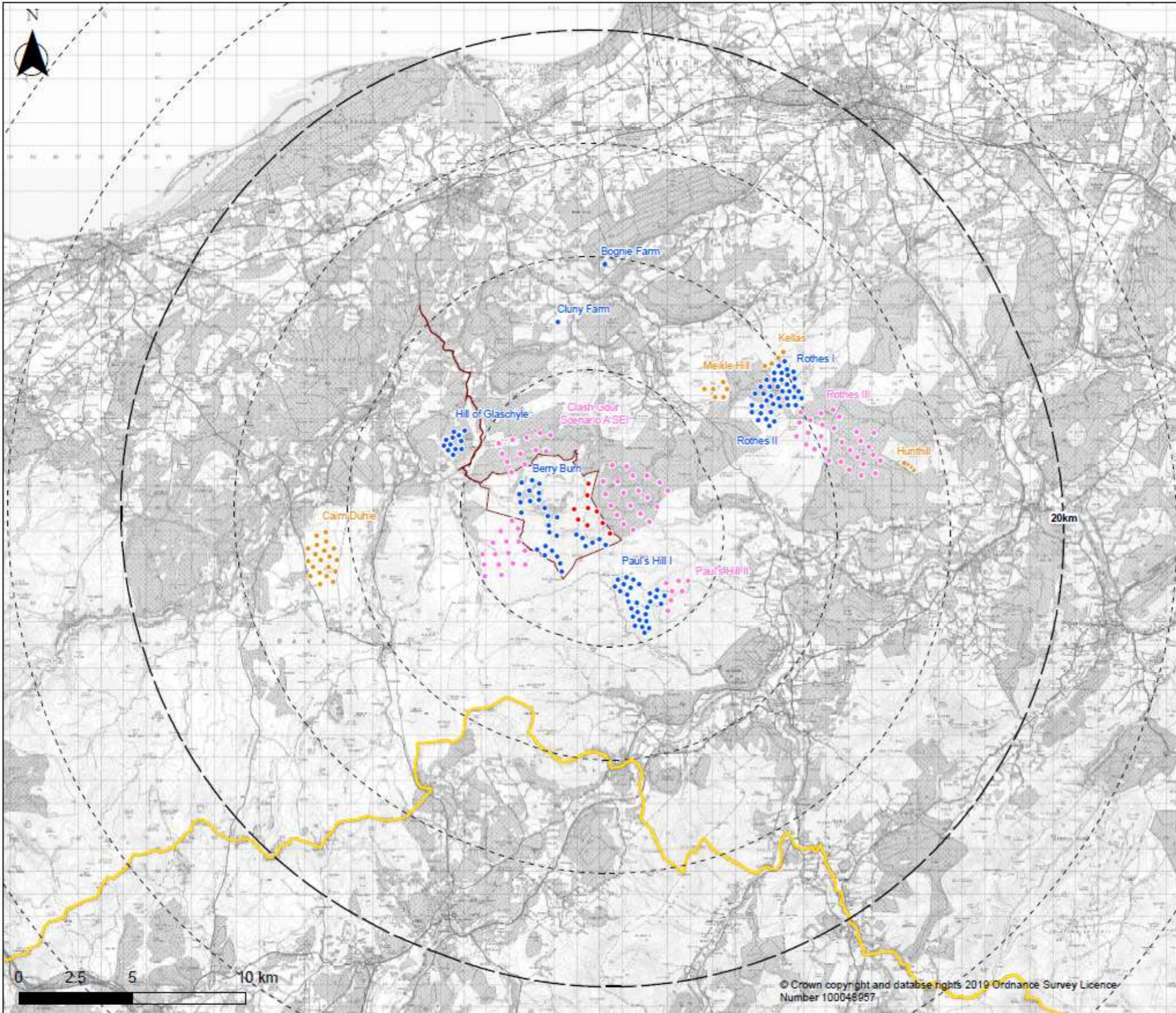


CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED: Berry Burn wind farm extension	
Consultation from Scottish Government Energy Consents & Deployment Unit	
REFERENCE:	020/0202/PAC (ECU00000718)
APPLICANT:	BB2 Wind Ltd, Berry Burn extension wind farm
DATE CONSULTED:	14 August 2020
RECOMMENDATION:	No objection
CASE OFFICER:	Nina Caudrey, Planning Officer



Berry Burn Wind Farm Extension	
Figure 7.6b Cumulative Sites Included in CLVIA Baseline	
Ref:	118026-D-LV7.6b-1.0.0
Date:	15-07-2020
Paper Size:	A3
Scale:	1:160,000
Drawn by:	SK

