

PLANNING APPLICATION: 13/00838/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 54 metres in height (to blade tip), with a power output of 330kW.
- 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 via a combination of underground cabling and upgrade of existing wooden pole power lines.

The Site

- The turbine would be sited approx 240m AOD upon the shoulder of a hill overlooking the public road on sloping farmland, 2.2 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 closest public road lies 1.3km to the north east.
- The site is not located within any landscape designation nor any Area of Search (formerly referred to as a Preferred Search Area) as defined for wind turbine developments. 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 dwellinghouse "Woodfold" one approved steading conversion and an approved plot within a 1km radius of the site.
- The site lies 500m from the shared boundary with Aberdeenshire Council, where there have been two further recent applications for wind turbines of a similar scale, one at Rivestone (APP/2012/2844, 54m to tip), approx 1.3km from this site and only 220m from the shared Authority boundary and another at Avochie (APP/2011/3452, 67m to tip), some 750m from the shared boundary and 2.4km from the site. The turbine at Avochie was refused following appeal to Scottish Ministers and the turbine at Rivestone was approved at committee in line with officer recommendation.

Policy / Objections-Representations / Consultations - See Appendix

History

No planning history pertains to this site.

Nearby to the southeast

12/00355/APP - 230m from the site - Erection of 84m wind turbine (rotor diameter 48m) and associated infrastructure at Land at Redhill Farm Rothiemay. Application refused on the grounds of unacceptable landscape impact and interference to the AD radar at RAF Buchan on 31 May 2012

Nearby to the west;

07/01630/FUL - 550m from the site - Steading conversion from disused agricultural to 2 no dwellinghouses at South Redhill, Rothiemay, Huntly, Moray. Application Permitted on 25 February 2013.

Nearby to the north west;

07/00618/FUL - 520m from the site - Construct new cattle court and general purpose building at North Redhill Farm, Rothiemay, Huntly, Moray approved on 26 June 2012

09/02380/APP - 640m from the site - Erection of dwellinghouse and construction of new access to existing road at Land North of Redhill Farmhouse, Rothiemay, Moray. Application permitted 8 March 2010.

Turbine applications within Aberdeenshire

APP/2012/2844 - 1.3km south west of the site - Erection of single wind turbine, 54m to tip on Land to North of Rivestone, Kinnoir, Huntly. Application permitted 27 March 2013.

APP/2011/3452 - 2.4km west of the site - Erection of single wind turbine, 67m to tip on Land to east of Mid Plough, Hill of Avochie, Huntly. Application refused following appeal to Scottish Ministers on grounds of unacceptable visual impact and impact on 2 nearby Scheduled Ancient Monuments.

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 indicated otherwise. In this case the main planning issues are considered below.

Structure Plan Policy 2 (l) promotes sensitive renewable energy developments and Policy ER1 outlines that wind energy development should be located within a "preferred search area" as originally defined within the Council's Supplementary Planning Guidance Wind Energy Planning Guidance (WEPG) (2005) but now superseded by the Council's Supplementary

Planning Policy Guidance: Moray Onshore Wind Energy (MOWE) (March 2013) where "preferred search areas" are now referred to as "Areas of Search" (see below).

As material considerations, Scottish Planning Policy (SPP) 2010 sets out national policy regarding renewable energy proposals, and separately, the Scottish Government web-based renewables advice identifies a number of factors to be taken into account in determining the location of turbines, including, 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 dis-benefits for communities, aviation and telecommunications, noise and shadow flicker and Cumulative impact.

A number of these criteria are related or are similar to those identified in adopted local plan policy ER1, which require to be met and ensure any renewable energy proposal can be considered favourably (see Appendix).

At the local level, and as material considerations agreed by this Council, the MOWE sets out guidance including a spatial framework for considering turbine developments, including regard to four typologies of turbines (i.e. small, small/medium, medium and large) and other detailed information to be considered in assessing wind energy developments; and the Council's Moray Wind Energy Landscape Capacity Study (LCS) (May 2012), prepared in partnership with Scottish Natural Heritage, considers mainly landscape and visual capacity issues associated with turbine developments. The LCS is based upon the four typologies of turbines (as identified in the MOWE) and identifies 'landscape character areas' for Moray. The LCS provides the most up-to-date landscape character assessment for Moray and refines the character area types identified in the earlier SNH Moray and Nairn Landscape Assessment, 1988.

Landscape and Visual Impacts (2 I), ER1, IMP1, MOWE and LCS)

The proposal, with a total height (to blade tip) of 54m, falls within the category of medium typology of turbine (i.e. between 50 - 80m) and is located within Landscape Character Area 8b: Valleys within Upland Farmland, as defined within the LCS. This landscape comprises the valleys of the River Deveron in the far eastern corner of Moray, the River of Deskford (which is partially defined as the 'Coastal Farmland' (4) in the Moray and Nairn Landscape Assessment), the Burn of Mulben and the upper reaches of the River Isla.

