

Notice of Review Reference: 13/00045/RBREF

Original Planning Reference: 13/01201/FUL

DECISION NOTICE OF THE HIGHLAND COUNCIL PLANNING REVIEW BODY

- Application for review by Ventus Renewables Ltd
- Site address: Land 700M North West of Lower Rumster, Lybster
- Proposal: Erection of 1 no 1 MW wind turbine with a height to tip of 80m, rotor diameter of 60m, height to hub of 50m, associated access track and ancillary development including transformer housing and temporary construction compound
- Reason for Notice of Review: Refusal of application by appointed officer
- Related Plans:

Type of Plan	Plan No.	Version	Date Plan Received
General Plan	000001		30.05.2013
Visual Information	11A 1-2		29.07.2013
Visual Information	770_047_CHW_11A		29.07.2013
Visual Information	770_047_CHW_11		29.07.2013
Visual Information	11 1-2		29.07.2013

This Notice constitutes the formal decision notice of the Planning Review Body as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

The Planning Review Body **dismissed** the Notice of Review, for the reasons noted below, namely:

1. The proposal, if implemented, would be contrary to Policy 67 (Renewable Energy Developments) of the Highland-wide Local Development Plan as it would result in a tall isolated moving structure that would have significantly detrimental visual impacts when viewed from settlements within 2km of the site and along sections of the A99, a key tourist route, with no discernible link to any other building or related infrastructure. This would be to the detriment of individual and community amenity.
2. The proposal, if implemented, would be contrary to policy 57 (Natural, Built and Cultural Heritage) of the Highland-wide Local Development Plan, the Highland Historic Environment Strategy, Scottish Planning Policy and the Scottish Historic Environment Policy as it would result in the siting of a tall isolated moving structure that would be significantly detrimental to the surrounding landscape and setting of the Category A Listed Building 'The Corr' and the Scheduled Monuments including 'Appang Broch'.

3. The proposal, if implemented, would be contrary to Policy 67 of the Highland-wide Local Development Plan as it would result in a significantly detrimental cumulative visual impact when viewed alongside other operational and consented wind farms including Burn of Whilk and Boulfroich, introducing a visual link in between larger wind farms where in an area where it is currently absent and removing a key area of respite along the A99.

Dated: 3 July 2014

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Clerk to the Planning
Review Body

Notice Under Regulation 22 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

1. If the applicant is aggrieved by the decision of the planning authority-
 - (a) to refuse permission for the proposed development;
 - (b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission; or
 - (c) to grant permission or approval, consent or agreement subject to conditions,the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. 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 V of the Town and Country Planning (Scotland) Act 1997.