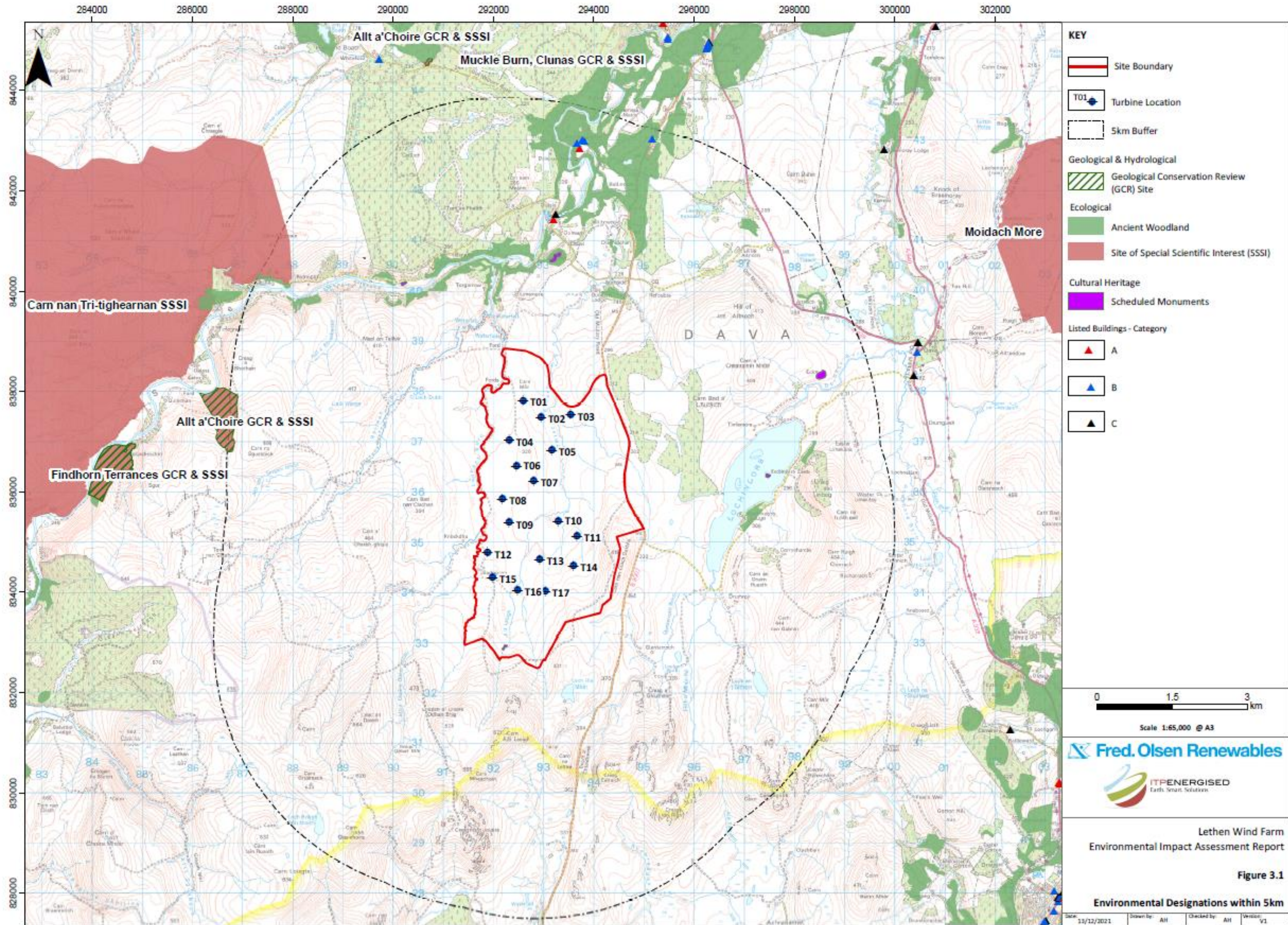


CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED: Lethen wind farm	
Consultation from Scottish Government Energy Consents and Deployment Unit	
REFERENCE:	2022/0021/PAC (ECU00002216)
APPLICANT:	Fred Olsen Renewables
DATE CONSULTED:	6 January 2022
RECOMMENDATION:	Objection
CASE OFFICER:	Nina Caudrey, Planning Officer (Development Planning and Environmental Advice)



© Crown copyright and database rights 2021. Ordnance Survey 010001679. Coordinate system: British National Grid.

