
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **CONSULTATION FROM HIGHLAND COUNCIL RE: SCOTTISH GOVERNMENT CONSULTATION ON APPLICATION UNDER SECTION 36 OF ELECTRICITY ACT 1989**

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DEVELOPMENT PROPOSED: **CONSTRUCTION OF 26 TURBINE WIND FARM AT GLENKIRK, TOMATIN INVERNESS-SHIRE (AMENDED PROPOSAL)**

APPLICANT: **EURUS ENERGY LIMITED**

RECOMMENDATION: **OBJECTION**

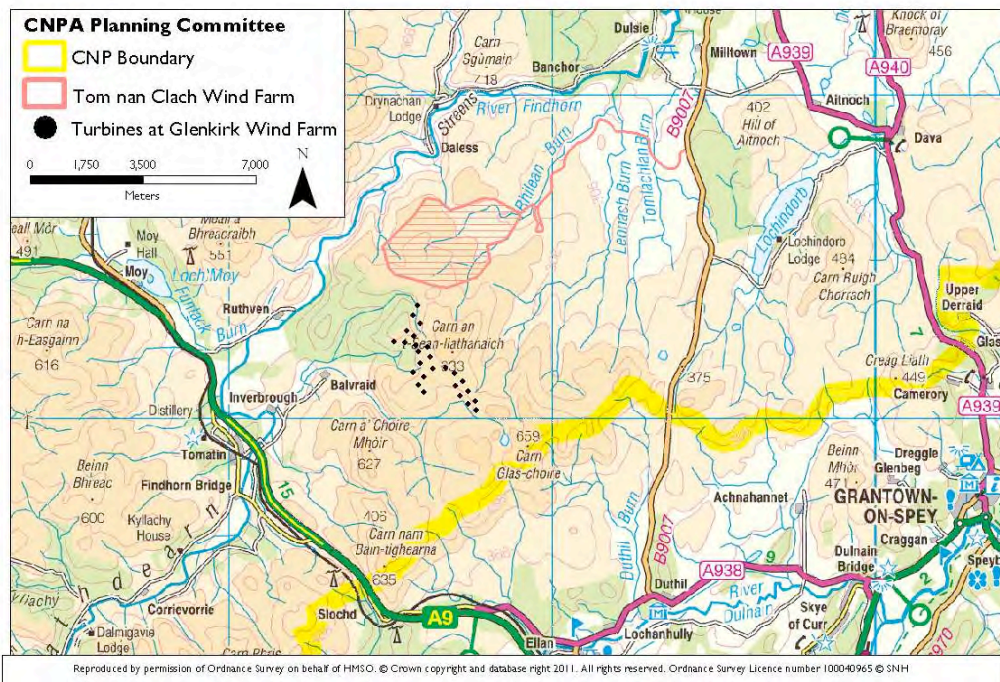


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This report has been drafted at short notice due to tight consultation deadlines on what is an amended proposal. This application is to the Scottish Government and the Park had been consulted by Highland Council on the proposal for a 26 x 3 MW turbine wind farm development at Glenkirk approximately 6 kilometres to the north of Carrbridge. There have been a number of amendments to the scheme; the latest amendment reduces the number of turbines down to 26. The proposal had previously been reduced from 34 to 31 turbines. The area for the windfarm is located in a triangle of land between the B9009 Forres Road, the Findhorn Gorge and the A9. The nearest turbine on the original scheme was approximately 380 metres from the Park boundary where it runs along the 659 metre summit of Carn Glas chorie (classified as a 'Graham' Scottish Hill between 2,000 and 2,500ft). Now the nearest turbine is around 1.45 km from the Park. All service requirements including tracks to the development will be formed from Tomatin. The ridge undulates between the 500 and 650 metre contour. The turbines are located in a shallow upper glen on the hillslope that slopes away gently to the north west.
2. As mentioned the National Park boundary runs along the ridge immediately south east of the site. From this ridge the ground slopes down more steeply so the site is at a prominent height above the northern margins of the Park. The CNPA was consulted at the scoping stage and raised concern regarding potential landscape impact. A number of viewpoints for the landscape assessment were suggested by CNPA and SNH. Given the location of the site particular concern was raised regarding views from the northern corries of the Cairngorms and the Craiggowrie to Meall a' Bhuachaille hill ridge above Glenmore.
3. In terms of technical details the turbines are 67 metres in height to the top of the pole (hub), the maximum height of the structure overall when one blade is in the vertical position is 110 metres. The turbine bases are approximately 18 by 18 metres with foundation depths of more than 3 metres.



