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# CAIRNGORMS NATIONAL PARK AUTHORITY

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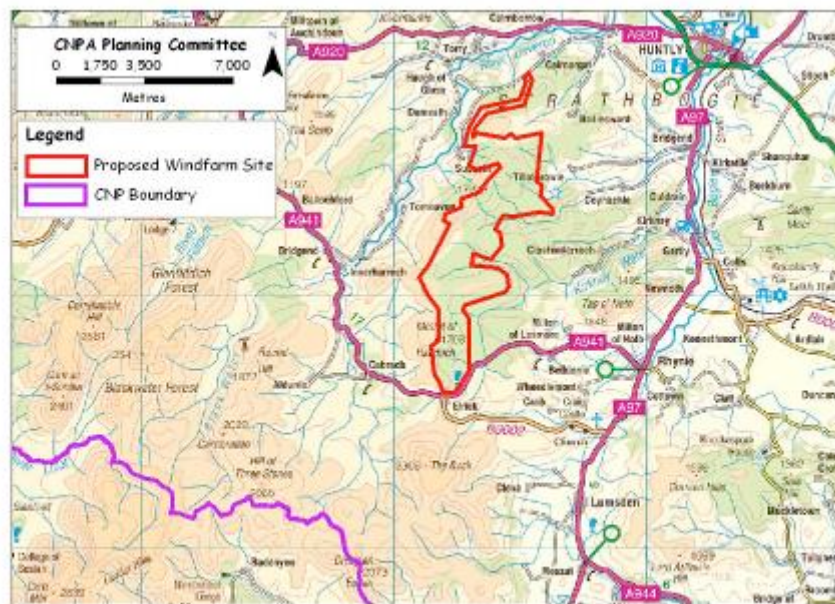
**Title: CONSULTATION RESPONSE TO PLANNING APPLICATION TO ABERDEENSHIRE COUNCIL ON SITE OUTSIDE OF PARK BOUNDARY**

**Prepared by: WILLIAM STEWART, PLANNING MANAGER (DEVELOPMENT MANAGEMENT)**

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**DEVELOPMENT PROPOSED: FORMATION OF WINDFARM COMPRISING 18 TURBINES AND ASSOCIATED INFRASTRUCTURE CLASHINDARROCH FOREST, NEAR HUNTLY, ABERDEENSHIRE**

**APPLICANT: VATENFALL WIND POWER LIMITED**



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**Fig 1 Location plan**

## BACKGROUND SITE DESCRIPTION AND PROPOSAL

1. An application at this site was originally submitted as a Section 36 (Electricity Act) proposal to the Scottish Government (SG) in the summer of 2003 before the Park's planning powers went live. However, officers at the time did write a short response to the SG raising concern about the potential landscape impacts of the proposal from the Park. Particular concern was raised that no viewpoints had been included in the Environmental Statement from within the Park.
2. The original application mentioned above was for a total of 47 wind turbines with a tower height of 67 metres and a maximum vertical height to the blade tip of 100 metres.
3. Subsequently, the proposal was reduced down to 40, then 37 turbines. The CNPA objected to the proposal at the time raising concerns about landscape and visual impact from Morven and the Ladder Hills in particular. Consequent concern was raised that negative landscape and visual impact could have implications for the tourism economy.
4. A Public Inquiry was held in relation to the 37 turbine proposal in May 2006. The proposal was rejected by the Scottish Government Reporter who raised particular concern about a lack of information with which to assess the proposal and concerns about visual impact from certain viewpoints (not one's within the Park). Potential impact upon tourism businesses in the locality was also a concern. The Reporter raised no concern with regard to potential impacts upon the Park considering the scheme generally acceptable with regard to the Park's aims.
5. Since this decision the developer has carried out a consultation exercise which has resulted in the current scheme for 18 turbines at a maximum vertical height to the tip of the blade of 110 metres. The smaller scale of the proposal (less than 50 MW output) results in it being an application to Aberdeenshire Council rather than the SG under Section 36 (Electricity Act).
6. The site itself is an undulating plateau between 450 and 520 metres above sea level with commercial forestry along its eastern flanks. The site lies between Huntly and the Cabrach. With the earlier proposals the turbines were arranged along the ridge of the hill on a north-south axis lending an extended appearance to the wind farm. This latest proposal concentrates the turbines towards the centre of the ridge giving a more compact appearance.
7. The nearest point of the site is approximately 7 kilometres from the north eastern boundary of the Park where it runs along the Craig nan Eunan hill ridge in the Ladder Hills (see figs 1&2).



