

Notice of Review Reference: 14/00003/RBREF

Original Planning Reference: 14/00320/FUL

## **DECISION NOTICE OF THE HIGHLAND COUNCIL PLANNING REVIEW BODY**

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- Application for review by Ogden Renewable Energy
- Site address: Land North of Beallach Farm, Jamestown, Strathpeffer
- Proposal: Erection of one 44m (Hub) High, 70m (Tip) High Wind Turbine plus Ancillary Development
- Reason for Notice of Review: Refusal of application by appointed officer
- Related Plans:

<u>Type of Plan</u>	<u>Plan No.</u>	<u>Version</u>	<u>Date Plan Received</u>
Location Plan	000001		08.02.2013
Site Layout Plan	1207905		08.02.2013
Elevations	GD006242	R0	08.02.2013
Existing Site Layout Plan	1207904		08.02.2013

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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 the siting of a development which would be highly visible from a number of visual receptors within a 5km radius and that due to the height of the turbine, the size and movement of the blades and its finish would have a significant detrimental visual impact.
2. 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 the introduction of a dominant and incongruous feature that due to the height of the turbine, the size and movement of the blades and its finish would have a significant detrimental impact on the landscape character of the locality within which it would be sited.

3. The proposal, if implemented, would be contrary to Policy 67 (Renewable Energy Developments) of the Highland-wide Local Development Plan as it would have a detrimental impact on the user experience of the footpaths around Cnoc Mor.

Dated: 8 May 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.