
CAIRNGORMS NATIONAL PARK AUTHORITY

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

Prepared by: DON MCKEE, HEAD OF PLANNING

DEVELOPMENT PROPOSED: WIND FARM AT DUNMAGLASS,
STRATHNAIRN, INVERNESS-SHIRE

APPLICANT: RENEWABLE ENERGY SYSTEMS
DEVELOPMENT LTD.

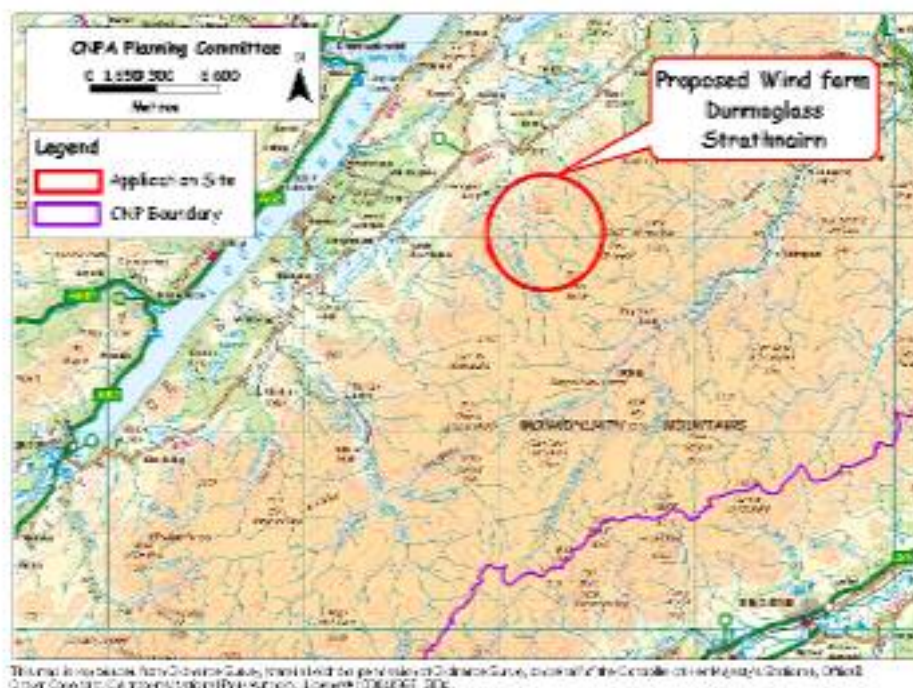


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Renewable Energy Systems Development Ltd. has applied to the Scottish Executive for planning permission to construct a wind farm comprising 36 wind turbines on land on the Dunmaglass Estate in the Monadhliath Mountains some 10km north west of the National Park boundary at Meall a Bhothain north west of Newtonmore. Ptarmigan on Cairngorm is some 40km from the site. The site is centred on OS Grid Reference E262500 N817500 and spans a distance of approx. 3.5 km following the higher landform from Coille Mhor and Carn Ghriogair in the north to Carn Mhic Iamhair and Meall a Phiobaire in the south.
2. Access to the site during construction and operation will be from outwith the Park. The development itself will comprise 36 turbines over a 25 hectare site with associated electricity transformers, access tracks, a control building and substation compound, 3 permanent free-standing wind monitoring masts of approximately 65 metres in height and 3 borrow pits.
3. No specific type of turbine has been decided upon, but it is stated that height would be no greater than 110m to blade tip. All elements would be painted grey. Grid connection would be taken to the existing 132kV line in the vicinity of Farr 18km to the north of the site. Expected operational life of the wind farm is 25 years from the date of commissioning.

DEVELOPMENT PLAN/POLICY CONTEXT

Scottish Executive Policy

NPPG 6 Renewable Energy Developments

4. 19. Planning policy is based on the principle that renewable energy developments should be accommodated throughout Scotland where the technology can operate efficiently and environmental impacts can be addressed satisfactorily.
5. 22.
 - ...where a priority habitat or species would be affected, prior consultation with the European Commission is required unless the development is required for public health or safety reasons.
 - In relation to national designations (National Scenic Areas,...National Parks), renewable energy projects should only be permitted where it can be demonstrated that the objectives of designation and the overall integrity of the area will not be compromised or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the social and economic benefits of national importance....

