
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: CONSULTATION FROM PERTH AND KINROSS COUNCIL

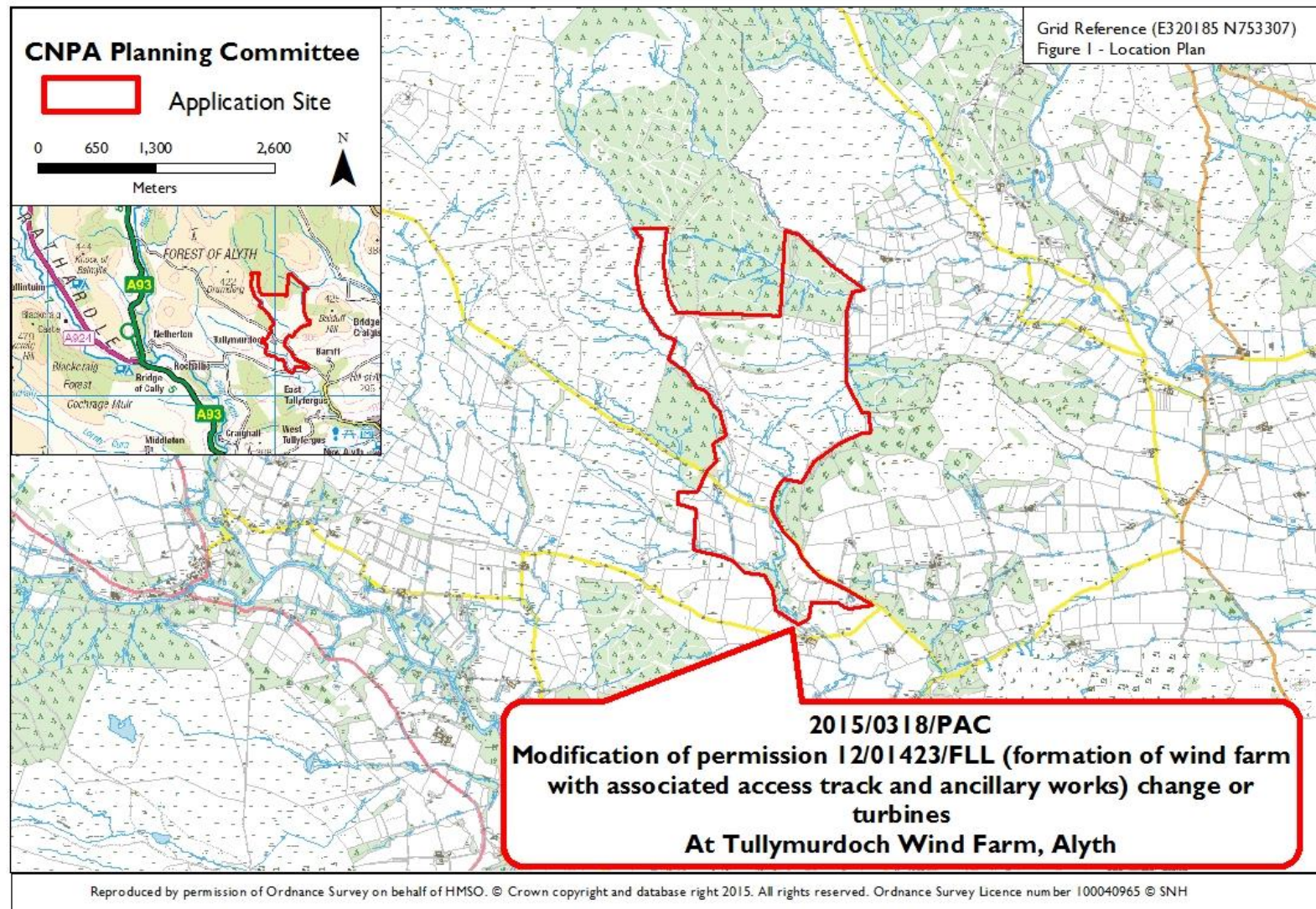
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PLANNING OFFICER
(DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: Modification of permission 12/01423/FLL (formation of wind farm with associated access track and ancillary works) change of turbines.