**Fig 2 View towards site from Ladder Hills (from Craig nan Eunan)**

## **DEVELOPMENT PLAN CONTEXT**

### **Scottish Planning Policy**

8. **Scottish Planning Policy 6 (SPP6) Renewable Energy** sets out Scottish Ministers Targets of generating 50% of Scotland's electricity from renewable resources by 2020. The Scottish Ministers will continue to support the full range of renewable generation technologies.
9. Spatial policies should not be used to restrict development on sites where the technology can operate efficiently and environmental and other impacts can be addressed. Plans should use spatial policies to afford significant protection to areas designated for their national (national parks) or international natural heritage value.
10. Support for renewable energy developments and the need to protect and enhance Scotland's natural and historical environment must be regarded as compatible goals if an effective response is to be made to the challenges of sustainable development and climate change. The guidance points out that the UK Government has signed and ratified the European Landscape Convention the purpose of which is to promote landscape protection, management and planning.

11. It is further noted that during the lifetime of the guidance onshore wind power is likely to make the most substantial contribution towards meeting renewable targets. Scotland has considerable potential to accommodate this technology in the landscape although; increasingly careful consideration must be given to the need to address cumulative impacts.
12. Consideration of any adverse impacts of a renewable generation proposal should have regard to the projected benefits of the proposal in terms of the scale of its contribution to the Scottish Government's targets for renewable energy Projects making a small contribution to renewables targets should not be dismissed as of little benefit, as they may have the potential to make a significant contribution cumulatively. In all instances, the integrity of national and international designations should not be compromised.
13. **National Planning Policy Guidance Note 14 (NPPG14) Natural Heritage** recognises that 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.
14. 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.
15. 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.
16. **Planning Advice Note 45 (PAN45) Renewable Energy Technologies (2002)** provides more detailed advice on assessing applications for wind farms and provides particular advice in terms of assessing landscape impact. The document notes that Scotland has a range of landscapes some of which will more easily accommodate wind farms than others. The guidance notes that a cautious approach is necessary in relation to particular landscapes such as National Scenic Areas and Proposed National Parks and their wider settings. Here it may be difficult to accommodate wind turbines without detriment to natural heritage interests.

### North East Structure Plan (NEST)

17. **NEST Policy 5 Renewable Energy** supports new renewable energy facilities when compatible with ecological, transportation, landscape and amenity considerations. Directs that further detailed assessment be provided within local plans.
18. **NEST Policy 19** provides that development will only be permitted where it can be demonstrated that any damaging impacts are considered acceptable overall, or that there is a public interest that outweighs the conservation interest.
19. **NEST Policy 26** Four tier policy provides guidance on the location of wind farm development within tiers of preference related to areas where there are no International, National, Local or other designations that may be affected by proposed development. The policy requires a sequential approach to site selection with presumption in favour of Tier 4 sites.

### Aberdeenshire Local Plan 2006

20. The site is located outside of but close to the boundary of an **Area of Landscape Significance**. **Environment Policy Env\5B Areas of Landscape Significance** notes that development within **or adjacent** to an Area of Landscape Significance will not be permitted where its scale, location or design will detract from the quality or character of the landscape. Where acceptable in principle, development must conform to Appendix 1 and Appendix 5. In all cases the highest standards of design, in terms of location, scale, siting, aesthetics and landscaping will be required within Areas of Landscape Significance. **Within the Cairngorms National Park greater weight will be given to the conservation and enhancement of the natural and cultural heritage of the area if the Park's aims are in conflict.**
21. **Environment Policy Env/21 Vehicle Hill Tracks** notes that development involving vehicle hill tracks, insofar as it is not Permitted Development, will be refused unless it can be integrated satisfactorily into the landscape and minimise detrimental impact, such as soil erosion, on the environment including habitats and watercourses.
22. **Infrastructure Policy Inf\7 Renewable Energy Facilities-Wind Energy** considers that wind energy developments will be approved in principle, if located, sited, and designed in accordance with a range of criteria including; d) the proposal has an impact (visual and other) which is assessed and is acceptable on sites of importance to natural heritage, international, national and local landscape designations and areas of local ecological importance, in accordance with policies Env 1 to Env 7; e) the proposal would not have an adverse effect on any existing or proposed public access; f) the proposal is appropriate in terms of the scale and nature of the setting of listed buildings, conservation areas, archaeological sites, and historic gardens and designed landscapes; h) the proposal is unlikely to result in a material loss of amenity to other sensitive receptors, such as those involved in leisure or recreation on land or water; and i) the proposal takes into