6. 31. In many areas of Scotland, tourism and recreation support local economies and to varying degrees such activities depend on the quality of the environment, particularly the landscape. This does not mean that renewable energy developments are incompatible with tourism and recreation interests. Sensitive siting can successfully minimise adverse impacts, particularly visual impacts, but it is unrealistic to expect such developments to have no effect at all. Opinions are divided as to whether some renewable energy developments, such as wind farms or hydro schemes, may themselves be of interest to tourists and the extent to which their existence can be compatible with recreational pursuits such as hill walking.
7. 36. The characteristics associated with wind farms raise a number of issues that require to be considered, and where appropriate addressed. These relate to:
- **Visual impact** – the size and scale of development and its relationship to the characteristics of the locality and land form in which it is to be built will be a relevant consideration. The visibility of a wind farm may in some circumstances raise concerns, although distance as well as landscape and topography will affect its prominence. Additionally the cumulative impact of neighbouring wind developments may in some circumstances be relevant.
 - **Landscape** – the character of the landscape and its ability to accept this type of development, including associated infrastructure, will be an important consideration....A cautious approach should be adopted in relation to landscapes that are valued, such as National Scenic Areas or National Parks...
 - **Birds and habitats** – the importance of complying with international and national conservation obligations must be recognised...

NPPG 14 Natural Heritage

8. 16. The most sensitive landscapes may have little or no capacity to accept new development. Some of Scotland's remoter mountain and coastal areas possess an elemental quality from which people derive psychological and spiritual benefits. Such areas are sensitive to any form of intrusive human activity and planning authorities should take great care to safeguard their wild land character. This care should extend to the assessment of proposals for development outwith these areas which might adversely affect their wild land character.
9. 20. The presence of a protected species or habitat is a material consideration in the assessment of development proposals. Planning authorities should take particular care to avoid harm to species or habitats protected under the 1981 Act or European Directives, or identified as priorities in the UK Biodiversity Action Plan.

10. 25. The presence of a national heritage designation is an important material consideration. This does not mean that development is precluded by the presence of such a designation. Proposals require to be assessed for their effects on the interests which the designation is designed to protect.

Development which would affect a designated area of national importance should only be permitted where:

- **The objectives of the designation and the overall integrity of the area will not be compromised; or**
- **Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.**

11. 26.Planning authorities should take particular care to ensure that new development in or adjacent to a National Scenic Area does not detract from the quality or character of the landscape.....

12. 33.....While conservation of the natural heritage will be a key objective in any National Park, the Government considers that due weight must also be given to the social and economic interests of local communities.planning authorities should take particular care to safeguard the landscape, flora and fauna of Loch Lomond and the Trossachs and the Cairngorms.

PAN 45 Renewable Energy Technologies

13. 71. Scotland has a variety of landscapes. Some will be able to accommodate wind farms more easily than others, on account of their landform and ability to limit visibility. Some are highly valued for their quality. There are no landscape in which a wind farm will not introduce a new and distinctive feature. Given the Scottish Ministers' commitment to addressing the important issue of climate change and the contribution expected from renewable energy developments, particularly wind farms, it is important for society at large to accept them as a feature of many areas of Scotland for the foreseeable future.
14. 72. This is not to suggest that areas valued for their international or national landscape and nature conservation interest will have to be sacrificed. Nor that elsewhere, attempts to lessen the impacts by integrating the development into the surrounding landscape would not be worthwhile. On the contrary, it emphasises the need to be taken of regional and local landscape considerations. Development that has been carefully sited and tied into the surrounding landscape will still be visible, but the impact will be less than had this effort not been made and the development left less well related to its surroundings.

Highland Structure Plan Policies

15. **Policy E1 Distributed renewable energy developments**
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.
- 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.
16. **Policy E2 Wind energy developments**
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.
17. **Policy E3 Wind farm safeguarding**
The Council will seek to safeguard the operational efficiency of approved and constructed wind farms in the consideration of adjacent proposed developments or other land use changes.
18. **Policy G1 Conformity with strategy**
The Council will support developments, having regard to the Plan's sustainable objectives, which promote and enhance the social, economic and environmental wellbeing of the people of Highland.
19. **Policy G2 Design for sustainability**
Proposed developments will be assessed on the extent to which they:
- are compatible with service provision...;
 - maximise energy efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy;
 - are affected by significant risk from natural hazards, ...;
 - are affected by safeguard zones where there is a significant risk of disturbance and hazard from industrial installations, ...;
 - impact on individual and community residential amenity;
 - impact on non-renewable resources such as mineral deposits of potential commercial value, prime quality or locally imported agricultural land, or approved routes for road and rail links;
 - impact on the following resources, including pollution and discharges, particularly within designated areas: habitats,

species, landscape, scenery, freshwater systems, marine systems, cultural heritage, air quality;

- demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials;
- contribute to the economic and social development of the community.