Fig. 2 - View towards site from Meall a' Bhuachaille, Glenmore

4. This latest scheme is submitted with an Environmental Statement (ES) Addendum 5 which covers a range of issues addressing a number of concerns raised by Highland Council and Scottish Natural Heritage. The addendum does address some concerns previously expressed by the CNPA. The addendum reduces the number of turbines down to 26 and includes a tourism and recreation impact study. The conclusion of this study notes that “ while the CNP is located approximately 1 kilometre to the south of the site boundary at its closest point, and hence might experience moderate to major negative impact in the area of the Park closest to the proposed wind farm, the majority of the Park would experience either no or only minor impact. Hence overall the Cairngorms National Park is considered to experience a minor and not significant impact from this wind farm.”
5. It is important to note that since this application was last considered by the Committee an application for a 17 turbine wind farm at Tom nan Clach, immediately to the north east of this application site (see fig 1). The CNPA objected to this proposal, in particular because of the cumulative impact of that proposal in combination with Glenkirk.

6. This is the third time that this application has been before the Planning Committee. The CNPA raised objection to the scheme for 31 turbine proposal in 2006 on the following grounds:
- Since the original proposal for 34 turbines Highland Council's Renewable Energy Strategy has been published. This is an important new material consideration. Part of the wind farm is identified as being in a 'possible' development area for wind farms. This policy area includes a requirement to show why the wind farm cannot be located in one of the 'preferred' policy areas. No justification has been made with regard to this principle policy issue. In addition some of the wind turbines, particularly those nearest the Park are located in an area where the renewables strategy indicates a 'presumption against' area in relation to the development of major wind farms.
 - The outstanding and unique characteristics of the landscape extend beyond the administrative boundaries of the Cairngorms National Park. The proposal would lead to an unacceptable degree of adverse visual impact upon the character of the Cairngorms National Park from the Glenkirk proposal itself and cumulatively with other built/consented/proposed wind farms. The CNPA considers that the visual assessment of the scheme places insufficient weight on the Park as a visual receptor for the scheme which effectively downplays the resulting impacts predicted by the ES. In addition, little regard is given to the nature of the development in that in visual terms the prominence of what is proposed is assessed by a given methodology which places an emphasis upon visual prominence as opposed to the introduction of large elements of an industrial character to the setting of an internationally recognised landscape. The CNPA would draw attention to paragraph 16 of NPPG 14 where it is considered that some landscapes have little or no capacity to accept new development. Some of Scotland's remoter mountain and coastal areas possess an elemental quality from which many people derive psychological and spiritual benefits. This is reinforced by the Park's aim to conserve the natural and cultural heritage of the area. This is an important material consideration in the determination of the proposal. It is considered that the development would have negative effects upon such areas both close to and further away from the site itself.
 - Tourism is central to the economy of the Cairngorms National Park with visitors coming to the area to enjoy the unique character of the environment, especially its internationally recognised landscape as well as modern and traditional sporting activities. Whether visitors are experiencing the view from the Ptarmigan, more isolated points in the northern corries or from Meall a Bhuachaille. Parts of the wind farm would still be prominent from large areas within Abernethy and Strathspey as a whole. The statement provides inconclusive evidence of the economic impacts of the proposal. In the absence of a comprehensive economic assessment that demonstrates to the contrary, it is considered that the precautionary principle should apply and a

development that could, with others, have an adverse effect on the local economy should not be permitted.

- The proposal has the potential to set a dangerous precedent for further wind farms to be located in such proximity to the boundaries of a nationally and internationally recognised landscape.
7. A covering letter to the Scottish Government also pointed out that protected bird species, golden eagle in particular should be an important consideration of this proposal.

