CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **SUPPLEMENTARY GUIDANCE FOR THE CAIRNGORMS NATIONAL PARK: INTERIM PLANNING POLICY No.1: RENEWABLE ENERGY (Preliminary Draft).**

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Purpose

This aim of this report is to introduce the first draft of Planning Policy No.1: Renewable Energy. In its present form it is intended as a discussion document which will be modified, probably through several drafts, in response to the Committee's comments and responses from external consultees.

Recommendations

1. The Committee supports the intention to proceed to the 'Interim Planning Policy No.1: Renewable Energy' (Consultation Draft) which will be issued, following Planning Committee approval, to the four constituent Local Authorities, Perth & Kinross Council, other statutory bodies/interest groups and the constituent Community Councils for consultation and comment.

2. A report will be submitted to a future meeting of the Committee on the responses to the draft document from consultees.

Executive Summary

In 2000 the UK Government established a policy objective to have 10% of UK electricity requirements supplied by renewables by 2010, a target which will almost certainly rise beyond that timescale. The Utilities Act 2000 gave the Scottish Ministers power to set a separate renewables obligation for Scotland; in 2002, 11% of Scotland's electricity was generated by hydro schemes alone, with new renewable projects making up another 2%. A further increase of 5% is proposed under the Renewables Obligation (Scotland) which will take the Scottish total to 18% by 2010.

National planning policy and guidance is supportive to renewable energy schemes, but a strong case can be made for the proposition that land within, or immediately adjacent to, a National Park has special sensitivities which justify a more discouraging attitude to such proposals than might be the case elsewhere.

Since 1st Sept. 2003 we have had pre-application discussions or consultations for one hydro scheme, three wind farms within the Park and two on or near the boundary. Others are likely to be forthcoming in the near future and an urgent need exists for interim policy guidance to give developers, other interested parties, Local Authorities and the public a description of the CNPA's attitude to such proposals.

The CNP is a landscape designated for its national importance, an area of unique habitats within the UK. Scotland's two National Parks make up only 7.2% of the country's land area, can this relatively small area of nationally important landscape not be protected from future major development?

SNH has zoned 26% of Scotland's landscape as highly sensitive, with regard to wind farm siting; this includes the Cairngorms core, Loch Lomond, the central Trossachs and all Scotland's NSA's. A further 48% is classed as medium sensitivity (inc. the rest of the National Parks), with 26% zoned as lowest sensitivity. If there were a shortage of suitable sites and opportunities within Scotland, and therefore no viable alternative, then a large renewable energy scheme could possibly be justified within the Park; but this is not the case. Large tracts of Scotland have equally suitable geographies and climates (if not more so), and sustainable sense would suggest that landscapes of lesser value (as already mapped by SNH as being of lowest sensitivity, see section 4.3) be utilised to meet UK targets. This way, we can satisfy the need for renewable energy developments, while minimising the adverse impacts on Scotland's natural and cultural heritage.

INTERIM PLANNING POLICY No.1: RENEWABLE ENERGY (Preliminary Draft).

1. INTRODUCTION.

1.1 In 2000 the UK Government established a policy objective to have 10% of UK electricity requirements supplied by renewables by 2010, a figure which will most likely rise beyond that timescale. The Utilities Act 2000 gave the Scottish Ministers power to set a separate renewables obligation for Scotland; in 2002, 11% of Scotland's electricity was generated by hydro schemes alone, with new renewable projects making up another 2%. A further increase of 5% is proposed under the Renewables Obligation (Scotland) which will take the Scottish total to 18% by 2010; the EU target is 12%. Scotland is considered to have the best wind resources in Europe (on and offshore) and enormous potential from tidal and wave power.

1.2 The whole ethos of renewables, which is central to the concept of sustainability, is embraced by the Cairngorms National Park Authority. This must be balanced, however, by our custodianship of a nationally designated landscape. If there were a shortage of suitable sites and opportunities within Scotland, and therefore no viable alternative, then a large renewable energy scheme could possibly be justified within the Park; but this is not the case. Large tracts of Scotland have equally suitable geographies and climates (if not more so), and sustainable sense would suggest that landscapes of lesser value (as already mapped by SNH, see section 4.3) be utilised to meet UK targets.

1.3 Renewable energy can be defined as sources of energy which can be harnessed sustainably on a long-term basis, with minimal depletion of finite natural resources. They can be exploited by a variety of modern, and more traditional, technologies.

