

PAPER 2

APPENDIX I

REPRESENTATIONS

Shennach Farmhouse
Cromdale
Nr Grantown-on-Spey
Morayshire
PH26 3LW

RECEIVED

18 JUL 2013

Tel: [REDACTED]

OPERATIONS SUPPORT TEAM

Email: [REDACTED]

15 July 2013

ePlanning Centre
The Highland Council
Glenurquhart Road
INVERNESS
IV3 5NX

Dear Sirs

Planning Application 13/02401/FUL

It has been brought to our attention that an application has been made to erect a 50 KW wind turbine at Easter Rynabellock, Cromdale. This surprises us as our neighbours Mr and Mrs Martin who own the property say that they have not applied for any such thing... We strongly object to this application on the grounds that

1. This is a National Park and it will be in full view and ruin the local view from the road for visitors to the area
2. The siting will impact on the wildlife of Tom and Aird Wood and surround area, which is rapidly depleting anyway and visitors will soon feel it is not worth coming to see the birds and wildlife or come for shooting.
3. It is also unnecessarily large. There is a cow shed near this address and if the application is for just this the turbine could be much smaller and sited behind the shed so it did not ruin the beautiful local country side.
4. There has been no consultation with the neighbours and we feel that this will affect us. If electricity is needed solar panels could be used as we have done at our property and these are environmentally friendly

We trust that this application will be refused

Yours faithfully

[REDACTED]

Carol Rutter

RECEIVED

17 JUL 2013

OPERATIONS SUPPORT TEAM

Easter Rynaballoch

By Cromdale

Grantown on Spey

PH26 3LW

9 July 2013

Planning Officer

ePlanning Centre

The Highland Council

Glenurquhart Road

Inverness

IV3 5NX

Planning application for erection of one 50 KW (26.5 m to tip) wind turbine and installation of underground cables on land 245 m west of Easter Rynaballoch, by Cromdale, Grantown on Spey.

Dear Sir,

With reference to the above mentioned 13/02401/FUL application published in Strathspey and Badenoch Herald 3rd July 2013.

As residents of Easter Rynaballoch, which is directly affected by the proposed development, I would be grateful for the following concerns to be placed before the planning committee.

Visual Impact

As the turbine is to the rear of the property I would hope that a site inspection would be undertaken to evaluate this.

We are not against wind turbine renewable energy in principle but we feel that consideration should be given to residents who would be directly affected by such proposals, and a compromise be considered.

Therefore the area to the North, where the existing barn is situated, could possibly be an alternative as there is sufficient land for development. This would be unobtrusive and visual impact and noise levels would be minimised.

The cost implications of using the alternative area would reduce infrastructure expenditure, as the power source is significantly closer to the site of power usage. As they propose connecting the electricity to the barn this would also reduce overheads, i.e. cost of cables.

Another option would be to install solar panels on the roof of the barn. These should provide sufficient electricity to power the barn, with no ecological impact.

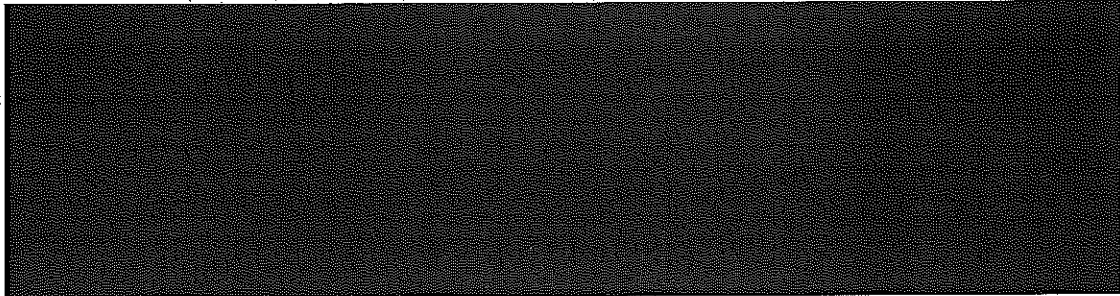
Ecology Report

The report published does not, we feel, reflect the natural value of the area.

The natural meadow grassland that is the proposed site of the turbine is of significant value to fauna and flora as it is not cultivated or fertilised. It is one of the few areas of traditional meadow grounds, and is only grazed very occasionally.

The nesting birds consist of grey partridge, lapwing, curlew, wheatear, and oyster catchers. Tawny owls, short-eared owls and barn owls also feed in this area. As observed over 12 years of living at the property.

The natural meadow also provides habitat for a number of insect species, including moths and bees, which have been declining nationally recently. In turn, some of these insects provide food for bats that can regularly be seen hunting this area at night. This leads me to believe that there are bats roosting in the wood which would be greatly disturbed by the work erecting the turbine and the presence of the turbine itself.