LEGEND

- Proposed Development Turbine
- Site Boundary
- ◻ 20km CLVIA Study Area
- ◻ 5km Offsets
- ▭ Cairngorms National Park Boundary

Cumulative Wind Developments Included in CLVIA Baseline

- Operational / Under Construction Turbine
- Consented Turbine
- Application / Appeal

CLVIA search conducted between 25.11.19 and 03.12.19

 **Statkraft**

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PURPOSE OF REPORT

1. The purpose of this report is to inform the committee decision and subsequent consultation response to the Scottish Government Energy Consents & Deployment Unit (ECDU) on an application submitted under Section 36 of the Electricity Act 1989 for a proposed wind farm located to the south west of the Cairngorms National Park. The Scottish Government are the determining Authority for this application as the output is more than 50 MW. The application is accompanied by an Environmental Report (ER), which presents the findings of the applicant's Environmental Impact Assessment (EIA).
2. The planning issues to be considered are confined to the effects of the proposed wind farm on the landscape character and Special Landscape Qualities (SLQs) of the National Park. All other matters, such as ecology, noise, general amenity, etc, are assessed by the decision maker (Scottish Ministers) with advice from statutory consultees.
3. Under the current working agreement on roles in landscape casework between NatureScot (formerly Scottish Natural Heritage, SNH) and the Park Authority, NatureScot lead on the provision of advice on the effects on the SLQs caused by proposals outwith the Cairngorms National Park. Their advice has been used to inform this report.

SITE DESCRIPTION AND PROPOSED DEVELOPMENT

4. The proposed wind farm is adjacent to the existing Berry Burn wind farm in Moray, approximately 12km south of Forres, as shown in the applicant's ER figure 7.6b on page 2 of this report. As also shown in the figure, in the surrounding area there are numerous existing and consented wind farms, plus several proposed wind farms in the planning system. This includes the adjacent existing Berry Burn wind farm, which has 29 turbines at a blade tip height of 99.9m
5. The proposed development would comprise 9 turbines with a maximum height of 149.9m to the tip of the blade in an upright position, approximately 2km of upgraded existing track plus 5km of new track, as well as other infrastructure and works (such as substation, underground cabling, borrow pits, etc). It is expected that the proposed wind farm would have an estimated total installed capacity of around 38MW, dependent on the turbine specification used.
6. The nearest turbine would be around 8.4 km to the north east of the closest part of the boundary of the Cairngorms National Park, with the other turbines, tracks and associated infrastructure located further from the National Park boundary.
7. Theoretical visibility of the proposed wind farm from within the National Park would typically be limited and at distance, as shown by the applicant's ER figure 7.4a (**Appendix I**). Some theoretical visibility is found at around 20km from the wind farm in the Cromdale Hills; at around 25 – 35km running north east between the Lecht, around Scalan and further towards the north eastern Park boundary; with some theoretical visibility at greater distances further into the Park, as shown by the coloured areas.

8. However, when considering the cumulative visual effects, the proposed wind farm does not create visibility of a wind farm in areas that do not or would not already see existing wind farms - as shown by Figure 7.7b of the applicant's ER (**Appendix II**).
9. Visualisations from two viewpoints, VP9 Creagan a' Chaise in the Cromdale Hills and VPI4 Carn na Guaille at the eastern edge of the Monadhliaths, have been provided in the applicant's ER to demonstrate the level of visibility that would be had from within the National Park, at a distance of approximately 20 and 34 km respectively to the nearest proposed turbine. There are three visualisations associated with each view point, numbered b, c and d. These are available to the public via the ECDU website <https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00000718&T=5>, by searching the application documents for "Figure 7.16X Viewpoint 9 Creagan a' Chaise" and "Figure 7.21X Viewpoint 14 Carn na Guaille" where X is either b, c or d.

RELEVANT PLANNING HISTORY

10. **PRE/2018/0033** CNPA responded to a pre-application request for advice in early 2020.

PLANNING POLICY CONTEXT

11. The development proposal is located wholly outwith the National Park, therefore the Cairngorms National Park Local Development Plan policies do not apply. However, an assessment of the proposal must have regard to Scottish Planning Policy (SPP) and the National Park Partnership Plan (NPPP).

National Policy

12. **Scottish Planning Policy** (revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the development and use of land, as well as for operation of the planning system. The content of SPP is a material consideration in planning decisions that carries significant weight.
13. Policy relating specifically to National Parks and development management can be found in paragraphs 84 and 85 of SPP. These re-state the four aims of the National Parks as set out in the National Parks (Scotland) Act 2000, as well as 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 the four aims.
14. Paragraph 85 of SPP also clarifies that the aims and requirements of paragraphs 84 and 85 apply to development outwith a National Park that affects the Park.

