.43dB(A) at the amenity boundary which is above the 34.6dB(A) limit adopted by the council.

Further to the above point I can confirm I have been instructed to consider the possible effect on the Fetlar camp site from this application. Having considered the information detailed pertaining to the position of the wind turbine to the camp site, 114m at the closest point, I can confirm that the predicted noise propagation level is 38.2 dB(A) at the amenity boundary, which is above the 34.6dB(A) limit adopted by the council.

Taking account of both these predicted noise propagation levels the Environmental Health Department concludes that this turbine may give rise to nuisance.

Should you wish to discuss this issue further please do not hesitate to contact me

Many kind regards

Ian Taylor

Assistant Environmental Health Officer  
Shetland Islands Council  
Environmental Health & Trading Standards Department  
Infrastructure Services  
Charlotte House  
Commercial Road  
Lerwick  
Shetland  
ZE1 0LX

Tel; 01595 744 801  
Fax; 01595 744 802  
Mob 07919 235 038



## Section 4. Representations

## **Bryant Marion@Development Management**

---

**From:** Anthony Avern's [REDACTED]  
**Sent:** 31 October 2016 13:13  
**To:** Development Management@Development  
**Subject:** Plan App Ref 2016\_191\_PPF. Objection

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Installation of a CF15 Wind Turbine for 1 Tresta, Fetlar ZE2 9DJ.

Case Officer:- Dale Hunter

My Name and Address  
Anthony Avern's  
Feal  
Fetlar  
ZE2 9DJ

Although I have registered on SIC and made a comment only 100 characters are available to comment so this e-mail gives reasons.

I bought the Fetlar camp site last year from the same person who sold me my house.

The Camp site would have been open for the 2016 season but I felt it needed to have the facilities renewed like new showers, toilets, sinks, general decoration and new facilities like clothes washing and electric hook ups for tent tourists. The site would also be brought up to current safety standards.

This would be done for the 2017 season at considerable cost to myself.

Finding out through a neighbour that a wind turbine application has been applied for to be sited adjacent to the Fetlar camp site there is no way that tourists will camp underneath or anywhere in the vicinity of the siting of the turbine.

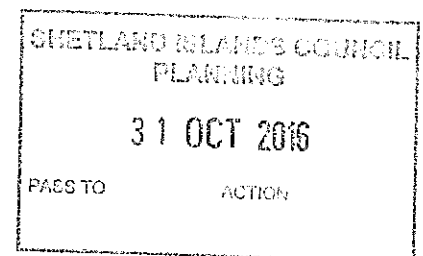
This wind turbine would have an impact as to increasing Fetlars affordable self catering accommodation and to me financially.

Interestingly, the wind turbine is to be sited furthest away from the house to give benefit to.

I totally object to this application as currently as is.

Any further information required then please contact me.

**Kind regards**  
**Anthony Avern's**  
[REDACTED]



## **Bryant Marion@Development Management**

---

**From:** Anthony Avern's [REDACTED]  
**Sent:** 03 November 2016 12:06  
**To:** Development Management@Development  
**Subject:** Plan App Ref 2016\_191\_PPF Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

CF15 Wind Turbine for 1 Tresta, Fetlar, ZE2 9DJ

Case Officer:- Dale Hunter

I note on the application that the wind turbine use is for 1, Tresta, a 2 or 3 bedroom domestic dwelling.

The CF15 wind Turbine is capable and is frequently used to power small farms. That is according to Suppliers and Installers info.

The proposed siting of the turbine is one of the furthest points away and also across the road from the house for intended use. It is also in close vicinity to a commercial building that also has the same owner as 1 Tresta.

**Kind regards**  
**Anthony Avern's**

[REDACTED]

## Hunter Dale@Development Management

---

**From:** Hunter Dale@Development Management  
**Sent:** 14 November 2016 15:33  
**To:** [REDACTED]  
**Cc:** Development Management@Development  
**Subject:** FW: Plan App Ref 2016/191/PPF Objection Comments

Hi Anthony,

I have been forwarded your email below as the case officer for the application. We discussed the application on the phone briefly.

Following on from the correspondence that you highlighted, the turbine location was moved. The previous drawing dated 26 May 2016, which showed the turbine at the land ownership boundary has been superseded and the drawing from 18 July has replaced it. These drawings should be available to view on our website using the reference number 2016/191/PPF. If you are struggling to view the drawings please let me know and we can look into this.

<https://pa.shetland.gov.uk/online-applications//search.do?action=simple&searchType=Application>

Hopefully this clarifies the situation. The other comments within your email will be taken as a representation and included in the application files. A response to your comments will be made within the report of handling.

Kind Regards  
Dale

Dale Hunter  
Planning Officer – Shetland Islands Council  
01595 743963 – [dale.hunter@shetland.gov.uk](mailto:dale.hunter@shetland.gov.uk)  
8 North Ness, Lerwick, Shetland, ZE1 0LZ

**From:** Anthony Avers [mailto:[REDACTED]]  
**Sent:** 14 November 2016 12:26  
**To:** Development Management@Development  
**Subject:** Plan App Ref 2016/191/PPF Objection Comments

CF15 Wind Turbine for 1, Tresta, Fetlar, ZE2 9DJ.

To:- John Holden

These comments are in response to Erlend Tait's correspondence to yourself dated 8th November 2016.

I am the owner of the Fetlar Camp site ground adjacent to the proposed site of a new CF15 wind turbine. Shetland Islands Council originally built the site and installed the water, electricity and septic tank. I am the second owner after the SIC and it was in operation until two years ago.

On 31st May 2016, Erlend Tait were instructed by planning at the SIC to notify the owner of the adjacent land of the turbine or move the base and submit amended plans. That was myself. I have never had any correspondence from Erlend Tait. I can now see why? I cannot see any amended plans for moved base for the turbine. Last site plan shows nothing. Is this the correct site drawing?



There are no plans to have new camp site on Fetlar. Wrong.

All people on Fetlar that have bought/buying their homes or crofters bought/buying crofts be them tenanted or outright have invested in Fetlar.

With the campsite open after upgrades of facilities and regulation compliant, the benefits to Fetlar and Shetland will be increased tourism, increase of visitors to our islands attractions like the Interpretive Centre.

The only shop {when open} and café will also benefit immensely in trade.

I understand Mr Bellis is in the process of buying the shop and café.

As per Erlend Tait, reason for wanting the turbines are to financially benefit from the feed in tariffs for unused electricity.

**Kind regards**  
**Anthony Avern**



## Hunter Dale@Development Management

---

**From:** Development Management@Development  
**Sent:** 15 November 2016 11:27  
**To:** Hunter Dale@Development Management; Holden John@Development Management  
**Subject:** FW: 2015/457/PPF &191/2016/PPF

**From:** [REDACTED]  
**Sent:** 15 November 2016 10:56  
**To:** Development Management@Development  
**Subject:** 2015/457/PPF &191/2016/PPF

Beatrice Watson  
St Sunniva,  
Fetlar,  
Shetland.  
ZE2 9DJ  
14/11/16

FOR THE ATTENTION OF CASE OFFICER DALE HUNTER & TEAM LEADER JOHN HOLDEN.

Dear Sirs,  
Ref:2015/457/PPF & 191/2016/PPF

I am contacting you to express my disgust and correct untruths in Erlend Tait's latest correspondence to you dated 09/11/16.

I can absolutely state that St Sunniva (previously known as Weatherhead) my home is NOT for sale privately or with any agent as stated in Erlend Tait's e-mail.

My husband and I have spent a lot of money and time renovating and refurbishing our home.

As of now we face the daunting prospect that not one but two turbines, one at the front of our house the other at the rear being erected close to our home.

Also for factual information we purchased St Sunniva(Weatherhead) only after the previous owner was unhappy with the purchase funding arrangements by Mr Bellis.

Regards  
Beatrice Watson.

Sent from Mail for Windows 10

## Section 5. Report of Handling

## **Delegated Report of Handling**

**Development:** Erection of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep

**Location:** 1 Tresta, Fetlar, Shetland, ZE2 9DJ,

**By:** Mr Neil Bellis

**Application Ref:** 2016/191/PPF

### **1. Introduction**

The application proposes the erection of a CF15 15kW wind turbine on a 15m high tower near Tresta, Fetlar. The proposed site for the turbine is on a low hill to the rear of an agricultural shed to the north of the dwelling.

The turbine blades under the proposal that is being reported on for a determination will have a rotor diameter of 11.1 metres.

There is no relevant planning history for this site.

### **2. Statutory Development Plan Policies**

#### **Shetland Local Development Plan**

GP1 - Sustainable Development

GP2 - General Requirements for All Development

GP3 - All Development: Layout and Design

RE1 - Renewable Energy

### **3. Safeguarding**

- 30km Radius Scatsta - 30km Sumburgh Scatsta: 2
- Shetland Local Landscape Designations - Shetland Local Landscape Designations: Wick of Tresta
- Landscape Character Assessment - Landscape Character Assessment: Farmed and Settled Voes and Sounds

### **4. Consultations**

Roads Traffic was consulted on the 3 August 2016. Their comments dated 24 August 2016 can be summarised as follows:

Recommended Action: NO OBJECTIONS

1. A Road Opening Permit must be obtained from The Shetland Islands Council Roads Service prior to carrying out any trench works across the public road.

It is illegal to carry out works within or adjacent to the public road without first obtaining the necessary consents from the Roads Authority. This is a separate legal process from the Planning process.

Fetlar Community Council Clerk was consulted on the 3 August 2016. There was no response from this consultee at the time of report preparation.

Airport Manager - Scatsta was consulted on the 3 August 2016. Their comments dated 25 August 2016 can be summarised as follows:

Scatsta Airport has no objections to this project.

Environmental Health was consulted on the 3 August 2016. Their comments dated 13 October 2016 can be summarised as follows:

Having reviewed the information pertaining to this application I can confirm that the developer needs to submit noise emission data for the proposed turbine together with identifying the closest non-associated noise receptor that may be affected by this development before the Environmental Health Department can make a formal comment on this application.

Environmental Health was reconsulted following the submission of further information. Their comments dated 31 October 2016 can be summarised as follows:

Thank you for consulting with Environmental Health regarding Planning Application 2016/191/PPF for the Installation of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland.

Having reviewed the updated information pertaining to this application I can confirm that the predicted noise impact level of the wind turbine in its current position may give rise to noise nuisance at the amenity boundary of Tansyknowes Fetlar, the predicted noise propagation level is 35.43dB(A) at the amenity boundary which is above the 34.6dB(A) limit adopted by the council.

Further to the above point I can confirm I have been instructed to consider the possible effect on the Fetlar camp site from this application. Having considered the information detailed pertaining to the position of the wind turbine to the camp site, 114m at the closest point, I can confirm that the predicted noise propagation level is 38.2 dB(A) at the amenity boundary, which is above the 34.6dB(A) limit adopted by the council.