REFERENCE: 2015/0318/PAC

APPLICANT: RDS Element Power Ltd

RECOMMENDATION: NO OBJECTION



PURPOSE OF REPORT

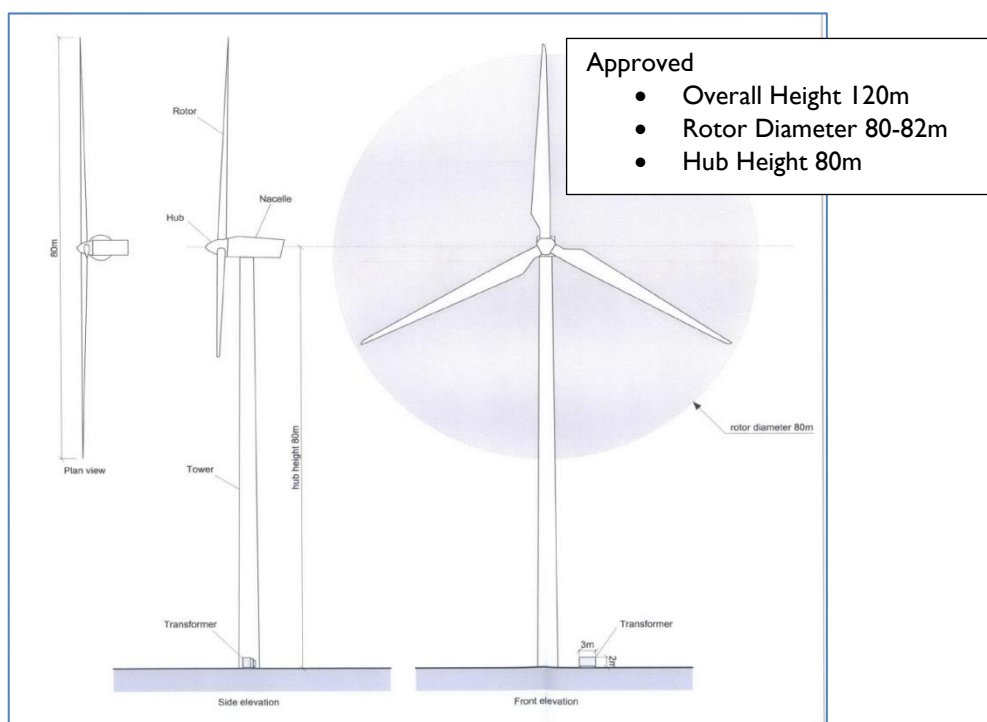
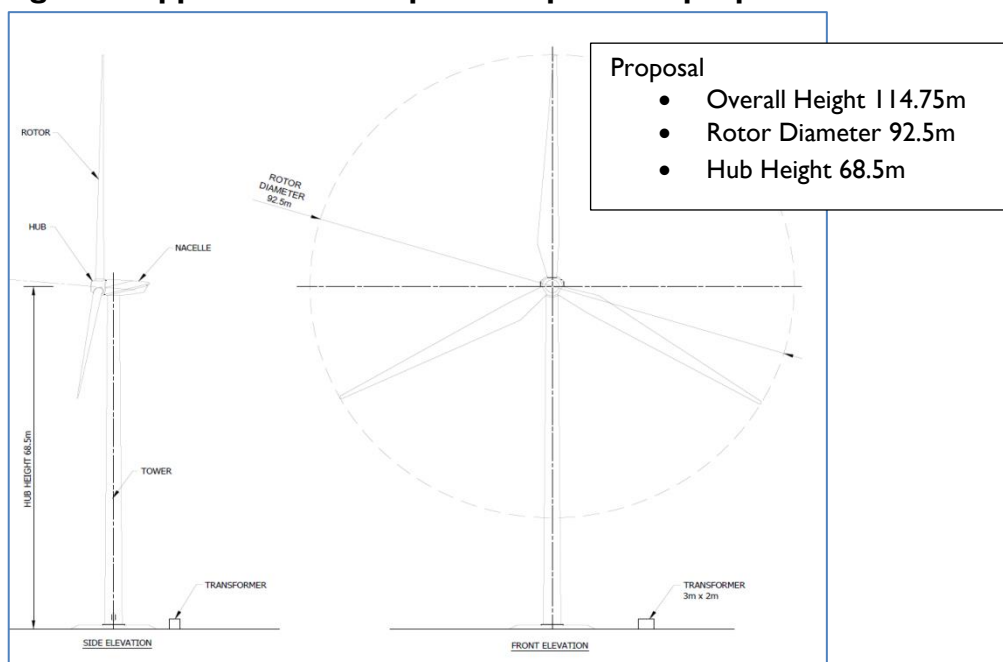
1. The purpose of this report is to provide a consultation response to Perth and Kinross Council on the modified Environmental Statement and planning application detailing the proposed change to the turbine specification of the previously consented development (approved under reference 14/01423/FLL) for seven wind turbines situated at Tullymurdoch (see **Figure 1**)
2. The Cairngorms National Park Authority (CNPA) has been consulted in relation to any impacts upon the park as the application is accompanied by an Environmental Statement under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. The planning issues being considered in relation to this consultation are whether the changes to the turbine dimensions would introduce any impacts upon the qualities of the park.
3. Under the agreement on roles in advisory casework between Scottish Natural Heritage (SNH) and Scottish National Parks Authorities, SNH lead on the provision of advice concerning impacts on the National Parks designation of proposals outside the park, and their comments have been received.

