
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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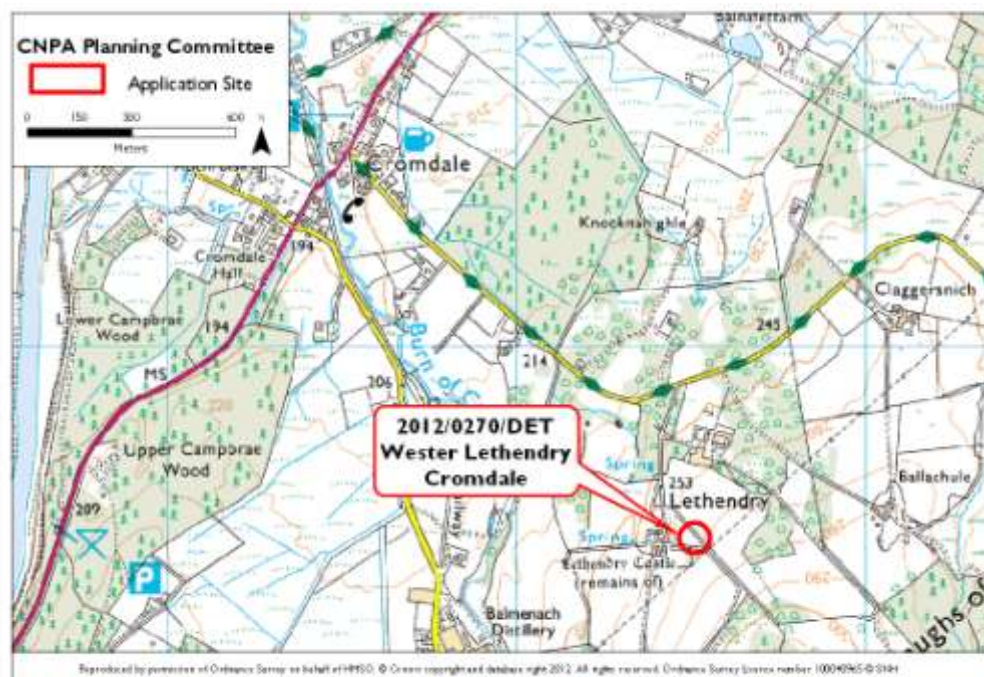
DEVELOPMENT PROPOSED: ERECT ONE 20KW WIND TURBINE, ALSO INSTALLATION OF UNDERGROUND CABLES (REVISED PROPOSAL) AT WESTER LETHENDRY, CROMDALE, GRANTOWN-ON-SPEY

REFERENCE: 2012/0270/DET

APPLICANT: JAMES MCCONACHIE AND SON

DATE CALLED-IN: 31 AUGUST 2012

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS



Grid reference: 308398 827538

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application seeks full planning permission to erect a wind turbine at Wester Lethendry Farm. The submission has indicated that a choice of two turbine heights are proposed, one of height 20 metres to hub (27 metres to tip) or one of height 15 metres to hub (21.97 metres to tip) Rotor diameter is 13 metres. The proposed turbine design is a standard three bladed one. Output would be 20 kw. The agent has indicated that the larger turbine type is preferred for economic reasons with the applicant advising that power generated will assist in meeting the energy needs of the farming operations here.
2. The proposed site is located to the rear (east) of Wester Lethendry Farm which lies just over 1 km to the south east of Cromdale, on the slopes of the Haughs of Cromdale leading up to the Cromdale Hills. It is proposed to site the turbine in a small field located directly to the rear of the farm complex at Wester Lethendry. To the west of this field lie farm steadings, and a former bothy which is physically attached to the Lethendry Castle which is a category C(S) listed building in a poor state of repair.
3. There are overhead lines and a large pylon close to the site. The site is accessed by a private track which also serves Easter Lethendry which is understood to be under the applicant's control also. This track will be used for construction access, and it leads onto a minor public road from Cromdale round the back of Tom an Uird wood to connect back onto the A95 main road at Dalvey. No other servicing is required.
4. The nearest residential property is Wester Lethendry Farm, which belongs the applicant and is some 134 metres to the North West of the site. Figure 2 below shows the relationship of the turbine to the farm complex.