Life Changes

The most significant impact on our lives as residents of Easter Rynaballoch would be property valuation being reduced, as confirmed by a local solicitor.

When this is considered with the fact that we own the sporting lease, which was the main reason for purchasing the property, and provides a part of our income, the potential impact becomes much more significant.

The main sporting activity is falconry, which consists of flying hawks and Peregrine falcons at wild quarry. It also involves many visiting falconers from various countries, which in turn brings income into the local economy.

The sport forms part of our income and this was the main reason for acquiring the property twelve years ago.

This land is also the main area for emergence of deer, and all stalking would be drastically affected.

Low Flying Aircraft

Risk assessment would be valuable in connection with low flying jets, which in the past have been directly over our property at 100 ft.

We have corresponded with the Ministry of Defence on this issue. A copy is enclosed, together with leaflet which confirms a small amount of flying by fast jet and Hercules aircraft between 250 and 100ft as highlighted for your information.

Wind Turbine on Neighbouring Farm

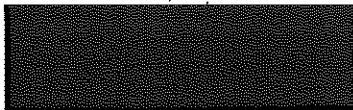
As there is a wind turbine erected on Lethendry Farm nearby, this gives a direct comparison to the proposed development.

Lethendry's turbine is a 20KW which provides power directly to the farm property and all associated buildings, and is sited directly so cost and infrastructure is minimal.

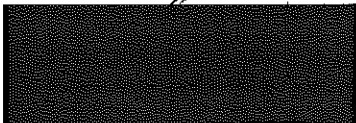
Therefore, with this proposed development being of 50KW and being only connected to one barn and minimal use of electricity, it appears to go against the theory of renewable energy. Information that we have received implies that the higher KW structure requires significantly more expenditure associated with the installation of higher cables.

All the farming activities are undertaken from Dalvey, which is a considerable distance from the proposed site.

Yours Sincerely,



DW MARTIN





From: Mr D Armstrong, Directorate of Air Staff Complaints and Enquiries Unit

MINISTRY OF DEFENCE

Zone H, 5th Floor, Main Building, Whitehall, London, SW1A 2HB

e-mail: lowflying@mod.uk

www.mod.uk/DefenceInternet/AboutDefence/WhatWeDo/AirSafetyandAviation/LowFlying

Telephone (Direct dial) 020-7218 6020
(Switchboard) 020-7218 9000

(Fax) 020-7218 2680

Mrs J Martin
Easter Rynaballoch
Cromdale
Granttown on Spey
PH26 3LW

Your Reference

Our Reference
D/DAS(LA)C&E 08/7/206
Date
29 July 2008

Dear Mrs Martin,

I have received your letter of 3rd July to the OC of RAF Lossiemouth concerning military aircraft activity in your area.

Please accept my apologies for the disturbance you have experienced. Based on the information you provided, we believe the aircraft you saw were two Typhoons from RAF Coningsby, operating out of RAF Kinloss, which were authorised to conduct a low level training sortie in your general area at heights down to 250 feet.

I would like to explain a little about the need for such low level training. The Defence Mission summarises the purpose of the Armed Forces as to defend the UK, Overseas Territories, our people and interests, and act as a force for good by strengthening international peace and security. To achieve this, we must generate modern, battle-winning forces. In part, success depends on our ability to recruit and retain the best people for the job and train, motivate and equip them properly.

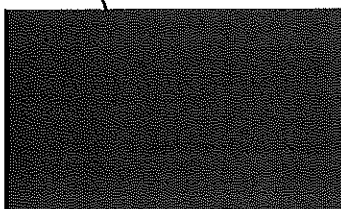
There is a continuing need for aircrew to train regularly at low level. Low flying is a perishable skill which can only be perfected through rigorous training and continuous practice in a realistic environment. MOD would be failing in its duty if it did not ensure that aircrew of all three Services were fully competent in a wide range of flying skills and tactics before they deployed on operations. Aircrew must be confident of their own ability to fly combat and humanitarian missions at any height necessary if they are to keep a potential enemy off balance, and themselves as safe as possible.

There can be no question that we would prefer to carry out low flying without causing any disturbance to those on the ground. Unfortunately, there are no uninhabited areas of the UK large enough to meet our essential training needs. It is therefore our policy that, in principle, the whole of the UK is open to low flying by military aircraft in order to spread the disturbance as thinly as possible. A number of areas are excluded, such as restricted airspace around civil aerodromes, glider sites, certain industrial sites and the larger centres of population (generally those towns with over 10,000 inhabitants). Outside such exclusion zones it is inevitable that the less populated areas, such as Granttown on Spey, will see a proportion of our low flying training sorties.