Taking account of both these predicted noise propagation levels the Environmental Health Department concludes that this turbine may give rise to nuisance.

## 5. **Statutory Advertisements**

The application was advertised in the Shetland Times on 12.08.2016

A site notice was not required to be posted.

## 6. **Representations**

Representations were received from the following properties:

- Anthony Averbs, Feal, Fetlar
- Sunniva, Houbie, Fetlar

The representation can be summarised as follows:

- The vicinity of the proposed turbine to the camp site and associated economic impacts on the business
- Shadow flicker on the dwelling at Sunniva/Weatherhead
- Noise impacts on the dwelling at Sunniva/Weatherhead
- View of the turbine from dwelling at Sunniva/Weatherhead

## 7. **Report**

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states that:

*Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan.*

There are statutory Development Plan Policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with Development Plan Policy, or there are any other material considerations which would warrant the setting aside of Development Plan Policy.

Shetland Local Development Plan 2014 (SLDP) Policy RE1 states the Council's commitment to delivering renewable energy developments that contribute to the sustainable development of Shetland. The policy states that renewable energy developments will be supported where it can be demonstrated that there are no unacceptable impacts on people (benefits and disbenefits for communities and tourism and recreation interests), the natural and water environment, landscape,



historic environment and the built and cultural environment of Shetland.

The Shetland Local Development Plan 2014 (SLDP) Policies RE1 and GP1 support sustainable renewable energy developments where they do not sterilise future development and there are no unacceptable impacts on people or the environment, or the ability of people (both present and in future) to enjoy the area's high quality environment. The proposal would not sterilise any designated or anticipated residential development sites identified in the SLDP, and so the proposal complies with SLDP Policy GP1 in this respect. Further assessment of specific potential impacts on people and the environment is however required to consider whether the proposal complies with SLDP Policy RE1 and SLDP Policy GP1 in their entirety.

SLDP Policy GP3 requires that developments are sited and designed to respect the character of the area. More specifically in this instance the landscape and visual impact must be assessed. When any new distinctive feature is introduced into the landscape, it is inevitable that there will be some form of visual impact in the immediate vicinity of the development. The turbine would be relatively prominent within the area but would be shielded from view to a degree, due to the agricultural shed to the south of the proposed turbine. The main viewpoints towards the turbine would be from the B9088 to the north of the site and from the road connecting Tresta and Houbie. The B9088 is elevated and relatively separated from the turbine. The turbine would appear from this perspective to be associated with the agricultural shed and appropriate within the landscape. The view of the turbine from the road connecting Tresta and Houbie would be partially screened by the agricultural shed and by a shallow rise of the hill to the north of the agricultural shed. The exterior colour finishes and materials would contribute to minimising the visual impact of the proposed turbine on the landscape. The turbine is of a relatively small size in relation to other scale features within the landscape and it is considered that the proposed turbine would not result in undue landscape or visual impacts. The proposal complies with SLDP Policy GP3.

SLDP Policy GP2 contains various requirements. In this instance the most relevant part relates to the compatibility of use between proposed and existing developments. A major part of this consideration is the potential for adverse amenity impacts resulting from the proposed wind turbine.

Potential shadow flicker impacts must be assessed with wind energy developments. Concerns regarding shadow flicker were raised within the representation from the dwelling at Weatherhead. Shadow flicker can occur in specific areas around a wind turbine: to the east, west and to a lesser degree the north of the turbine. This area extends to a distance of 10 times the blade diameter. In this instance the nearest sensitive receptor is Weatherhead, located 530 metres to the north of the proposed turbine and no adverse shadow flicker

impacts are anticipated.

The application proposes to connect to the residential dwelling at 1 Tresta which is located approximately 245 metres to the south of the proposed turbine. The nearest residential noise sensitive receptor to the proposed turbine is at Tansyknowes, where the curtilage of the dwelling is located 157 metres to the west of the proposed turbine. The consultation response from the Council's Environmental Health indicates that the level of noise at the dwelling is expected to result in a statutory noise nuisance. In planning terms this is considered to be a significant, unacceptable impact on the residential amenity of the dwellinghouse. Therefore the proposal is contrary to SLDP Policy GP2 in terms of the proposed development incompatibility with existing uses, and SLDP Policy RE1 because the proposal would result in unreasonable impacts on people.

In the supporting statement provided with the application, the Agent states that the dwelling at Tansyknowes should not be included as a noise sensitive receptor as it is not currently occupied full time. However, the dwelling is capable of being inhabited full time without any alteration and should be considered in the same way as any other residential unit. The supporting statement also highlights that in the opinion of the applicant and agent, the application should only assess the potential impacts from noise arising from the turbine at the dwellinghouse rather than the domestic curtilage of the dwelling. SLDP Policy GP2 requires development to be compatible with existing uses. If the turbine were to be approved and result in a statutory noise nuisance within the curtilage of the dwelling, the proposed turbine would be evidently incompatible with the nearby dwelling.

In addition, the level of noise anticipated at the existing campsite would be a statutory noise nuisance which would be a significant detrimental impact on the enjoyment of the existing use of the campsite. SLDP Policy GP2 requires development to be of compatible use with the existing surrounding uses. In this instance the established use of the nearby camp site would be significantly adversely affected by the turbine. Concerns regarding this and the resultant potential economic impact were raised within the representation from the owner of the campsite.

The requirements for a site specific noise impact assessment were raised within the preapplication enquiry response that was made for this development proposal. This information was not submitted with the application. There have been extensive negotiations and communications with the agent, as the agent has investigated the means of possibly bringing the noise level down at the existing neighbouring land uses. These reached the point when it was anticipated that there would be a competent request made for a Variation of Application under Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) in connection with: a change to the proposed turbine's location;

revision of the proposed turbine's blade diameter, and taking account of resultant changes to the sound power level for the turbine that would be demonstrated in a revised noise impact assessment. However, the information that was received was not of a level or type that would allow a request to be accepted or give confidence that it will be demonstrated by the agent that there would not be a significant unacceptable impact on the residential amenity of the dwellinghouse, and the enjoyment of the existing use of the campsite

Notwithstanding the opportunities the applicant has had, it has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses.

## **8. Recommendation**

Refusal

### **Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses.

## **9. List of refused plans:**

• Location Plan Drawing No. 2016/191/PPF-01	12.05.2016
• Elevations Drawing No. 2016/191/PPF-02	12.05.2016
• Site Plan Drawing No. 2016/191/PPF-04	26.05.2016
• Site Plan Drawing No. 2016/191/PPF-04	18.07.2016

## **11. Further Notifications Required**

None.

## **12. Background Information Considered**

- 2015/272/PREAPP
- 2015/273/PREAPP
- 2015/274/PREAPP

2016/191/PPF\_Delegated\_Report\_of\_Handling.doc  
Officer: Dale Hunter

Date: 12/12/2016

Page | 7

## Section 6.      Decision Notice



## **SHETLAND ISLANDS COUNCIL**

### **Town and Country Planning (Scotland) Acts**

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With reference to the application for **Planning Permission** (described below) under the above Acts, the Shetland Islands Council in exercise of these powers hereby **REFUSE Planning Permission** for the development in accordance with the particulars given in, and the plans accompanying the application as are identified subject to the reasons specified below.

#### **Applicant Name and Address**

Mr Neil Bellis  
1 Isfield Place  
Isfield  
Uckfield  
United Kingdom  
RN22 5XR

#### **Agent Name and Address**

Erlend Tait  
Ranganoust  
Orphir  
United Kingdom  
KW17 2RB

#### **Reference Number: 2016/191/PPF**

Erection of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep: 1 Tresta, Fetlar, Shetland, ZE2 9DJ

#### **Details of Refused Plans and Drawings:**

- Location Plan Drawing No. 2016/191/PPF-01  
Stamped Received. 12.05.2016
- Elevations Drawing No. 2016/191/PPF-02  
Stamped Received. 12.05.2016
- Site Plan Drawing No. 2016/191/PPF-04  
Stamped Received. 26.05.2016
- Site Plan Drawing No. 2016/191/PPF-04  
Stamped Received. 18.07.2016

