

Report on Anne Forbes conversation with Mr. Alan Short, Development Control Manager, Environmental Services Department, Moray Council

Having heard from Megan Green at the Scottish Executive's Enterprise, Transport & Lifelong Learning Department, Energy and Telecommunications Division that Moray Council had requested another extension to the deadline from 15th December to 21st January, for them to report to the Scottish Executive on their findings re the three additional Environmental Impact Assessment Reports, I rang him today to ask if this was so and what was happening.

Mr Short confirmed the above advice. The further extension was requested on Christmas Eve, as it had not been possible to report on the additional supplementary information submitted by AMEC due to recent staff changes and pressure of work. They took advice from their landscape staff on the issue and sought clearance to use delegated powers to provide a formal response to the Scottish Executive without reporting to Committee. As the supplementary information submitted on behalf of the applicant fails to address any of the objections agreed by the Council's Environmental Services Committee on 26th May 2004, the Moray Council therefore maintains their objection to AMEC's Clashindarroch Wind Farm Proposal. This information was sent to the Scottish Executive on 18th January 2005.

Further information from Mr. Short

Schedule 8 of the Electricity Act 1989 states that where the relevant planning authority notify the Secretary of State (now Scottish Ministers) that they object to the application, and their objection is not withdrawn, the Scottish Ministers shall cause a public inquiry to be held.

However, Schedule 8 also states that a public inquiry will not apply where the Scottish Ministers propose to accede to the application subject to such modifications or conditions as will give effect to the objection of the relevant planning authority.

The decision to hold a public inquiry therefore rests with the Scottish Ministers.

For your interest (apologies if you have already received it)

Moray Council objected for the reasons listed below:-

1. That the proposal is contrary to Development Plan policies S/ENV1, S/IMP1, L/IMP2, L/IMP3, L/ED10, L/ED15 and L/ENV7 because it would result in an unacceptably intrusive, dominant and overbearing man made feature in an open upland and exposed area of great landscape value which would be detrimental to the appearance and character of the landscape, and result in a significant long term detrimental impact on the amenity of people living nearby. It is further exacerbated by the proposed elongated layout along the western boundary and in particular by the inclusion of turbines 1-15.2.
2. The impact of the development would be exacerbated by the characteristic of movement associated with the wind turbines.
3. In relation to noise it is recommended that clarification on the turbine source noise level should be sought from the developer by the Executive to ensure an accurate assessment has been undertaken on the turbines likely to be installed at this location. It is unclear in the ES whether the assessment is based on the 1.75 MW typical turbine as put forward in the ES (82.25 MW) or if it is based on the 2.75 MW (129.25 MW) machines which are likely to be installed should consent be granted. A higher rated machine is likely to have a higher source noise level.

4. The developer should address the SINS designation adjacent to the forests western boundary by means of additional survey to ensure that there are no adverse impacts upon the Glenlivet/Glenfiddich and Cabrach designated Site of Interest to natural Science. Given the lack of information currently available the proposal is contrary to the terms of L/ENV2.

5. There are not sufficient material considerations to justify a departure from Development Plan