Developments which are judged to be significantly detrimental in terms of the above criteria shall not accord with the Structure Plan.

20. **Policy G3 Impact assessments**

Where environmental and/or socio-economic impacts of a proposed development are likely to be significant by virtue of nature, size or location, the Council will require the preparation by developers of appropriate impact assessments. Developments that will have significant adverse effects will only be approved if no reasonable alternatives exist, if there is demonstrable over-riding strategic benefit or if satisfactory overall mitigating measures are incorporated.

21. **Policy G4 Community benefit and commitment**

The Council will expect developments to benefit the local community and contribute to the wellbeing of the Highlands, whilst recognising wider national interests.

The Council will seek to enter into agreements with developers as appropriate...

22. **Policy G6 Conservation and promotion of the Highland heritage**

The Council will seek to conserve and promote all sites and areas of Highland identified as being of a high quality in terms of nature conservation, landscape, archaeological or built environment.

23. **Policy G8 Precautionary principle**

In the relatively rare situation of assessing development proposals where the potential impacts are uncertain, but where there are scientific grounds for believing that severe damage could occur either to the environment or the wellbeing of communities, the Council will apply the precautionary principle.

24. **Policy T6 Scenic views**

The Council will protect important scenic views enjoyed from tourist routes and viewpoints, particularly those specifically identified in Local Plans. There will be a presumption against development in narrow areas of land between roads and railways and open water.

25. **Policy N1 Nature conservation**

New developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Council will seek to conserve and promote all sites according to the following hierarchy:

- **sites and species of international importance** – Developments which would have an adverse effect on the conservation interests for which a site has been designated will only be permitted where there is no alternative solution and there are imperative reasons of over-riding public interest, including those of a social and economic nature. Where a priority habitat or species (as defined in Article 1 of the Habitats Directive) would be affected, prior consultation with the European Commission is required unless the development is necessary for public health or safety reasons.
- **sites of national importance** – Developments will only be permitted where the objectives of designation and the overall integrity of the area will not be compromised or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social and economic benefits of national importance.
- **sites of local importance** – Developments will be assessed for their effects on the interests of sites of local conservation importance and will be resisted where these are judged to be unreasonably detrimental.

26. **Policy L4 Landscape Character**

The Council will have regard to the desirability of maintaining and enhancing the present landscape character of development proposals, including offshore developments.

Badenoch & Strathspey Local Plan

27. **Policy 1.4.3**

The Council will encourage the sustainable use of the area's resources and a wide distribution of employment opportunities by promoting:-

- Extension of established resource based activities;
- Opportunities in the natural environment.

Subject to suitable amenity safeguards and adequate servicing arrangements.

28. **Policy 1.4.4**

The Council will encourage integrated use and management of resources in the landward area, and will continue to seek a balance between development and the conservation of features which represent the area's outstanding natural and cultural heritage.

29. **Cairngorms National Park Authority Interim Policy No.1: Renewable Energy Finalised Draft January 2005**

8.4.1

Windfarm proposals which are outwith the CNP boundary may still be visible from within the Park, and may indeed have an adverse impact

on the character and quality of landscapes which cross the Park boundary. Such proposals should be assessed for their impact upon the Park, as careful layout-design and siting can potentially reduce these impacts. Pre-application meetings with the CNPA will be sought in these cases and the CNPA should always be consulted as an interested party by the relevant Planning Authority or Scottish Executive. The issue of cumulative development from a number of wind farms around the Park will also create serious issues of visual impact.

Recommendation RE4: Wind Farm Developments Outwith the Park

Windfarm proposals beyond the boundary of the Park will be carefully assessed for their visual impact on the landscape and setting of the Park and their natural heritage impacts. The 4 aims of the Park should not be considered as stopping dead at the boundary either, but ideally their objectives should extend beyond the invisible line. Viewpoints should be taken from within the Park, at the earliest stages of a proposal, to assess and mitigate against visual impacts. Natural heritage issues will also stretch across the boundary, such as bird foraging areas and river catchments and hydrology.

The cumulative impacts of wind farms outwith the Park should also be carefully considered and minimized.