Fig.2: Site Plan

5. Supporting information has been submitted including site assessment information, photomontages to show the visual relationship of the turbine (both heights for ease of comparison) to the existing buildings from two viewpoints, and zone of theoretical visibility map. Noise information has also been submitted. The conclusion of these studies is that there will be no adverse impacts arising from the development. Figure 3 below illustrates the proposed turbine (15 metre to hub height) as viewed from the minor road leading westwards back to Cromdale.



Fig. 3: Photomontage

6. A planning application for this site was submitted earlier in the year and was called in by the CNPA. (Reference 2012/0019/DET) That application was withdrawn to enable the applicants to further consider comments made by this Service regarding additional information requirements and the need to consider any alternative locations. In discussion with the CNPA Landscape Advisor the applicant duly considered a number of locations around Wester Lethendry Farm, and it was concluded that the application site had the least visual impact due to its relationship with the farm buildings, with treed slopes lying to the north. This application was duly resubmitted.
7. Also of relevance is a planning application for a wind turbine at Balmenach some 1.2 km to the south west of the application site on lower lying ground nearer to the distillery. This application was approved by the CNPA in 2011 (reference 11/0171CP) and was for a 27 metre high (to tip) three bladed turbine.

DEVELOPMENT PLAN CONTEXT

National policy

8. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It sets out that 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 and has the basic aim "to achieve the right development in the right place."
9. As a replacement for a variety of previous planning policy documents the new Scottish Planning Policy includes 'subject policies', of which many are applicable to the proposed development.
10. The key topic in this case is renewable energy which contains a section on wind farms. This sets out the Scottish Government's commitment to increasing the amount of electricity generated from renewable sources and identifies hydro and wind energy as the main sources of supply. Policy stresses the importance of carefully considering siting to ensure landscape and visual impact is minimised, and sets out the range of issues to be considered. This is reinforced in Planning Advice for onshore wind turbines. Also Scottish Natural Heritage guidance on wind energy, which all provide guidance on assessment of wind energy proposals. The importance of particular landscapes such as National Parks is highlighted.

Strategic Policies

Cairngorms National Park Partnership Plan 2012-2017

11. The Cairngorms National Park 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.
Three long term outcomes for the Park are set out as follows:
 - (a) A sustainable economy supporting thriving businesses and communities;
 - (b) A special place for people and nature with natural and cultural heritage enhanced; and
 - (c) People enjoying the park through outstanding visitor and learning experiences.
12. 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

13. Policy 1.3 of this Plan states that large scale commercial wind turbines (defined as more than 1 turbine, and more than 30m 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.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

14. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at : <http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
15. New development requires to be assessed in relation to all policies contained in the Plan. In this case the key policy is as follows.
16. Policy 15 - Renewable Energy Generation which sets out that developments for small scale renewable energy generation will be favourably considered where they contribute to minimisation of climate change and complement the sustainability credentials of the development The need to ensure there is no adverse impact upon residential amenity or upon the environment is set out. Also of particular relevance are the following policies.
17. Policy 6 – Landscape which sets out that there will be a presumption against any development that does not complement and enhance the landscape character of the Park. Where development does not complement and enhance the landscape character, any significant adverse effects must be clearly outweighed by social and economic benefits of national importance and all adverse effects must be minimised and mitigated. This is reinforced within the CNPA’s Landscape Toolkit which provides information on siting of wind turbines and assessment of landscape character.
18. Policy 16 - Design Standards for new development applies which sets out the design standards to be met with new development and is supported by supplementary planning guidance in the form of sustainable design guide.
19. Policy 5 - Biodiversity which sets out the importance of ensuring there is no adverse impact upon habitat or species identified in the local biodiversity action plan.

Supplementary Planning Guidance

20. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted. Guidance on Natural Heritage applies here. This guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. Also relevant is the landscape toolkit mentioned in paragraph 17 above.

