

PLANNING APPLICATION: 12/00355/APP

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

The Proposal

- This application seeks planning permission for the erection of a single wind turbine on agricultural land at Redhill, Rothiemay. The turbine would be 84 metres in height (to blade tip), with a power output of 800kW.
- Associated works include the formation of an access track (leading from an existing farm track to the west), hardstanding and the construction of a small sub-station together with the laying of underground cabling.
- 100% of the electricity generated will be fed back into the national grid. This will involve rebuilding 1.95km of overhead main line (wooden poles) so that the power can be fed into power lines nearby.

The Site

- The turbine would be sited upon the shoulder of a hill overlooking the public road on sloping farmland, 2.5 km to the south east of Rothiemay. Occupying an elevated position on sloping ground within a field, it would be bounded to the north by a mature plantation known as Woodfold Wood and to the south east by Fourman Hill. The public road lies 1.3km to the north east.
- The site is not located within any landscape designation or Preferred Search Area as currently defined in the Moray Local Plan 2008. There are no other local or national environmental designations to protect wildlife or habitat within the vicinity of the site.
- The immediate area surrounding the proposal is predominately rural with a low population. There are two farm complexes (North and South Redhill); one approved steading conversion and an approved plot within a 1km radius of the site.

Policy / Objections-Representations / Consultations - See Appendix

History

No planning history pertains to this site.

Nearby to the west;

07/01630/FUL - Steading conversion from disused agricultural to 2 no dwellinghouses at South Redhill, Rothiemay, Huntly, Moray. Application Permitted.

Nearby to the north west;

07/00618/FUL - Construct new cattle court and general purpose building at North Redhill Farm, Rothiemay, Huntly, Moray.

09/02380/APP - Erection of dwellinghouse and construction of new access to existing road at Land North Of Redhill Farmhouse, Rothiemay, Moray. Application Permitted.

Advertisement

The application has been advertised under neighbour notification procedures and as a departure to the development plan.

Observations

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the approved Moray Structure Plan 2007 and the adopted Moray Local Plan 2008 unless material considerations indicate otherwise. In this case the main planning issues are considered below.

Impact of proposed turbine - Moray Structure Plan 2007 policy 2 (1) and Moray Local Plan 2008 policies ER1 Renewable Energy Proposals, IMP1 Development Requirements, EP5 Surface Water Drainage and T2 Provision of Road Access Policy Interpretation Note (April 2010), SPP 2010 and Scottish Government web based renewables advice.

Structure Plan Policy 2 (1) promotes sensitive renewable energy developments and Policy ER1 outlines that wind energy development should be located within the preferred search areas as identified in the Council's Supplementary Planning Guidance Wind Energy Planning Guidance (WEPG) (2005). In accordance with the guidance agreed by the Planning and Regulatory Services Committee on the 6 April 2010, proposals for single or small groups of up to 3 turbines outwith the preferred search areas will be treated as departures from the development plan and thereafter considered on their merits taking into account landscape and environmental criteria and any other material considerations. Policy ER1 indicates a range of criteria to be taken into account. Cumulative impacts are a prime consideration with account taken of existing wind farm/turbine developments and those which have permission. In June 2011, the Council agreed an additional interpretation where a safeguarding distance of 10 x the rotor diameter be applied between residential property and commercial wind turbines to cover issues including noise, shadow flicker, safety, and electromagnetic interference outwith preferred search areas.

SPP 2010 sets out national policy regarding renewable energy proposals and Scottish Government's web-based renewables advice identifies a number of factors to be taken into consideration in determining applications.

Departure from the development plan (ER1, IMP1, ED8 and supplementary guidance)

The proposal is a departure from the development plan because it lies outwith any preferred search area. On that basis and after advertisement, the agreed interpretation indicates that careful consideration needs to be given to a number of factors including the individual and cumulative landscape and visual impacts of the development. Following assessment of the proposal, the proposal is considered to be an unacceptable departure for the reasons set out below.