CONSULTATIONS

30. **CNPA Natural Resource Group** notes that the site is close to, but outside the Park and have focussed their advice on two main issues: (1) Landscape impact as seen from the Park and (2) Impacts on species that range from Dunmaglass into the Park and vice-versa (primarily birds of prey).
31. The EIS considers that the development will cause moderate-substantial adverse impacts on the landscape as seen from prominent places in the Park (including Cairngorm itself), affecting the experience or enjoyment of large numbers of people. The consultants then suggest in a contradictory conclusion that this would not be considered *significant* in terms of an EIA. We suggest that moderate-substantial impacts on a designated site, i.e. the National Park, would indeed be classified as significant in an EIA.
32. The report then categorises landscape impacts into four areas:
 1. Landscape resource – the windfarm does not have a significant effect
 2. Visual resource – windfarm has a significant impact
 3. Cumulative landscape resource – windfarm has a significant impact
 4. Cumulative visual resource – windfarm has a significant impact.

33. The report does not properly deal with the loss (actual and perceived) of wild land.
34. Thus, by the applicant's own assessment, there will be significant landscape impacts in 3 of the 4 categories considered. On this element alone, NRG has substantial concerns relating to the landscape impacts of this proposal on the Park.
35. The Monadhliath mountains are important for eagles, both Golden and Sea eagles. Territorial breeding birds have large home ranges and non-breeding/immature birds also have large ranges in which they hunt and feed. The upper Findhorn valley is renowned for its eagles and an NRG officer has seen up to 6 eagles in the vicinity of the windfarm area on regular personal visits. The applicants acknowledge a lack of information on dispersal and movements of eagles, but do not discuss how far these birds can and could range. It is likely that the eagles in the vicinity of Dunmaglass include birds from the Cairngorms. It has been suggested that many of the young birds raised in the western Cairngorms could range over into the Monadhliath and use this area until suitable territory becomes vacant. Losing these birds could directly affect the population of eagles in the western Cairngorms.
36. The applicants own assessment also considers the potential impact on other birds of prey and ravens, individuals of which could also come to and from the Park. The EIS highlights concerns surrounding Red kites, and although not breeding in the Park yet, may do so if they reach here. Under these circumstances NRG considers that this proposal has the potential to impact upon the special biodiversity of the Park.
37. The applicant's plan uses predictive modelling to assess threats to and mortality rates of Golden eagles and arrives at different answers depending upon the sensitivity and the statistics used. Such variations in possible effects are worrying, particularly given the upper estimate of up to 11 Golden eagles dying in the turbines in the life of the development not to mention loss of hunting and feeding areas. NRG is very surprised that the applicant does not consider the death of up to 11 Golden eagles as a consequence of development to be significant in a national context. The species are protected at both national and international levels and we are not aware of any *acceptable* losses for species such as Golden eagle under such legislation.
38. The applicant does not mention the site's importance for Sea (white-tailed) eagle, which winter on the Monadhliath and range down to the Insh marshes and other sites in Badenoch and Strathspey in the winter. Like Red kites, Sea eagles used to nest in the Park (a long time ago) and recent reductions in persecution offer the opportunity for these species to re-colonise former areas such as the east of the Park. The loss of these founding birds from the Park could seriously affect the ability of the species to breed once again in the Park.

39. Disappointingly, the EIS ignores the release of CO₂ and other greenhouse gases as a result of building on and putting 20km of roads across peatlands, at the same time as highlighting the green benefits of windfarm energy and CO₂ reductions. If the Park Authority wishes to consider the sustainable merits of the application then greenhouse gases released must be balanced against those saved.
40. **CNPA Visitor Services and Recreation Group** have commented on the impact of the development on the visitor experience.
41. Sited in the Monadhliath mountains at over 2000 ft high, this will be the highest wind farm in Scotland. The turbines will be visible from the west side of the Park, most notably from the core mountain area of the Cairngorms including the Ptarmigan Visitor Centre, the Glenfeshie hills, and the Monadhliath hills themselves.
42. The turbines will be highly visible and will introduce an artificial element into the landscape. Rising out of otherwise rolling high moorland they will diminish the sense of openness and change the landscape character permanently and immeasurably. Given the size and intrusiveness of the turbines it is hard to see that any mitigation measures could usefully reduce this impact. In addition the proposal introduces built structures onto high open ground, whereas hitherto most development has been restricted to lower glens with few (if any) precedents for developing highland of this nature.
43. It is difficult to predict exactly how people react to proposed wind farms. A Visitscotland survey suggests that 50% of people say that wind farms spoil the look of a landscape. From a visitor's point of view the existence of a wind farm is likely to be negative. The CNP Visitor Survey 2004 asked people their reasons for visiting the Park area. 26% said that the reason they chose to visit was for the walking/hill-walking which indicates the high regard held for scenery in and on the boundaries of the Cairngorms. When asked about what people liked about the area, nearly half said that the beautiful views and spectacular scenery were their primary enjoyment. Another 27% indicated the hills, wide open spaces and rugged mountains.
44. In conclusion the proposed development would be highly visible from the western edge of the Park and would therefore have an obvious and irreducible impact on the visitor's view, and perception of the landscapes around the Park. The introduction of *industrial machinery* visible from a distance of many miles will only detract from the visitor experience and sense that they are in an area of outstanding wild land and views. If the Park is no longer able to *sell* itself on the basis of these special features, it is likely that visitors will go elsewhere with a consequent negative impact on tourism in the area.