The LCS summarises the sensitivity of the Deveron valley as strongly contained by steep farmed and wooded slopes. They are generally narrow and have a small to medium scale which is reinforced by their well-settled character. The adjacent 'Broad Forested Hills within Upland Farmland' (8a) form immediate skyline ridges seen from these valleys. These valleys often have a diverse land cover with mixed policy woodlands and a distinctive pattern of shelterbelts and avenue trees adding to the richness of well-managed farmland. Although these valleys are not readily visible from adjacent character types due to their visual containment, they are well-settled and contain a number of main roads increasing visual sensitivity.

The LCS concludes that this landscape has an overall High sensitivity to both the large and medium typologies and that there is no scope to accommodate the larger typologies due to the likely adverse effects on the scale of these often narrow and strongly contained valleys and the presence of an even dispersal of buildings, woodlands and other small features.

The proposed 'medium typology' wind turbine is not located within any relevant Area of Search (Map 9 of MOWE refers). These Areas are defined as areas with the greatest scope for further

investigating the feasibility of wind turbine developments although such status does not imply a presumption in favour of granting permission. As a result the proposal is a departure from policy ER1 and falls to be considered against the relevant Development Plan policies, Landscape Capacity Study, requirements of this Guidance and any other material considerations.

The applicant has submitted, amongst other things, an extensive package of visual assessment including a Landscape Character Capacity Appraisal, Landscape and Visual Assessment, supported by ZTV's, cumulative ZTV's, montages and wireframes. In brief these assessments conclude the following, *"While there may be some major visual effects at the nearest visual receptors due to the introduction of a single 54m high turbine in the Narrow valleys within the Uplands of Moray and Nairn, particularly those areas within 1.3km of the site. These effects are further restricted by the local topography and vegetation. Visual effects on the surrounding Deveron Valley were found to be limited due to the location and overall height of the turbine.*

The surrounding area has been robustly assessed with regards to the Moray Landscape Capacity study as well as further more localised assessment carried out by Stephenson & Halliday the studies show, while the local area may not be suitable for widespread development, the addition of a single 54m tip turbine can be accommodated within the local area without diminishing the surrounding narrow Deveron Valley below or the nearby summit of Fourman 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 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.

A turbine of this size would appear disproportionate to the hill upon which it is located and would dominate rather than be subservient to the landscape. The turbine 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) and as such fails to comply with policies 2 (1), ER1, and IMP1 and associated MOWE and LCS.

In terms of cumulative impact, a 54m turbine has been consented at Rivestone approx 1.3km south west of the site, however, because of the distance between them and the varying heights at which they are sited (proposed turbine 240m AOD, Rivestone 150m AOD) the two turbines would not appear related. Approval of this turbine would result in the introduction of a further significant vertical element extending this impact over a wider area to the detriment of the local landscape character.

Furthermore, the proposal taken together with consented turbines to the south west (Rivestone), to the north (Easter Knauchland), 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.

The cumulative landscape and visual effects resulting from this inter-visibility between these proposed, operational and approved turbine developments would in turn result in a detrimental loss of rural character, contrary to policies 2 (l), ER1, and IMP1 and associated MOWE and LCS.

Natural Environment (ER1, E1, E2, IMP1)

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 and confirmed that they have no objection to the approval of the application.

Had the application been recommended for approval conditions requiring submission and approval of a construction method statement to safeguard against pollution of any water courses and informative advice in relation to protected species would have been attached to the consent. This would be in line with standing advice from SEPA and SNH.

Cultural Heritage and Archaeology (ER1, BE1, BE2, IMP1)

Whilst the presence of listed buildings, scheduled ancient monuments and archaeological sites are noted within the vicinity, following consultation with Regional Archaeologist and Historic Scotland and given the intervening landscape characteristics the development is not considered to result in an unacceptable impact on these interests.

Tourism/recreation interests (ER1, IMP1)

The turbine will not affect any designated landscapes or recreational areas and as such, it is considered that any effect on tourism or recreation interests will be minimal. Although the general impact on the character and quality as a result of the development could result in indirect adverse impacts on the tourism industry in the area, there is no evidence to suggest that such impacts do in fact occur and therefore in this case given the lack of any unacceptable direct impacts on a specific tourist interest, this issue is not considered to merit the refusal of the application.

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 and Shadow flicker (ER1, EP8, IMP1)

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

Electromagnetic interference (ER1)

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

Aircraft Activity (ER1, IMP1)

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.

Although the MOD objected to the previous application for a 84m turbine on the grounds that it would cause unacceptable interference to the AD radar at RAF Buchan, as this turbine has been reduced in height to 54m, the MOD have not objected to this application on these grounds.

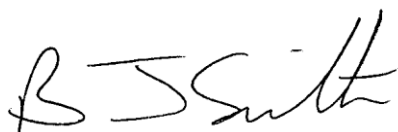
Conclusions and Recommendation:

Given its scale and elevated location, the turbine would have an unacceptable impact on the local landscape character and would dominate views from nearby settlements to an unacceptable degree. The development would also result in an adverse cumulative impact on both the local and wider landscape and accordingly the application attracts a recommendation of refusal on the grounds of being contrary to policies 2 (l), ER1 and IMP1 and associated guidance, as contained within the MOWE and LCS guidance.