Planning Policy Context

8. **Scottish Planning Policy¹ (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
- The constraints and requirements that planning imposes should be necessary and proportionate;
 - The system shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
9. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government's central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
10. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”

¹ February 2010

11. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes 'subject policies', of which two are particularly applicable to the proposed development. Topics include rural development, and landscape and natural heritage. The paragraphs below provide a brief summary of the general thrust of each of the two relevant subject policies.
12. **Landscape and Natural Heritage:** Scotland's landscape and natural heritage are internationally renowned and important underpinning significant industries such as the food, drink and tourism industry, and are a key component of the high environmental quality which makes Scotland an attractive place. The aim of the policy is to facilitate positive change whilst maintaining and enhancing distinctive character. Different landscapes will have a different capacity to accommodate new development, and the siting and design of development should be informed by local landscape character. The most sensitive landscapes may have little or no capacity to accept new development. Areas of wild land character in some of Scotland's remoter upland, mountain and coastal areas are very sensitive to any form of development or intrusive human activity and planning authorities should safeguard the character of these areas in the development plan. Planning Authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence for believing that significant irreversible damage could occur.
13. **Renewable Energy Wind Farms:** The design and location of any wind farm development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that landscape and visual impact is minimised. When considering cumulative impact, planning authorities should take account of existing wind farms, those which have permission and valid applications for wind farms which have not been determined. Decisions should not be unreasonably delayed because other schemes in the area are at a less advanced stage. Cumulative impact will largely relate to the scale and proximity of further development
14. **Planning Advice Note 45 Renewable Energy Technologies (2002)** provides more detailed advice on assessing applications for wind farms and provides particular advice in terms of assessing landscape impact. The document notes that Scotland has a range of landscapes some of which will more easily accommodate wind farms than others. The guidance notes that a cautious approach is necessary in relation to particular landscapes such as National Scenic Areas and Proposed National Parks and their wider settings. Here it may be difficult to accommodate wind turbines without detriment to natural heritage interests.

Cairngorms National Park Plan 2007

15. **Strategic objectives for Landscape, Built and Historic Environment** include, amongst others; maintaining and enhancing the distinctive landscapes across the Park; conserving and enhancing the sense of wildness in the montane area and other parts of the Park; and ensuring development complements and enhances the landscape character of the Park. This section also emphasises the importance of assessing the potential impacts of public and private roads, masts, utilities, renewable energy developments (in and where relevant beyond the Park), to ensure that designs and locations do not detract from the landscape character.
16. **Strategic objectives for Energy** include; contributing to national targets for greater renewable production through increasing community, business and domestic-scale renewable energy schemes. However, large scale wind farms are not considered to be appropriate in the National Park due to landscape and natural heritage impacts, but the development of domestic, and community-scale facilities in a full range of energy options should be pursued in appropriate locations.

Highland Structure Plan Policies

Policy E1 Distributed renewable energy developments

17. The Council supports the utilisation of the region's distributed renewable energy resource, including hydro, wind, wave and tidal stream powers. Proposals will be assessed against the provisions of the General Strategic Policy.
18. Approvals for renewable energy developments will normally be for a temporary period only (tied to the life time of a project), with provision where appropriate for the removal and reinstatement of affected areas. Earlier action for removal and reinstatement will be required in the event of premature permanent cessation of energy production.

Policy E2 Wind energy developments

19. Wind energy proposals will be supported provided that impacts are not shown to be significantly detrimental. In addition to the General Strategic Policies, wind energy proposals will be assessed in respect of the following:
 - visual impact;
 - noise;
 - electro-magnetic interference;
 - roads, bridges and traffic;
 - aircraft flight paths / MOD operations; and
 - cumulative effects.