45. On the basis that it would undermine the visitor experience, VSRG would not look favourably at this development.
46. **CNPA Economic and Social Development Group**
There are both positive and negative impacts from the proposal including the potential visual impact of such structures and the resulting potential effects upon local tourism business, balanced against this the proposal enhances the reputation of Scotland as an environmentally friendly place and some wind farms can provide a tourist attraction, there are also short term economic benefits during the construction stage. However, taking account of the possibly higher sensitivity of visitors in locations where this and similar developments will be visible, it is important that there is a full analysis of the economic impact of the proposal. Given this range of issues it is considered inconclusive from the evidence whether this development would be positive or negative from the Park's viewpoint and a precautionary stance should perhaps be taken until more detailed evidence is available.

REPRESENTATIONS

47. There is an organised campaign against this proposal with an objective of getting the Scottish Executive to hold a public inquiry. CNPA has received copies of various objections from individuals and the John Muir Trust objecting to the wind farm on various grounds including impact on wild land and the Cairngorms National Park. The focus of the representations is very much to the Scottish Executive, but copied to us for information and in some instances asking for support.

APPRAISAL

48. There is a range of detailed issues relating to this proposal which will be determined by the Scottish Executive. Highland Council have formally sought CNPA's views on the proposal with any comments to be sent to themselves and formal representations to be made to the Scottish Executive. This appraisal is written upon the basis of the proposal's effect upon the aims of the Park and the CNPA's own Interim Planning Policy No.1: Renewable Energy Finalised Draft January 2005.
49. The environmental statement accompanying the application covers a range of potential impacts of the proposal, but the ones most relevant to the National Park are considered to be:
- Impact on the landscape resource i.e. the contents of the landscape;
 - Impact on visual amenity i.e. views of the landscape;
 - Ornithological impact;
 - Socio-economic impact.

Applicant's Environmental Impact Assessment

50. The EIA identified a range of landscape characters in the study area, 3 within the Park and all judged to have a **high** sensitivity to change. 4 viewpoints were selected within the Park:
- Layby on A9 south of Tomatin: sensitivity of receptors to change identified as **medium**;
 - Carn Sgurlain, Monadhliath Mountains: sensitivity of receptors to change identified as **high**;
 - Geal Charn, Monadhliath Mountains: sensitivity of receptors to change identified as **high**;
 - Ptarmigan Restaurant Terrace, Cairngorm Mountain: sensitivity of receptors to change identified as **high**.
51. In addition to the individual viewpoints consideration was also given to the view from the A9 and railway from Drumochter Pass to Black Isle. Apart from a small section between Kingussie and Kincaig where sensitivity of receptors to change was identified as **medium-high**, the entire length of the routes within the Park is assessed as **high**.
52. The EIA has also addressed the cumulative visual impact of Dunmaglass and proposed wind farms at Farr west of Tomatin and Glen Moriston west of Fort Augustus.
53. Having carried out an assessment the EIA reaches the following conclusions regarding the viewpoints listed above:
- Layby on A9 south of Tomatin: *no aspects of the wind farm would be visible, no change to the view and **no cumulative effects***;
 - Carn Sgurlain, Monadhliath Mountains: *34 turbines would be visible to varying degrees as would 33 at Farr and 16 at Glen Moriston, the individual and cumulative impacts are both assessed as **substantial adverse***;
 - Geal Charn, Monadhliath Mountains: *34 turbines would be visible to varying degrees and there may be views of the turbines at Glen Moriston, the individual and cumulative impacts are both assessed as **substantial adverse***;
 - Ptarmigan Restaurant Terrace, Cairngorm Mountain: *34 turbines would be visible in theory, but in reality distance would reduce this to 28 or 29, 22 turbines would be visible at Farr, the individual and cumulative impacts are both assessed as **moderate adverse***.
54. The assessment of the A9 and railway concludes that the only stretch where there would be any impact is between Carrbridge and Tomatin. There will be intermittent views of perhaps one blade tip at Dunmaglass and three blade tips at Farr. The EIA therefore judges the individual and cumulative impact to be **slight adverse**.
55. Overall the EIA concludes that the effect of Dunmaglass Wind Farm on visual amenity would be **moderate adverse** and therefore **significant**. Overall it concludes that the cumulative impact of Dunmaglass, Farr and Glen Moriston wind farms is **not significant**.