1.4 Renewable energy sources can be categorised by three origins of resource:

Primary: energy which can be harnessed directly, and is readily available in the environment, such as: solar, wind, tidal, wave, hydro and geothermal.

Secondary: energy which can be derived from vegetable and animal resources, such as wood fuel and biomass wastes.

Tertiary: energy which is derived from man-made waste, such as incineration of rubbish ('waste-to-energy' plants) and landfill gas.

1.5 Within the CNP there is varied scope for garnering renewable energy; the glaciated landscape and (usually) high rainfall offer wide potential for hydro schemes, while the moderately windy climate and rounded hilltops offer good sites for wind farms. However, both of these sources result in major developments which are likely to have a considerable

environmental and visual impact on the nationally protected landscape. As a general principle, it can be said that the impact is related to the scale of the development, which in turn is linked (particularly with wind power) to the intended energy output. Thereby, small-scale schemes are likely to have much less impact, both visually and environmentally.

PLANNING POLICY BACKGROUND

2 NATIONAL POLICY GUIDANCE

2.1 Scottish Planning Policy 1: The Planning System; states in Section 41. "Supplementary Guidance can be useful where: there is an urgent policy response to an emerging issue".

The creation of Scotland's two National Parks has produced a unique planning context, particularly where both are currently covered by four separate development plans. The requirement to collectively implement the four Park aims, while faced with a rapidly emerging issue, certainly justifies this urgent policy response to renewable energy development.

2.2 National Planning Policy Guideline (NPPG) 6: Renewable Energy Developments 2000; states in Section 22. Locational Considerations: "In relation to national designations (NSA's, SSSI's, NNR's, National Parks and NHA's), renewable energy projects should only be permitted where it can be demonstrated that the objections 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".

2.3 Planning Advice Note (PAN) 45: Renewable Energy Technologies 2002. Section 75 states, in relation to landscape siting of wind farms: "A cautious approach is necessary in relation to particular landscapes which are rare or valued, such as NSA's and proposed National Parks and their wider settings. Here, it may be difficult to accommodate wind turbines without detriment to natural heritage interests". The processes of, and impacts resulting from, hydro and biomass schemes are also detailed.

2.4 NPPG14: Natural Heritage 1999.
Section 33 on National Parks states: "While the 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. In the meantime, planning authorities should take particular care to safeguard the landscape, flora and fauna of Loch Lomond and the Trossachs and the Cairngorms."

3 EXISTING DEVELOPMENT PLAN POLICY BACKGROUND

3.1 The four constituent Local Authorities within the CNP all have existing Development Plan policies for renewable energy. In general, they support such developments but with the caveat that proposals within designated areas/landscapes may have their (environmental and landscape) impacts and effects outweighed by national energy interests. Highland Council Structure Plan has the only policy for small community renewable energy projects (E8). This, it could be argued, is the area of renewables which has most relevance to the aims of the Park, coupled with the least environmental and visual impact.

3.2 See Appendix 1 for a table of relevant policies.

4 SNH POLICY BACKGROUND.

4.1 SNH has carried out considerable research and policy work on renewable energy and wind farm issues. The 'Policy Statement on Renewable Energy' (01/02) looks at policy, targets, potential and impacts. This was followed by the 'Strategic Locational Guidance for Onshore Wind Farms' (02/02) which includes mapped zones of natural heritage sensitivity.

4.2 Policy Statement 01/02 Renewable Energy.
This policy statement introduces SNH's position regarding renewable energy, and starts out with the reminder that targets to achieve levels of renewable power must also be accompanied by considerable reductions in emissions (e.g. CO_2, by cutting down on fossil fuels).

A policy context and breakdown of targets is followed by an assessment of Scotland's electricity output and potential for renewable energy production. Landscape and visual impacts, ecological impacts and the issues for natural heritage and rural development are followed by a lengthy assessment of SNH's position regarding renewables.

Section 47: "..SNH considers that meeting energy needs requires a strong planning framework to ensure that development is well-structured, with technology types and development proposals guided towards areas which are able to accept them with least impact on natural heritage quality".

Section 48, paragraph 4: "SNH will seek to steer development which is of a scale (individually or collectively) that changes landscape character towards areas where the landscape is already developed or visually man-modified, and which are relatively close to centres of population. Such areas may include agricultural land, forests or brownfield land within or close to the Central Belt".