Landscape and Visual impact – ER1, IMP1

The criteria for making such an assessment is detailed within the supplementary WEPG, which outlines that the landscape and visual impact of wind turbines is influenced by:

- land form and landscape characteristics;
- number, size and layout of turbines
- how the turbines relate to the skyline
- design and colour;
- access tracks; and
- ancillary components like power lines and substations.

This is supplemented by the newer criterion for assessing the location of wind turbines as provided within 2010 SPP and this suggests;

- Landscape and visual impact,
- Effects on the natural heritage and historic environment,
- Contribution of the development to renewable energy generation targets,
- Effect on the local and national economy and tourism and recreation interests,
- Benefits and disbenefits for communities,
- Aviation and telecommunications,
- Noise and shadow flicker,
- Cumulative impact.

In line with this guidance the assessment below looks at the impact of the turbine in this location.

As a general guide, the WEPG indicates that a turbine viewed at up to 2 kilometres is likely to be a prominent feature, when viewed at 2-5 kilometres it will be relatively prominent, from 5 to 15 kilometres the turbine should only be prominent in clear visibility and will be seen as part of the wider landscape, and from 15 to 30 kilometres it will only be seen in very clear visibility and form a minor element in the landscape.

The Scottish Government's web-based renewables advice for onshore wind turbines refers to the SNH Landscape Character Assessment documents, which should be used to define the characteristics of the landscape in which the turbine is proposed. The SNH Moray and Nairn Landscape Assessment 1998 outlines that the area of land surrounding the turbine can be defined as "Upland Farmland", which is characterised by broad, gently undulating slopes rising in close proximity to the coast, cut by gently graded valleys to the higher lands of the Open Uplands, and punctuated by distinctive conical hills such as Bin of Cullen and Knock Hill. .

In considering the acceptability of any visual impact it is noted that the proposal would be set some distance back from the public road and would be set in an agricultural scene that is

attractive but not identified as being of particular landscape value. The turbine is to be located on the skyline above a small plateau with two small rounded peaks either side of the site which increases the areas in which the turbine would be visible. Whilst long distance views have a diminishing impact, the turbine would be visible from as far away as the Glen of Newmill, Grange Crossroads and Knock hill to the north west, Aberchirder, Longmanhill, Minnorie from the North East (Aberdeenshire), Turriff to the East (Aberdeenshire) and Huntly to the south (Aberdeenshire).

The proposed turbine, by virtue of its scale and elevated position, will inevitably appear as a prominent feature, particularly when viewed from the settlements of Rothiemay, Ruthven, Cairnie, across the Deveron on the opposite south facing slopes on the B9117 road and the B9022. The proposed development would also be prominent when viewed from the Inverness to Aberdeen railway line.

The proposal seeks to erect a large turbine (and associated infrastructure including rebuilding 1.95km of overhead power lines) in a prominent elevated position that is not within one of the preferred search areas, as identified in the WEPG and as such constitutes a departure from policy ER1. The scale and position of the development would be contrary to Moray structure Plan policies 2(b) and 2(l) and Moray Local Plan policy IMP1 because the turbine is not considered to be in scale or character with the surrounding area nor integrated into the landscape. A turbine of this size would appear disproportionate to the hill upon which it is located and would dominate the landmark rather than be absorbed by it. The turbines occupying a position close to the ridge between the two summits means there are few views of the turbine where a meaningful backdrop would be present (this can be seen from the close up photomontages which accompany the application). The turbine would constitute more of a landmark near the ridge rather being subservient to the hill and landscape in which it would be set.

Furthermore, the proposal taken together with consented turbines to the north east (Auchinderran), North West (Balnamoon), Dummies to the south and Gordonstown Hill to the South East, would likely lead to an unacceptable cumulative impact of turbines in the area. The resultant number and scale of these turbines spread across the landscape would be visible both together and sequentially from various vantage points in the area, would give rise to a cluttered appearance in stark contrast to the current simplistic character of the landscape. Such an impact would detrimentally affect the character of this part of the countryside to an unacceptable degree.