56. With regard to the National Park the EIA concludes:

*“The Cairngorm National Park lies within the Study Area and 12km from the centre of the site. There would, however, be views of the wind farm from areas located in the National Park and Dunmaglass Wind Farm has been assessed respectively as having moderate to substantial adverse impacts on visual amenity from these locations. Views to the wind farm within 40km from the National Park would be limited to the hilltops many of which are rarely visited but include the summits of Cairngorm and Braeriach which could be considered two of the most important viewpoints in the designation. It is therefore considered that the impacts on the National Park would be **moderate adverse**.”*

57. The EIA takes into account both breeding and flying birds. Reference is made to survey work to establish their numbers and location and the submitted scheme has taken these results into account in terms of the siting of turbines. The sensitivity of the turbine area has been identified as **low** for most species, **medium** for red kite, hen harrier, peregrine, raven and golden eagle, and **high** for golden plover, dunlin and merlin.
58. Golden eagles have been highlighted as a priority species. None are recorded as breeding within the study area, but there have been many observations of them flying within it. In a worst case scenario it is stated in the EIS that 11 Golden eagles could be killed by collision over the 25 year life of the windfarm although a higher avoidance rate could reduce this to 4 or 5 birds. The risk is listed as marginally higher than the estimates for Cambusmore and Cruach Mhor wind farms. In terms of breeding population in the area the study states that the significance of collision mortality is **slight/low**. However the EIA states that if the sensitivity of the site was judged to be **high** because of the importance of the Upper Findhorn valley for non-breeding birds and the potential for a breeding population to be re-established in the Monadhliaths, the significance of the predicted level of collision mortality could be **moderate/medium**. The EIA also says that there might be some long-term displacement of golden eagle from parts of the turbine area, but this is unlikely to be critical to the status of the species and may even be beneficial in reducing the risk of collision mortality.

CNPA Appraisal

59. Landscape impact is a principal issue for Cairngorms National Park and to this end CNPA commissioned an independent landscape architect to review the applicant's landscape and visual impact assessment.
60. The landscape architect concludes that the assessment is comprehensive and follows accepted methodology. The report makes good use of zones of visual influence and the assessment criteria are clear.

61. The EIA highlights the reference to the National Parks in Scottish Executive NPPG 6 & 14 and the statement that development proposals should avoid significant adverse impact on the character, quality, integrity and setting of the Parks. It is stated that a cautious approach to the siting of wind farms should be adopted in relation to them. The landscape architect is of the view that this is particularly relevant for wind farm developments outwith the Park and the 4 aims of the Park should extend beyond the invisible boundary. The EIA accepts that CNP has a high sensitivity to change due to its important national designation and the Cairngorm Mountains National Scenic Area similarly has a high sensitivity to change. The assessed impacts on the 3 viewpoints within the Park where there would be an impact have been listed above, the two closest to the site as substantial adverse and Ptarmigan as moderate adverse. The EIA also refers to the SNH "Search for Wild Land" and the land identified includes the two view points in the Monadhliath mountains within the Park boundary where impact was judged to be substantial adverse.
62. The landscape architect considered the impact of Dunmaglass itself and also the cumulative impact with Glen Moriston and Farr and took the view that there will be an **unacceptable degree of impact** on the visual amenity of the Park. Ptarmigan in particular has the combination of large numbers of people in a highly sensitive location. The level of impact on the visual amenity of the Park is too high although the landscape architect considers it could be mitigated by substantially reducing the number of turbines so that they are sited in a tighter cluster.
63. **Scottish Natural Heritage** has submitted a response to the Scottish Executive objecting to the application on 4 grounds:
- SNH considers that the EIA has underestimated the collision risk for golden eagles and even with the figures given the impact on wider eagle populations is unacceptable;
 - Insufficient information on the impact on other important bird species including several listed under the EC Wild Birds Directive;
 - The impact on European protected species (otters, bats, wildcats, has not been adequately assessed;
 - Insufficient information on potentially significant impacts on upland habitats particularly blanket bog (listed under EC Habitats Directive) and upland heath.
64. **SNH** has advised that with the proposed windfarm being relatively confined to the higher elevated, less accessible areas, the landscape impacts are **not significant**. However they have concluded that it would have a **significant** impact on the wild qualities of the area.
65. From a **CNPA** point of view there are some concerns in addition to those identified in consultations with the various groups within the authority. Despite the EIA identifying the Cairngorms National Park as an area of high sensitivity and locations within the Park assessed as