#### **Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses.

4 January 2017

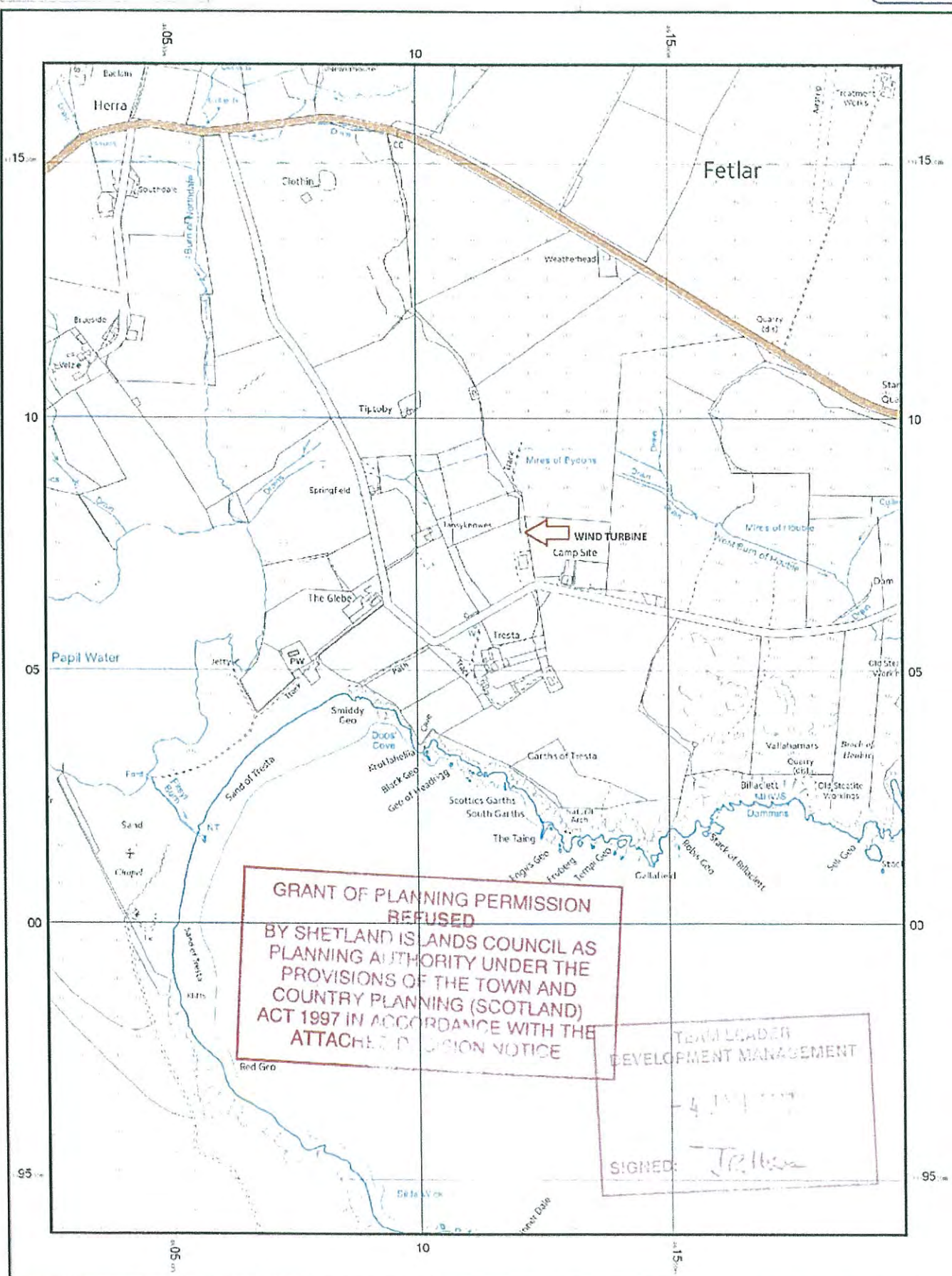
  
Executive Manager



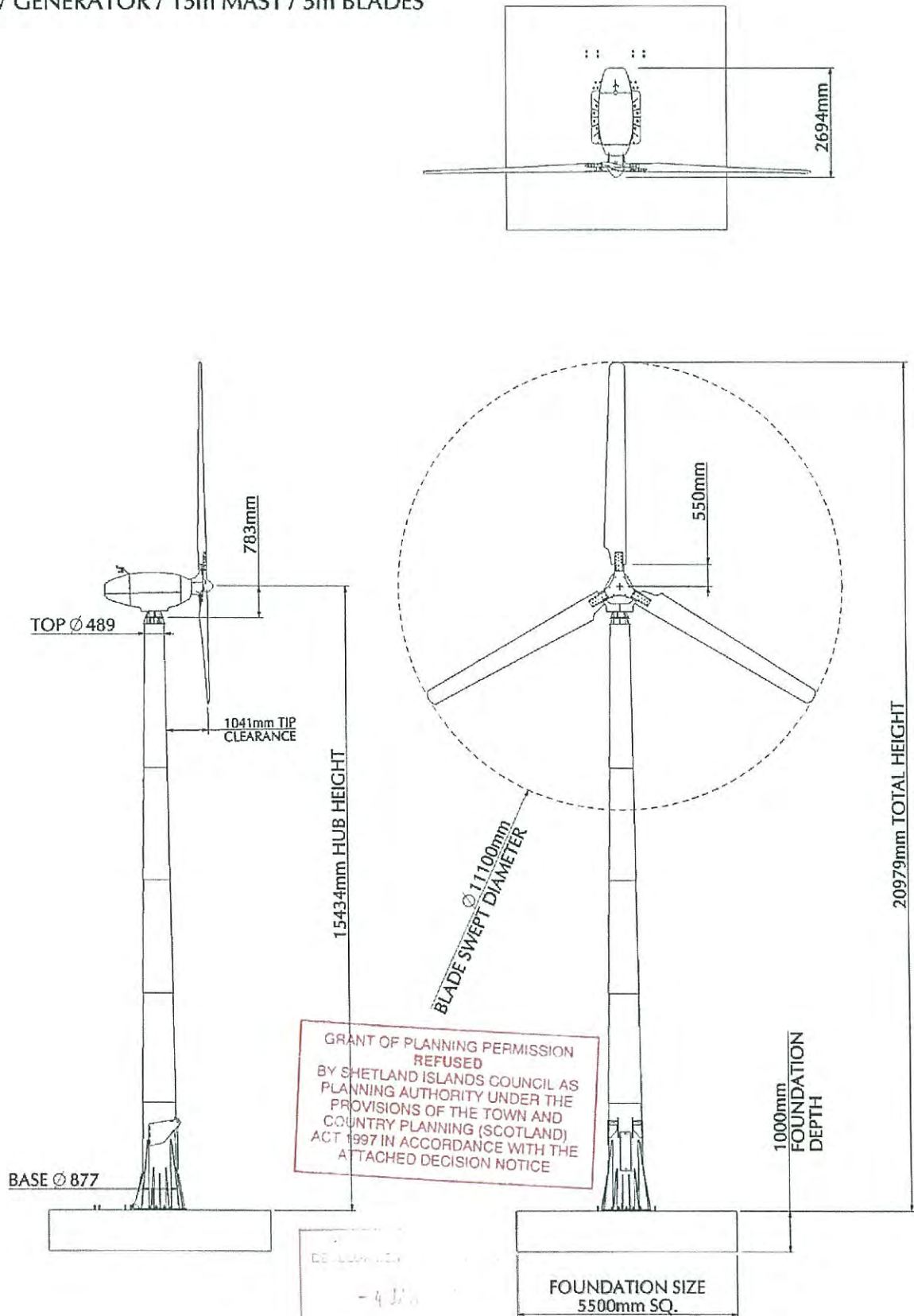
## **IMPORTANT INFORMATION**



If you are aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, you may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to: Shetland Islands Council, Planning, Development Services Department, 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ. The necessary form can be obtained upon request from the same address.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



OVERALL DIMENSIONS FOR CF15 TURBINE:  
15kW GENERATOR / 15m MAST / 5m BLADES

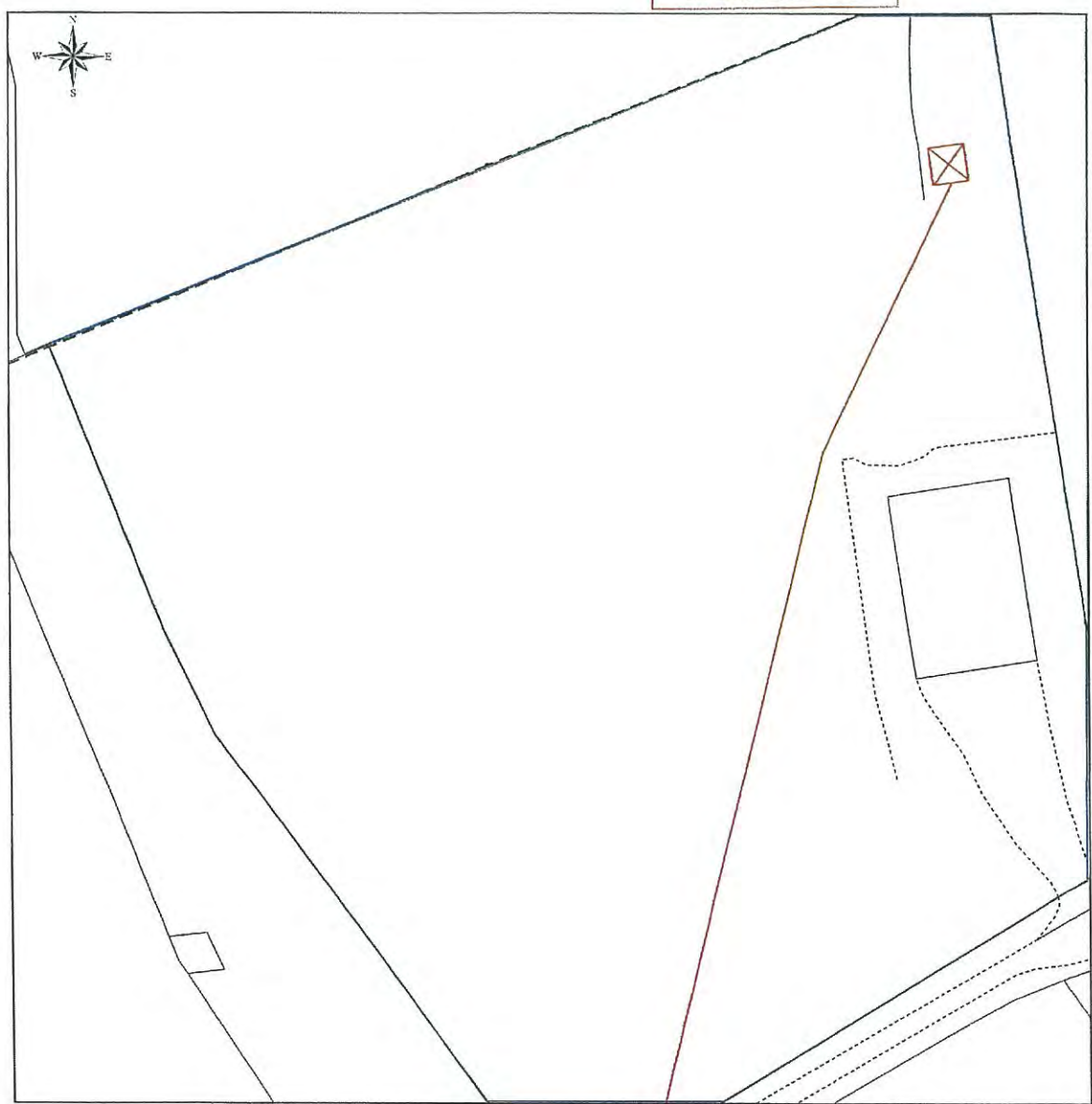


<b>C&amp;F Green-Energy</b> 			<b>CF15</b> All Dimensions in mm	
DESCRIPTION: OVERALLS / PLANNING			QTY PER UNIT: -	
MATERIAL: Mast: S275 Galv			SCALE: 1:100	
DRAWN: C O'Neill	PAINT: -		DWG SIZE: A3 <small>THIS DRAWING IS THE PROPERTY OF C&amp;F GREEN-ENERGY LTD. AND IS NOT TO BE REPRODUCED</small>	
CHECKED: -	FINISH: -			
DATE: 16-Feb-11	SHEET: 1 OF 1	<small>THIS DRAWING IS THE PROPERTY OF C&amp;F GREEN-ENERGY LTD. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF C&amp;F GREEN-ENERGY LTD.</small>		



GRANT OF PLANNING PERMISSION  
REFUSED  
BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1997 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE





TEAM LEADER  
DEVELOPMENT MANAGEMENT  
- 4 JUL 2016  
SIGNED: J. R. Hume



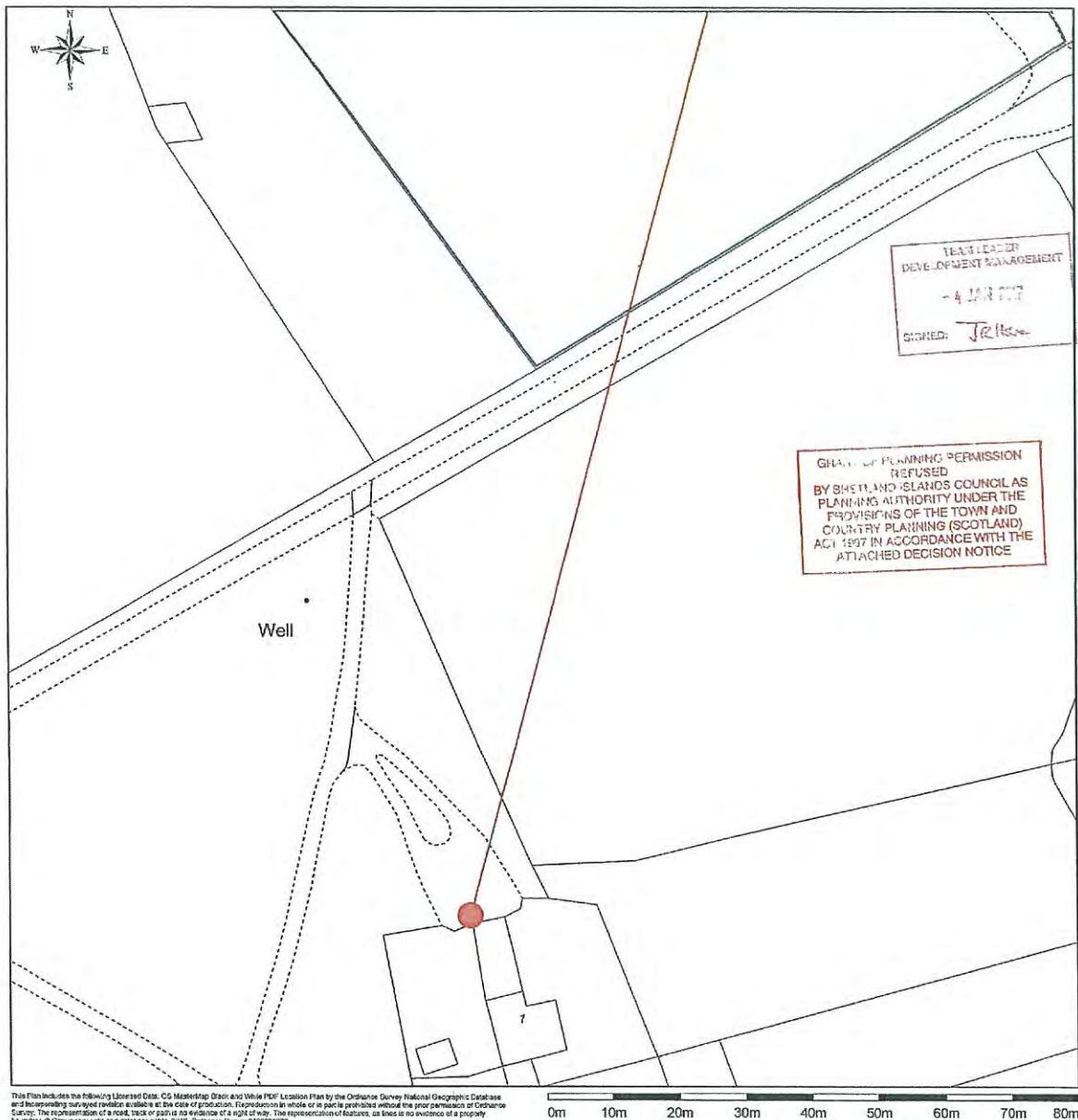
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Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine position 451210 1156777  
Turbine base 5m X 5m concrete pad, 1m deep

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

SHETLAND ISLANDS COUNCIL  
PLANNING  
18 JUL 2016  
JUL 15 16:21



- Turbine location
- Grid Connection Point
- Intended Cable Route
- Land Ownership Boundary

**plans ahead** by **emapsite™**

Prepared by: Emsal Tait, 20-05-2016

## Section 7. Notice of Review



# Shetland Islands Council

8 North Ness Business Park Lerwick Shetland ZE1 0LZ Tel: 01595 744814 Email: [planning.control@shetland.gov.uk](mailto:planning.control@shetland.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100038667-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

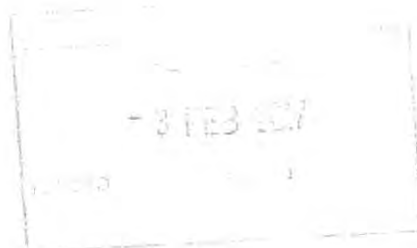
## Agent Details

Please enter Agent details

Company/Organisation:	AE Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Adele	Building Name:	Cameron House
Last Name: *	Ellis	Building Number:	26
Telephone Number: *		Address 1 (Street): *	Cupar Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Auchtermuchty
Fax Number:		Country: *	Fife
		Postcode: *	KY14 7DD
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity





## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	C/o Erlend Tait, Goundwater Tait Ltd
First Name: *	Neil	Building Number:	
Last Name: *	Bellis	Address 1 (Street): *	Ranganoust
Company/Organisation		Address 2:	Ranganoust
Telephone Number: *		Town/City: *	Orphir
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	KW17 2RB
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:	Shetland Islands Council
Full postal address of the site (including postcode where available):	
Address 1:	1
Address 2:	TRESTA
Address 3:	FETLAR
Address 4:	
Address 5:	
Town/City/Settlement:	SHETLAND
Post Code:	ZE2 9DJ

Please identify/describe the location of the site or sites

--	--

Northing

1190526

Easting

461149

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

ERECTION OF CF15 WIND TURBINE TO SUPPLY POWER TO TRESTA, FETLAR, SHETLAND

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).  
☐ Application for planning permission in principle.  
☐ Further application.  
☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.  
☐ Grant of permission with Conditions imposed.  
☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Refused plans amended plans statement of review noise report profile Officers report

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2016/191/PPF

What date was the application submitted to the planning authority? \*

27/07/2016

What date was the decision issued by the planning authority? \*

04/01/2017

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

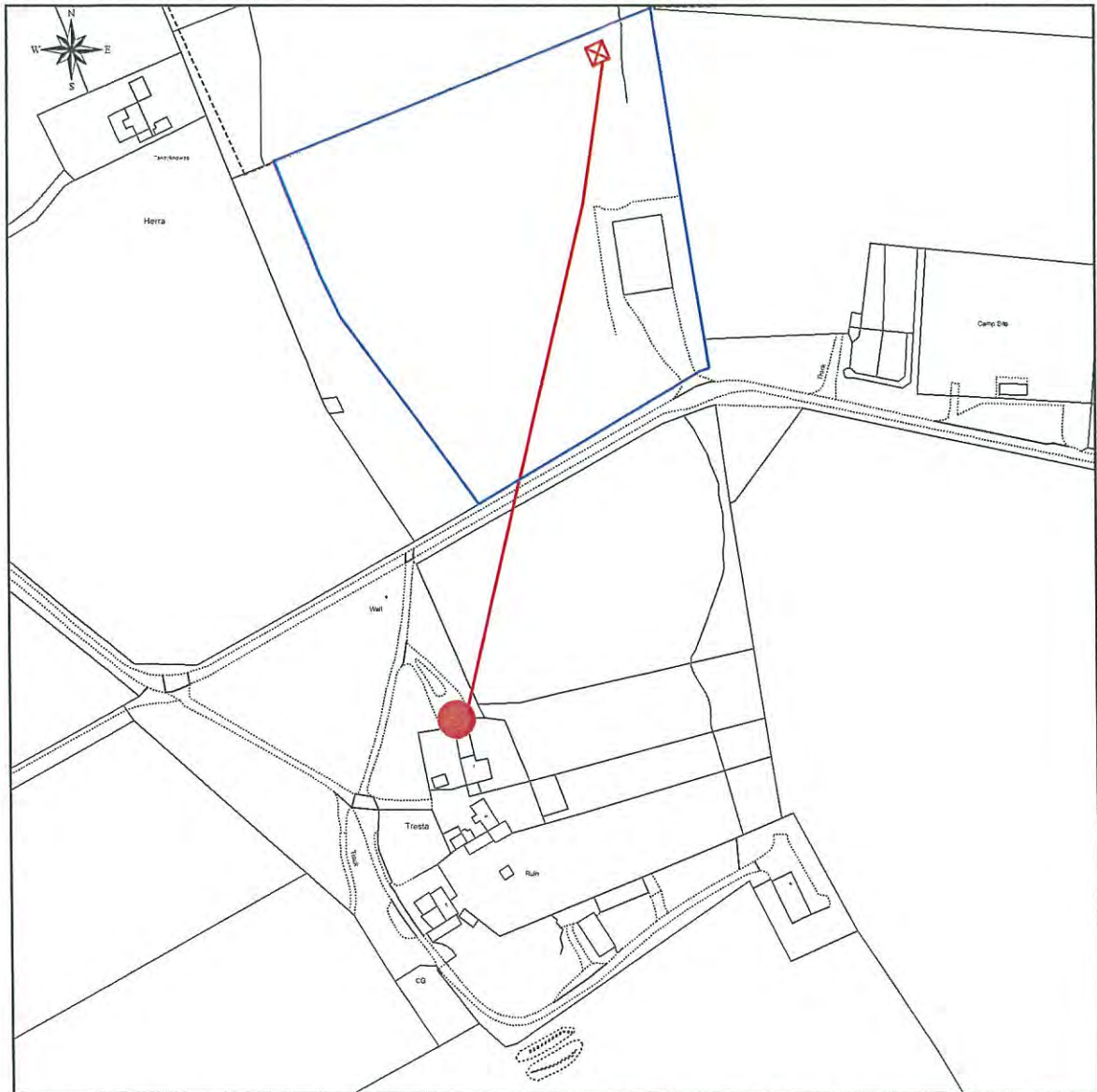
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Adele Ellis

Declaration Date: 03/02/2017



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0m 25m 50m 75m 100m 125m 150m 175m 200m