Highland Council Renewable Energy Strategy and Planning Guidelines

20. In May 2006 Highland Council adopted their **Highland Renewable Energy Strategy and Planning Guidelines**. The strategy includes a map showing preferred development areas for wind farms, possible development areas and areas where there is a presumption against.
21. **Policy E5** in the strategy relates to **preferred areas** that have been established for major and national scale onshore wind developments. There are 3 designated areas which contain optimal conditions in terms of planning constraints, energy production, technical feasibility and proximity to grid. The detailed suitability of all prospective sites still needs to be confirmed through the normal planning process. There will, however, be a strong presumption in favour of projects proposed for these designated areas, and developers will be encouraged to come forward with proposals there subject to appropriate community and environmental safeguards.
22. **Policy E6** of the document identified **possible development areas** that have been identified in places where although constraints are relatively light, their limited extent makes them less optimal than preferred development areas for national scale schemes. In these locations developments will be judged on their merits and will need to show that there is no scope for alternative development within preferred development areas.
23. **Policy E7** of the Strategy considers that elsewhere in Highland there will be a **presumption against** export wind development. Any proposals for national or major projects will have to overcome a precautionary approach to planning approval. Any development would also need to show that there is no scope for alternative development within other preferred and possible development areas.
24. The site is located in a small block area considered under the strategy as a possible development area, the area is otherwise surrounded by presumption against development areas.
25. Highland Council are currently working on the Highland Wide Development Plan and the main issues report for this document has been produced. The plan will contain a range of policies including policies relating to renewable energy and Supplementary Planning Guidance will be produced to add more detail to the development plan policies.

CONSULTATIONS

CNPA Landscape Officer comments as follows:

26. The current development is for a 26 wtb development on the moorland to the north of the Park boundary. This development was initially proposed for 34 wtbs (2005) and subsequently modified to 31 wtb (2006).

Previous Landscape Advice

27. CNPA landscape advice in 2006 was that the development would impact adversely on
- Landscape of the straths and settlements
 - The character and experience of the upland hills on the southern edge of the Dava
 - The effects on the Cromdales, Meall a Buachaille and the Plateau
28. Advice was given on the landscape effects of the wind turbines only and not on the access track or other ancillary development.

Landscape Advice 2011 Proposal

29. A thorough assessment of the submitted material has been made and an annexe has been created to illustrate this.

Summary

30. It is argued in the ES that the adverse effects arising from this proposed development (on its own) on views and landscape character are either less or not changed from the previous application. From the point of view of effects on the NP it is definitely the case that the effect on character and views experienced within the straths has all but been removed. We are therefore principally concerned now with effects on elevated locations within the NP.
31. Experiential factors are a key part of the concept of Landscape character. The landscape character of the Cairngorm Plateau is profoundly influenced by a sense of wildness, one of the special qualities of the CNP that is based on a sense remoteness, naturalness, ruggedness and lack of human artefacts. Views out from the Cairngorms to the north include distant views of farmland, settlement and roads but these are confined to the straths. This wind farm whether 34 or 26 wtbs will be prominent in its moorland setting and will impact upon the appreciation of wildness, and it is argued that tightening the array by a small amount would not reduce this effect.
32. The prominence of the development and its effect on the experience of landscape character will be greater in upland areas closer to the wind farm. In the Park those most relevant are the hills on the southern edge of the Dava moor (8 to 12km), the area to the north west of Aviemore (13 to 16km), the Cromdale hills (22 to 26km) and the Meall a Bhuachaille ridge (18 to 20km). Though the effect on landscape character is assessed as not significant in the ES the sense of wildness (combined with comparative accessibility) is a key characteristic of these areas and that would be impacted upon by this development.

33. The cumulative effects of Glenkirk and other wind farms consented, built and in planning (only Tom nan Clach, Allt Duine has not been assessed) have increased substantially since the 2005 application and in all cases (effects on character, views and the NP designation) are now assessed within the ES as moderate though not significant. It should be noted however that a moderate effect is considered significant in the EIA regulations.
34. The cumulative effect on the character of the 'upland hills' to the north west of Aviemore is assessed as having a moderate significant effect. A similar level of effect is likely to apply for the western end of the Meall a Bhuachaille ridge and most certainly for the small craggy hills that line the Park boundary on the southern edge of the Dava.
35. Glenkirk would fill in a gap between Tom nan Clach and Farr when viewed from the Cromdales, and overlap with Tom nan Clach when viewed from Cairngorm Mountain. From these and countless other un-assessed elevated viewpoints, Glenkirk wind farm would contribute to the now marked encircling effect of wind farms around the northern side of the National park.

