

Mr Robert Fraser

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Our ref: AIR/CES/001
9 October 2014

Dear Mr Fraser

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (SAFEGUARDED AERODROMES, TECHNICAL
SITES AND MILITARY EXPLOSIVES STORAGE AREAS) (SCOTLAND) DIRECTION 2003
ERECTION OF TWO WIND TURBINES AT LOCHEPORT, NORTH UIST**

1. This letter contains Scottish Ministers' decision on the above planning application which you lodged with Comhairle nan Eilean Siar on 1 April 2013.
2. The application was notified to Scottish Ministers on 22 November 2013, in accordance with Planning Circular 2 2003, The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003. In terms of Section 46 of the Town and Country Planning (Scotland) Act 1997, Scottish Ministers directed Comhairle nan Eilean Siar, on 18 December 2013, to refer the application to them for determination.
3. The application was thereafter considered on the basis of a hearing carried out by Mr Trevor A Croft BSc DipTRP ARSGS, FRSA MRTPI, a reporter appointed for that purpose, on 3 June 2014. A copy of Mr Croft's report is enclosed.
4. A description of the site and surroundings, proposal and relevant background appears between paragraphs 1.1 to 1.8 of the main report. The reporter sets out the legislative framework and policy context between paragraphs 2.1 to 2.30.

Summary of Statements

5. A summary of the consultation responses and representations appear between paragraphs 3.1 and 3.21. The Ministry of Defence's case is summarised between paragraphs 4.1 and 4.59. A summary of your case appears between paragraphs 5.1 and 5.34 of the report and Comhairle nan Eilean Siar's case is summarised in paragraphs 6.1 to 6.27.

Consideration by the Reporter

6. The reporter's consideration is set out between paragraphs 7.1 and 7.80 and his conclusions and recommendation contained in paragraphs 8.1 to 8.11 of the report.

Scottish Ministers' Decision

7. Scottish Ministers have carefully considered the reporter's report of the hearing. They agree with the reporter's conclusions and adopt them for the purposes of their own decision and accept the reporter's recommendation.

8. Accordingly, Scottish Ministers hereby refuse planning permission for the erection of 2 wind turbines at Locheport, North Uist.

9. The foregoing decision of Scottish Ministers is final, subject to the right conferred by Sections 237 and 239 of the Town and Country Planning (Scotland) Act 1997 of any person aggrieved by the decision to apply to the Court of Session within 6 weeks of the date hereof. On any such application the Court may quash the decision if satisfied that it is not within the powers of the Act, or that the appellant's interests have been substantially prejudiced by a failure to comply with any requirements of the Act, or of the Tribunals and Inquiries Act 1992, or any orders, regulations or rules made under these Acts.

10. A copy of this letter and the report has been sent to Comhairle nan Eilean Siar and Ministry of Defence. All parties who made representations will be notified of the decision.

Yours sincerely

L Murray

LYNDSEY MURRAY