We do realise that military aircraft can be disturbing to those on the ground and it is for this reason that a wide range of measures is taken to minimise disturbance. These measures are explained in the enclosed leaflet "Military Low Flying - An Essential Skill". The leaflet explains why low flying remains essential and how it is carefully controlled and monitored.

We have a responsibility to train military aircrews as part of the UK's defence commitments. However, in meeting this requirement we will continue to do all we can to minimise disturbance.

Yours sincerely,



Further evidence will be needed for claims involving livestock. Initial procedures are in place with farmers' unions and, if you are a member, we recommend that you contact your local branch.

Can I get more information?

If you have any remaining questions about military low flying, you wish to write to:

Ministry of Defence

Directorate of Air Staff (Lower Airspace)

Complaints and Enquiries Unit

5 Zone H

Building

Whitehall

London SW1A 2HB

Tel: 020-7218 6020

Fax: 020-7218 2680

Email: lowflying@mod.uk

A freephone advisory service for enquiring about low flying military helicopter activity has been introduced. The number to call is 0800 51 55 44 from 0800 to 1700hrs, Monday to Friday, and during British Summer Time the hours will be extended until 2000hrs.

The service will provide daily advice on planned low flying military helicopter activity in the relevant Low Flying Areas, including confirmation of whether any helicopter training is taking place and information on the expected number of helicopters planning to operate. These forecasts will be valid up to a point of issue, but members of the public should be aware that all military helicopter activity may be subject to change at late notice because of predicted weather conditions or operational requirements.

The service does not currently include information concerning fast jet activity, or intense areas of helicopter activity close to helicopter bases. If you do not use the freephone number for complaints concerning low flying military activity:

LOW FLYING

Low Flying.....

is an essential skill, providing aircrew with one of the best chances of survival

is a highly demanding skill which can only be maintained through continuous and realistic practice. It cannot be learned quickly in an emergency

is conducted with the safety of people on the ground, our aircrew, and other airspace users as the overriding concern

is rigorously controlled and continuously monitored

has reduced since 1988 - the total number of sorties by a third and those by jets by more than half

can be disruptive and therefore measures are taken to minimise the disturbance. The amount is restricted to the essential minimum; it is spread as widely and equitably as practicable; heights, speeds and operating procedures are restricted; and most is carried out during daylight hours on weekdays.

by foreign air forces is strictly controlled, and only generally permitted on a reciprocal basis

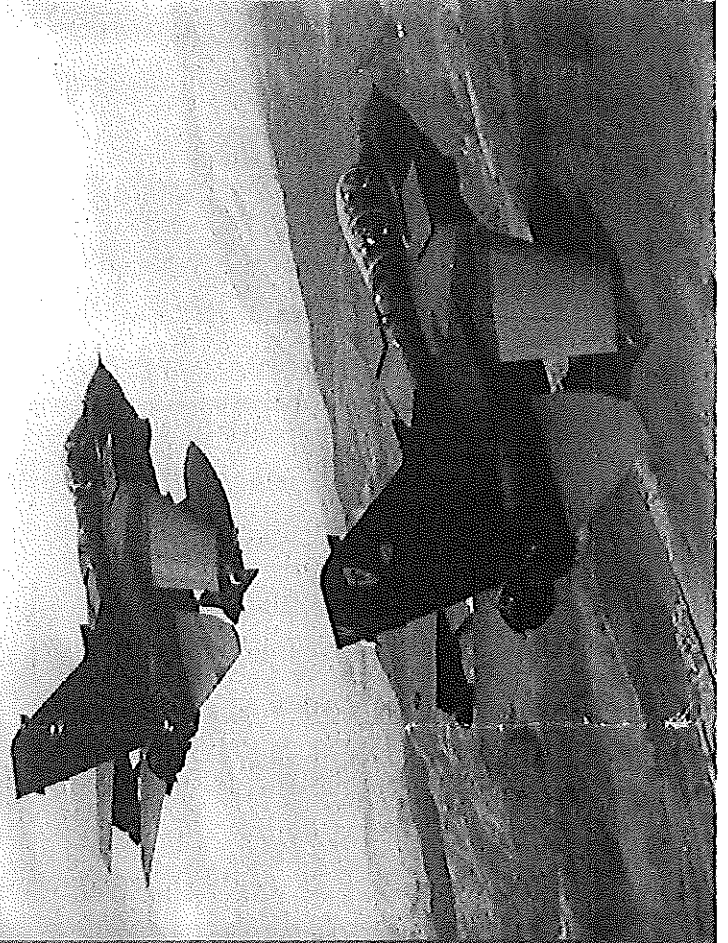
over the sea and the use of simulators cannot replace the need for the real flying training

FACTS

MILITARY LOW FLYING AN ESSENTIAL SKILL



THE MINISTRY OF DEFENCE (MOD) RECEIVE MANY DIFFERENT ENQUIRIES ABOUT MILITARY LOW FLYING. THIS LEAFLET EXPLAINS THE KEY ISSUES AND ANSWERS THE QUESTIONS MOST COMMONLY ASKED BY MEMBERS OF THE PUBLIC.