15. Paragraph 212 of SPP states 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”.

Strategic Policy

16. The **Cairngorms National Park Partnership Plan (NPPP)** 2017 – 2022 is required under section 11 of the National Parks (Scotland) Act 2000. It is the management plan for the Cairngorms National Park approved by Scottish Ministers. The NPPP sets out how all those with a responsibility for the National Park will coordinate their work to tackle the most important issues. There is a duty for decision makers to have regard to the NPPP, a requirement set out in Section 14 of the Act. As such, the NPPP is a material consideration in planning decisions.
17. The NPPP identifies that the landscapes of the National Park are valued by many and underpin the area’s economy. It contains policies to safeguard landscape interests. Of relevance to wind farm development proposals are policies 1.3 and 3.3.
18. Policy 1.3 seeks to conserve and enhance the SLQs.
19. Policy 3.3 seeks to support development of a low carbon economy and increase renewable energy generation where this is compatible with conserving the SLQs. In relation to wind farm development, the policy states that “large scale wind turbines are not compatible with the landscape character or special qualities of the National Park. They are inappropriate within the National Park, or where outside the Park they significantly adversely affect its landscape character or special landscape qualities”.

CONSULTATIONS

NatureScot advice

20. In accordance with the NatureScot/CNPA casework agreement, NatureScot have provided CNPA with advice in relation to the effects on the National Park, of the proposed wind farm both alone and cumulatively with other existing and consented wind farms in the surrounding area.
21. NatureScot advise that there would be no significant effects from the introduction of the proposed development (individually or cumulatively) on long distance routes, which includes the Dava and Speyside Ways. Where the proposed development is visible, the magnitude of change on long distance routes is not considered to be significant.
22. NatureScot advice that there will be no significant adverse effects on the landscape character of the National Park.

23. In respect of effects on the SLQs, NatureScot advise that while there will be no significant adverse effects on the SLQs, the magnitude of change introduced by the proposed development is higher than assessed in the applicant's ER with respect to the SLQs and their expression on the Hills of Cromdale. The prominent larger scale turbines of the proposed Berry Burn extension, experienced in the context of the smaller and closer turbines at Paul's Hill, will intensify existing effects on the SLQs in this area caused by existing (and consented) wind farms.
24. NatureScot are of the view that this magnitude of change (and other landscape and visual effects not affecting the National Park) could be reduced by way of: an amended design that reflects the original design logic of Berry Burn wind farm; reduced turbine heights; re-siting of turbines westwards adjacent to the existing Berry Burn wind farm.

APPRAISAL

25. The policies of the NPPP and SPP set out how proposals outwith the boundaries of the National Park should be considered in terms of effects on the Park.
26. Policy 3.3 of the NPPP sets out a test for considering effects on the Park, in that large scale wind turbines are inappropriate outside the Park where they 'significantly adversely affect its landscape character or special landscape qualities'. If a proposal fails policy 3.3, it would also be in conflict with policy 1.3, which seeks to conserve and enhance the SLQs.
27. Paragraph 212 of SPP sets out that "development that affects a National Park... should 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, environmental or economic benefits of national importance."
28. In the policy context of the NPPP and SPP, consideration is required of the effects of the proposed development, on landscape character and the SLQs, both alone and cumulatively with other wind farms in the surrounding area.
29. There are a number of existing and consented wind farms in the area surrounding the proposed wind farm, as shown on page 2 of this report. Adding the proposed Berry Burn extension wind farm to the baseline would not significantly add to the level of effects on the SLQs that are already occurring.
30. As identified in paragraph 7 of this report, there would be a limited amount of visibility from within the Park and, where there is visibility, it is in areas that already have visibility of existing and consented wind farms as well as being at some distance (approximately 20 - 40km) from the proposed wind farm.