CONSULTATIONS

21. **The CNPA Heritage Manager** has been consulted and advises that this is a prominent site and a review of the submitted material illustrates that a lower (15 metres to hub) turbine will be notably less prominent, and will be a better scale match for most of the surrounding features, thereby ensuring it is a better fit with the landscape character. He notes that there are a number of mitigating factors with this proposal – relationship to trees, proximity of farmstead and pylon lines – which should ensure there is not a detrimental landscape effect. In relation to impacts upon the battlefield site he considers that this discrete pole structure will not obscure the views around the site, nor would it impair understanding or interpretation of the battlefield. In these circumstances he considers that the application does not conflict with policy, but suggests that consideration be given to a condition requiring a darker grey colour for the turbine to reduce its visibility further.
22. **Highland Council's Environmental Health Officers** have been consulted and have not provided a formal response at the time of writing.
23. **Highland Council's Roads Officers** have been consulted and have recommended that the site access point be upgraded by way of provision of bellmouth, visibility splays, and surfacing. They also recommend submission of a traffic management plan to address vehicular movements during construction.
24. **Scottish Natural Heritage (SNH)** advise that the site lies outwith any designated sites. In relation to impacts upon bats, they advise that it is unlikely to affect bats either directly or indirectly. They have noted that the decision as to whether or not to ask for a bat survey is one for the CNPA to take.
25. **The CNPA Ecology Officer** had no adverse comments with the previous application on this site, but recommended that construction works take place outwith the bird breeding season and that measures be taken to monitor birdstrike and take any appropriate mitigation action as required. *Note: in this regard a condition can be imposed regarding timing of works, and an informative attached regarding bird strike to help inform any future wind turbine proposals and their overall effect in the Park.*
26. **Highland Council's Archaeologist** advise that the Council's Historic Environment Team have no significant concerns with this proposal. Both the direct and indirect impacts on the inventory battlefield are considered to be negligible. The indirect impacts on Lethendry Castle are of more concern but in the circumstances, taking account of the scale of the development it is not considered to constitute a major impact on the setting of the castle.
27. **Historic Scotland** have been consulted in view of the site's location within a designated battlefield site (Battle of Cromdale) They note that the site is some 100 metres from the remains of Lethendry Castle where some of the fighting took place, whereby it is an important element in our understanding of the battle. However the immediate context of the castle has been significantly altered with the growth of Wester Lethendry into a large farm. The proposed single turbine of around 22

metres in height, is unlikely to have a significant adverse impact on the integrity of this inventory battlefield due to its scale and the extent of the existing development in the vicinity.

REPRESENTATIONS

28. The application was advertised in the local press and no representations have been received.

APPRAISAL

Principle

29. National and local planning policies support the principle of small scale renewable energy proposals such as this, providing they are suitably sited.

Technical Issues

30. There are no particular technical issues with this site which uses an existing access track. This access will only be required for a very short term construction period (less than a week) which is little different from normal agricultural operations. Consequently it is not considered there will be any adverse impacts, nor is it considered appropriate or proportionate to seek access improvements given this limited level of additional use.
31. Due to the small scale of the development and the sites location within a sloping agricultural field there is also unlikely to be any particular issues with drainage etc.

Residential Amenity

32. The nearest house to the application site belongs to the applicants and it lies more than 10 times the rotor diameter of the turbine from the application site. (This distance is considered in Government guidance to be the kind of area beyond which issues such as shadow flicker are unlikely to arise) The comments of Environmental Health Officers in respect of potential noise nuisance and impacts on residents are awaited at the time of writing, but this is considered unlikely to pose a problem in this particular case where the turbine is distant from residences, other than the applicant's own house.

Ecology

33. There are no particular ecological interests on the application site which is part of a small field, located close to a silage pit, farm steadings and pylons. It is also around 80 metres away from potential bat roosting sites such as the steading buildings. As the applicant is very keen to start work should his application be supported, the works could readily be carried out to avoid any bird breeding seasons, and thus ensure there is little potential for disturbance to birds. A suitable planning condition could be attached to this end.

Cultural Impacts

34. Wester Lethendry is located in an area of significant cultural interest relating to the Battle of Cromdale and the listed structure of Lethendry Castle. These mean this area is of important historical interest, both nationally and locally. However, it is not considered that the proposed turbine would detract from the visitor experience in relation to either the castle or the battlefield. Not only is the turbine a relatively short term structure (normal lifetime around 25 years) but in this case it will relate visually to other modern vertical structures, i.e. pylons, and as such will be of limited impact upon this cultural heritage.
35. It is not considered that the turbine will impact adversely upon the setting of Lethendry Castle, which is already altered by existing farm buildings and electricity lines. This conclusion is shared by our consultees on the subject.