likely to suffer moderate to substantial adverse impact, CNPA was not consulted by the applicant prior to submission of the application. There is no assessment against the 4 aims of the Park. Prior consultation would have afforded an opportunity to highlight CNPA emerging policy on renewable energy and draw attention to CNP issues that we would wish the EIA to cover. The only consultation has come after submission of the application from Highland Council following consultation to that body from the Scottish Executive.

66. Another point of concern relates to the extent of the cumulative impact assessment in the EIA. There is no reference to a known, but as yet not submitted, proposal for a wind farm at Glenkirk north of Carrbridge close to the Park boundary. It is felt that this should have been taken into account as well as Farr and Glen Moriston.
67. The EIA assessment of socio economic impact is superficial and does not include a detailed assessment of the impact on tourism in the area both from this development and cumulatively with other windfarms. This is a significant deficiency.

Conserve and Enhance the Natural and Cultural Heritage of the Area

68. The EIA identifies the high sensitivity to landscape change of both the Cairngorms National Park as a whole and the individual viewpoints within it chosen for the study. The report concludes that impacts from viewpoints will range from moderate to substantial adverse with slight adverse on the A9 corridor. Overall the assessment is that Dunmaglass will have a moderate adverse, and therefore significant impact, but the cumulative impact with Farr and Glen Moriston is judged not to be significant. The overall assessment for the Park is moderate adverse impact.
69. The assessment for the two viewpoints in the Monadhliaths refers to the turbines being seen partially silhouetted against the sky above the gently undulating horizon and predominantly against the distant hill back drop. They would be visible over 25 degrees of the view as a compact and evenly spaced group and potentially highly visible because of reflection from the sun. Average weather conditions would limit visibility at times. Reference is also made to the fact that viewers would be infrequent, predominately people shooting game and walkers.
70. The assessment for Ptarmigan refers to the large distance from the windfarm reducing visibility considerably. Turbines would be visible at fairly evenly spaced intervals in one group within 10 degrees of a broad panorama, visible below and beyond the undulating horizon and all or part of the turbines backdropped by distant hills. Turbines would appear as pale vertical objects, although more clearly visible through the in situ telescope. Because of the altitude there is often cloud cover and other weather conditions that would affect visibility substantially. Reference is made to viewers being the frequent visitors to and users

of Cairngorm mountain who would have expectations of man made structures around the ski area with panoramic views beyond containing few visible man made elements.

71. The EIS does a good job of summing up characteristics of the various viewpoints in the Park and their sensitivity to change. It recognises that the Park as a whole has high sensitivity to change. Even though the assessment of the impact is variously moderate or substantial, the overall assessment given is moderate adverse impact. It is considered that this conclusion undervalues the significance of the individual and cumulative visual impact on the Park as a national asset, a view shared by the landscape architect in reviewing the landscape assessment.
72. Both NPPG 6 & 14 stress the high regard and duty of care that should be given to National Parks and remote unspoilt areas. The concept of the Park boundary, whilst drawn as a line on a map for administrative purposes, is widely accepted to be more fluid in practice when considering impacts on natural heritage. The quality of landscape does not suddenly diminish when the line is crossed and what happens outside the boundary has an impact inside and vice versa. Based on the information contained in the EIS the landscape impact is consequently considered to be unacceptable. This position is consistent with the policy approach taken by Loch Lomond and the Trossachs in their Consultative Draft National Park Plan.
73. The view taken by SNH that landscape impact is not significant as the windfarm is relatively confined to higher elevated, less accessible areas, is therefore not shared. As landscape character is presumably part of the wild quality of the area, where SNH conclude that impact would be significant, it is felt that there is such a connection between the two aspects that landscape impact must also be significant.
74. Both CNPA Natural Resources Group and SNH have serious concerns with regard to the quality of the assessment of the impact on important bird species, especially Golden eagles.
75. It is therefore considered that the proposal as it stands does not comply with National, Highland Council and CNPA policy and is contrary to the first aim of the Park.