Refusal of application is recommended.

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Planning Officer

Ext: 01343 563607



Beverly Smith
Manager (Development Manager)

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.

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 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.

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.

E1: Natura 2000 Sites and National Nature Conservation Sites

Natura 2000 Designations

Development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where:-

- a. there are no alternative solutions; and
- b. there are imperative reasons of over-riding public interest. These can be of a social or economic nature, except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for over-riding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).

National Designations

Development proposals which will adversely affect Sites of Special Scientific Interest (SSSI's) or National Nature Reserves will be refused unless the developer proves that:

- a. the objectives of designation and overall integrity of the site will not be compromised, or
- b. any significant adverse effects on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance

E2: Local Nature Conservation Sites and Biodiversity

Development proposals which will adversely affect Local Nature Reserves, Sites of Interest to Natural Science, Ancient Long Established or Semi Natural Woodland, raised peat bog, wetlands, protected habitats or species or other valuable local habitats or conflict with the objectives of Local Biodiversity Action Plans will be refused unless it is demonstrated that;

- a. local public benefits clearly outweigh the nature conservation value of the site, and
- b. there is no suitable alternative site for the development.

Where there is evidence to suggest that a habitat or species of importance exists on the site, the developer will be required at his own expense to undertake a survey of the site's natural environment.

Where development is permitted which could adversely affect any of the above designated sites the developer must put in place acceptable mitigation measures to conserve and enhance the site's residual conservation interest.

Development proposals should protect and where appropriate, create natural and semi natural habitats for their ecological, recreational, landscape and natural habitat values.

BE1: Scheduled Ancient Monuments and National Designations

National Designations

Development proposals will be refused where they will adversely affect Scheduled Ancient Monuments and nationally important archaeological sites or their settings unless the developer proves that any significant adverse effect on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance.

Local Designations

Development proposals which will adversely affect sites of local archaeological importance, or their settings, will be refused unless it can be demonstrated that;

- a. local public benefits clearly outweigh the archaeological value of the site, and
- b. there is no suitable alternative site for the development, and
- c. any adverse effects can be satisfactorily mitigated at the developers expense.

Where, in exceptional circumstances, the primary aim of preservation of archaeological features in situ does not prove feasible, the Council shall require the excavation and researching of a site at the developers expense.

The Council will consult Historic Scotland and the Regional Archaeologist on development proposals which may affect Scheduled Ancient Monuments and archaeological sites.

BE2: Listed Buildings

The Council will encourage the protection, maintenance, enhancement and active use of listed buildings.

Development proposals will be refused where they would have a detrimental effect on the character, integrity or setting of the listed building(s). Alterations and extensions to listed buildings or new developments within their curtilage must be of the highest quality, and respect the original structure in terms of setting, scale, materials and design.

The demolition of listed building(s) will not be permitted unless it is demonstrated beyond reasonable doubt that every effort has been exerted by all concerned to find practical ways of retaining the building and that the community would benefit from the redevelopment. All applications for the demolition of listed buildings should be supported by a report on the condition of the building, a study on the viability of retaining the building in active use, a report on the steps taken to advertise and market the building and, the proposals to recycle existing building materials into the future use of the site. Any proposed replacement of a demolished listed building should be of comparable quality in terms of construction and design.

Buildings which are allowed to fall into a state of disrepair may be placed on the Buildings at Risk Register and remedial works to buildings in disrepair may be enforced in the public interest.

Proposals should be in accordance with guidelines laid out in Historic Scotland's Memorandum of Guidance on Listed Buildings with regard to listed building consent applications.

EP12: Air Quality

Development proposals which, individually or cumulatively, may adversely affect the air quality in an area to a level which could cause harm to human health and wellbeing or the natural environment must be accompanied by appropriate provisions (deemed satisfactory to the Local Authority and SEPA as appropriate) which demonstrate how such impacts will be mitigated.

Some existing land uses may have a localised detrimental effect on air quality, any proposals to locate development in the vicinity of such uses and therefore introduce receptors to these areas (e.g. housing adjacent to busy roads) must consider whether this would result in conflict with the existing land use. Proposals which would result in an unacceptable conflict with the existing land use to air quality impacts will not be approved.