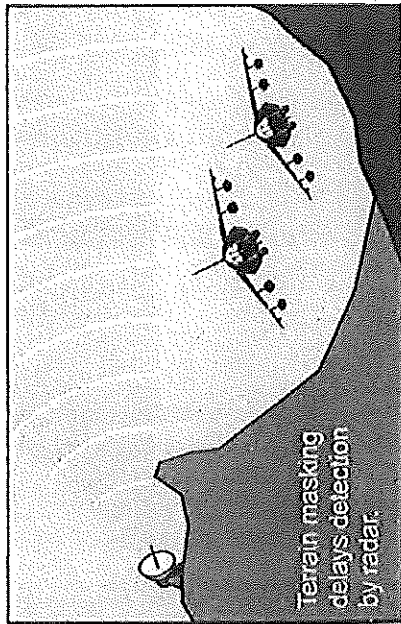


Why is low flying necessary in peacetime?

For over 50 years the nations of western Europe have enjoyed peace, freedom and stability within the framework of the North Atlantic Treaty Organisation (NATO). Although the major strategic threat represented by the former-Warsaw Pact has disappeared, the risks to international stability now come not only from the expansionist ideals of individual nations but also from pressures which operate both within states and across borders. These include: ethnic and religious conflict; population and environmental pressures; demand for scarce resources; and drugs, terrorism and crime. Events around the world today demonstrate that there is a continuing requirement for well-trained armed forces able to defend our interests at short notice whenever the need arises.

Low flying is a vital element in meeting this requirement.

The most effective defence against any aggressor would be to attack his capability to make war. Aircraft would provide the firepower and flexibility to deny an aggressor the sanctuary of secure bases from which to launch attacks. Military fixed-wing aircraft and helicopters are required to penetrate sophisticated radar and anti-aircraft systems. Their best chance of survival, therefore, lies in flying very fast and low, using ground contours to delay detection and to screen them from fighter aircraft, missiles and anti-aircraft artillery. This is equally true for air defence aircraft, which must be able to intercept enemy aircraft flying at low level, and for transport aircraft, which can be used to deliver supplies to a front line inside hostile territory. Low level flying is also essential to our increasing role in humanitarian and peacekeeping missions around the world. Low flying is a highly demanding



skill which cannot be learned quickly in an emergency. It is only through progressive training and continuous demanding practice in peacetime, both during the day and the night, that aircrew can acquire and maintain

Where is low flying carried out?

We would like to carry out low flying training without disturbing people on the ground. Unfortunately, there are no uninhabited areas of the UK large enough to meet our essential training needs. It is therefore our policy that, in principle, the whole of the UK is used for low flying by military aircraft in order to spread the disturbance as thinly as possible. A number of areas are unavailable because of airspace restrictions, such as the protected airspace surrounding airports, airfields, glider sites and certain industrial hazards. Major built-up areas are also avoided. Outside such exclusion zones, it is inevitable that the less populated areas will see some of our low flying training sorties. We try to ensure that low flying is distributed as equitably as practicable, but geographic, climatic and operational factors mean that a truly even distribution will never be possible.

Can low flying aircraft avoid overflying livestock or particular locations?

We receive a great many requests for low flying aircraft to avoid overflying livestock or individual locations. While such requests may seem undemanding, it would be impossible for us to meet our training objectives if we acceded to them all. It is not that we are unsympathetic, but the creation of additional avoidances has the effect of concentrating low flying on other communities where there may be equally compelling sensitivities. For these reasons permanent avoidances can only generally be approved in exceptional circumstances. Nevertheless, we consider carefully, and on a case-by-case basis, all requests that aircraft should avoid a certain site, either permanently or temporarily. Details should be sent to the MOD address at the end of this leaflet. Aircrew do not deliberately set out to overfly livestock and will take avoiding action when this is possible. Unfortunately, it is not always possible to see animals in time to avoid them and taking such action may create more of a disturbance to those on the ground than continuing with the existing flight path.

How much low flying do you do?