consideration the cumulative impacts of neighbouring wind turbines or wind farm developments.

### **Cairngorms National Park Plan 2007**

23. **Strategic objectives for Landscape, Built and Historic Environment** include, amongst others; maintaining and enhancing the distinctive landscapes across the Park; conserving and enhancing the sense of wildness in the montane area and other parts of the Park; and ensuring development complements and enhances the landscape character of the Park. This section also emphasises the importance of assessing the potential impacts of public and private roads, masts, utilities, renewable energy developments (in and where relevant beyond the Park), to ensure that designs and locations do not detract from the landscape character.
24. **Strategic objectives for Energy** include; contributing to national targets for greater renewable production through increasing community, business and domestic-scale renewable energy schemes. However, large scale wind farms are not considered to be appropriate in the National Park due to landscape and natural heritage impacts, but the development of domestic, and community-scale facilities in a full range of energy options should be pursued in appropriate locations.

### **CONSULTATIONS**

25. **CNPA Heritage and Land Management (Landscape)** has considered the proposal, including the comments of the Reporter from the earlier 37 turbine scheme that. There are considered to be no significant landscape or visual impacts upon the Park from this proposal. The reasoning behind this is that the distance of the cluster to the park boundary (approx 7km) is significant so there are no direct landscape impacts. The visual impacts at this distance are minor from much of the area within the parts of the park affected and only moderate on the boundary closest to the proposal. The proportion of any view occupied by the wind farm would be limited.
26. Because of the form of the wind farm the visual impact is further reduced. It is now a much smaller cluster rather than an extended line. Consequently, the area of the view occupied is limited.
27. The cumulative impact is of some concern, particularly this wind farm in combination with one that has just received permission at Kildrummy. These two wind farms would be visible in the same view from the Ladder Hills and the effect is of significance. However, Kildrummy is by far the more dominant of the two wind farms in this area. Considering the recent successful appeal for Kildrummy it is unlikely that these concerns would be sufficient grounds for an objection.
28. **CNPA Economic and Social Development** has considered the economics/tourism report submitted with the application and considers that there are unlikely to be any specific impacts upon the tourism economy of the National Park.

## **APPRAISAL**

29. There are a range of detailed issues relating to this proposal, which will be considered by Aberdeenshire Council who are seeking the CNPA's response to the application with regard to the National Park's interest.
30. As with previous reports of this kind the proposal will be assessed against the aims of the Park. However, before this the report will summarise the findings of the Environmental Statement with regard to the National Park.
31. The number of turbines now proposed at 18 is less than half the number considered by the Scottish Government Reporter. In her rejection of the 37 turbine scheme she did not consider that there would be any issues affecting the park that supported the rejection of the scheme. In general terms her view was that the site was at a sufficient distance (7km at its closest point) away from the Park not to result in any significant impacts.