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 and Deployment Unit (ECDU) on an application submitted under Section 36 of the Electricity Act 1989 for a proposed wind farm located to the north 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 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 would be located approximately 10 kilometres (km) north-west of Grantown and 2.5km to the west of Lochindorb, as shown in the applicant's figure 3.1 on page 2 of this report (the edge of Grantown being shown in the bottom right hand corner of the figure).
5. The proposed development would comprise 17 turbines with a maximum height of 185m to the tip of the blade in an upright position (5 of which would have aviation lighting), approximately 14.5km of new access tracks and 2.5km of existing/upgraded access tracks, as well as other infrastructure and works (such as substation, underground cabling, borrow pits, energy storage system, etc). The proposed wind farm would make use of the existing infrastructure from the operational Tom nan Clach wind farm where possible, including the site entrance and access track from the B9007.
6. The proposed wind farm would have an estimated total installed capacity of around 102MW depending on the turbine specification used, plus 10MW from the energy storage system.
7. The nearest turbines would be approximately 3 km to the north 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.
8. Theoretical visibility of the proposed wind farm from within the National Park is shown by the applicant's Zone of Theoretical Visibility figure (**Appendix I**). When considering the cumulative visual effects, the blue and green shown in the applicant's cumulative Zone of Theoretical Visibility figure (**Appendix II**) demonstrates that visibility of the proposed wind farm from within the National Park. Much of where it would be seen from is already influenced by visibility of a number of other existing and consented wind

farms (the combined visibility shown in green). There are however some areas (shown in blue) within the National Park where it would introduce visibility of a wind farm where currently there is none.

9. Visualisations from seven viewpoints were provided in the applicant's ER that demonstrate the predicted level of visibility that would be had from within/on the boundary of the National Park:
 - a) VPI Carn Glas-choire, approximately 5.7km south west of the closest turbine.
 - b) VP4 Creag Ealraich, approximately 3.7km south of the closest turbine.
 - c) VP9 Gorton Hill, approximately 9km south east of the closest turbine.
 - d) VPI0 Beinn Mhor approximately 8.5km south east of the closest turbine.
 - e) VPI1 Creagan a Chaise approximately 19.7km south east of the closest turbine in the Cromdale Hills.
 - f) VPI2 Meall a'Bhuachaille Cairn, approximately 23.2km south of the closest turbine.
 - g) VPI5 Lymore on the A939 approximately 16km south of the closest turbine.
10. The visualisations associated with each view point are available to the public by searching the application documents on the ECDU website <https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00002216> for the relevant figures:
 - a) EIAR_V4_CH06_FIG 6.37 NS AI Viewpoint 1
 - b) EIAR_V4_CH06_FIG 6.40 NS AI Viewpoint 4
 - c) EIAR_V4_CH06_FIG 6.45 NS AI Viewpoint 9
 - d) EIAR_V4_CH06_FIG 6.46 NS AI Viewpoint 10
 - e) EIAR_V4_CH06_FIG 6.47 NS AI Viewpoint 11
 - f) EIAR_V4_CH06_FIG 6.48 NS AI Viewpoint 12
 - g) EIAR_V4_CH06_FIG 6.51 NS AI Viewpoint 15

RELEVANT PLANNING HISTORY

11. **PRE/2020/0007** in February 2021 CNPA responded to a scoping consultation from ECDU for the current application.