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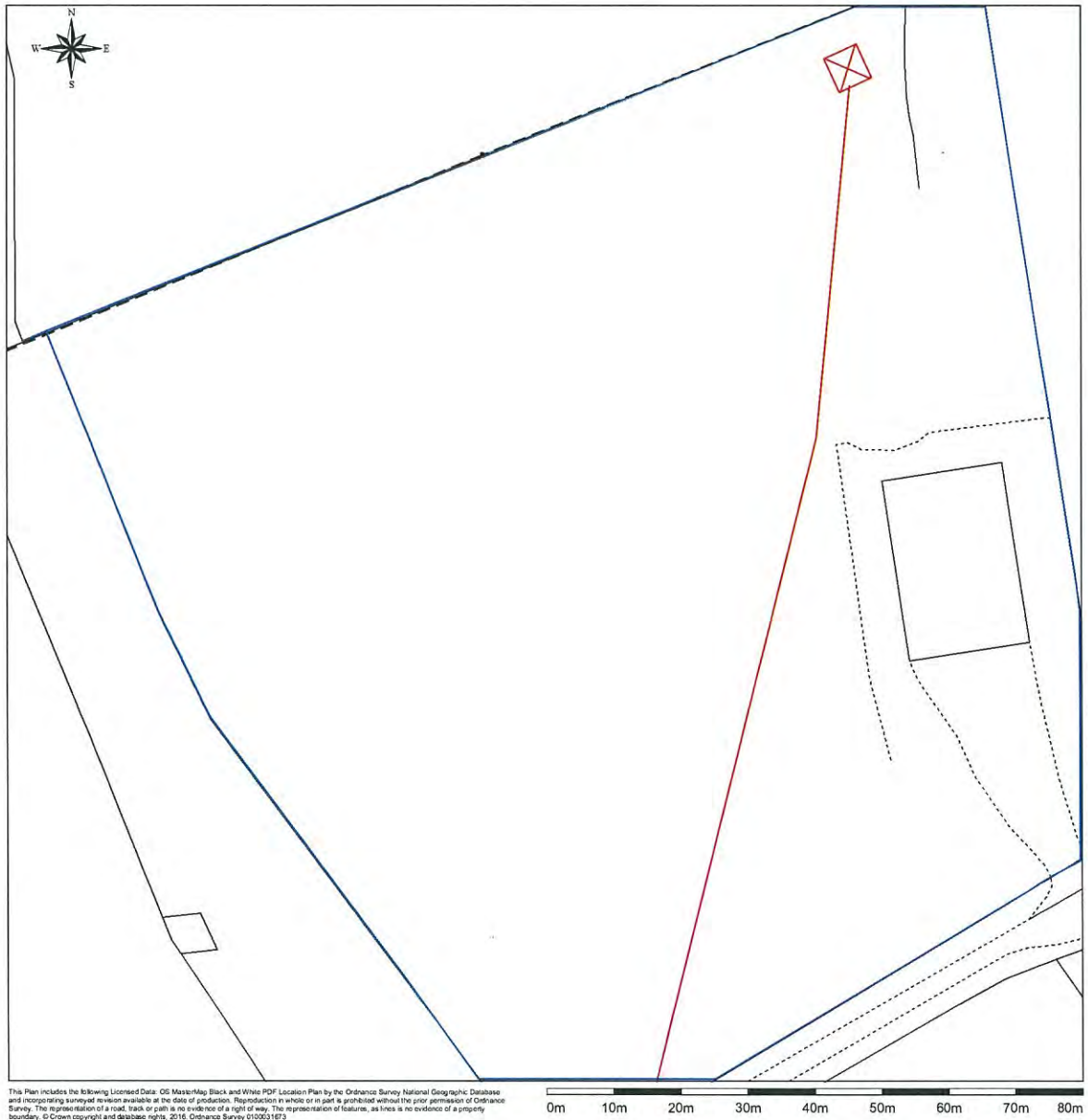
Proposal to erect a CF15 wind turbine

Turbine position 461196, 1190789

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary





**plans ahead** by emapsite™

Prepared by: Erlend Tait, 17-07-201



Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine position 461196 1190789  
Turbine base 5m X 5m concrete pad, 1m deep

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

**plans ahead** by **emapsite™**

Prepared by: Erend Tait, 17-07-2016



## **SHETLAND ISLANDS COUNCIL**

### **Town and Country Planning (Scotland) Acts**

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With reference to the application for **Planning Permission** (described below) under the above Acts, the Shetland Islands Council in exercise of these powers hereby **REFUSE Planning Permission** for the development in accordance with the particulars given in, and the plans accompanying the application as are identified subject to the reasons specified below.

**Applicant Name and Address**

Mr Neil Bellis  
1 Isfield Place  
Isfield  
Uckfield  
United Kingdom  
RN22 5XR

**Agent Name and Address**

Erlend Tait  
Ranganoust  
Orphir  
United Kingdom  
KW17 2RB

**Reference Number: 2016/191/PPF**

Erection of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep: 1 Tresta, Fetlar, Shetland, ZE2 9DJ

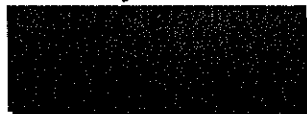
**Details of Refused Plans and Drawings:**

- Location Plan Drawing No. 2016/191/PPF-01  
Stamped Received. 12.05.2016
- Elevations Drawing No. 2016/191/PPF-02  
Stamped Received. 12.05.2016
- Site Plan Drawing No. 2016/191/PPF-04  
Stamped Received. 26.05.2016
- Site Plan Drawing No. 2016/191/PPF-04  
Stamped Received. 18.07.2016

**Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses.

4 January 2017



Executive Manager



## **IMPORTANT INFORMATION**

If you are aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, you may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to: Shetland Islands Council, Planning, Development Services Department, 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ. The necessary form can be obtained upon request from the same address.

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#### 4.0 Acoustic Test Results including Noise label

This is a summary of the evaluation of the CF15 wind turbine noise over a range of wind speeds and directions. Characterizations of the turbines apparent sound power level, 1/3 octave bands, and tonality are made.

Acoustic noise data was gathered on four separate days in the months of November and December in 2011. On all four days, winds were primarily out of the South West, ranging from 184° to 277°. Meteorological and wind turbine data has been gathered continuously since commissioning of the CF15 on February 4th, 2011.

The resulting acoustic performance for normal operation in accordance with the BWEA standard is as follows:

Wind speed dependence **1.74 dB/m/s**

Immission Sound Pressure Level at 60m  $L_{p,60m}$  **47 dBA**

Immission Sound Pressure Level at 25m  $L_{p,25m}$  **55 dBA**

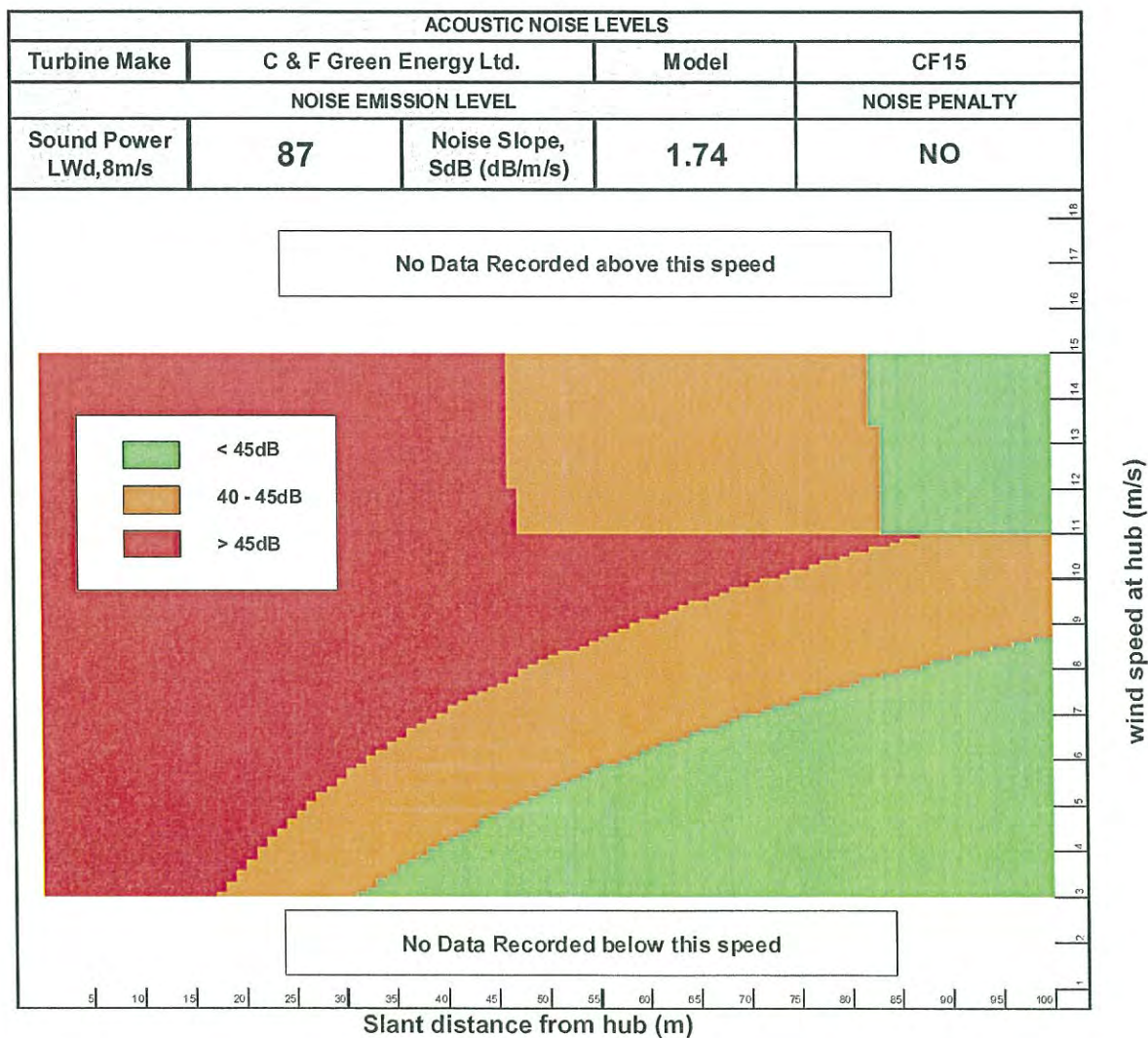
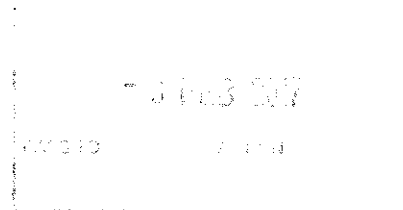


Figure 1 – Noise Immission Map for CF15



## **Delegated Report of Handling**

**Development:** Erection of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The base will be a 5.5 m x 5.5 m square 1 m deep

**Location:** 1 Tresta, Fetlar, Shetland, ZE2 9DJ,

**By:** Mr Neil Bellis

**Application Ref:** 2016/191/PPF

### **1. Introduction**

The application proposes the erection of a CF15 15kW wind turbine on a 15m high tower near Tresta, Fetlar. The proposed site for the turbine is on a low hill to the rear of an agricultural shed to the north of the dwelling.

The turbine blades under the proposal that is being reported on for a determination will have a rotor diameter of 11.1 metres.

There is no relevant planning history for this site.

### **2. Statutory Development Plan Policies**

#### **Shetland Local Development Plan**

GP1 - Sustainable Development

GP2 - General Requirements for All Development

GP3 - All Development: Layout and Design

RE1 - Renewable Energy

### **3. Safeguarding**

- 30km Radius Scatsta - 30km Sumburgh Scatsta: 2
- Shetland Local Landscape Designations - Shetland Local Landscape Designations: Wick of Tresta
- Landscape Character Assessment - Landscape Character Assessment: Farmed and Settled Voes and Sounds

### **4. Consultations**

Roads Traffic was consulted on the 3 August 2016. Their comments dated 24 August 2016 can be summarised as follows:

Recommended Action: NO OBJECTIONS

1. A Road Opening Permit must be obtained from The Shetland Islands Council Roads Service prior to carrying out any trench works across the public road.