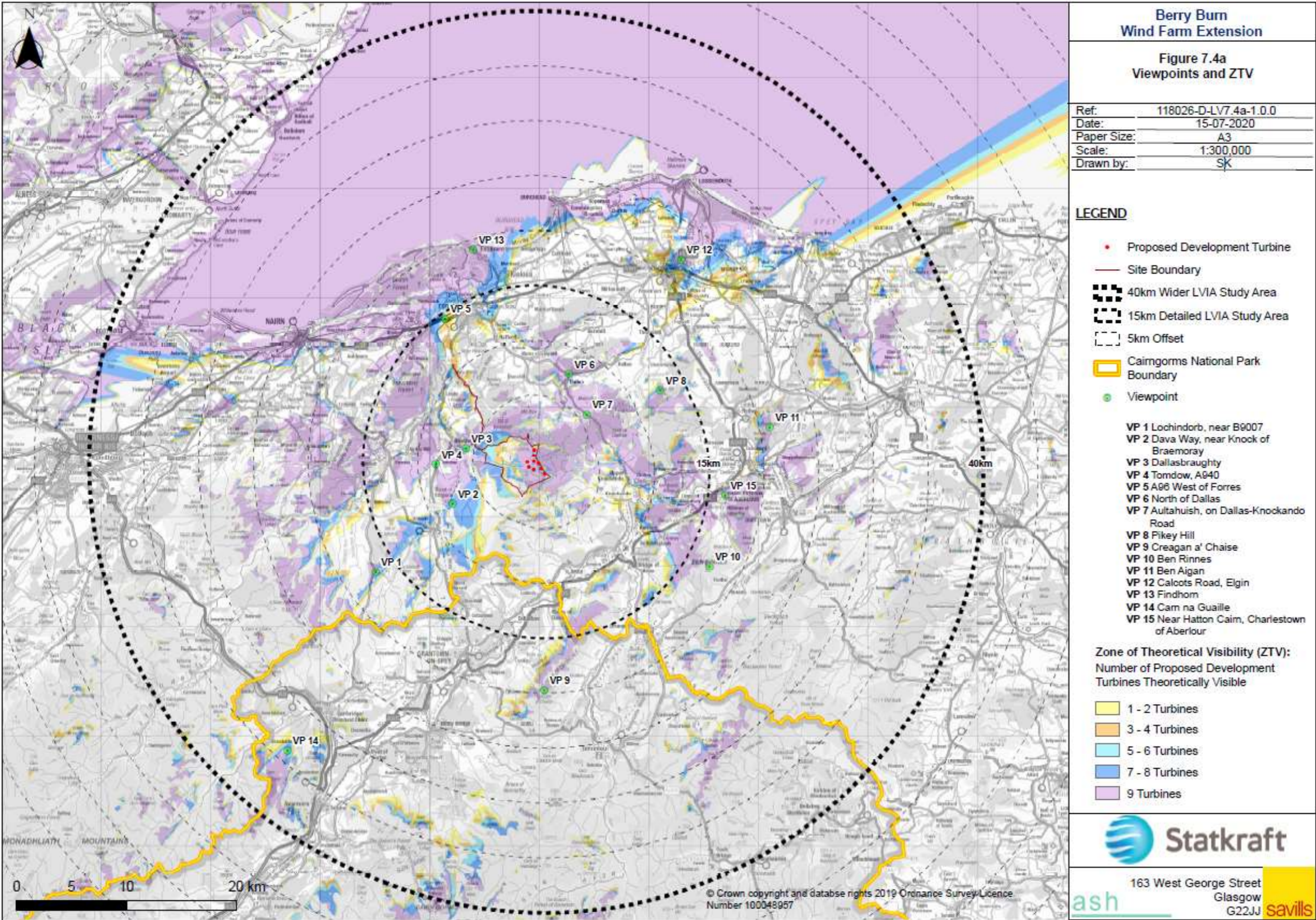
31. While there are a number of existing and consented wind farms in the area to the north-east of the National Park (as shown on page 2), which the proposed wind farm adds to, it is not considered that the proposed wind farm alone or in combination with other existing or consented wind farms will significantly adversely affect the landscape character or SLQs of the National Park.
32. As a result, the proposed wind farm is considered to comply with national planning policies that seek to safeguard National Parks, as well as NPPP policy 3.3 (and so 1.3). Therefore, it is considered that CNPA should **not** object to the proposed wind farm development.
33. Nonetheless, there is merit in seeking to reduce the magnitude of change where this is possible, as suggested by NatureScot. It is therefore recommended that CNPA supports the mitigation measures proposed by NatureScot, as their implementation would benefit the National Park.

RECOMMENDATION

That Members of the Committee confirm:

- **That CNPA has NO OBJECTION to the application for the proposed Berry Burn extension wind farm.**
- **However, CNPA consider that the effects on the Special Landscape Qualities of the National Park caused by the proposed Berry Burn extension wind farm could be reduced by following the mitigation advice provided by NatureScot to the CNPA, being an amended design that reflects the original design logic of Berry Burn wind farm, reduced turbine heights and re-siting of turbines westwards adjacent to the existing Berry Burn wind farm.**

Appendix I – applicant’s ER Figure 7.4a, ZTV for only Berry Burn extension, with viewpoint locations



Appendix II – applicant’s ER Figure 7.7b, cumulative ZTV for the proposed Berry Burn extension wind farm plus existing and under construction wind farms