The amount of training we carry out is limited to that strictly necessary for aircrew to achieve and maintain operational effectiveness, and is kept under continuous review. This has led to a reduction in recent years, reflecting the changing requirement. In 2003/2004, the number of hours booked for low level training was a third less than in 1995.

the skills they would

need to cope with the additional pressures when flying during operations. Aircrew are taught the fundamentals of low flying during their basic training, carried out on propeller driven aircraft like the Tucano. These skills are honed during advanced training (which, for fast-jet aircrew, is carried out on the Hawk) and perfected at operational conversion units. On joining a front line squadron, aircrew are required to practice low flying regularly in order to make sure they remain ready to defend our interests at all times. Although training by RAF aircrew accounts for most of the low flying carried out in the UK, it is also undertaken by personnel from the Royal Navy, Army Air Corps and United States Air Force units based in the UK.

Why not practice over the sea or on simulators?

Low flying over a flat and largely featureless sea offers little realistic training for aircrew who, during operations, will generally have to fly over land. We already make maximum use of simulators, particularly in areas such as cockpit procedures, general handling, instrument flying training, and practice for emergencies and wartime procedures which cannot reasonably be carried out in the air. Although simulator technology continues to develop steadily, even the most advanced devices currently available cannot give sufficiently realistic simulation, or impart the necessary physiological or psychological pressures, to provide an acceptable substitute for actual low flying. Developments in simulator technology are monitored closely. In the meantime, they complement, rather than replace, the need for low flying training.



Can you provide prior notice of low flying training activity?

We are unable to provide advance notification of routine fixed wing low flying activity as sorties are generally arranged at short notice to take account of variable factors, such as the weather in various parts of the UK. In addition, a typical sortie, some 400 of which occur on any given weekday, may cover a distance of 500-600 miles. We do, however, recognise the importance of providing prior notification when this is possible, and details of major exercises and unusual activity are provided to Members of Parliament and the Devolved Legislatures, the local media, organisations such as the National Farmers Union, and appear on our website www.mod.uk/issues/lowflying. Details of the free phone advisory service for low flying military helicopter activity are included in this leaflet.

Do foreign aircraft train in the UK?

The amount of low flying carried out in the UK by non-UK based foreign aircraft is very small; currently some 1 % of the overall total. Military low flying by visiting foreign air forces is carefully controlled, and only generally permitted where reciprocal low flying training opportunities are provided for our own armed forces in the country concerned. The majority of low flying by visiting foreign aircrew involves other NATO countries on exercises or squadron exchanges, which are essential given the increasing role of multinational forces in operational and humanitarian missions. Foreign aircrew are bound by at least the same stringent regulations as those which apply to our own aircrew, and are not generally permitted to operate under more favourable conditions than those applied to our armed forces in the country concerned.

What is done to ensure aircrew obey the rules?

The performance of aircrews is monitored by more experienced officers and senior aircrew to ensure that the highest standards of airmanship are achieved and maintained. Aircrew are made aware of their responsibilities to the general public when they begin flying training, and this is reinforced throughout their Service careers.

The Defence Flying Complaints Investigation Team carry out regular covert surveys of military low flying activity, often assisted by the deployment of a Skyguard radar system which can measure accurately the heights and speeds of aircraft. The Defence Flying Complaints Investigation Team also carry out comprehensive investigations into alleged breaches of regulations. Aircrew found to have breached flying regulations face the possibility of disciplinary action. The results of monitoring and Defence Flying Complaints Investigation Team investigations confirm that there is a healthy respect for the regulations.

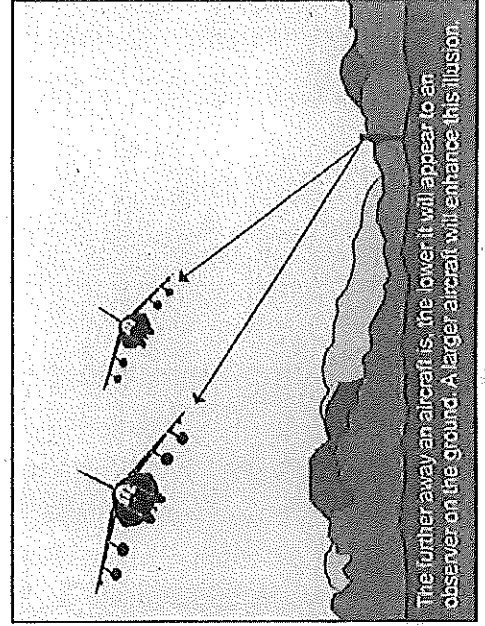
How do I complain?

If you think you have grounds for complaint about a specific flight, you can contact your nearest air station, write to or telephone the Regional Community Relations Officer or the MOD; addresses and telephone numbers are shown towards the end of this leaflet. We do not require technical information but we do need to know the date, time and place of the incident. Any other details you can provide such as how many aircraft were involved, whether the aircraft was a jet, helicopter or propeller-driven, what colour it was and the direction of flight can also be helpful. All complaints are examined and where there is sufficient evidence to suggest that a breach of regulations may have occurred, details are passed to the Defence Flying Complaints Investigation Team for investigation. In these cases the results are made known to the complainant.