PLANNING POLICY CONTEXT

12. The proposed development 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

13. **Scottish Planning Policy** 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.
14. 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.
15. 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.
16. Paragraph 212 of SPP states that “where development affects a National Park... it should only be permitted where:
 - a) the objectives of the designation and the overall integrity of the area will not be compromised; or
 - b) 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

17. 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.
18. 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.
19. Policy 1.3 seeks to conserve and enhance the SLQs. 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. There were deficiencies in the applicant's assessment of effects on the SLQs, so NatureScot undertook their own assessment to inform their advice. They looked at three potential study areas.
22. Consideration was given by NatureScot to effects on the north-west facing slopes of the Braes of Abernethy. However this area was scoped out due to distance, degree of woodland cover limiting visibility and the overall (low) likelihood of significant effects.
23. NatureScot consider that the areas of the National Park that would be most affected by the proposal include the rim of the National Park to the south of the proposed wind farm (study area 1), and the hills above Cromdale (study area 2). NatureScot used these two areas as study areas to focus their assessment. While the uplands that form the boundary to the National Park immediately south of the proposed wind farm are not especially popular locations for visitors, the Cromdale Hills are an area popular with walkers, both locals and visitors.
24. Three SLQs are considered to be significantly affected by the proposed development: Dark skies; Wildness; Landscapes both cultural and natural.
25. In relation to the Dark skies SLQ, while there would be no visibility of the five proposed turbine lights from within the Dark Skies Park, there is visibility of the turbine lights from within other parts of the National Park including the two study areas. NatureScot's advice is that there would be a significant effect on the Dark skies SLQ within close proximity (<10km) of the proposed development around the rim of the National Park (study area 1) for the reasons given in paragraphs 26 and 27.
26. As light fades, the strength of the Dark skies quality increases particularly where light sources are only notable from distant Moray coastal strip, A95 corridor, occasional lights from scattered buildings and intermittent headlights such as from the rim of hills looking north to the site (study area 1). The Dark skies quality is well expressed and moderately susceptible to change. The proposed turbine lighting would add a new layer of obvious bright red lights at a distance of between 4km (VP4) and 9km (VP9). While there are no night time visualisations to support this analysis from this location, there is a visualisation provided from VP6 at 4.7km to the east of the site. Unfortunately NatureScot do not consider that this, together with the other two night time visualisations, present an accurate image of the intensity of predicted turbine lighting. From NatureScot's experience, the turbine lights would appear from these distances as prominent bright red lights, an uncharacteristic colour in this setting, which would draw attention to new structures that would otherwise not be visible after dusk. This is especially the case where the lights are seen to flash (due to rotor blades moving in

front of them), while providing clear points of reference in the landscape, aiding navigation and reducing the sense of risk.

27. Where street lighting and light emitting from dwellings is clustered highlighting settlement, such as from views where Grantown-on-Spey, and the occasional intermittent lights from minor roads is evident (study area 2), the Dark skies quality is less well expressed and less susceptible to change. The five turbine lights would appear beyond and above both the lower lying settled managed landscape and the surrounding hills. They would have the effect of both extending areas of artificial lighting, and intruding on the experience of dark skies, appearing as a distraction, drawing attention away from the appreciation of the stars and moon on clear nights. At distances of around 20km, the lights would appear as small albeit noticeable features (more akin to the intensity of lights illustrated at VP 6) that would add to and be within the same field of view than the existing lighting described in the baseline.
28. In relation to the Wildness SLQ, NatureScot advice is that there would be a significant effect on the SLQ along the margins of the National Park after dark as a result of the turbine lighting (study area 1), for the reasons given in paragraphs 29 to 33.
29. Away from the settled and managed Strath Spey and its side slopes, the rounded hills, long ridges and glens of the Strathdearn Hills within the National Park give way to the wilder, broad, rounded hills of the northern part of Dava Moor to the north of the National Park boundary, where the proposed wind farm would be located. The landscape here exhibits some of the characteristics of the Wildness SLQ, such as a perception of relative remoteness, and while there are numerous obvious signs of management (such as hill tracks, bothies and muirburn, along with roads transecting it, for example the B9007 and the A939), there still remains an overarching dominance of nature in the large scale landscape. The Wildness SLQ is moderately well expressed here.
30. The proposed wind farm would be located within (and significantly affect) the rounded hills outside of the National Park. There is a strong connection between this and the adjacent Landscape Character Type inside the National Park, where they share some key characteristics, such as a sense of remoteness, underpinning the Wildness SLQ. Visibility from within the National Park would be limited to the ridgeline that demarcates both the National Park boundary (and the less obvious on the ground change in character type). The expression of the Wildness SLQ is high on and along this ridgeline especially where it draws on the characteristics that continue beyond the National Park boundary.
31. Other wind farms in the baseline either appear at some distance and do not affect the Wildness SLQ due to their separation, or are largely screened due to the rim of hills that form the boundary of the National Park in this northern extent. Whilst Tom nan Clach wind farm reduces the sense of expansiveness, this is from very limited locations within the study area and there are few instances where both Lethen and Tom nan Clach wind farms would be seen together (as the cumulative ZTV illustrates).
32. Lethen wind farm would erode the current dominance of nature when looking from this part of the National Park due to the introduction of obvious development in close proximity and would further reduce the sense of expansiveness. The effects of the