It is illegal to carry out works within or adjacent to the public road without first obtaining the necessary consents from the Roads Authority. This is a separate legal process from the Planning process.

Fetlar Community Council Clerk was consulted on the 3 August 2016. There was no response from this consultee at the time of report preparation.

Airport Manager - Scatsta was consulted on the 3 August 2016. Their comments dated 25 August 2016 can be summarised as follows:

Scatsta Airport has no objections to this project.

Environmental Health was consulted on the 3 August 2016. Their comments dated 13 October 2016 can be summarised as follows:

Having reviewed the information pertaining to this application I can confirm that the developer needs to submit noise emission data for the proposed turbine together with identifying the closest non-associated noise receptor that may be affected by this development before the Environmental Health Department can make a formal comment on this application.

Environmental Health was reconsulted following the submission of further information. Their comments dated 31 October 2016 can be summarised as follows:

Thank you for consulting with Environmental Health regarding Planning Application 2016/191/PPF for the Installation of a CF15 wind turbine to supply power to Tresta, Fetlar, Shetland.

Having reviewed the updated information pertaining to this application I can confirm that the predicted noise impact level of the wind turbine in its current position may give rise to noise nuisance at the amenity boundary of Tansyknowes Fetlar, the predicted noise propagation level is 35.43dB(A) at the amenity boundary which is above the 34.6dB(A) limit adopted by the council.

Further to the above point I can confirm I have been instructed to consider the possible effect on the Fetlar camp site from this application. Having considered the information detailed pertaining to the position of the wind turbine to the camp site, 114m at the closest point, I can confirm that the predicted noise propagation level is 38.2 dB(A) at the amenity boundary, which is above the 34.6dB(A) limit adopted by the council.

Taking account of both these predicted noise propagation levels the Environmental Health Department concludes that this turbine may give rise to nuisance.

**5. Statutory Advertisements**

The application was advertised in the Shetland Times on 12.08.2016

A site notice was not required to be posted.

**6. Representations**

Representations were received from the following properties:

- Anthony Avern, Feal, Fetlar
- Sunniva, Houbie, Fetlar

The representation can be summarised as follows:

- The vicinity of the proposed turbine to the camp site and associated economic impacts on the business
- Shadow flicker on the dwelling at Sunniva/Weatherhead
- Noise impacts on the dwelling at Sunniva/Weatherhead
- View of the turbine from dwelling at Sunniva/Weatherhead

**7. Report**

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states that:

*Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan.*

There are statutory Development Plan Policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with Development Plan Policy, or there are any other material considerations which would warrant the setting aside of Development Plan Policy.

Shetland Local Development Plan 2014 (SLDP) Policy RE1 states the Council's commitment to delivering renewable energy developments that contribute to the sustainable development of Shetland. The policy states that renewable energy developments will be supported where it can be demonstrated that there are no unacceptable impacts on people (benefits and disbenefits for communities and tourism and recreation interests), the natural and water environment, landscape,

historic environment and the built and cultural environment of Shetland.

The Shetland Local Development Plan 2014 (SLDP) Policies RE1 and GP1 support sustainable renewable energy developments where they do not sterilise future development and there are no unacceptable impacts on people or the environment, or the ability of people (both present and in future) to enjoy the area's high quality environment. The proposal would not sterilise any designated or anticipated residential development sites identified in the SLDP, and so the proposal complies with SLDP Policy GP1 in this respect. Further assessment of specific potential impacts on people and the environment is however required to consider whether the proposal complies with SLDP Policy RE1 and SLDP Policy GP1 in their entirety.

SLDP Policy GP3 requires that developments are sited and designed to respect the character of the area. More specifically in this instance the landscape and visual impact must be assessed. When any new distinctive feature is introduced into the landscape, it is inevitable that there will be some form of visual impact in the immediate vicinity of the development. The turbine would be relatively prominent within the area but would be shielded from view to a degree, due to the agricultural shed to the south of the proposed turbine. The main viewpoints towards the turbine would be from the B9088 to the north of the site and from the road connecting Tresta and Houbie. The B9088 is elevated and relatively separated from the turbine. The turbine would appear from this perspective to be associated with the agricultural shed and appropriate within the landscape. The view of the turbine from the road connecting Tresta and Houbie would be partially screened by the agricultural shed and by a shallow rise of the hill to the north of the agricultural shed. The exterior colour finishes and materials would contribute to minimising the visual impact of the proposed turbine on the landscape. The turbine is of a relatively small size in relation to other scale features within the landscape and it is considered that the proposed turbine would not result in undue landscape or visual impacts. The proposal complies with SLDP Policy GP3.

SLDP Policy GP2 contains various requirements. In this instance the most relevant part relates to the compatibility of use between proposed and existing developments. A major part of this consideration is the potential for adverse amenity impacts resulting from the proposed wind turbine.

Potential shadow flicker impacts must be assessed with wind energy developments. Concerns regarding shadow flicker were raised within the representation from the dwelling at Weatherhead. Shadow flicker can occur in specific areas around a wind turbine: to the east, west and to a lesser degree the north of the turbine. This area extends to a distance of 10 times the blade diameter. In this instance the nearest sensitive receptor is Weatherhead, located 530 metres to the north of the proposed turbine and no adverse shadow flicker

impacts are anticipated.

The application proposes to connect to the residential dwelling at 1 Tresta which is located approximately 245 metres to the south of the proposed turbine. The nearest residential noise sensitive receptor to the proposed turbine is at Tansyknowes, where the curtilage of the dwelling is located 157 metres to the west of the proposed turbine. The consultation response from the Council's Environmental Health indicates that the level of noise at the dwelling is expected to result in a statutory noise nuisance. In planning terms this is considered to be a significant, unacceptable impact on the residential amenity of the dwellinghouse. Therefore the proposal is contrary to SLDP Policy GP2 in terms of the proposed development incompatibility with existing uses, and SLDP Policy RE1 because the proposal would result in unreasonable impacts on people.

In the supporting statement provided with the application, the Agent states that the dwelling at Tansyknowes should not be included as a noise sensitive receptor as it is not currently occupied full time. However, the dwelling is capable of being inhabited full time without any alteration and should be considered in the same way as any other residential unit. The supporting statement also highlights that in the opinion of the applicant and agent, the application should only assess the potential impacts from noise arising from the turbine at the dwellinghouse rather than the domestic curtilage of the dwelling. SLDP Policy GP2 requires development to be compatible with existing uses. If the turbine were to be approved and result in a statutory noise nuisance within the curtilage of the dwelling, the proposed turbine would be evidently incompatible with the nearby dwelling.

In addition, the level of noise anticipated at the existing campsite would be a statutory noise nuisance which would be a significant detrimental impact on the enjoyment of the existing use of the campsite. SLDP Policy GP2 requires development to be of compatible use with the existing surrounding uses. In this instance the established use of the nearby camp site would be significantly adversely affected by the turbine. Concerns regarding this and the resultant potential economic impact were raised within the representation from the owner of the campsite.

The requirements for a site specific noise impact assessment were raised within the preapplication enquiry response that was made for this development proposal. This information was not submitted with the application. There have been extensive negotiations and communications with the agent, as the agent has investigated the means of possibly bringing the noise level down at the existing neighbouring land uses. These reached the point when it was anticipated that there would be a competent request made for a Variation of Application under Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) in connection with: a change to the proposed turbine's location;



revision of the proposed turbine's blade diameter, and taking account of resultant changes to the sound power level for the turbine that would be demonstrated in a revised noise impact assessment. However, the information that was received was not of a level or type that would allow a request to be accepted or give confidence that it will be demonstrated by the agent that there would not be a significant unacceptable impact on the residential amenity of the dwellinghouse, and the enjoyment of the existing use of the campsite

Notwithstanding the opportunities the applicant has had, it has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses.

**8. Recommendation**

Refusal

**Reasons for Council's decision:**

It has not been demonstrated that the proposal would not result in unreasonable impacts on people, and in adoption of the precautionary principle the proposal is contrary to Shetland Local Development Plan (2014) Policies GP1 and RE1, as well as Shetland Local Development Plan (2014) Policy GP2 in terms of the proposed development's incompatibility with the existing neighbouring land uses.

**9. List of refused plans:**

- |   |            |
|---|------------|
| • Location Plan Drawing No. 2016/191/PPF-01 | 12.05.2016 |
| • Elevations Drawing No. 2016/191/PPF-02    | 12.05.2016 |
| • Site Plan Drawing No. 2016/191/PPF-04     | 26.05.2016 |
| • Site Plan Drawing No. 2016/191/PPF-04     | 18.07.2016 |

**11. Further Notifications Required**

None.

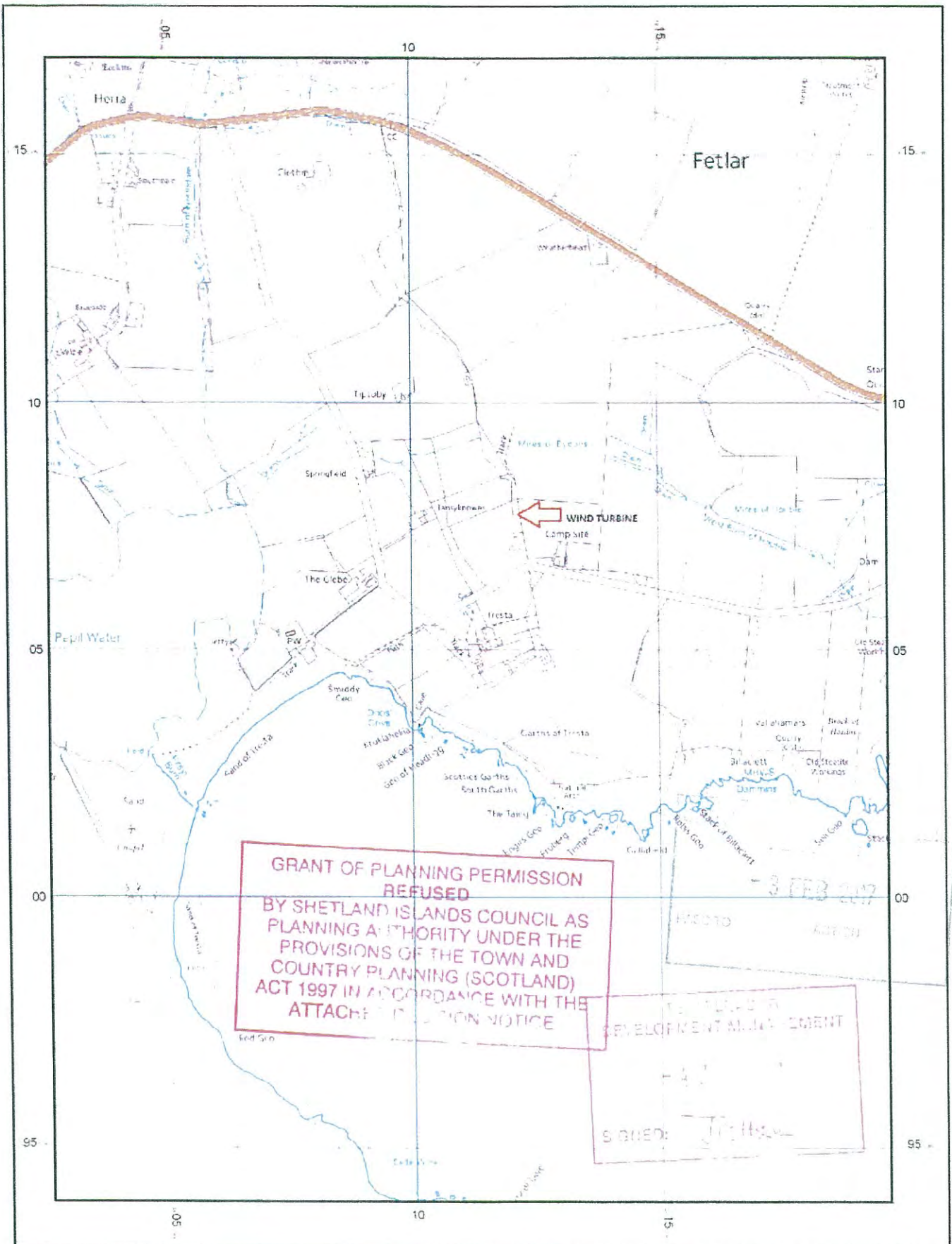
**12. Background Information Considered**