Conclusion

36. There are welcome improvements in this application with regard to effects on the landscape character and views within the straths, however, the cumulative impacts on popular upland areas within the Park are likely to be significant. Glenkirk wind farm would if built, contribute to the now marked encircling effect of wind farms around the northern side of the National park, a feature which has an undermining effect on some of the special qualities of the Park, and in particular the sense of wildness that one can experience here. These adverse effects are non-mitigable.
37. **CNPA Sustainable Economy Manager** questions where the 15 km radius for the tourism and recreation study comes from and that at the very least the impact area should include more of Badenoch and Strathspey including Aviemore and Grantown. Landscape impacts in excess of 15 kilometres appear to be captured but not the effect of those impacts on tourism and recreation and outdoor activities. The study has little focus on the Park yet this is the main tourism draw at sub-regional level. The study expresses 'no impact' upon the National Park. This may be the case but there is no explanation as to how this conclusion is arrived at.
38. There is much analysis of national and regional tourism trends; the analysis at sub-regional level is also very general. More accurate analysis is available in the CNP 2010 Social and Economic Health report or the 2010 HIE Inner Moray Firth Economic Study, neither are referenced. Having said that the study does illustrate how important tourism is to the area and as a result any potentially negative impacts have to be highlighted and analysed. The report has used the CNP Visitor Survey at great length which is good and this highlights the importance of landscape, scenery and mountains etc but this analysis is not taken further in terms of potential impact. The question must be asked how much more important these criteria are for visitors to the Park as opposed to visitors elsewhere in Scotland.

39. The business survey statistics, which show a significant number of respondents noting that it would have a medium to high negative impact on their business, are played down in the conclusion. This is based upon a comparative research review. This causes concern in that why seek local views in the first instance if conclusions are shaped by external research.

REPRESENTATIONS

40. None received

APPRAISAL

41. This consultation has been before the Planning Committee twice before. This report considers only the change from 31 to 26 wind turbines and what difference this reduction would make to the response of the CNPA on landscape and visual issues and tourism and recreation impact.
42. The CNPA raised a number of issues in its consideration of the two previous versions of this application. The key issue related to landscape and visual impact and the cumulative impact of this and other wind farms in the area.
43. The advice of the CNPA Landscape Officer is set out above. The reduction in turbines relates to an area to the north east of the wind farm site away from the Park boundary. This is part of an attempt to visually separate this wind farm from the neighbouring one at Ton nan Clach as a result of concerns from SNH. Because the turbines are sited over a plateau edge on a hillside sloping away from the Park the reduction in numbers reduces the effects on landscape character and visibility of the wind farm from the straths and glens is all but eliminated from the lower points of the straths, though there will still be some visibility from north facing middle ground within the Park.
44. While changes to the application are positive from lower viewpoints in the strath there is concern regarding the effects of the development on upland areas. Since this application both Tom nan Clach and Allt Duine wind farms have entered the planning system. Tom nan Clach is immediately to the north east of the Glenkirk proposal and has been assessed in cumulative terms, however, Allt Duine, the most recently submitted application above Kincaig has not. The addendum to the Environmental Statement considers that the effects on the upland hills to the north west of Aviemore to be moderate and it is likely that this is also the case for parts of the Meall a Bhuachaille ridge above Glenmore. As noted by the CNPA Landscape Officer, for the purposes of the environmental impact assessment regulations a moderate effect is considered as significant.