Landscape and Visual Effects

36. The supporting information for this application, in terms of zone of theoretical visibility map and photomontages is of limited quality. However because of the proximity of the site to existing strong visual features such as the farm buildings and pylons, the photomontages are sufficient to assess the general impact of the proposed turbine.
37. Wester Lethendry is located on the slopes leading to the Cromdale Hills which form an important landscape feature and a key component of the setting of Cromdale. Wind turbines, of any scale, are inevitably obvious in the landscape and cannot be hidden. The key planning issue is the level of their impacts in the landscape. In this case the proposed turbine will be viewed in combination with the existing farm complex, electricity lines and pylons. There are clear signs of human intervention at this site and overall the location has been chosen to be seen as part of this built environment. The simple, slim nature of the turbine should render it relatively unobtrusive and this would be assisted by avoidance of advertising logos and consideration of use of darker grey or matt colour.
38. This is, however, dependent on its height and having considered the information submitted it is our view that a 15 metre (to hub) high turbine would fit in acceptably in this case. A higher turbine, given the hillside location, would render the development more intrusive in relation to the surrounding buildings and landform and would not achieve policy objectives of enhancing and complementing the landscape.

Conclusion

39. In these overall circumstances it is considered that the proposed wind turbine (providing height was restricted to 15 metre hub) complies with Local Plan policies as it is considered the landscape impact is not significant or adverse, and the site relates reasonably to existing features. Approval is therefore recommended.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

40. The proposal is not considered to have an adverse effect on the important cultural heritage of Lethendry and Cromdale. Similarly the turbine is not considered to have an adverse effect upon the natural heritage of the area, due to its proximity to a working farm and its limited land take within a agricultural field of limited biodiversity value.

Promote Sustainable Use of Natural Resources

41. The proposed development supports this aim by providing locally sourced renewable energy which can be used to provide energy for the farm and for export to the grid. Whilst the components of the turbine are unlikely to be locally sourced, there is potential for site construction materials to be locally sourced. In any event the long term benefits of renewable energy are ultimately the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

42. The proposal does not directly relate to this aim. As noted in the appraisal section, the relatively discrete location of the site and the relatively temporary nature of the proposal should also help ensure there is no loss of enjoyment of the visual qualities of the Park or to the enjoyment of visitors to Lethendry Castle.

Promote Sustainable Economic and Social Development of the Area

43. The proposed development will assist the economic development of the farm at Wester Lethendry by providing locally sourced energy. There is also some potential for construction materials and work to be locally sourced.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT full planning permission for the erection of one 20kw wind turbine, also installation of underground cables (revised proposal) at Wester Lethendry, Cromdale, Grantown-on-Spey.

Subject to:

- a) **No adverse comments being received from Highland Council Environmental Health (with any requirements incorporated as planning conditions); and**
 - b) **The following planning conditions.**
1. The development to which this permission relates must be begun within three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act, 1997.
 2. The height of the turbine hereby approved shall be 15 metres to hub and 21.97 metres to tip.
Reason: To ensure the development does not have an adverse impact upon the landscape in accordance with Local Plan policies.
 3. Unless otherwise agreed with the Cairngorms National Park (CNPA) acting as Planning Authority, no construction shall take place in the bird breeding season (March to August).
Reason: To ensure that there is no unnecessary disturbance to breeding birds.
 4. In the event that the wind turbine becomes redundant or obsolete the turbine shall be removed and the site restored to the satisfaction of the acting planning authority within 6 months.
Reason: To ensure that the turbine is removed from the site when no longer required.
 5. Prior to the erection of the wind turbine a construction method statement shall be submitted to and approved by the CNPA acting as planning authority. The statement shall include information on the re use of any excavated material, access requirements and reinstatement of any disturbed ground as a result of construction. Construction shall be carried out in accordance with the approved statement.
Reason: To ensure that the turbine is installed in an appropriate manner and any ground damage reinstated.

6. Unless otherwise agreed in writing with the CNPA acting as Planning Authority the wind turbine hereby approved should be finished in a matt light grey colour and there should be no advertising logos on the turbines

Reason: To reduce the visual impact of the turbine in this particular location.

Advice notes:

1. At the construction stage, if any artefacts of historical importance or interest are discovered then the developer should contact the Cairngorms National Park Authority (CNPA) and Highland Council's archaeology team with details of the finds for recording/information.
2. The development should be monitored for any impacts upon birds, and in particular any bird strikes. The CNPA should be notified of the results of this monitoring.

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26 October 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.