4.3 Policy Statement 02/02 Strategic Locational Guidance for Onshore Wind Farms in Respect of the Natural Heritage.

This locational guidance for onshore wind farms resulted from the burgeoning interest in such developments, which are the cheapest form of renewable energy to produce. The guidance is based around three zones of sensitivity, which cover the whole of Scotland.

Zone 1 is the lowest level of sensitivity and covers 26% of Scotland, mainly managed and man-made landscapes with no designations although there will be localised protected species/sites.
Zone 2 covers 48% of the country and is generally of medium sensitivity; here there are recognised natural heritage sensitivities of various levels and concentrations.
Zone 3 covers the remaining 26% and is the highest level of sensitivity which include the National Park cores, NSA's and Natura sites. The remainder of the National Parks are currently classed as Zone 2.

This guidance is purely strategic and has to be applied as such when assessing local areas in more detail. These sensitivities will be reviewed in the light of National Park Plans being developed.

5 ENGLISH & WELSH NATIONAL PARK POLICIES.

5.1 The English and Welsh National Parks all have policies which either rule against major renewable energy developments, or impose strict criteria for assessing their environmental and visual impact. Some also state that there must be no possible alternative sites outwith the Park before such a proposal will be considered.

5.2 The policies are summarised in Appendix 2.

6 THE AIMS OF THE CAIRNGORMS NATIONAL PARK.

6.1 While the CNP must have regard to national planning policy, existing development plan policies and specialist advice (e.g. from SNH) for guidance towards the formulation of its own policies, central to all Park policy must be its four aims; these are:

a) to conserve and enhance the natural and cultural heritage of the area;
b) to promote sustainable use of the natural resources of the area;
c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
d) to promote sustainable economic and social development of the area's communities.

6.2 Where there is conflict between these four aims, greater weight must be given to the first. While the development of renewable energy sources can certainly be relevant to the second and fourth aims, the very nature and scale of such developments can also have a significantly adverse impact on the first aim.

7 The Question of Scale.

7.1 As a working definition, 'large-scale' wind energy development can be defined as:

a) any development comprising 2 or more turbines (which also includes cumulative development).
b) any development with a turbine whose hub is 25m or more above ground level.
c) any development whose scale, siting or design will have a significant environmental and/or visual impact.

7.2 A 'large-scale' hydro-electric development can be defined as:

a) any development whose generating capacity is one or more mega-watts (MW).
b) any development whose scale, siting or design will have a significant environmental and/or visual impact.

7.3 A 'large-scale' solar energy development can be defined as:

a) having solar panels whose area exceeds 8m².
b) any development which can be deemed to disfigure the property on which it sits.
c) any development whose scale, siting or design will have a significant environmental and/or visual impact.

SUGGESTED POLICIES

8 A wide range of policy options would be permissible as a basis for Interim Policy Guidance, depending on the 'degree of restriction' the CNPA wishes to exercise over renewable energy projects. This, in turn, will be influenced by its view (informed by consultation with the four constituent Local Authorities, Perth & Kinross Council, statutory bodies, interest groups and the local communities) about the balance between man-made and natural features which is appropriate to this National Park. The following policies are therefore offered as a starting point for discussion. They are based on the following prepositions:

a) In relation to considerations of landscape, environment and cultural heritage, the Cairngorms National Park is of the highest importance in national terms.
b) Outwith established settlements and other clearly defined

development centres, there should be a strong presumption against further incursions of man-made developments within the Park, except for those necessary to serve the needs of local communities or to promote the understanding and enjoyment of the special qualities of the area by the public.

c) The support of constituent and adjacent Local Authorities should be sought to protect the Park from renewable energy projects outwith its boundary, which adversely affect its setting or detract from important views.

9 SMALL-SCALE COMMUNITY RENEWABLE ENERGY DEVELOPMENTS.

9.1 Small-scale renewable energy schemes, which directly benefit the local community, will be supported and encouraged within the Park. Many of Scotland's remoter communities have been using wind turbines for decades, with generators or grid connections for back-up. It is also relatively common for estates to have small-scale hydro schemes within their land.

9.2 As technology becomes more sophisticated and efficient, so do the possibilities for communities to resource and implement renewable schemes. All such schemes, however, must still be assessed against their environmental and visual impacts.

POLICY RE1: Small-Scale Community Renewable Energy Schemes.

Small-scale schemes which directly benefit a CNP community will be acceptable within the Park subject to the relevant criteria set-out in Policies RE3, 5 or 6 being met.

