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E-Mail Enquiry

Class: LDP
To: ldp@aberdeenshire.gov.uk
CC:
From: [REDACTED]
Date: 18/09/2014 11:15:05
Subject: [ACE/605371] Aberdeenshire Main Issues Report Addendum 2014 MOCWAG response
Status: New Enquiry
Owner: No Owner Assigned
(Individual dealing with the Enquiry.)
Age: 0
(in work days)
Comments:

Enquiry Text

Dear planners, please find enclosed our community response to the addendum e-mail which was sent ont to us as we had made a response to the LDP draft 2016.

Response to Aberdeenshire Local Development Plan 2016 – Main Issues Report from the Moss Of Cruden Windfarm Awareness Group. (MOCWAG).

Main Issue 5: Wind energy

1. Firstly we would like to comment that we believe Aberdeenshire council's consultation on wind energy, in particular, appears to have been severely undermined by the intervention of the Scottish Government. What is being proposed now in the LDP with regards to the areas of land suitable for wind turbine development is NOT what the communities, Community Councils and residents of Aberdeenshire were originally consulted on. We consider the sovereignty of peoples' rights to make comments and representations has been undermined by the actions of changing the contents of the LDP after the consultation period has finished.

However in the Buchan area we, as residents, are pleased to see that other areas of Aberdeenshire are now potentially open to windfarm development. We believe for far too long the Buchan area has been identified to take far too many windturbines than is currently sustainable for local residents amenity, the wildlife and infrastructure. We look forward to seeing the renewed proposals are acted upon in reality.

We are further concerned that Aberdeenshire Council has decided to allow windfarm developers to complete their own assessments of wind turbine visual impacts and consider that this may well be at the expense of commercial gain over amenity. We are concerned that does the planning department has the capacity to realistically examine all wind turbine visual and spatial framework proposals from developers.

2. In the Council's response there is no mention of the effects of turbines on the Bullers o' Buchan Special Protection Area and our legally biuding request for a environmental survey to be undertaken. We feel that this issue is not being taken seriously by Aberdeenshire Council nor Scottish Natural Heritage and will be making a representation to the outside arbiter on this matter.

3. There were no specific answers to our questions and concerns raised under the various human rights acts that we pointed ont that are applicable to the Council's consented deployment of wind turbines near residential accommodation. As such we will also be taking these matters up with the outside arbiter.

4. We are also concerned that Aberdeenshire Council makes note of the recent ECJ ruling regarding European cross border windfarm development subsidies. In essence no foreign windfarm developer is allowed to use subsidies generated in another EU country to cross subsidise windfarm developments in Scotland. We believe there may already be cases of this happening in Aberdeenshire.

'In its ruling in Ålands Vindkraft AB v Energimyndigheten (C-573/12) the European Court of Justice (ECJ) found that the Swedish green certificate scheme is compatible with EU law. The case was brought in Sweden and referred by the competent Swedish court to Luxembourg. The referring court asked the ECJ whether a support scheme for renewable energy, which excludes foreign generation sources from participating in the scheme, such as the Swedish green certificate scheme, infringes EU rules guaranteeing free trade within the internal market. The ECJ considered, in essence, that a restriction of the internal market rules is justified based on current EU law, notably given that the EU has not harmonised national support schemes for green electricity.'

Regards [REDACTED]

History

18/09/2014 11:21 Enquiry (Current Document)
 18/09/2014 11:27 Automatic Reply

SUBMISSION No.	034
ISSUES RAISED	1
SUPPORTING DOCS	