### **The Applicant's Environmental Statement**

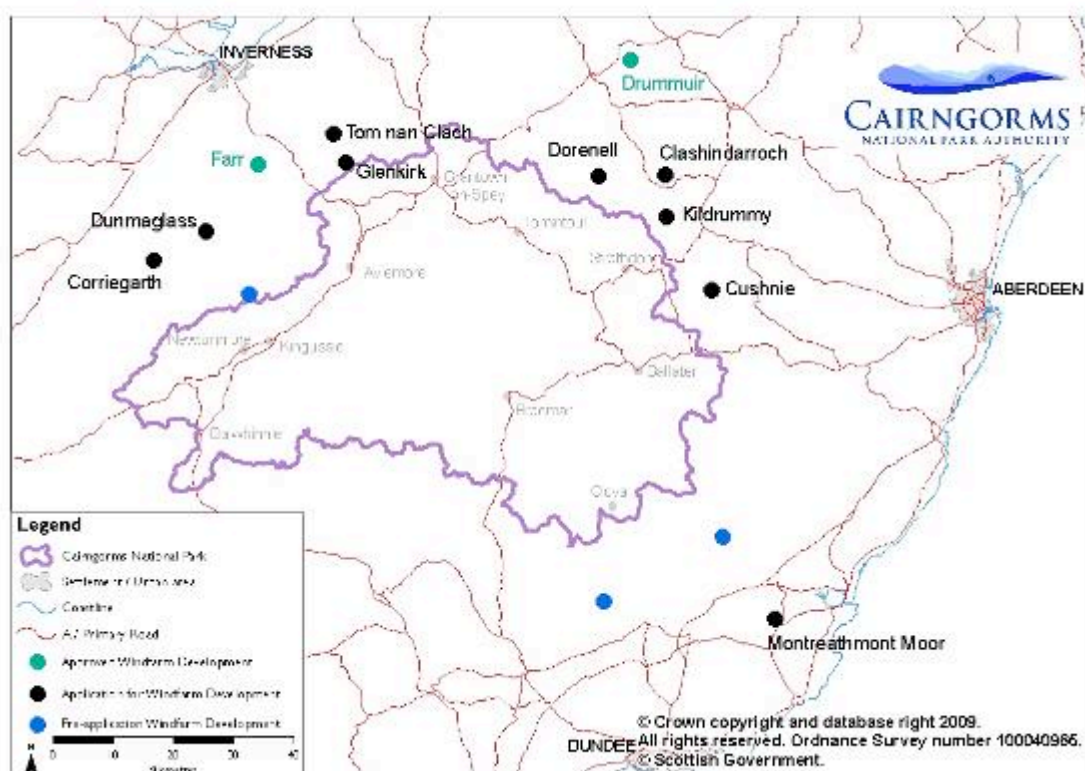
32. The Environmental Statement considers potential impacts on the Park from a landscape and visual impact perspective. The methodology of assessing landscape and visual impact uses a range of terms to describe effects from none to minor, moderate and then major. In terms of the relevant regulations a significant effect would be termed major, or major/moderate.
33. The Statement considers that "the wind farm is located 7 kilometres to the NE of the National Park boundary, so there would be no direct physical effects". This is clearly the case as noted by the CNPA Landscape Officer's response.
34. With regard to landscape character and the magnitude of change this is considered to be slight to negligible in areas such as the Ladder Hills, with limited areas of moderate magnitude occurring within the upland moorland on the Park boundary. In general terms the wind farm would be viewed as a distant feature in the landscape, and in most cases there would be no visibility. The statement goes on to consider that overall the indirect effects resulting from Clashindarroch and other existing and proposed wind farms would be minor/moderate and not significant. Consequently, the statement considers that the integrity and landscape character of the Park would not be significantly affected.
35. With regard to visual impact the Environmental Statement reaches similar conclusions. Some analysis is carried out on the cumulative impact of this proposal taken together with existing and consented wind farms. The conclusion from the applicant's assessment is that there would not be a significant effect.

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

36. Given the 7 kilometres dividing the nearest point of the site from the nearest point of the Park boundary it is clear that there would be no direct physical impacts upon the interests of the Park. However, it is clear that there are some indirect landscape and visual effects to be considered.



37. With regard to landscape change the degree of change is considered to be slight to negligible with limited changes of moderate impact at moorland on the Park boundary. The CNPA Landscape Officer considers that, given the distance of the site from the boundary and the much reduced scale of the proposal by comparison with the earlier scheme there are no significant landscape or visual impacts from this proposal. However, it is important to note that there are a number of other schemes in the area that are less than 10 kilometres from the boundary of the Park. At the time of writing this report an 8 turbine scheme has just been allowed on appeal at Kildrummy. The CNPA Landscape Officer considers that because Kildrummy and Clashindarroch wind farms would be visible in the same view from the Ladder Hills there is an effect of significance. However, Kildrummy is by far the more dominant of the two wind farms.