SITE DESCRIPTION AND PROPOSED DEVELOPMENT

4. The Tullymurdoch wind farm site is located some 11.7 kilometres to the south of the Cairngorms National Park. The landscape appears as a transition area between the Park and the more agricultural landscape to the south, and includes areas of tree planting in the vicinity of the site.
5. The site is located to the north west of Alyth, some 2 km to the east of the existing Drumderg Wind Farm which comprises 16 wind turbines of height 107 metres to tip and 67 metres to hub. There are a number of other wind farm developments in the wider vicinity at various stages in the planning process from scoping to operational and these are represented on **Figure 3**.
6. The Tullymurdoch wind farm itself was approved by the Department for Planning and Environmental Appeals on 3rd September 2014 (Ref PPA-340-2073) following appeal by the applicant against the non-determination of Perth and Kinross Council. The CNPA were asked to consider the original submission as part of the consultations by Perth and Kinross Council and the CNPA issued a consultation return of 'No Objection' to Perth and Kinross Council prior to the appeal being lodged.
7. This proposal is to modify the consented turbine dimensions at Tullymurdoch Wind Farm. The applicant seeks to amend the candidate turbine to a Senvion MM92 which reduces the overall tip height of the turbines from 120 metres to 114.75 metres, but with a rotor diameter increase from the 80-82 metres previously assessed to a maximum of 92.5 metres (equating to a 5-6 metre increase in blade length). There are 7 turbines consented at the site. The approved turbine plan against the proposed design amendment is shown by

Figure 2 and should be viewed with the specification measurements referred to above.

Figure 2 Approved turbine plan compared to proposed amendment



- The application is accompanied by Supporting Environmental Information (SEI) assessing the environmental considerations that were detailed in the original Environmental Statement (ES) and that may be altered by the variation to the turbine dimension. These environmental considerations include that most relevant to the Park being 'landscape and visual impacts'.

RELEVANT PLANNING HISTORY

9. As outlined in paragraph 6, the CNPA provided a return of 'No Objection' to the original consultation for Tullymurdoch wind farm in October 2012. The CNPA considered that the landscape and visual impact on the setting of the Park, and views into and out of this part of the Park, would not be compromised.
10. As Members are aware, there are a number of existing and approved wind farms in the vicinity of the application site. These are shown on **Figure 3** which is an extract of a larger plan previously circulated to Members.