Policy 2: Environment and Resources

The Moray Structure Plan Strategy will be supported by: -

- a) protecting international, national and local nature conservation and scenic designations from inappropriate development;
- b) protecting the wider natural environment and local biodiversity from inappropriate development and promote opportunities for environmental enhancement and restoration where possible;
- c) working in partnership with the Cairngorms National Park Authority and other interested parties to implement the objectives of the National Park;
- d) restricting development within coastal areas outwith settlements to only that in which social and economic benefits outweigh environmental impact;
- e) providing protection from development to the countryside around the towns of Elgin, Buckie, Keith, Forres and Lossiemouth;
- f) conserving and enhancing the areas built heritage resources and their settings;
- g) supporting proposals aimed at regenerating the area's natural and built environment including good design;
- h) providing waste management facilities to deliver Area Waste Plan and National Waste Plan objectives and ensuring that new development is designed to facilitate waste management practices and promotes the minimisation of waste;
- i) promoting sustainable urban drainage systems (SUDS) in all new developments;
- j) promoting schemes to alleviate flooding in a sustainable and sensitive way using natural ecosystems and features where possible and also restricting development within flood risk areas following the guidance set out in the Risk Framework in SPP7: 'Planning and Flooding' and promoting flood risk management schemes to tackle flooding that threatens existing development and considering development proposals against the Flood Risk Framework set out in Table 5;
- k) safeguarding the area from pollution and contamination;
- l) promoting opportunities for the sensitive development of renewable energy and promoting renewable energy in new development;
- m) safeguarding resources for the production of minerals, preferred forestry areas, and prime agricultural land.

OBJECTIONS-REPRESENTATIONS

Letters of representation were received from the following;

- Mrs Mary Hurry of Roadside Tullynessle Alford AB33 8QR
- Mr Stuart Morrison of Cullyblean Tullynessle Alford Ab338qr
- Mr Ronald Hastie of Loanhead Rothiemay Moray AB54 7LW
- Mrs Heather Stuart of South Redhill Rothiemay Huntly AB54 7NB
- Mr P Bibbinap of 18 Cranna View Aberchirder AB54 7SJ
- Mrs J E Symon of Ythanvale 6 Causewayend Crescent Aberchirder AB54 7TF
- Mr Andy Lawson of 25 Cranna View Aberchirder AB54 7SJ
- Jane Thomson of Little Raxton Croft Tarves Ellon AB41 7NT
- Barbara Morrison of 7 Riddoch Court Rothiemay AB54 7LX
- Mrs Rachel Vasey of Woodside Of Tarryblake Rothiemay Huntly AB54 7PA
- Mr Garry Butcher of Ayrshire House King Street Oldmeldrum Inverurie AB51 0EQ
- Ann E Roy of Castlehill 58 Castle Street Banff AB45 1DL
- K Campbell of Strathfern Overbrae Turriff AB53 5QP
- Miss Behany Cheyne of The Pheasantry Mayen Estate Rothiemay AB54 7NL
- Mr Stanley Smart of Finnygaud Cottage Culvie Aberchirder Huntly AB54 7QR
- H D Bennett of Iongnadh Milltown Or Rothiemay Huntly AB54 7LT
- Mrs K R Black of 10 Cranna View Aberchirder Aberdeenshire AB54 7SJ
- Mr Iain G Robertson of Lower Inchcorsie Rothiemay Huntly Moray AB54 7NJ
- Mrs H C Hall of Teuchar Lodge Cuminestown Turriff AB53 8HR
- Jennifer Gray of 92 Knockie Road Turriff AB53 4ET
- Mr And Mrs W Cowie of Laurelbank 2 Cliff Terrace Buckie AB56 1LX
- Mr A Inglis of 27 Cranna View Aberchirder AB54 7SJ
- Mrs Valerie Detton of 12 The Square Aberchirder AB54 7TA
- Mr Keith Brocklehurst of 20 Causewayend Crescent Aberchirder Huntly AB54 7TF
- Mr Martin De Almeida of Upper Inchcorsie Rothiemay Huntly AB54 7NJ
- Mr M MacLellan of 24 Causewayend Place Aberchirder By Huntly AB54 7SL
- Mrs A MacLellan of 24 Causewayend Place Aberchirder Huntly AB54 7SL
- Paula Wilson of 3 Ogilvie Place Portsoy Aberdeenshire AB45 2JW
- Alfred And Gladys Cheyne of Crossfields Croft Turriff AB53 5PG
- Mr K D Bibbings of 18 Cranna View Aberchirder Huntly AB54 7SJ
- Mr Donald Graham of 9 Causewayend Crescent Aberchirder Huntly AB54 7TF
- Mrs Ruth Graham of 9 Causewayend Crescent Aberchirder Huntly AB54 7TF
- Mrs Anne M Oliphant of Netherdale Cottage Turriff AB53 4LH
- Helen Glasstone of Rosewood Rothiemay Huntly
- Mr Gordon Morison of Fren draught House Forgie Huntly AB54 6EB
- Mr G Porritt of North Lodge Rothiemay Huntly AB54 7ND
- Mr Richard Iddon of Mannockhill Cottages Rothiemay Huntly AB54 7JS
- Claire Duncan of 49 Fife Street Turriff AB53 4BQ
- Mrs Marlies Schell of Hauptstrasse CH - Schoeftland / AG Switzerland AB51
- Mr William McLeman of 4 Riddoch Court Rothiemay By Huntly AB54 7LX
- Ms Lynda Gauld of 18 Corskie Drive Macduff AB44 1QZ
- Mrs Jacqueline Anderson of 9 St Congans Circle Turriff AB53 4PY
- Mr Cris Cullingworth of Lochmoss, Ythanwells Huntly AB54 6HA
- Mr Andrew Skene of Fortrie Smiddy Fortrie Turriff AB53 4HG