Can I seek compensation?

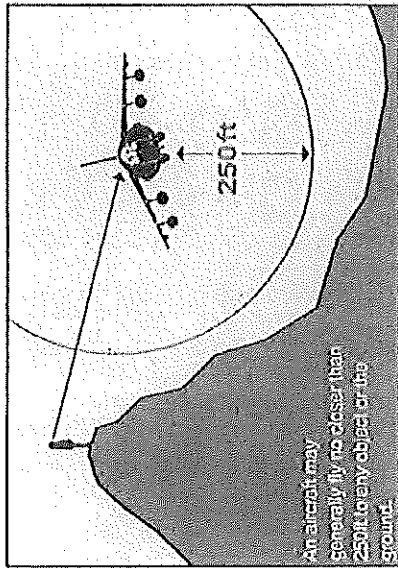
We are anxious that no one should suffer loss or damage as a result of military low flying, and the Ministry of Defence Claims Branch is empowered to pay ex-gratia compensation in cases where a connection can be established between the overflight of a military aircraft and injury, loss or damage. You should write, giving any available evidence including names and addresses of witnesses to:

Ministry of Defence
Directorate of Safety and Claims
Low Flying & Maritime Section
Zone A, 7th Floor
St Georges Court
2-12 Bloomsbury Way
London WC1A 2SH
Tel: 0207 305 3208



What measures are taken to reduce disturbance?

We know that military low flying can be disruptive and for this reason a range of measures is taken to minimise disturbance. For example, outside designated areas sorties are normally limited to a minimum height of 250 feet and to speeds of no more than 450 knots, even though aircrew would be required to fly much lower and faster in operational theatres. We carry out the majority of low flying on weekdays, with only non-jet activity in support of reserve forces generally permitted at weekends. Low flying at



night is required to be completed as early as possible and only in exceptional cases is jet low flying permitted after 11pm.

is flying below 250 feet permitted in the UK?

Fixed-wing military aircraft are not generally permitted to fly below 250 feet in the UK. However, it is essential that a core of proficiency at operational heights is achieved by allowing a small amount of flying by fast jet and Hercules aircraft between 250 and 100 feet in three specially designated Tactical Training Areas (TTAs). These are located in relatively sparsely populated parts of northern Scotland, central Wales and the borders areas of southern Scotland/northern England. The volume of this type of training is small even within the TTAs themselves, amounting to about 1 % of the total volume of low flying in the UK. As much operational low flying training as possible is carried out overseas, mainly in Canada and the USA.

Why are helicopters allowed to fly below 250 ft?

Helicopters carry out a wide variety of roles in support of ground forces and at sea. They are, however, relatively slow moving aircraft and therefore particularly vulnerable to attack from the ground. By flying at very low level, they can use the terrain to mask their approach. Support helicopters delivering or picking up troops close to the front line minimise the time they spend there

(and therefore the opportunity for attack by the enemy) by remaining close to the ground. Attack helicopters also remain out of sight from their target, hovering behind natural features to conceal their presence until the last moment before delivering their weapons, or completing a reconnaissance task. These techniques require regular and realistic practice if they are to be perfected, and for this reason helicopters can be permitted to train down to ground level. Permission is sought from landowners before landing on private property. Some helicopters also fulfil a vital Search and Rescue role, which must also be practiced regularly.

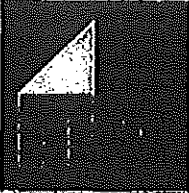
Why don't you practice all low flying abroad?

All three services regularly deploy overseas for a wide variety of purposes, not just low flying. The RAF, for example, regularly deploys to the USA, Canada and the Middle East and makes as much use as possible of the opportunities for low flying during these and other overseas detachments, particularly for the most disturbing types of training. Overseas deployments are, however, expensive to support both in terms of the logistics involved and the time it takes to get aircraft to and from their destination. It would not therefore be practical to attempt to export all low flying training. However, we remain committed to exploring and exploiting all new opportunities for low flying overseas as they arise.

Is low flying safe?

Safety is of the utmost importance to all aspects of our flying training programme. Stringent regulations, designed to safeguard the interests of the public and our aircrews alike, are in place and are strictly enforced. Peacetime training (other than that carried out in specifically reserved airspace) is conducted only in conditions of good visibility and clearance from cloud. All aspects of flight safety are kept under continuous review and, in consultation with bodies such as the Civil Aviation Authority, we take a leading role in exploring new flight safety initiatives.