Taking these factors and landscape features into account, it is considered that the surrounding landscape would not have sufficient capacity to absorb a wind turbine of this height in this elevated position without detriment to the character of the landscape and that the level of visual impact would be unacceptable.

Natural and Built Environment:

The turbine and associated works to provide the access, substation and cabling would be within a cultivated field which has low bio diversity value. A series of ecological surveys including breeding birds, Winter Walkovers, Badger, Bat and Phase 1 Habitat survey were carried out at the site in accordance with SNH guidance. These ecological assessments concluded that the potential for ornithological and other ecological interests are extremely unlikely to be affected. The RSPB were consulted in light of assertions that certain birds included in Schedule 1 of the Wildlife and Countryside Act 1981. This assessment found several pairs of Ospreys nesting along the River Deveron but no evidence of birds protected by Schedule 1. However, the RSPB

have called into question the survey methodology used to assess this, for example, number of hours at vantage point, watches undertaken etc. As a result, and in light of the information received from nearby residents, it is considered that further assessment is required in this regard to properly assess the impact upon birds. A condition would be recommended to address this issue should the application be approved.

The works required to install the turbine will involve transporting components and materials to the site using turbine component delivery vehicles, lorries of aggregate for construction of a new track, crane hardstanding, concrete deliveries reinforcement steel and cabling as well as personnel commuting. These are considered to be acceptable and can be accommodated without significant adverse impact on the environment or local ecology.

Whilst the presence of listed buildings and archaeological sites are noted within the vicinity, it is not considered that the turbine would overly impact upon the setting of any listed building or compromise any archaeological sites.

Access (T2):

The Transportation Manager has been consulted on the proposal and has no objection to the approval of the application subject to the attachment of conditions pertaining to the submission of a detailed survey of the chosen delivery route, the submission of a traffic management plan and an abnormal load trial run being undertaken prior to the commencement of construction and deliveries being applied to any grant of consent.

Noise:

The Environmental Health Manager has been consulted in relation to the potential noise nuisance from the wind turbine on neighbouring properties. Given the separation distances between the turbine and neighbouring properties it is not anticipated that there will be any noise pollution issues associated with the development. However, conditions have been recommended to ensure that if a noise nuisance did occur mitigation measures should be taken to rectify the problem.

Shadow flicker i.e. the optical effect caused by the intermittent obstruction of a light source by moving object: Scottish Government Renewables advice recommends that a turbine be no nearer to neighbouring property than ten times the rotor diameter. In the present case this distance would be within acceptable limits as the nearest dwelling is 600 metres away indicating that there would be little or no impact. The Environmental Health Manager has assessed this report and is satisfied with its conclusions, subject to a condition requiring further details of the make, model, design, power rating, sound levels and tonality of the turbine model and further investigation including mitigation measures, in the event of complaints being received.

Electromagnetic interference:

Consultation with the relevant bodies including Ofcom and associated radio operators in the area has confirmed no likely impact on services.

Aircraft Activity:

The National Air Traffic Service (NATS) BAA Aerodrome safeguarding and Ministry of Defence (MOD) have been consulted on the proposal. NATS and BAA Aerodrome Safeguarding have confirmed that there will no safety risks to aircraft as a result of the development.

The MOD has objected to the proposal. The turbine will be 54.8 km from, will be detectable by, and will cause unacceptable interference to the AD radar at RAF Buchan. Trials carried out in 2005 concluded that wind turbines can have detrimental effects on the operation of radar which include the desensitisation of radar in the vicinity of the turbines, and the creation of "false" aircraft returns. As a result, the probability of the radar detecting aircraft flying over or in the vicinity of the turbines would be reduced, and the RAF would be unable to provide a full air surveillance service in the area of the proposed wind farm. The developer has been unable to overcome the issues stated above at the time of determining this application so as a result this adverse impact upon defence interests is considered unacceptable.