- 2015/272/PREAPP
- 2015/273/PREAPP
- 2015/274/PREAPP

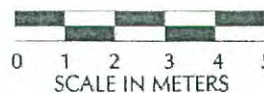
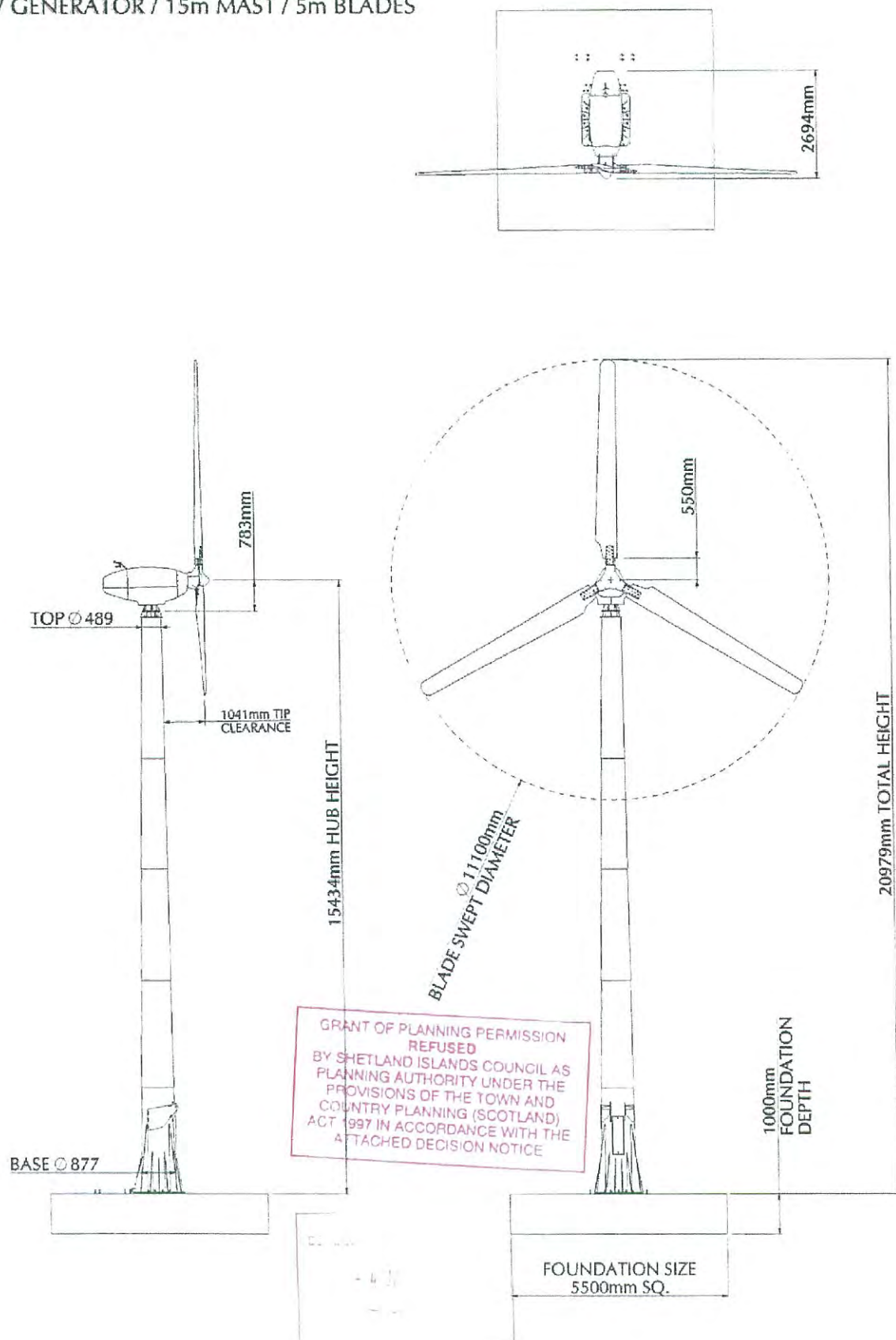
2016/191/PPF\_Delegated\_Report\_of\_Handling.doc  
Officer: Dale Hunter

Date: 12/12/2016

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OVERALL DIMENSIONS FOR CF15 TURBINE:  
15kW GENERATOR / 15m MAST / 5m BLADES

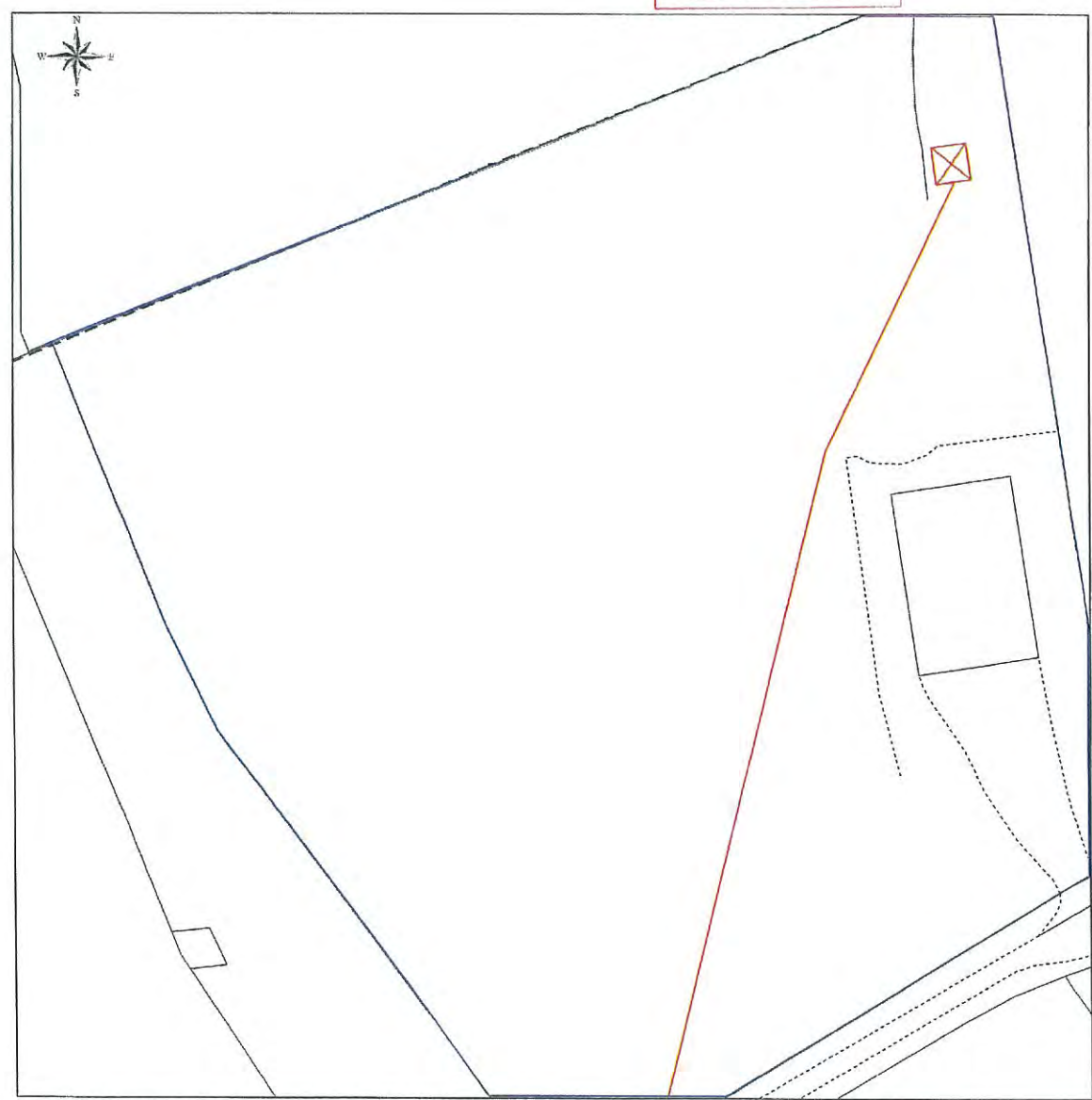


C&F Green-Energy				CF15	
All Dimensions in mm				QTY PER UNIT:	-
OVERALLS / PLANNING				SCALE:	1:100
MATERIAL:	Mast: S275 Galv			DRWG SIZE:	A3
DRAWN:	C O'Neill	PAYN:	-	Checked by:	RO
CHECKED:	-	FINISH:	-	Drawn by:	RO
DATE:	16-Feb-11	SHEET:	1 OF 1		



GRANT OF PLANNING PERMISSION  
REFUSED  
BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1997 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE





SHETLAND ISLANDS  
COUNCIL  
+ 41 1 1 7  
SIGNED J. H. H. H.