- David Munro of 8 Bronchal Place Aberchirder AB54 7SE
- Alex Linsell of 10 Seatown Lossiemouth Moray IV31 6JJ
- Mrs Julia Duncan of 6 Victoria Street Portessie Buckie AB56 1TA
- Miss Rebecca Cheyne of Montbleton House Banff Aberdeenshire AB45 3QJ
- Mr Ryan Johnson of 67D Fredrick Street Aberdeen AB24 5HY
- Mr Damian Conboy of 280 Union Grove Aberdeen AB10 6TQ
- Liz Johnson of Bridge Of Isla Croft Rothiemay AB54 7JQ
- Mr And Mrs Peter And Helen Chapman of 141 North Street Aberchirder AB54 7TL
- Mr David Trotter of 4 Moss Road Aberchirder AB54 7TP
- Elizabeth Clark of 4 Anderson Drive Rothiemay AB54 7NF
- F Hay of Fairview Main Street Aberchirder AB54 7SY
- Mr H McGregor of 13 Baillieswells Terrace Aberdeen AB15 9AR
- Rae Cowie of Rutland House Mains Of Tarty Ellon AB41 8LR
- Jennifer Cowie of St Andrews House Sheriffston Elgin AB41 8LR
- G Sivewright of 25A South Street Aberchirder AB54 7XR
- Mr Andrew Speirs of 4 School Road Ruthven Huntly AB54 4SG
- Mrs A Milne of 14 Causewayend Crescent Aberchirder AB54 7TF
- Mr J Milne of 14 Causewayend Crescent Aberchirder AB54 7TF
- Ray Stubbs of Bridge Of Isla Croft Rothiemay AB54 7JQ
- Ann Morse of 14 Main Street Aberchirder AB54 7SY
- Joanne Rudeck of The Cottar House Thomastown Drumblade Huntly AB54 6AL
- Mr Colin Stratford of Clashman Hillock Rothiemay AB54 7LU
- Mr Neil Davidson of 90 North Street Aberchirder AB54 7TH
- Jacky Player of Craighead Bridge Of Marnoch Aberdeenshire AB54 7UJ
- Marnoch And Deveron Valley Protection Group of Craighead Bridge Of Marnoch Huntly AB54 7UJ
- Mrs Jacqueline Henderson of 33 Soyburn Gardens Portsoy AB45 2QG
- Mrs Nancy McKidd of Ardchoile Main Street Aberchirder Huntly AB54 7SY
- Mr Nigel Seligman of Clunie Netherdale Turriff AB53 4GN
- Nigel & Margaret Taylor of Haickburn Rothiemay Huntly AB54 7NA
- R M Goodyear of 16 Barbank Street Portsoy Banff AB45 2PD
- Andrew Cowie of 9 Letterfourie Gardens Buckie Moray AB56 1JG
- Ryan Emslie of 55 Highfield Walk Turriff Aberdeenshire AB53 4LG
- M Thomson of 17 Causewayend Crescent Aberchirder Huntly Aberdeenshire AB5 7TF
- Eddie Morrison of Meikle Colp Croft TURRIFF AB53 8HJ
- Mrs Carolyn Hoss of 15 Main Street Aberchirder By Huntly Aberdeenshire AB54 7ST
- Diane Groundwater of 8 Taylor Drive Aberchirder HUNTLY AB54 7SQ
- A Bray of 137 North Street Aberchirder HUNTLY AB54 7TL
- Raymond Davidson of 8 Cornhill Road Aberchirder HUNTLY AB54 7SU
- Mrs Wilma McTavish of Drakemyre North Street Aberchirder Huntly AB54 7TL
- Gordon Philip of 15 South Street Aberchirder Huntly AB54 7XR
- W L Kean of 15 Taylor Drive Aberchirder HUNTLY AB54 7SQ
- Joseph Cowie of 21 Hall Street Buckie Moray AB56 1JB
- Kathleen Andrew of 23-24 The Square Aberchirder HUNTLY AB54 7TA
- John Thomson of 17 North Street Aberchirder Huntly AB54 7TL
- William A Reid of 14 Anderson Drive Rothiemay Huntly Aberdeenshire AB54 7NF
- Ms Liz Webb of Broadward Cottage Ythanbank Ellon AB41 7TL
- Mr Sam Morrison of 26 Parcock Place Oldmeldrum Ab510PH