45. The potential cumulative impacts of a number of wind farm approvals and applications around the Park is a cause of concern and this is resulting in a marked encircling effect and a cumulative effect that as noted by the CNPA Landscape Officer is, in turn, having an undermining effect upon some of the special qualities of the Park. This relates in particular the sense of wildness that can be experienced in the Park. While not covering landscape issues with regard to the Park Scottish Natural Heritage has continued to object to the proposal in combination with adjacent Tom nan Clach proposal.
46. The application also includes a tourism and recreation impact assessment which sets out the numbers of recreation and tourism resources in the area and assesses the impact upon those resources from the visibility of the wind farm. A local business survey was also carried out. The study considers, in conclusion, that the effects upon the Park are minor and not significant. The Tourism and Recreation Impact Assessment is welcomed as the original application contained little reference to such issues. However, concern is raised that the area covered by the study extends to just 15 kilometres from the site. Because of this the study does not address the impacts of the proposal from the more popular hill walking areas in the Park around Aviemore (17 kilometres from the site) and Glenmore, including the northern corries of the Cairngorms themselves. In addition, the study only considers the impact of this wind farm and not this wind farm in combination with others. The CNPA Sustainable Economy Manager raises a number of concerns about the study, again questioning that if potential landscape and visual impacts are identified beyond 15 kilometres why is the study restricted to a 15km radius, therefore excluding Aviemore and Grantown. In addition, considerable direct research has been carried out which highlights potential concerns from local business about the impact of the proposals upon their business. However, the conclusion of the study is shaped by external research. Overall, this raises concern that no firm conclusions can be drawn from the submitted study on the potential impacts on tourism and recreation within the Park.
47. In summary, while recognising the improvements that have been made to this since 2005 many of the CNPA's original concerns are still valid and concerns about cumulative impact from the number of wind farms proposed in the area has increased significantly since the application was first submitted. The recommended reasons for objecting to the proposal have been changed in the light of the amendments to the proposal, methods of assessment and the additional information submitted. Also, there are a number of references to planning policy that has been superseded since the last response was sent. These have been deleted.

CONCLUSION

48. The Cairngorms National Park Authority considers the proposed development to be contrary to National, Highland and CNP National Park Plan 2007 as well as the conserving and enhancing, promoting understanding and enjoyment and economic and social development aims of the National Park and consequently continue to object to the proposed development of a wind farm at Glenkirk for the following reasons:

RECOMMENDATION

49. Overall, and while recognising that addendums to the application have significantly reduced the visibility of the proposal from low ground within the Park it is recommended that members of the planning committee support a recommendation of **OBJECTION** against the Glen Kirk wind farm for the following reasons:-
1. The outstanding and unique characteristics of the landscape extend beyond the administrative boundaries of the Cairngorms National Park. The proposal would have an adverse impact upon the experience of landscape character and special qualities of the Park on the hills at the southern edge of the Dava Moor and the areas around Aviemore and Glenmore such as the popular hill Meall a Bhuachaille. The proposal would impact upon the appreciation of wildness from the Cairngorm Plateau. There would be adverse visual impact upon the character of the Cairngorms National Park from the Glenkirk proposal and crucially, cumulatively with other built/consented/proposed wind farms at Farr, Tom nan Clach and Allt Duine.
 2. Since the original proposal for 34 turbines Highland Council's Renewable Energy Strategy was published. This is an important material consideration. Part of the wind farm is identified as being in a 'possible' development area for wind farms. In addition some of the wind turbines, particularly those nearest the Park are located in an area where the renewables strategy indicates a 'presumption against' area in relation to the development of major wind farms.
 3. Tourism is central to the economy of the Cairngorms National Park with visitors coming to the area to enjoy the unique character of the environment, especially its internationally recognised landscape as well as modern and traditional sporting activities. Whether visitors are experiencing the view from the Ptarmigan, more isolated points in the northern corries or from Meall a' Bhuachaille, the proposal has potential to impact upon that experience. The radius of the Tourism and Recreation Impact the economic impacts of the proposal excludes important areas for tourism within the Badenoch and Strathspey Area of the Park and the conclusions drawn rely upon external research, consequently, it is not possible to draw firm conclusions regarding the impact of this proposal upon tourism and recreation interests in the Cairngorms National Park. In the absence of a comprehensive

assessment a precautionary approach should be taken to this development.

4. The proposal has the potential to set a dangerous precedent for further wind farms to be located in such proximity to the boundaries of a nationally and internationally recognised landscape.

NOTE

1. In addition to the letter of formal objection as with the previous consultation reference shall be made to concerns about the potential effects of the wind farm and combination with others upon protected bird species and in particular golden eagle.
2. A copy of this report will be sent to Highland Council and Scottish Government forming the CNPA consultation response.

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23 March 2011

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.