10 SMALL-SCALE DOMESTIC RENEWABLE ENERGY DEVELOPMENTS.

10.1. As with projects described in section 9.1, small-scale installations for domestic use are becoming more efficient and affordable; while such schemes will be encouraged, they must also be assessed for environmental and visual impact.

POLICY RE2: Small-Scale Domestic Renewable Energy Development.

Domestic scale wind-generators, solar or hydro schemes will generally be acceptable, subject to the relevant criteria in Policies RE3, 5 or 6 being met.

11 WIND FARM DEVELOPMENTS.

11.1 The landscape of the CNP, with gently rolling hills and high moorland, coupled with moderate to high wind speeds, offers significant potential for harnessing wind power. The very nature of these developments however, with new turbine heights exceeding 100m, means that they are likely to have an adverse visual impact on the landscape, with their isolated and prominent locations. Wind farms may potentially have an extensive zone of visibility, stretching a considerable distance; the views from the Cairngorms massif itself are as important as those from the valleys.

11.2 The impact of a large-scale wind farm, which is a major and modern man-made feature on the landscape, is at odds with the National Park designation. This is especially pertinent in light of the fact that some 26% of Scotland has been classified by SNH as being of low sensitivity to such developments, and therefore landscape which can easier accept such development.

11.3 The siting of a turbine must address a large number of issues: safety aspects, electro-magnetic interference, military low flying, television reception, proximity to roads/houses/railways, shadow flicker, noise, power lines, landscape impact, visual impact, impact on birds and habitats, cumulative effects, and decommissioning & site restoration.

Policy RE3: Wind Energy Development.

Large-scale wind energy proposals will not be permitted.

Small-scale wind energy proposals will be permitted where all of the following criteria are met:

a) The proposal has no adverse impact on the landscape or cultural heritage, from any of its works.
b) There are no adverse environmental impacts on flora, fauna or habitats.
c) There will be no adverse impact on residential properties through noise, shadow flicker, visual impact or loss of amenity, and no electromagnetic interference to any transmitting or receiving systems.
d) All related power-lines will be routed underground.
e) Any associated buildings will be to match the context and cultural heritage of the area; existing buildings should be utilised where possible.
f) Landscaping of the development, and reinstatement measures following decommissioning, are agreed through planning conditions.

12 WIND FARM DEVELOPMENTS OUTWITH THE PARK.

12.1 Wind farm 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. 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.

Wind farms proposals beyond the boundary of the Park will be carefully assessed for their visual impact on the landscape and setting of the Park.

The cumulative impact of wind farms outwith the Park should also be carefully considered and minimised.

13 HYDRO-ELECTRIC DEVELOPMENTS.

13.1 The landscape and climate of the CNP offer reasonable scope for hydro schemes, where regular water flow can combine with high-level holding areas and a steep descent to a turbine. However, the impact of large engineering works on the landscape and environment of the National Park, make large-scale developments unacceptable. Small-scale proposals, whose engineering & construction works are likely to be minimal, will therefore have a lesser impact and be more acceptable.

13.2 The careful design of small hydro schemes, as man-made engineering works within the natural environment, will be paramount. The built elements should be integrated into the landscape as much as possible; planting and landscaping can help to mask and integrate the various elements within their setting.

Policy RE5: Hydro-Electric Developments.

Large-scale hydro-electric schemes will not be permitted within the National Park.

Small-scale hydro-electric schemes will be permitted subject to all of the following criteria being met:

a) The proposal has no adverse impact on the landscape or cultural heritage, from any of its works.
b) There are no adverse environmental impacts on flora, fauna or habitats.
c) The flow of water must be maintained at all times to ensure the ecology of the watercourse is not affected by the development, and the visual amenity is maintained.
d) All related pipes and power-lines will be routed underground.

e) Any associated buildings should be to match the context and cultural heritage of the area; existing buildings should be utilised where possible.
f) Landscaping of the development, and reinstatement measures, are agreed through planning conditions.

14 SOLAR ENERGY DEVELOPMENTS.

14.1 Solar energy collection is a generally low-impact technology, as schemes beyond domestic-scale are rarely developed in the UK. The installation can be rather costly, but the development of new systems (such as photovoltaic tiles) is making solar power more readily available. Sustainable housing developments, which are supported within the CNP, would almost certainly include one of the following three types of solar energy:

i) active solar heating, via solar collectors/panels usually on external roof surfaces; the normal size for a domestic system is between 4 and 8m².

ii) photovoltaic tiles/roofing systems, which produce electricity as opposed to heated fluids.

iii) passive solar heat gain, where a building will be designed to maximise heat collection (e.g. through south-facing glazing) which is then stored in the building fabric, and slowly released.