- Mrs Helen Bayne of The Cottage Kirktown of Alvah Banff AB45 3 US
- Mrs Linda Wright of Blackburn Lodge Alvah Banff AB45 3US
- Mr Brian Barrie Campbell of 4 Causewayend Crescent Aberchirder AB54 7TF
- Mr John Barron of 16 Causewayend Place Aberchirder Huntly AB54 7SL
- Mr Victor Smith of 39 Doune Crescent Macduff Banffshire AB44 1PN
- Mr And Mrs Hans Willener of Per R And R Urquhart 117 - 121 High Street Forres Moray IB36 1AB
- Mr And Mrs Hans Baumann of Per R And R Urquhart 117 - 121 High Street Forres Moray IB36 1AB
- Mr And Mrs Dan Baumann of Per R And R Urquhart 117 - 121 High Street Forres Moray IB36 1AB
- Mr A Watt of No Address Given
- Miss Stephanie Milne of 32 Wellfield Terrace Aberchirder AB54 7TQ
- Mr John Shields of House Of Avochie Huntly Aberdeenshire
- Mr Brian Massey of Ramsburn Steading Knock Huntly AB54 7LQ
- Mrs Annabel Urquhart of Scattery Banff Aberdeenshire AB45 3PA
- Mrs Angela Taylor of Ashtree Milltown Of Rothiemay Huntly AB54 LT7
- Margaret Durno of 35 North Street Aberchirder AB54 7TH
- Mrs Marie Lee of Dunedin Rothiemay Huntly AB54 7LT
- A R R Smith of Mains Of Mayen Rothiemay Huntly Moray AB54 7NL
- Miss C Voice of Ardenlea Milltown Of Rothiemay By Huntly AB54 7LE
- William David Sutherland of Rivendell Milltown Of Rothiemay Banffshire AB54 7LT
- Mrs J Sutherland of Rivendell Milltown Of Rothiemay Huntly AB54 7LT
- W Sutherland of Rivendell Milltown Of Rothiemay AB54 7LT
- Ms Karen Pryce of 2 Mannoeh Hill Cottage Rothiemay Huntly AB54 7JS
- Mr David Catto of Auchenclech Farmhouse Rothiemay Banffshire AB54 7LU
- Anna Duncan of Bonnie View Quarryhill Huntly AB54 7TT
- Louise Durno of 35 North Street Aberchirder AB54 7TH
- M. R Breakell of Bogyoch Inverkeithny Huntly AB54 7XB
- Richard Breakell of Bogyoch Inverkeithny Huntly AB54 7XB
- William Gerrard of Mosscroft By Banff AB54 3QJ
- Mrs Dawne Smith of Hustlers Croft Rothiemay Huntly AB54 7RR
- Mr Andy Lindsay of 1 Gaval Court Fetterangus Peterhead AB42 4HF
- Mr Thomas Burnett-Stuart of Boat of Turtory Bridge of Marnoch Huntly AB54 7uj
- Alexander Bruce of 52 Main Street Aberchirder Huntly AB54 7SY
- Mr Iain Webster of Loanhead Cornhill Banff AB45 2AN
- Mr Marius Anderson of Auchnaclach Cairnie Huntly AB54 4UB
- Miss Amy Garrioch of Smithy Cottage Avochie Rothiemay AB54 7YY
- Mr James Taylor of 82 QUEENS ROAD FRASERBURGH AB43 9PT
- Mrs Natalie Paton of 39 Meadowview Road Turriff AB53 4WJ
- Miss Diane Duguid of 11 Maybank Court Balmelliw Street Turriff AB53 8EN
- Agnes McRae of 22 Anderson Drive Rothiemay AB54 7LE
- Mrs Gemma Parker of 4 Union Apartments 11 main Street Turriff AB53 4AA
- Mr Edward Dunn of Bydand Cottage Rothiemay Huntly AB54 7 ND
- Mr And Mrs I McPherson of Garlinge Hospital Lane Keith AB55 5GL
- Mr Iain Ross of 16 Causeway End Crescent Aberchirder AB54 7TF
- Mr Ian Cameron of The Belfry Kinnoir Huntly AB54 7XY
- Mrs Maureen Grady of Birch-hills Aberdeen Road Alford AB33 8ED