Planning Gain (IMP3):

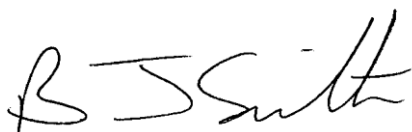
No planning gain was sought due to a decision of the Planning and Regulatory Services Committee on the 18th October 2011 to remove the pursuit or contribution of funds to Community Benefit Funds from the development management system.

Conclusions and Recommendation:

Based on the above conclusions, the proposal is considered to represent an unacceptable form of development and accordingly it is recommended that the application be refused as an unacceptable departure from the development plan.

Author/Contact Officer: Stuart Morrison
Planning Officer

Ext: 01343 563193

A handwritten signature in black ink, appearing to read 'B Smith', written in a cursive style.

BEVERLY SMITH
MANAGER (DEVELOPMENT MANAGEMENT)

APPENDIX

POLICY

Moray Structure Plan 2007 and/or Moray Local Plan 2008

ER1: Renewable Energy Proposals

Renewable energy proposals will be considered favourably where they meet the following criteria:

- a. they are compatible with policies to safeguard and enhance the built and natural environment
- b. they do not lead to the permanent loss or permanent damage to, prime agricultural land,
- c. they are compatible with tourism/recreational interest and facilities, they do not interfere with aircraft activity,
- d. they do not result in an unacceptable impact in terms of visual appearance, landscape character, noise, electro-magnetic disturbance, watercourse engineering, peat land hydrological impacts, pollution, traffic generation or damage to the local ecology, and
- e. they do not result in an unacceptable cumulative impact.

Proposals are required to provide “decommissioning arrangements” to illustrate how the site will be reinstated if and when the plant ceases to operate. This may be enforced through a section 75 agreement.

Commercial wind energy developments should be located within a Preferred Search area identified in the Wind Energy Policy Guidance and meet the above criteria.

Policy T2: Provision of Road Access

The Council will require that a suitable and safe road access from the public highway is provided to serve new development and where appropriate any necessary modifications to the existing road network to mitigate the impact of development traffic, and the provision of appropriate facilities for public transport, cycling, and pedestrians. Access proposals that have a significant adverse impact on the surrounding landscape and environment that cannot be mitigated will be refused.

SPP17 details that there will be a presumption against new accesses onto a trunk road, and that the Scottish Executive will consider the case for such junctions where nationally significant economic growth or regeneration benefits can be demonstrated.

ED8: Rural Business Proposals

New business developments, or extensions to existing industrial/economic activities in the countryside will be permitted if they meet the following criteria:

- a. careful control over siting, design, landscape and visual impact, and emissions. In view of the rural location, industrial estate/urban designs may not be appropriate,
- b. a locational justification for the site concerned if serviced industrial land is available nearby,
- c. the capacity of the local infrastructure to accommodate the proposals,
- d. environmental considerations, including the impact upon natural and built heritage designations, with appropriate protection for the natural environment; the use of enhanced opportunities for natural heritage integration into adjoining land, and
- e. the location of the development close to populated rural areas where appropriate.

Proposals involving the rehabilitation of existing properties (e.g. farm steadings) to provide business-premises will be encouraged, provided access and parking arrangements are acceptable. Where noise emission or any other aspect is considered to be incompatible with surrounding uses, there will be a presumption to refuse.

Policy EP8: Pollution

Planning applications that are subject to significant pollution such as noise, including RAF aircraft noise, air, water and light will only be approved where a detailed assessment report on the levels, character and transmission of the potential pollution is provided by the applicant to show how the pollution can be appropriately mitigated. Where the Council applies conditions to the consent to deal with pollution matters these may include subsequent independent monitoring of pollution levels.

EP9: Contaminated Land

Development proposals on potentially contaminated land will be approved if:

- a. site specific risk assessments are undertaken by the applicant to identify any actual or possible significant risk to human health or safety, or to the environment and that any previous historic uses are not continuing to cause significant pollution to the water environment, and
- b. effective remediation measures are agreed to ensure the site is made suitable for any new use granted consent, and
- c. appropriate measures for the disposal of any contaminated material is agreed with the Council.

