



# The Scottish Government Directorate for Planning and Environmental Appeals

Appeals cannot be validated until all necessary documentation has been submitted.

Thank you for completing this appeal form:

ONLINE REFERENCE                      000049450-002

The online ref number is the unique reference for your online form only. The Directorate for Planning and Environmental Appeals will allocate an Appeal Number when your form is validated. Please quote this reference if you need to contact the Directorate for Planning and Environmental Appeals about this appeal.

## Appellant or Agent Details

Are you an appellant, or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this appeal)

Appellant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

First Name: \*

Last Name: \*

Telephone Number: \*

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

You must enter a Building Name or Number, or both:\*

Building Name:

Building Number:

Address 1 (Street): \*

Address 2:

Town/City: \*

Country: \*

Postcode: \*

Is the appellant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Appellant Details

Please enter Appellant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Allan"/>
Last Name: *	<input type="text" value="Boyne"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:\*

Building Name:	<input type="text" value="Whinnyhaugh"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Garmouth"/>
Country: *	<input type="text" value="Moray"/>
Postcode: *	<input type="text" value="IV32 7LE"/>

## Site Address Details

Full postal address of the site (including postcode where available):

Address 1:	<input type="text"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text"/>	Town/City/Settlement:	<input type="text"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="864852"/>	Easting	<input type="text" value="333324"/>
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## Description of Proposal

Please provide a description of your proposal. The description should be the same as given in the application form, or as amended (with the agreement of the planning authority): \*  
(Max 500 characters)

Erection of wind turbine at Whinnyhaugh Farm, Garmouth. - Erection of 20kW turbine (13.1 metre rotor diameter) and installation of underground cables to provide source of renewable energy at Whinnyhaugh Farm, Garmouth.

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for Planning Permission (including householder application – excluding application to work minerals).
- Application for Certificate of Lawfulness.
- Application for Listed Building Consent.
- Application for Conservation Area Consent.
- Application for Advertisement Consent.
- Application for Prior Approval.
- Application for Tree Works Consent.
- Application for Certificate of Appropriate Alternative Development.
- Application for Planning Permission to work minerals.

What type of planning application was submitted to the planning authority? \*

- Application for Planning Permission.
- Application for Planning Permission in principle
- A Further Application (including renewal of planning permission, modification, variation or removal of a planning condition etc).
- Approval of matters specified in conditions.

What type of decision did you receive from the planning authority and are now appealing against? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision - deemed refusal (NB: This does not apply to Prior Approvals).

## Statement of Appeal

You must state in full, why you are appealing against the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your appeal: \* (Max 500 characters)

Note: you might not have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You will though be entitled to comment on (i) any additional matter which may be raised by the planning authority in its response to your appeal, or (ii) any representations the Scottish Government might receive from any other person or body.

We are appealing the initial decision as at 27m to tip we do not feel it would be visually intrusive and that there is still an association between the turbine and farm use i.e. it need not be at the back door of the farmhouse be considered a farm turbine. The proposed location would not be visible from the village of Kingston nor most of Garmouth. Out of the handful of house owners in the vicinity only 1 has an objection to our knowledge.

Have you raised any matters which were not before the planning authority at the time the decision you are appealing against was made? \*

Yes  No

Please provide a list of all documents, materials and evidence which you have provided with your appeal and intend to rely on in support of your appeal: \* (Max 500 characters)

Photographs of site.

Are you providing a separate statement of your Grounds of Appeal? \*

Yes  No

If Yes then please be prepared to upload this when you reach the end of the form.

## Grounds of Appeal

Please state your grounds of appeal here in summary: (Max 500 characters)

Turbine height is relatively low (It could be reduced by a further 5m with a lower tower).  
Turbine would be associated with farm use .  
The proposed location has minimised visual intrusion from householders in the wider area.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

1201696

What date was the application submitted to the planning authority? \*

01/10/12

Has a decision been made by the planning authority? \*

Yes  No

What date was the decision or certificate issued by the planning authority? \*

29/11/12

## Appeals Procedure

The person appointed to determine your appeal will decide upon the procedure to be used. However you should indicate what procedure you think is the most appropriate for the handling of the appeal.

Can this appeal continue to a conclusion in your opinion, based on a review of the relevant information provided by yourself and other parties without any further procedures? \*

Yes  No

In the event that the Scottish Government Reporter appointed to consider your appeal decides to inspect the appeal site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

If there are reasons why you think the Reporter would be unable to access and view the appeal site alone, please explain here. (Max 500 characters)

Site is field in middle of farm. The field may be ploughed or agricultural operations taking place.

## Other Appeals Submitted Details

Have you or anyone else made any other related appeals to Scottish Ministers regarding this building and/or site?

Yes  No

## Checklist - Appeal Against Planning Authority Decision Or Failure Of Planning Authority To Give Decision

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid. The Directorate for Planning and Environmental Appeals cannot start processing your appeal until it is valid.

Are you submitting a supplementary statement with your grounds of appeal? \*

Yes  No

If the appeal concerns approval of matters specified in conditions, or a Further Application to vary conditions – please attach a copy of the application, approved plans and decision notice from that earlier consent.\*

Submitted  Not Applicable

Copy of Plans/Drawings: \*

Yes  No

Copy of planning authority decision notice (If no decision then this is deemed as a refusal). \*

Yes  No  No decision

A copy of original application form and if applicable include certificates relating to land ownership. \*

Yes  No

Other documents, materials and evidence which you intend to rely on. \*

Yes  No

The Report of Handling prepared by the planning authority in respect of your application, where one exists. \*

Yes  No

## Declare - Appeals against Refusals and other decisions

I/We the applicant/agent certify that this is an appeal to Scottish Ministers on the grounds stated.

Declaration Name: David Simpson

Declaration Date: 27/02/2013

Submission Date: 27/02/2013