POLICY RE6: SOLAR ENERGY.

Solar energy can be an extremely useful and low-impact source of energy. Proposals will be acceptable if the following criteria can be met:

a) The installation on an existing building will not adversely affect the character or appearance of the building or its setting. (especially the case with Listed Buildings or Conservation Areas).
b) Light reflection from the installation will not have an adverse effect on local residential amenity.
c) Large and/or free-standing installations will be carefully assessed for their environmental and visual impact.

15 CENTRALISED RENEWABLE ENERGY DEVELOPMENTS.

15.1 The collection of energy from secondary and tertiary sources (see section 1.4) turns what are basically waste products, whether natural (biomass) or man-made (waste-to-energy), into a useable energy source. All require gathering the waste-products at a central plant (requiring lorry traffic and good infrastructure), which will itself be an industrial-type building with waste output (e.g. ash and smoke). The challenge is to minimise the environmental impact of the vehicle movements, buildings/structures and waste output; the result of which can be an energy resource that would otherwise be land-filled or left to rot. Such operations can also be a valuable source of secure skilled jobs to the area.

POLICY RE7: CENTRALISED RENEWABLE ENERGY DEVELOPMENTS.

Centralised renewable energy developments will be acceptable if all of the following criteria can be met:

a) traffic movements can be accommodated by the existing roads network, and there are no major adverse effects on local communities.
b) buildings are designed to make minimal impact on the landscape, and respect the cultural heritage of the area.
c) storage of materials, and disposal of waste products can be adequately accommodated.
d) connection to the grid/end users must be via underground cables.
e) Impacts on neighbouring communities/houses (e.g. from noise, smell, fumes) are not significant.

16 ENVIRONMENTAL IMPACT ASSESSMENT.

16.1 Most proposals will require an Environmental Impact Assessment (EIA) to identify the likely consequences for the biological, physical and geomorphological environment, as well as the impact on local communities. This detailed environmental statement will allow the proposal's benefits to be weighed against any environmental impacts.

16.2 Renewable energy proposals, depending on their size and nature, fall to be determined under either the Town and Country Planning (Scotland) Act 1997 or under Section 36 of the Electricity Act 1989. Different EIA regulations apply. Under the Electricity Act 1989, the relevant EIA Regulations are The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000; see also "Guidance on the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000. The provisions of the Environmental Impact Assessment (Scotland) Regulations 1999 and Circular 15/1999 should be followed. Guidance can be sought from NPPG 6 and PAN 45. Guidance can also be sought from SNH, and from the HMSO publication 'Preparation of Environmental Statements for Planning Projects that require Environmental Impact Assessment: a Good Practice Guide'.

16.3 As a minimum, the outline scooping checklist should include the following as a minimum, relevant to the proposal:

- Sustainable Development: materials, location, energy production/consumption, local jobs created/sustained
- Landscape: impact assessment, visual impact analysis, ZVI (zone of visual influence), viewpoint analysis, photo-montages.
- Natural Environment: designations, NVC survey of vegetation, habitat & species survey & impacts, landscape impact assessment.
- Built Environment: impact on local properties and heritage.
- Infrastructure: road access & tracks, construction traffic, driver

distraction, power connections.
- Pollution: noise, shadow flicker, interference.
- Tourism/Recreation: effect on footpaths/cycleways, visual assessments from tourist routes/viewpoints.
- Proximity to settlements:
- Effects on Aircraft:
- Cumulative impact:
- Community Consultation:
- Decommissioning and Site Restoration:

Conclusions

While the CNPA would wish to support the development of renewable energy, to meet national targets, this must be balanced with a careful assessment of their visual and environmental impacts. The CNP is a nationally important landscape, and as such should be protected from the effects of major developments such as wind farms and large hydro schemes. There can be no justification for such developments to be within the Park, when there are vast tracts of Scotland which are more suitable, and have been zoned as such by SNH. The effects of wind farms outwith the Park can also have a detrimental impact on the Parks setting and landscape, and should be considered for such.
Small-scale renewable energy schemes, for direct community or private use, will be favourably considered however, but must also satisfy stringent environmental and design factors.

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