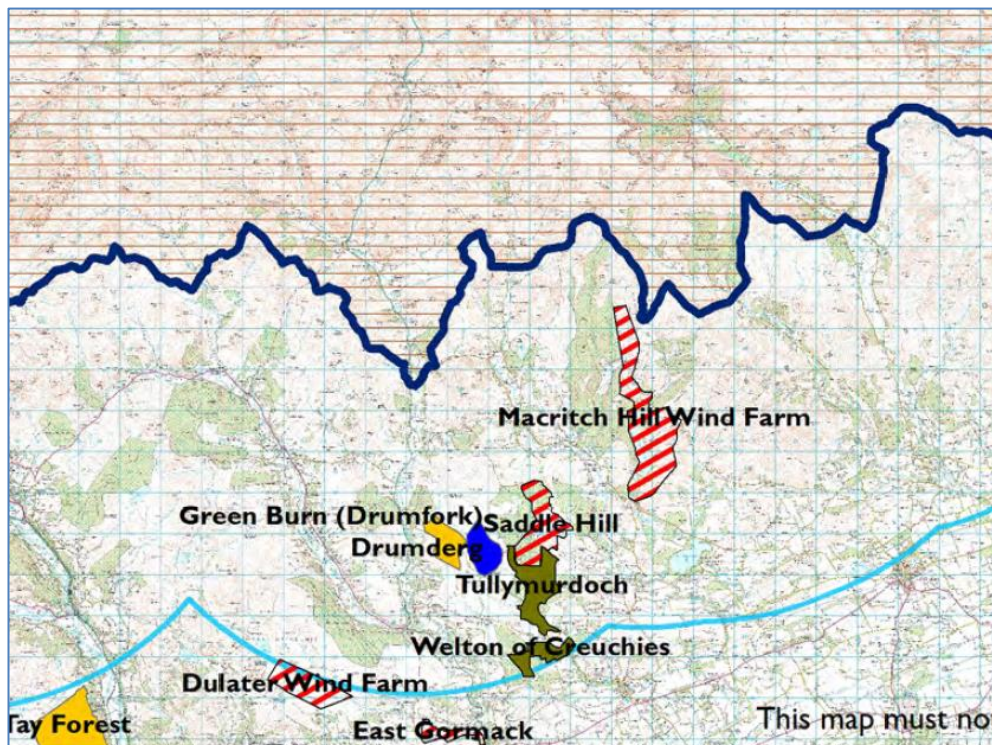


Figure 3 Wind farm developments south east of the Park boundary. (Tullymurdoch marked as 'blue – installed')

DEVELOPMENT PLAN CONTEXT

National Policy and Guidance

11. **Scottish Planning Policy** (SPP, revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. Under planning law, planning applications must be determined according to the development plan unless material considerations indicate otherwise. The content of SPP is a material consideration in planning decisions that carries significant weight. The SPP promotes consistency in the application of policy across Scotland while allowing sufficient flexibility to reflect local circumstances.

12. SPP specifically sets out that the planning system should support the transformational change to a low carbon economy, support the development of a diverse range of electricity generation from renewable energy technologies, and guide development to appropriate locations. In paragraph 154, it sets out the Scottish Government's commitment to increasing the overall amount of energy generated from renewable sources to 30% by 2020 with the equivalent of 100% of electricity demand being met by renewable sources by this date. In terms of policy principles, paragraph 154 requires the planning system to guide renewable energy development to appropriate locations and to advise on the issues that would need to be taken into account when specific proposals are being assessed.
13. Paragraph 169 sets out the issues to be considered when considering energy infrastructure development proposals including the need to consider likely cumulative impacts and landscape and visual impacts, including effects on wild land. Further advice on wind energy is contained in the Scottish Government online information note on "onshore wind turbines" which outlines the issues to be considered and references the range of SNH publications and guidance on wind energy and planning.
14. National Parks are highlighted in paragraphs 84 – 86 of the SPP under the "promoting rural development" section. These paragraphs re-state the aims of the National Parks and the need to pursue these collectively. SPP highlights that if there is a conflict between the first aim (conserving and enhancing the natural and cultural heritage of the area) and any of the others then greater weight must be given to the first aim. Planning decisions are expected to reflect this weighting and be consistent with these aims.
15. Paragraph 212 of the SPP highlights that where development affects a National Park it 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 impacts on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
16. SPP also highlights in paragraph 85 that these aims and requirements apply to development outwith a National Park that affects the Park.
17. Wild Land Areas are addressed in paragraph 200 of the SPP which are identified as being very sensitive to any form of intrusive human activity and have little or no capacity to accept development with the requirement set out for Plans to identify and safeguard the character of areas of wild land as identified in the Scottish Natural Heritage 2014 map of wild land areas. In relation to development management, it is highlighted in paragraph 215 that development may be appropriate in some circumstances, and further consideration is required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

Strategic Policy

Cairngorms National Park Partnership Plan 2012-2017

18. The Cairngorms National Park Partnership Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.
19. Three long term outcomes for the Park are set out as follows:
 - 1) A sustainable economy supporting thriving businesses and communities
 - 2) A special place for people and nature with natural and cultural heritage enhanced and
 - 3) People enjoying the park through outstanding visitor and learning experiences
20. These outcomes address the interaction of the three main characteristics of the National Park these being; that the Park is an internationally important area for nature conservation; a fragile rural economy; and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan.
21. Specific policies of the Plan seek to promote and enhance the special qualities of the Park. In particular Policy 1.3 sets out that large scale commercial wind turbines (defined as more than one turbine and more than 30 metres in height) are not compatible with the special qualities of the National Park and are not considered to be appropriate within the National Park, or where outside the Park they affect its landscape setting.
22. Also relevant is Policy 2.3 which seeks to conserve and enhance the special landscape qualities of the National Park, with a particular focus on conserving and enhancing wildness qualities and enhancing opportunities to enjoy and experience the landscapes of the Park.