**Figure 3 Map showing current wind farm consents/application/pre application around Park boundary.**

38. The conclusion of the ES with regard to the Park considers that the effect of existing/proposed wind farms on the Park overall would be minor/moderate and not significant. Consequently, the applicant's consider that the wind farm would not detract from the quality or character of the National Park overall. It may be the case that all existing/proposed schemes would not threaten the overall integrity of the Park. However, this does not mean that the cumulative effects of schemes would not have a negative effect upon some parts of the Park. Since the Reporter's refusal of the 37 turbine application, schemes at Dorenell, Moray (59 turbines) and Cushnie, Aberdeenshire (7 turbines) have been submitted as formal applications (see fig 3). Both developments would be visible from the Ladder Hills although in different directions from the Clashindarroch and Kildrummy sites.



The CNPA objected to both of these applications. I am of the view that, if Cushnie and Dorenell received approval then there would be detrimental impacts upon the part of the Park covering the Ladder Hills. While Clashindarroch on its own is considered acceptable its combination with the recently approved Kildrummy causes some concern with regard to cumulative landscape and visual impact. However, on the advice of our Landscape Officer I am not of the view that this would warrant an outright objection. However, if both Kildrummy and Clashindarroch were joined by the 59 turbine scheme at Dorenell there would be cumulative impacts of serious concern.

### **Promote Sustainable Use of Natural Resources**

39. The application has been submitted with a carbon balance report. Given Government policy on the issue of wind farms it is concluded that the proposal contributes towards this aim in the widest national sense. However, it is important to note that in carrying out its duties in relation to this aim the CNPA is seeking to promote a more sustainable use of natural resources through all the policy and individual planning decisions that it makes.

### **Promote Understanding and Enjoyment of the Park**

40. 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 main summits of the National Park. However, the contribution that the quieter, less frequented hills such as the Ladder Hills make to peoples enjoyment of the Park should also be recognised. Following the above analysis on landscape and visual impact I am of the view that while this wind farm in combination with that approved at Kildrummy raises some issues the combination would not warrant an objection to Clashindarroch. However, the combination of these two schemes with Dorenell and/or Cushnie would raise more serious concerns.

### **Promote Sustainable Economic and Social Development of the Area**

41. The CNPA Economic and Social Development Team have been consulted and consider that the proposal would be unlikely to have any negative impacts upon the economy of the Park. The wind farm would provide economic benefits from construction. However, there is no indication that these benefits would accrue to the Park.

### **Conclusion**

42. It must be recognised that despite the Scottish Government Reporter's decision to reject the proposal for 37 turbines, the interests of the Park were not a reason for the rejection. Overall, the scheme was considered to be acceptable with regard to the interests of the Park. I am of the view that while visible from the Ladder Hills this particular scheme, taken in isolation would not have any

significant impacts that would warrant an objection to the proposal. However, with the approval of the scheme at Kildrummy, Clashindarroch is no longer in isolation. There are some concerns about the combination of these two schemes but not concerns that would warrant an objection. However, it is important to note that two more schemes (Dorenell and Cushnie) have entered the planning stage since the Reporters decision. If these were to be constructed I am of the view that the cumulative impact of the schemes, while not threatening the overall integrity of the Park would result in detrimental landscape and visual impacts upon the Ladder Hills part of the Park.

## RECOMMENDATION

43. That based on the information submitted in the form of the application and accompanying Environmental Statement it is recommended that the Cairngorms National Park Authority raises **NO OBJECTION**, subject to the comment below.

**A) While not objecting to this proposal the CNPA would raise concern that if wind farms at Dorenell and Cushnie received permission and were constructed in addition to Kildrummy and Clashindarroch the resulting combination would cause detrimental cumulative visual impacts on the north eastern boundary of the Park and in particular the Ladder Hills. Consequently, this would impair the enjoyment of those residents of and visitors to the Park taking part in recreation and traditional sporting activities in the Ladder Hills area. Any scenario involving the potential addition of Dorenell and/or Cushnie to Clashindarroch and Kildrummy would be considered to have unacceptable impacts upon the first aim of the Park to conserve and enhance the natural and cultural heritage of the area.**

## NOTE

**A copy of this response will be sent to Aberdeenshire Council.**

**William Stewart**  
**12<sup>th</sup> August 2009**

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