- Mrs Kirsteen Cullingworth of Lochmoss Ythanwells Huntly AB54 6HA
- Mr. Robert Andrew of Drewan, 12a The Square, Aberchirder, Huntly AB54 7TA
- John Barron of The Brae Cornhill AB45 2AS
- Mr Tomasz Kaniowski of 48 Douglas Crescent Buckie AB561NE
- Lucy Aykroyd of
- Elizabeth M McEwen of Auchanachie Ruthven Huntly AB54 4SS
- Mr And Mrs T Jones of North Norntowie Ruthven Huntly AB54 4TA
- Derek Smith of Horntowie Ruthven Huntly AB54 4TA
- Lottie S Crawford of Crofthead Ruthven Huntly AB54 4SQ
- Robert Green of The Old Post Office Ruthven Huntly AB54 4SR
- Mrs R K Webb of Eastertown Of Mayen Rothiemay Huntly Moray AB54 7NL
- Mr Ronald Stuart of North Redhill Rothiemay Huntly AB54 7NB
- Mr F Alan Hepworth of Moss-side of Mayen Rothiemay Nr Huntly AB54 7NS
- Mr James Anderson of Old Mayen Rothiemay AB547NL
- Mrs Shirley Butcher of Ayrshire House King Street Oldmeldrum AB51 0EQ
- Miss Victoria Turnbull of 10 Stonefield Drive Inverurie AB51 4DZ
- Miss Nikki Rose of 5 Ivy Court Mintlaw AB42 5EB
- Mr James Bayne of The Cottage Kirktown of Alvah Banff AB45 3US
- Mrs M Burnett-Stuart of Ardmeallie House Aberchirder Huntly Aberdeenshire AB54 7RS
- Mrs B Law of 3 Cranna View Aberchirder Huntly Aberdeenshire AB54 7SJ
- R Plumley of Stonehouse Ruthven Huntly AB54 4SR
- A J Bain of Glenshiel Rothiemay Huntly AB54 7NE
- Ronald Cowie of 5 King Edward Terrace Portknockie Buckie Moray AB56 4NX
- Mr S Law of 3 Cranna View Aberchirder Huntly AB54 7SJ
- C Gray of 15 Cranna View Aberchirder Huntly AB54 7SJ
- Derek Brown of Riverside Milltown Of Rothiemay Rothiemay Huntly AB54 7LT
- James Dunbar of 23 Cranna View Aberchirder Aberdeenshire Ab54 7SJ
- Mrs Mayfield of 32 Causewayend Crescent Aberchirder Aberdeenshire AB54 7TF
- Edward Eronitorusti of 19 Cranna View Aberchirder AB54 7SJ
- Mr Steven Thomson of Anvil House Marnoch Aberchirder AB54 7SA
- Mr Robert Andrew of Drewan 12A The Square Aberchirder Huntly AB54 7TA
- L Simpson of Stonehouse Ruthven Huntly AB54 4SR
- Norma And Christopher Green of Upper Tullochs Ruthven Huntly AB54 4SY
- Mr Andrew Voice of ardenlea Rothiemay AB54 7LE
- George Hugh Youngson of 82 North Street Aberchirder Huntly AB54 7TH
- Suzy White of Rowans Hungryhills Alvah Banff AB45 3UJ
- R Hills of 14 Cranna View Aberchirder Huntly AB54 7SJ
- Patricia Thomson of 171 North Street Aberchirder Huntly AB54 7TL
- Miss Joyce I Mchardy of Gardeners Cottage Rothiemay Huntly Aberdeenshire AB54 7ND
- Mr Dennis Grady of Birch-hills Aberdeen Road Alford AB33 8ED
- Ms Celia Larner of 42 LODGE MILL LANE TURN VILLAGE BURY BL0 0RW
- Mr Robert Smith of Nisabost Silverwells Turriff AB53 8BR
- Mr James Stewart of Larrys Cottage Bridge Of Marnoch AB54 7UL
- Mrs Margaret Cowie of 6 Cranna View Aberchirder Huntly AB54 7SJ
- Dianne Morrison of 12 Anderson Drive Rothiemay By Huntly AB54 7NF
- Mrs Ann Walk of 9 Cranna View Aberchirder Huntly AB54 7SJ

- Mr And Mrs Eisinger of The Braes Arkland Wood Aberchirder AB54 7TT
- Ian Traquair of Rothiemay House Rothiemay Huntly Aberdeenshire AB54 7ND
- David Chalmers of 26 North Street Aberchirder By Huntly AB54 7TH
- Eric Wilson of 6 Riddoch Court Rothiemay Huntly AB54 7LX
- Georgina Davidson of 8 Cornhill Road Aberchirder AB54 7SY
- John And Carolyn Fittall of Braeside Cottage 4 South Street Aberchirder AB54 7XR
- Mr Jim Whyte of Hallgreen Ruthven Huntly AB54 4SY
- John R W Bain of 2 Causewayend Crescent Aberchirder Huntly AB54 7TF
- Frank Cook of 39 Overton Avenue Dyce Aberdeen AB21 7FV
- Morag Ross of 16 Causewayend Crescent Aberchirder AB54 7TF
- Mrs Joanna Skene of Fortrie Smiddy Fortrie Turriff AB53 4HG
- Mrs Josie Forth of Mannoeh Brae Cottage Rothiemay By Huntly AB54 7JS
- Mr And Mrs A Cheyne of Per James Lochhead Millhole Farmhouse Murthly Perthshire PH1 4LG
- D Currie And J Walmsley of Banks Farm Ruthven Huntly Aberdeenshire AB54 4ST
- A Gillon of 88 Main Street Aberchirder AB54 7TD
- Sir Neil Hustler of Hustler's Croft Rothiemay Huntly AB547RR
- Mrs Sandra Jaffray of 1 North Street Aberchirder AB54 7TH
- Mr Robin Vasey of Woodside Of Tarryblake Rothiemay Huntly AB54 7PA
- Mr Ernest Hurry of Roadside Tullynessle Alford AB33 8QR
- Mrs Alexina Stuart of North Redhill Rothiemay Huntly AB54 7NB
- Mrs Rose Maire Smith of ACE Winches Towie Barclay Works Turriff AB53 8EN
- Dr Jan Barfoot of 137 The Murrays Edinburgh EH17 8UN
- Miss Zandra Stuart of Anvil House Marnoch Aberchirder AB54 7SA
- Mrs J Birtles of Ardmeallie Huntly AB54 7RS
- Keith Anderson of 9 St Congan's Circle Turriff Aberdeenshire AB53 4PY
- Mrs Helen Bayne of The Cottage Kirktown of Alvah Banff AB45 3 US
- Mr Andrew Vivers of Arniefoul Glamis Forfar DD8 1UD
- Baron Ian Traquair of Rothiemay House Huntly AB54 7ND
- B S Hough of Garromuir Cairnie Huntly AB54 4TT
- C Hobbs of Rothen Farm Cottage Cornhill Banff AB45 3BQ
- Mr N J Whitehouse of Priest Croft Muiryhillock Portsoy AB45 2XX
- Sheena And Bill Lindsay of The White Cottage Hill Of Foulzie Banff AB45 3QD
- Mr Hamish Oliphant of Netherdale House Turriff AB53 4LE
- Mr David Sharp of Meal Mill Rothiemay Huntly AB54 7LT
- Mr Neil Garrioch of Rivestone Cottage Kinnoir Huntly AB54 7YX
- Mrs Helen Cameron of The Belfry Kinnoir Huntly AB54 7XY
- Mr Colin Stuart of South Redhill Rothiemay Huntly AB54 7NB
- Mrs Jacqueline Hastie of Loanherad Rothiemay Moray AB54 7LW