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cairns

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Mr & Mrs Martin
Easter Rynaballoch,
By Cromdale,
Grantown on Spey,
PH26 3LW

10 July 2013

Our Ref: Property / SA

Dear David and Jacqueline,

Easter Rynaballoch. Likely valuation impact on close proximity erection of wind turbine

Further to your email regarding the erection of one 50kw (26.5m to tip) wind turbine and installation of underground cables to land 245 metres west of the above mentioned property; I can confirm after discussion with various surveyors and having carried out some comparative research that there is no definitive answer but, in my opinion, the likely impact on the marketability and value of your property is as follows,

1. An audible and visible turbine within the distance you talk of may compromise the desirability of your property and therefore the opportunity cost for potential purchasers could lead to a reduction of interest and therefore value. It is however difficult to provide a conclusive percentage reduction in value.
2. There are some studies available by Royal Institute of Chartered Surveyors (RICS) with one study in 2004 that concluded that 60% of the survey sampled thought wind farms decrease the value of residential property where the development is within view, 67% of the sample indicated that the negative impact on property prices starts when a planning application to build a wind farm begins.
3. Other reports suggest that the presence of wind turbines does have a profound effect on some of the residents living near a turbine. Dr Amanda Harry studied various sites around the UK in 2007. She found that the majority of people who live

Directors
Neil F. Masson LLB
Kate J. Anderson BA Hons LLB Dip LP

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near a turbine found it had a negative effect on their health and quality of life. However, the study did not provide much evidence for lowering property values.

Read the report *Wind Turbines, Noise and Health (2007)* http://docs.wind-watch.org/wtnoise_health_2007_a_harry.pdf.

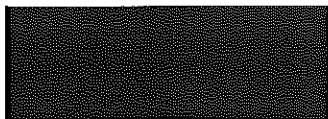
4. A landmark case has shown evidence that the close proximity of wind farms can affect house prices. A council tax appeal ruled that Jane Davis would get a discount on her council tax because her home has lost value as a result of a wind farm. This ruling could be regarded as an official admission that wind farms have a negative effect on prices.

Valuation Tribunal Council tax appeal from Jane Davis (2008) http://info.valuation-tribunals.gov.uk/decision_document.asp?Decision=&appeal=/decision_documents/documents/CT_England/2626476651/032C

5. A Parliamentary paper is available that explains the planning guidance in different parts of the UK, with the different likely effects on the distance from housing. England has no separation distance, although noise limits suggest a minimum separation distance of 350 metres for a typical wind turbine. Scotland has guidance suggesting 2km and Wales suggests 500m between a wind turbine and housing. Again this paper provides other evidence of the debate on the impact on house prices. The full paper is available - <http://www.parliament.uk/briefing-papers/sn05221>