The Council will consult SEPA in respect of pollution of controlled waters and licensing issues arising from remediation works.

IMP1: Development Requirements

New development will require to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. It must meet the following criteria:

- a. the scale, density and character must be appropriate to the surrounding area,

- b. the development must be integrated into the surrounding landscape,
- c. adequate roads, public transport, and cycling and footpath provision must be available, at a level appropriate to the development,
- d. adequate water, drainage and power provision must be made,
- e. sustainable urban drainage systems should be used where appropriate, in all new developments
- f. there must be adequate availability of social, educational, healthcare and community facilities,
- g. the development should, where appropriate, demonstrate how it will incorporate renewable energy systems and sustainable design and construction. Supplementary Guidance will be produced to expand upon some of these criteria,
- h. provision for the long term maintenance of public landscape and amenity areas must be made,
- i. conservation of natural and built environment resources must be demonstrated,
- j. appropriate provision to deal with flood related issues must be made, including the possibility of coastal flooding from rising sea levels and coastal erosion,
- k. pollution, including ground water must be avoided,
- l. appropriate provision to deal with contamination issues must be made, and
- m. the development must not sterilise significant workable reserves of minerals, prime quality agricultural land, or preferred areas for forestry planting.
- n. where appropriate, arrangements for waste management should be provided.

Policy IMP3: Developer Contributions

Contributions will be sought from developers in cases where, in the Council's view, a development would have a measurable adverse or negative impact on existing infrastructure, community facilities or amenity, and those contributions would have to be appropriate to reduce, eliminate or compensate for that impact.

Where the necessary contributions can be secured satisfactorily by means of planning conditions attached to a planning permission, this should be done, and only where this cannot be achieved, for whatever reason, the required contributions should be secured through a planning agreement.

OBJECTIONS-REPRESENTATIONS

Letters of objection were received from the following;

Mrs Mary Jane Rutherford Hurry, Roadside, Tullynessie, Alford, AB33 8QR
Lynn Simpson, Stonehouse, Ruthven, Huntly, AB54 4SR

Mr James Whyte, Halgreen, Ruthven, Huntly AB54 4SY
Mr Ronald Hastle, Loanhead, Rothiemay, Huntly, AB54 7LW
Mr Terry Jones, North Horntowie, Ruthven, Huntly, AB24 4TA
Mr Iain Webster, Loanhead, Banff, AB45 2AN
Mrs Maureen Grady, Birch-hills, Aberdeen Road, Alford, AB33 8ED
R Plumley, Stonehouse, Ruthven, Huntly, AB54 7NB
Norma and Christopher Green, Upper Tullochs, Ruthven, Huntly, AB54 4SY
Mrs Elizabeth M McEwen, Auchanachie Castle, Ruthven, Huntly, AB54 4SS
Mrs Elizabeth Jones, North Horntowie, Ruthven, Huntly, AB54 4TA
Mr Dennis Grady, Birch-hills, Aberdeen Road, Alford, AB33 8ED
E Johnson, Bridge of Isla Croft, Rothiemay
Mr Earnest Hurry, Roadside, Tullynessie, Alford, AB33 8QR

Letters of support were received from the following;

Mrs Helen Cameron, The Belfry, Kinnoir, Huntly, AB24 7XY
Mr Neil Garrioch, Rivestone cottage, Kinnoir, Huntly, AB54 7LW
Mr Stuart Morrison, Cullyblean Farm, Tullynessie, Alford, AB33 8QR
Mr Ronald Stuart online objection, no address given
Bill And Trish MacDonald online objection, no address given
Mr Alexander Stuart, South Redhill, Rothiemay, Huntly, AB24 7NB

The grounds for objection are as follows;

Visual Impact

The proposal does not respect the character of the landscape resulting in visual damage and intrusion due to its position and size.

It would be visible at the coast from Spey Bay to Gamrie Bay, inland to the Coreen Hills above Lumsden, including Keith, Huntly and the local communities at Rothiemay, Ruthven, Kinnoir and Cairnie. It is totally inappropriate development and hugely out of scale in the landscape.

