

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations  
2008**

**Application for Planning Permission**

**Reference : 10/01669/FUL**

**To : Lomond Energy Ltd Per Steve Macken East Cambusmoon Farm Duncryne Road  
Gartocharn Alexandria**

With reference to your application validated on **20th January 2011** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Erection of 6 No wind turbines, 1 No wind monitoring mast, control building and ancillary infrastructure**

**at : Land East Of Craighburn (Spurlens Rig) Kingside West Linton**

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s)** stated on the attached schedule.

**Dated 30th November 2011  
Planning and Economic Development  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



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**Head of Planning and Regulatory Services**

**APPLICATION REFERENCE : 10/01669/FUL**

**Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
1.1	Location Plan	Refused
3.1	Planning Layout	Refused
3.2	Elevations	Refused
3.3	Sections	Refused
3.4	Sections	Refused
3.5	Site Plan	Refused
3.6	Sections	Refused
3.7	Sections	Refused
3.8	Sections	Refused
3.9	Elevations	Refused
3.10	Elevations	Refused
3.11	Block Plans	Refused

**REASON FOR REFUSAL**

- 1 The proposed development is contrary to Policies I19, I20, and N9 of the Scottish Borders Structure Plan 2001-2018, Policies D4 and BE3 of the Scottish Borders Consolidated Local Plan: Adopted 2011 and the advice contained within the Wind Energy SPG, in that:
  - The proposal will be located within and on the fringe of, and will have a significantly detrimental influence on, sensitive landscape types as defined in the Borders Landscape Assessment 1995 and Wind Energy SPG which are of an inappropriate scale and character to accommodate the proposals successfully, due to the open nature of the landscapes, the lack of containment and screening, high visibility of the site, the height of the turbines in relation to the surrounding landscape and views to and from surrounding hill ranges and the prominent elevated positions of the turbines.
  - The proposal will have a significant adverse impact on the landscape character of the area, including the hills and summits of the Pentland Hills and Moorfoot Hills ranges, the landscape designations and the surrounding countryside.
  - The turbines will have a significant detrimental visual impact on the area as a result of uninterrupted proximity and prominent skyline and blade overtipping impacts on high sensitivity road, recreational and landscape receptors, especially the A703.
  - The proposal will cause significant and unacceptable visual sequential cumulative impacts when considered with schemes approved or proposed, experienced from roads and paths in the area, especially the A703.
  - The proposal would be within the statutory safeguarded area of the Eskdalemuir Seismological Recording Station and would produce a noise level that could have an unacceptable cumulative impact on the noise sensitive operational functionality of the array.

**FOR THE INFORMATION OF THE APPLICANT**

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose, TD6 OSA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, 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 may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.