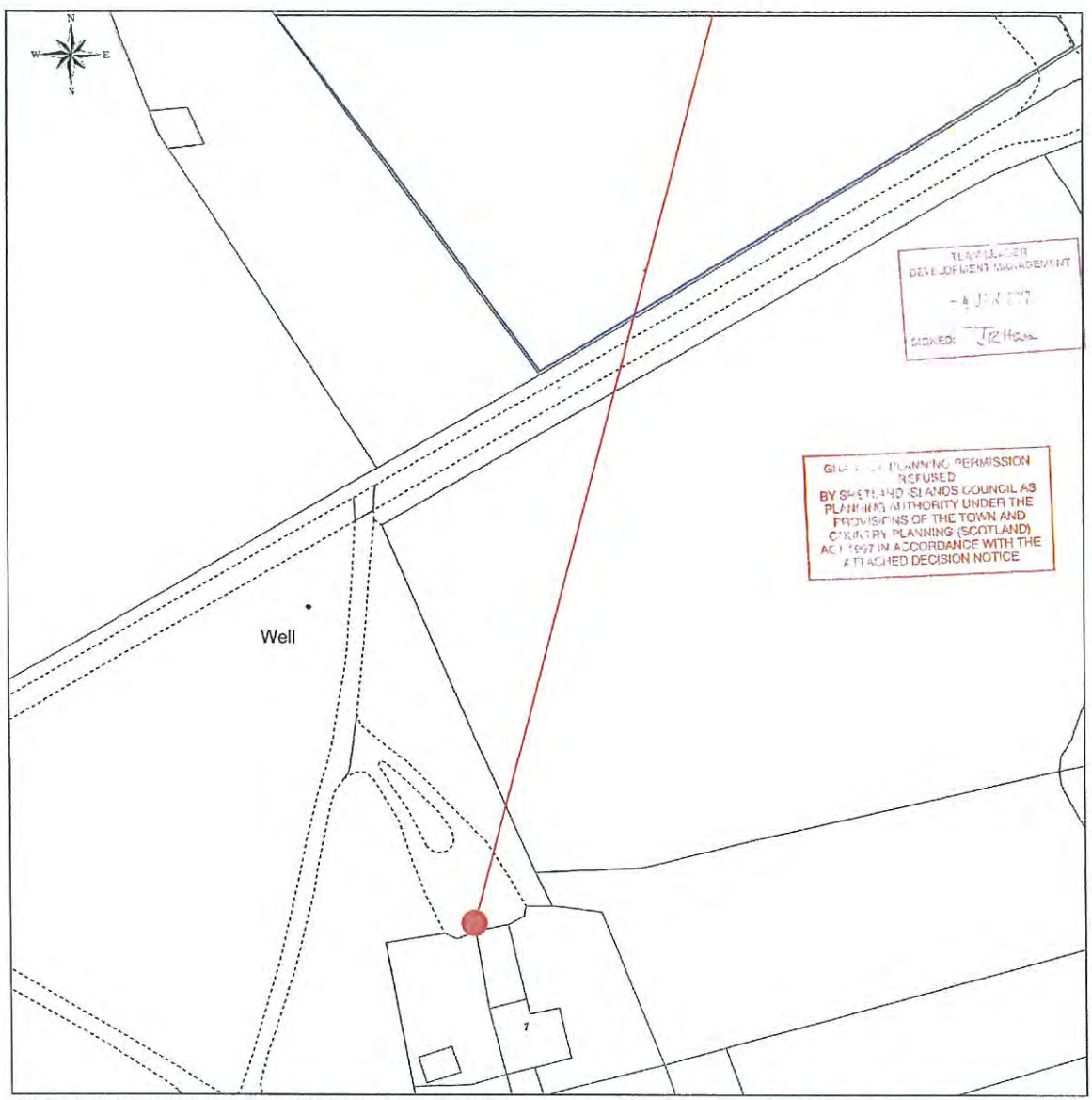
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Scale: 1:500, paper size: A2

Proposal to erect a CF 15 wind turbine  
Turbine position 461210 1190777  
Turbine base 5m X 5m concrete pad, 1m deep

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary

23 MAY 2016







This Plan includes the following Licensed Data: OS MasterMap, Block and White POI Location Plan by the Ordnance Survey National Geographic Database and incorporating any relevant revisions available at the date of production. Reproductions which are to be published without the prior permission of Ordnance Survey. The representation of a road, lane or path is no evidence of a right of way. This representation of features, as they are recorded on a property boundary. © Crown copyright and database right 2016. Ordnance Survey 100031672

0m 10m 20m 30m 40m 50m 60m 70m 80m

Scale: 1:500, paper size: A2

Proposal to erect a CF15 wind turbine  
Turbine position 461216 1190776  
Grid connection point 461135 1190480

-  Turbine location
-  Grid Connection Point
-  Intended Cable Route
-  Land Ownership Boundary





## STATEMENT OF REVIEW

REFERENCE: 2016/191/PPF

ERECTION OF CF15 WIND TURBINE  
TO SUPPLY POWER TO TRESTA, FETLAR, SHETLAND



## **INTRODUCTION**

This statement relates to the application for Review of the Refused planning application ref: 2016/00191/PPF for the installation of a single CF15 wind turbine to supply power to Tresta, Fetlar, Shetland. The turbine for on site use would serve the applicants property and make a large improvement towards the burden of fuel costs on the small farming enterprise.

The site lies within the agricultural landscape some 561m south west of the B9088 and 131m north of the unclassified public road which passes Tresta Farm. The landscape is wide coastal plateau which is open with no available screening from trees or any other natural body however there is an agricultural shed in the vicinity which serves to partially screen the lower ground level of the turbine from certain viewpoints. The agricultural shed also give the turbine an association with a property. The openness of the landscape serves to provide a valuable and respectable resource of wind to enable the turbine to generate electricity on a viable and sustainable level. The turbine requires no new access track to be constructed therefore a minimum land take is required for the turbine. The turbine has a hub height of 15m and a blade diameter of 11.1m. The nearest permanent residential dwelling appears to be some Tansyknowes which is in the region of 151m from the proposed turbine.

The turbine is a good method of producing power in this type of environment where fuel poverty is of great concern.

## **BACKGROUND TO APPLICATION**

As a cautionary approach to the application the applicants Agent, Mr Erlend Tait, took steps to ensure that major consultees were consulted before submitting a full application. Mr Tait also engaged in continued dialogue with the appointed Planning Officer to ensure that any potential issues were dealt with in a timely manner. Approaches were made to SNH, Historic Scotland and RSPB in order to ensure that any sensitive receptor or area of concern where not overly impacted upon due to the installation of the turbine. None of the aforementioned raised an objection to the turbine.

## **REASONS FOR REFUSAL**

As per the Planning Officers report on the application the turbine was refused consent due to the objections lodged by Environmental Health on the basis of Noise impact to the residential property Tansyknowes and also to the nearby campsite which sites some 123m from the turbine position.

These objections led to the determination that in adoption of the precautionary principle the proposal is contrary to The Shetland Local Development Plan (2014) Policies GP1 and RE1 as well as Shetland Local Development Plan (2014) Policy GP2.

### **RESPONSE TO CONSULTEE OBJECTIONS**

**Environmental Health** were consulted and advised that assessment of Tansyknowes showed a level slightly above the acceptable level and that they had also included the camp site in their calculations and that this level also exceeded the acceptable limit of 34.6dB(A).

We note that the levels given do indeed exceed the acceptable levels with the turbine in the original position. However fresh plans showing an amended position were lodged with The Council and are shown online under the application as amended plans. The position on these plans show the turbine having been moved slightly and in a position which both Tansyknowes and the Camp Site are within acceptable limits. These calculations are based on a sound power level of 87 (see submitted noise report for reference). Tansyknowes level appears to be 33dB(A) and the Campsite 34dB(A) both acceptable levels.

Furthermore we would argue (although the turbine does meet levels) that the campsite should not be classed as a residential property and have adherence to the same noise level restrictions. As stated by the camp site owner it has not been operational for two years and it is a commercial establishment. The camp site may one day be re-opened but at the present time it is not a residential establishment, it is a commercial enterprise and with its transient nature does not merit a 34.6dB(A) noise level to be imposed. The turbine cannot have an effect of the economy of the camp site business as has been stated as the camp site is closed and so has no economy or indeed business to affect.

It would be supposition to state that a turbine, viewed in association with a building and producing renewable energy, would have a detrimental effect on a currently closed businesses future revenue.

The objection from Environmental Health however appear to have been given based on the original site of the turbine.

It is not clear whether they received sight of the amended plans or if the response to the amended plans has not been received by the appointed Officer.

## **CONCLUSION**

As is clearly shown above the Decision to Refuse the application for the CF15 win turbine has been issued on the position and plans of the original site position. The revised location, which amended plans are logged under the application and are clearly shown and readily available to view would raise no objection and should not have been refused.

Environmental Health, it appears where not given an opportunity to review the amended position and it is presumed that had they been able to do so they would not have objected.

The Officers report is also based on the original position and refusal has been issued on the original position not the amended position to which plans have been logged and uploaded on the online system.

The decision to refuse the application has been incorrectly issued on outdated information.

Due to the above we would respectfully request that the Review of this application be that of approval for the installation of the CF15 wind turbine.

## Section 8. Representations / Hearing Statements

Anthony  
Averns

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From: Anthony Averns  
Sent: Thu, 16 Mar 2017 13:08:16 +0000  
To: Development Management@Development  
Subject: Local Review Ref: 2016/191/PPF - LR28 . FAO: John Holden

Mr Anthony Averns  
Feal  
Fetlar  
ZE2 9DJ

Planning Ref: 2016/191/PPF - LR28

F.A.O: Mr John Holden

16th March 2017

Dear Mr Holden

Please find below my additional representations against applicants appeal of the above planning reference.

The overriding reason for the turbine/turbines is/are to generate funds from the generous Feed In Tariffs from the government, potentially up to 25% approx per annum of cost outlay and guaranteed for 20 years index linked.

What will need looking into is the company C&F Green Energy that makes the CF15 (15kw) turbine, the turbine on the proposal, is actually a CF25 (25kw) turbine in all dimensions.

The control of the difference in power of the two turbines is done remotely by speed and inverter programming. As per their website.

If CF 15 programmed to CF25 specification then this increases potential revenue by up to 60% approx. Will this be done? If appeal successful would that contravene actual planning proposal?

As per C&F Green Energy location map there are no CF15 turbines sited in Shetland Isles only CF11 turbines.

So why are 3 x CF15 turbines that are usually for commercial use required for domestic properties on a small island like Fetlar?

Other homes and land residual values around the turbines will also suffer from turbines erected for profit.



None of the turbines currently on proposed siting will be able to be viewed from applicants front of homes. That 'privilege' is for other residents living around the wind turbines.

Fetlar is known and promoted for tourism as the 'Garden of Shetland'  
If the slippery slope of siting wind turbines for profit is allowed then very quickly Fetlar will become known as 'The Wind Farm of Shetland' Do we really want that?

Fetlar suffers from many power outtages in the winter so what is really needed is community based wind power for everybody on the island and Fetlar then becomes green and self sufficient. The island needs sustainable energy for all.

After all it is 2017 and Fetlar still suffers electricity blackouts.

**Kind regards**  
**Anthony Avern**