The proposed development is contrary to planning policy by reason of it not safeguarding the amenity of nearby dwellings due to its size and position, siting and setting.

As it is sited at an elevation of 237 metres, well over 60 metres (75%) of the turbine height would be in permanent rotating view above the skyline of Fourman Hill. The prominent position would cause an intrusive and overbearing impact on the properties below, the surrounding landscape including Rothiemay, Kinnoir, Ruthven and Cairnie.

The turbine would be clearly visible along the travel routes of the B9022, the B9117 and the road along the Deveron Valley off the A97 to rothiemay and on to the Bridge of Marnoch. These routes and their amenity to the landscape would be degraded by this industrial turbine. The Aberdeen to Inverness rail route would also be impacted by the turbines insensitive location above the River Deveron.

The industrial turbine would dominate the surrounding area by being 10 times the height of local properties and 5 times the height of mature trees. There would be no way to avoid seeing this huge 80m industrial turbine, with its rotating blades, occupying the ridge and disturbing the sense of tranquillity in this natural landscape.

Comment (PO): The visual impact of the proposal is assessed in detail in the observations section. The impact of the turbine upon the landscape is reflected in the recommendation for refusal.

Cumulative Impact

The Environmental Report written by the applicant in their own interest gives the opinion of low impacts and negligible adverse effects. Cumulative assessment has not been carried out for noise and visual impact assessments across both sides on the county boundary in relation to all developments scoped, planned, operational and consented.

Comment (PO): A cumulative visual impact assessment has been carried out in the determination and the results are detailed in the observations section. In addition, the cumulative noise impact is taken into account by the Environmental Health Section in their assessment of the proposal.

Impact upon Tourism/ Recreation interests

Fourman Hill is one of the most famous mountains in the area and the turbine would appear prominent on the skyline in this location.

This turbine would literally drive a stake into one of the most attractive areas of Moray. People come from all over the world to visit this part of Scotland specifically for the beauty and tranquillity. This monstrosity would tower above a valley known for its beauty and be seen from many approaches. Much of the economy of Moray depends on tourism and this would jeopardise future tourist industry in this area.

The turbine is clearly an impact risk to aviation and for the Grampian Microlight Club.

The Deveron Valley is a favourite fishing attraction for many visitors and local people who fish along its banks enjoying the experience of peace and tranquillity in an unspoilt setting.

The turbine site and access is on the track and footpath used for recreation, which runs along Fourman Hill, joining other footpaths and leading to the A97 north of Huntly – a walker's route of notable interest to local people and visitors. Access to Fourman Hill would be impeded. The applicant's Environmental report suggests that this footpath would be closed by the development.

It will create a degraded visual impact in an area which sustains a local rural economy through tourism and tourist accommodation.

It would have a detrimental impact effect upon tourism, which presently sustains the local economy - for every 10 jobs created by tourism only two are created by wind energy projects.

Comment (PO): this issue is taken into account in the main body of the observations section. It is not anticipated that the turbine would impinge upon or close any publically accessible footpath.

Impact upon the Historic and Built Environment

The turbine would impact intrusively upon the established outlook from Auchanachie Castle; a Grade A listed building, at Ruthven.

The Ironstone NEE sightline at Arn Hill will be destroyed to Forman Hill and thereby further NEE Bronze age and Neolithic sites.

Here are 27 nationally designated features within a 5km radius of the site, as well as 10 archaeological sites within a 1 km radius, and it would alter the settings of 12 listed buildings.

Comments (PO): this aspect of the development is addressed in the main body of the observations section.

Impact upon the Natural Environment

The area is a recognised wildlife corridor and there are recorded sightings of osprey, peregrine falcon, bats, otters and water voles in this location.

The area as stated by Aberdeenshire council is a wildlife corridor. There are peregrine and osprey nesting within 2 km of the site. Pink footed geese have been recorded in the area. They are afforded protection under article 4(2) of the European Birds Directive 2009/147/EC, and osprey given special protection under Annex 1.