A summary of the main grounds of objection are provided below;

Visual Impact

The proposed turbine will be highly visible within the surrounding landscape and result in an unacceptable visual impact on surrounding landscape including, Milltown of Rothiemay and the wider Deveron Valley.

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

Cumulative Impact

Concern has been raised that the cumulative assessment provided in support of the application does not take into account all relevant operational, consented and planned turbines on both sides of the Authority boundary and that the report underestimates the cumulative impact of the development.

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

The development would have a severe impact on the character and amenity of the area resulting in a significant adverse impact on tourism interests and detracting from recreational activities such as walking and fishing. The development would also form a risk to aviation and the Grampian Microlight Club.

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 and the CAA have been consulted and have no objection to the application.

Impact upon the Historic and Built Environment

The development would adversely impact on the character and setting of numerous listed buildings, archaeological sites and Scheduled Ancient Monuments within the surrounding landscape.

Comments (PO): Following consultation with the Regional Archaeologist and Historic Scotland the development is not considered to result in an unacceptable impact on these interests.

Impact upon the Natural Environment

The development will adversely impact on a considerable number of protected species such as osprey, peregrine falcon, pink footed geese, bats, otters, badgers and water voles.

Comment (PO): This aspect of the development is addressed in the main body of the observations section, where it is concluded following consultation with the RSPB that the development will not result in an unacceptable impact. Had the application been recommended for approval conditions requiring submission and approval of a construction method statement to safeguard against pollution of any water courses and informative advice in relation to protected species would have been attached to the consent. This would be in line with standing advice from SEPA and SNH.

Impact on Water Courses

The development will adversely impact on surrounding private water supplies, springs and watercourses including the river Deveron.

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. In the event that this application were approved a condition would be applied to ensure any unforeseen issues which arose were rectified by the applicants.

Impact upon Property Value

The development will result in a reduction in property values within the surrounding area.

Comment (PO): This is not a material planning consideration and cannot be taken into account in the determination of this application.

Noise/ Shadow Flicker

Adequate information has not been submitted to enable assessment of shadow flicker and the development is likely to result in an adverse impact in this regard.

Comment (PO): This aspect of the development has been assessed by an Environmental Health Officer and the response is detailed in the observations section, where it is concluded that the turbine will not result in an unacceptable impact.

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.

General principle of wind turbines

A number of concerns have been raised regarding the conflicting arguments in relation to the efficiency and cost of subsidising wind turbines in general.

Comment (PO): The overall efficiency of turbines and subsidies related to them are not matters which national or local planning policies stipulate should be taken into account in the

determination of planning applications and as such these issues would not merit the refusal of this application.

Compliance with national and local planning policy

Letters in Support

There were 14 letters received in support of this application. These representations point out the importance of renewable energy in terms of its benefits to the environment and in reducing our dependence on fossil fuels and the benefits in supporting farming. They also outline that the development would have a minimal impact on the character of the surrounding countryside.

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. These views have been taken into account, however, are not considered to merit approval of the application.

CONSULTATIONS

Aberdeen Airport Ltd - No objections.

Regional Archaeologist - No objections

Historic Scotland (listed buildings and scheduled ancient monuments) - No objections

Environmental Health - No objections. Conditions recommended.

MOD - No objection

Ofcom - No objections.

Atkins Global - No objections.

JRC - No objection

National Air Traffic Systems (NATS) - No objection.

Contaminated Land - No objections

RSPB - No objections.

Transportation - No objection. Conditions and informatives recommended.

Aberdeenshire Council - Advice to ensure the visual impact of the development on the Aberdeenshire area is considered including cumulative issues with turbines in both Moray and Aberdeenshire.

Strathisla Community Council - Object due to the sensitivity of the site, general objection to single turbines being an intrusion on the landscape and adding to the cumulative effect of turbines in Moray and with no community benefits.