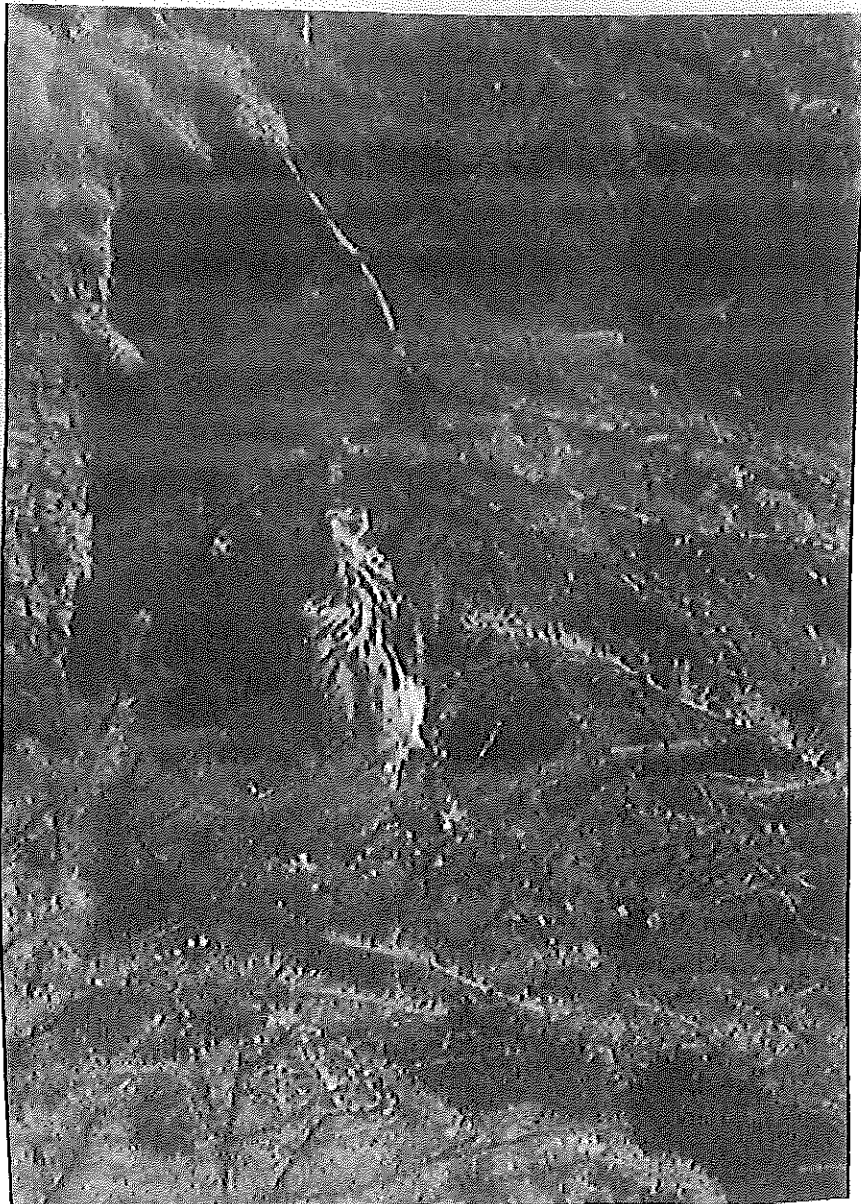
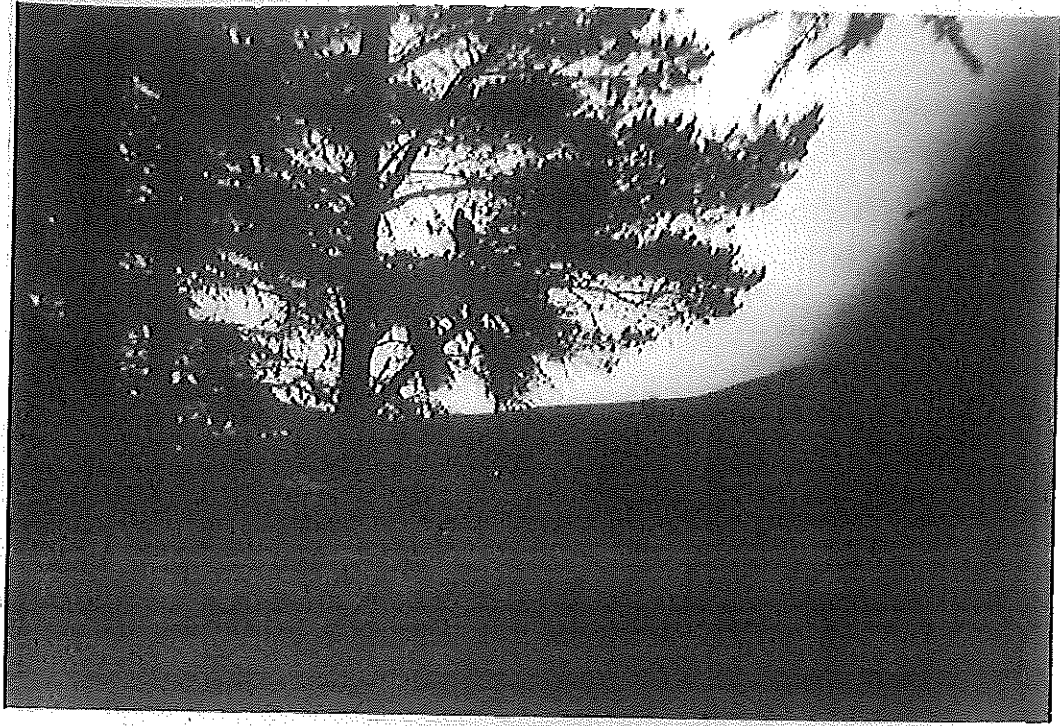
I hope this information is of some assistance.

Yours sincerely



Scott Anderson
Estate Agency Manager





An Dachaid Uaine,
Cromdale,
by Grantown-on-Spey
PH26 3LW
United Kingdom

T) [REDACTED]
E) [REDACTED]

8th July, 2013

Eplanning Centre,
The Highland Council,
Glenurquhart Road,
Inverness
IV3 5NX

Ref 13/02401/FUL

Dear Sir/Madam,

I am not in principle against single wind turbines as long as they are sympathetically sited taking into account the landscape.

I would respectfully request the applicants to reconsider the current proposed site for the wind turbine for the following reasons:

- a) The proposed site is in natural grassland which is not disturbed much by farm animals and is a natural habitat for wild flowers and animals.
- b) Future inhabitants here and in Wester Rynaballoch may not be so enamoured with the visual effect of having a turbine within sight.

A site closer to the farm buildings would be an appropriate site as this area has already been disturbed by human activity.

I look forward to hearing of your decision in this matter.

Yours Faithfully,

Patrick Harrison
unsigned, by email

CC: CNPA