There are no studies made of these protected species which are omissions in the applicants Environmental Report.

The turbines 48m diameter blades will create turbulence to the endangerment of any flying creature.

Comment (PO): this aspect of the development is addressed in the main body of the observations section.

Impact on Water Courses

There are water courses and wells close to the turbine site which would be disturbed by the development. The proposed works would affect these watercourses and increase risk of flooding after heavy rain or snow.

The Three Sister's springs are located 175m to 190m directly below the turbine site. There is also a nearby well fed by water courses. The building of the base of this turbine, and the substation, will require extensive movement of earth and rocks. The natural water courses would be affected disturbed and diverted.

The use of tons of cement for this development is against local government policy regarding the diminishing use of this material due to its CO2 emissions. As well as diverting natural water courses the cement would also leak pollutants into the surrounding land and water courses and in to the Deveron River below.

Comment (PO): There is not considered to be the potential for significant adverse impacts upon water quality as a direct result of this development. However, a condition would be recommended ensuring the adoption of best practice management and control procedures as depicted in section 10.7.1 so that these risks are brought down to acceptable levels.

Impact on Mobile Phone/ Television reception

Disturbance to mobile phones and TV reception indicated for the surrounding area.

Comment (PO): Ofcom were consulted in regard to microwave fixed links managed and assigned by Ofcom within the relevant bands and frequency ranges. The analysis identifies all fixed links with either one link leg in the coordination range or those which intercept with the coordination range. This fixed link report showed several operators (Everything Everywhere Limited, Cable & Wireless Ltd, Bt, Atkins Global and JRC) who may have had an interest in the proposal. These fixed link operators were subsequently given the opportunity to comment on the proposal. No objections were received.

Impact upon Property Value

The evidence that wind turbines near houses make them worthless has been around for years.

Comment (PO); this is not a planning matter and cannot be taken into account in the determination of this application.

Noise/ Shadow Flicker

That the proposed development is contrary to planning policy by reason of insufficient/unsatisfactory noise data and noise impact assessment information.

The ETSU's outdated guidance is no longer fit for purpose and relates to turbines no higher than 60m.

The impact of blade noise has not been assessed.

Comment (PO): this aspect of the development has been assessed by an Environmental Health Officer and the response is detailed in the observations section.

Precedent

The development creates a precedent for inappropriate future development patterns. It would have a cumulative negative impact on the environment.

Comment (PO): this application requires to be assessed on its individual merits and not in light of any future development pattern. This is not a material planning consideration and cannot be taken into account in the determination of this application.

Letters in Support

There were 6 letters received in support of this application. These representations pointed out the importance of renewable energy in terms of its benefits to the environment and in reducing our dependence on fossil fuels.

Comment (PO):

The new Scottish Government combined SPP advises that Planning Authorities should support all scales of development associated with renewable energy generation, specifically mentioning the wider application of medium and smaller scale renewables, technologies such as decentralised energy supply systems, community and household projects. The SPP goes on to state that Planning Authorities should ensure that Development Plans or Supplementary Guidance explain the factors that will be taken into account in decision making on all renewable energy proposals.

The reasons for the decision in this case, which are detailed in the main observations section, are based on the scale of the development and its relationship to the characteristics of the

surrounding area in line with the Moray Structure Plan 2007, the Moray Local Plan 2008 and supplementary guidance.

CONSULTATIONS

BAA Aerodrome Safeguarding – No objections. No further action.

Environmental Health – No objections. Conditions recommended.

MOD – Refusal recommended.

Ofcom – No objections. Further consultation with radio link operators recommended.

Atkins Global – No objections. No further action.

Orange – No response.

Ericsson – No response

JRC – No response

National Air Traffic Systems (NATS) – No objections. No further action.

Contaminated Land – No objections. No further action.

RSPB – No objections but a condition would be required if approved.

Transportation – No objection. Conditions and informatives recommended.

Aberdeenshire Council – No response.

Strathisla Community Council – No response or request for consultation made.