Promote Sustainable Use of Natural Resources

76. At a fundamental level the use of wind power is contributing to a reduction in green house gas emissions and can be described as a sustainable use of natural resources. It could be argued that it would be more sustainable if facilities of this scale are sited closer to the large centres of population where most of the power generated will be consumed. In tandem with this the view could be taken that smaller developments servicing local communities would be the most sustainable.

77. Given Government policy on the issue of wind farms it is, however, concluded that the proposal contributes towards this aim in the widest national sense.

Promote Understanding and Enjoyment of the Area

78. NPPG 6 on Renewable Energy states that renewable energy developments are not necessarily incompatible with tourism and recreation interests whilst stressing that it is unrealistic to expect such developments to have no effect at all.
79. Whilst visitors passing through the Park by car or rail might not have their enjoyment marred by passing glimpses of wind farms, it is considered that the same will not hold true for those walking on the Monadhliaths or enjoying the panorama from Ptarmigan on Cairngorm mountain. Visitor Services and Recreation Group have clearly identified the qualities that bring visitors to the Park and the impact that the introduction of industrial elements in the landscape might have upon their experience. This aspect again highlights that a line on a map cannot be taken as the boundary of influence with regard to enjoyment.
80. The quality of the assessment of socio-economic impact in the EIS does not allow for any quantification of effects. It is, however, considered that the proposed development would fail to promote understanding and enjoyment of the area and would be likely to have a negative impact upon this aim.

Promote Sustainable Economic and Social Development of the Area

81. As has been stated the paucity of the EIS in this regard makes it difficult to assess the impact in quantifiable terms. There is reference to jobs during construction and a single permanent part-time job. There is general description of the positive experience of other wind farm developments, but no detailed impact analysis of this particular proposal.
82. In the absence of this analysis, the CNPA Economic and Social Development Group are not in a position to give a conclusive view. The comments made with regard to the previous aim do, however, also apply to this one. Tourism is central to the Park economy. The tourists come because of very particular qualities. Anything that has an adverse impact on that sector will therefore have a detrimental effect on the economic and social development of the area. In the absence of a case to the contrary it is concluded that the proposed development would be unlikely to be positive for this aim.

Conclusion

83. In searching for potential wind farm sites throughout Scotland the developer chose to pursue Dunmaglass because, inter alia, there was a lack of designations within 5km of the site. Whilst it is accepted that investigative work was carried out before the Cairngorms National Park was established, the Park was most definitely a prospect and National Planning Policy Guidance clearly identified the regard to be had for such areas. Dialogue prior to submission of the application would have identified the issues and degree of analysis that CNPA considered appropriate for the EIA. This may have in turn have influenced the nature of the proposal as submitted, or perhaps resulted in no application being made.
84. It is within this context that it is concluded that CNPA should object to the proposed development on the grounds of unacceptable individual and cumulative visual impact, likely significant impact on protected species (Golden eagle), and the potential adverse effect on the local economy.

RECOMMENDATION

85. **Overall, based on the information contained in the Environmental Impact Statement, it is recommended that the Cairngorms National Park Authority considers the proposed development to be contrary to National, Highland Council and CNPA policy, as well as 3 of the aims of the Park and consequently objects to the proposed development of a wind farm at Dunmaglass for the following reasons:**
- 1. The outstanding and unique characteristics of the landscape extend beyond the administrative boundaries of the Cairngorms National Park. The proposed development will lead to an unacceptable degree of adverse visual impact upon the character of Cairngorms National Park both from the Dunmaglass proposal itself and cumulatively with other wind farms.**
 - 2. It is considered that the impact on protected species within the Cairngorms National Park, specifically the Golden eagle, will potentially be significant and in the absence of a convincing argument that this will not be the case, the precautionary principle should apply.**
 - 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 the landscape. Whether visitors are walking on the Monadhliaths or admiring them from Ptarmigan on Cairngorm Mountain, the proposed development will have an individual and cumulative impact. 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.

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