CONSULTATIONS

23. The Scottish National Park Authorities have agreed an arrangement with Scottish Natural Heritage (SNH) on respective roles in advisory casework. This sets out that SNH will take the lead role in considering the impacts on the National Park designation of proposals outside the Park, with the National Park Authority supporting. Accordingly the views of SNH, in so far as they relate to landscape and visual impact and the setting of the Park, are presented below.
24. **Scottish Natural Heritage (SNH)** state that their siting and designing wind farms in the landscape guidance offers advice when there are multiple wind farms in close proximity. The guidance states that developments should be designed with a similarity of design and wind farm image to limit visual confusion,

and reinforces the appropriateness of each development for its location. To achieve this, the choice of turbine at Tullymurdoch should be compatible with those at the existing and consented wind farms, including aspects of scale, form, colour, and rotation speed.

25. The proposal to increase the rotor size of the Tullymurdoch turbines is a material change to the design and would mean the rotor size would now noticeably differ from that of the existing Drumderg wind farm. Should the Tullymurdoch and Drumderg be seen as a single overlapping development this could potentially create a more complex and confusing image. However Tullymurdoch and Drumderg are sufficiently separate that this effect typically would not occur. The reduction in overall blade tip height would also improve Tullymurdoch's visual relationship with Drumderg.
26. The consented Welton of Creuchies scheme is sufficiently separate from the Tullymurdoch scheme that the proposed change in turbine dimensions would have no material effect on the visual relationship.
27. It is worth noting that Tullymurdoch and the proposed Saddle Hill wind farm would frequently be seen together as one overlapping wind farm. In the scenario where Saddle Hill was consented, the proposed changes to the turbine dimensions at Tullymurdoch would closely match those proposed at Saddle Hill and would offer a small improvement to their visual relationship.
28. In conclusion, it is the view of SNH that the proposed changes to the turbine dimensions at Tullymurdoch would not result in any additional landscape and visual impacts.
29. If the proposal is granted approval, SNH recommend the turbines match the existing turbines at Drumderg in terms of lack of advertising or branded colours.

APPRAISAL

30. The proposed wind farm is located on a site which lies approximately 11.7km away from the southern boundary of the National Park. Based upon the conclusions of the Environmental Statement submitted alongside the original planning application, and the location of the site relative to the Park, there was unlikely to be any significant ecological issues in this case relevant to the Parks interests. Consequently, the key planning issue for consideration is that of the visual and landscape impact on the setting of the National Park, and views into and out of this part of the Park.
31. The ES suggested that any landscape and visual effects upon the overall National Park will be negligible. The CNPA Heritage Manager had looked at the original (and subsequently consented) development proposal and generally agreed with this conclusion.
32. The site is located a considerable distance from the National Park and, importantly, is set in a more settled landscape character area which differs from

the landscapes in the Park. This landscape forms a “transition” between the National Park and the more agricultural land to the south.

33. It is recognised that the wind farm location is not a pristine or untouched landscape, with existing wind turbines already present close by. Combined with the distance from the Park boundary, together with the more settled landscape characteristics of the area when viewed from the southern hill summits of the Park, it was considered that there would be no significant impacts from this wind farm. Therefore on account of the relatively minor modifications to the turbine specification, with no other modifications to the consented farm which are of significance, there remains no significant impact arising from the revised wind farm. Furthermore, given the scale of the development, the limited contribution of the original proposal to the base line of existing wind farms/proposals was recognised by the CNPA Heritage Manager.
34. It was seen that the original development would be visible from some high points in the Park, but the impact was not considered to warrant objection and the proposal itself, or indeed cumulatively with others, was not considered to have a significant adverse effect on the setting or character of the Park.
35. Therefore, having taken account of:
- 1) the previous CNPA assessment of the wind farm as consented;
 - 2) a consideration of the proposed turbine design change compared to the approved specification; and
 - 3) the SNH consultation advice concluding that the proposed changes would not result in any additional landscape and visual impacts (and may be potentially beneficial when seen against future developments)

the proposal is considered not to conflict with the objectives of the National Park. Accordingly it is recommended that the CNPA raise no objection to the proposal.

RECOMMENDATION

That Members of the Committee support a recommendation of NO OBJECTION to the revised turbine specification at Tullymurdoch, Alyth.

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2 Nov 2015

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.