proposal (both turbines and the associated infrastructure where seen) would be limited in their extent to a linear band for around 10km at distances of approximately 4-9km from the proposal, with VPs 9 and 10 illustrating the worst case scenarios where Lethen wind farm would be seen with Tom nan Clach. During the day, these effects on the Wildness SLQ are not considered to be significant.

33. However, as daylight fades the key characteristics that underpin the Wildness quality change, altering the baseline. Some characteristics such as the naturalness of vegetation are weakened and ultimately no longer present, as they rely on noting the differentiation between land uses, which is challenging as light fades. Other characteristics are however strengthened, such as the apparent lack of development due to it becoming increasingly less visible. From this study area, the strength of the Wildness SLQ would increase with the reduction in natural light, as features which currently weaken it, such as (unlit) wind farms, are no longer noticeable and the susceptibility of the SLQ to the proposed wind farm would heighten. The addition of the five Lethen turbine lights would reduce the current sense of tranquillity and sense of wildness from this part of the National Park to a degree that is considered significant.
34. In relation to the Landscapes both cultural and natural SLQ, NatureScot advice is that there would be a significant effect on the SLQ as a result of the proposal blurring the distinction between two key underpinning characteristics, for the reasons given in paragraphs 35 to 39.
35. Study area 2 (Cromdale hills) includes the north-west facing slopes of the Cromdales and the lower farmed ground either side of the A939. It is an area where the Landscapes both cultural and natural SLQ is well expressed and susceptible to the proposed development.
36. Across the lower ground of the wooded and farmed strath around Grantown-on-Spey and Cromdale, the landscape exhibits evidence of settlement and land use that is rich in cultural history. To the immediate south east the land rises up to the smoother rounded hills of the Cromdales, where wildness characteristics of naturalness become increasingly more prevalent. To the northwest the land rises up to the Strathdearn hills where the perception of remoteness increases. This contrast in character either side of the cultural lowland landscape underpin the Landscapes both cultural and natural SLQ and is strongly evident from both lower and higher elevations.
37. The proposed turbines would be visible across a swath of the northeast facing slopes of the Cromdales when out of woodland cover. This is an area where the transition from the settled and managed strath floor to the moorland clad hills on either side of the strath exemplifies the Landscapes both cultural and natural SLQ. Moving higher up these relatively gentle slopes, the proposed wind farm would rapidly become increasingly notable, with all 17 turbine hubs being visible along the ridgeline. These areas of visibility largely coincide with where the Tom nan Clach wind farm, which lies a further 5km further away from the National Park at this point, is also currently visible. Lethen wind farm would bring wind turbines closer to the National Park and have the effect of reinforcing the northern boundary of the National Park whilst blurring the current distinction between the cultural (settled strath) and natural (moorland hills) landscapes. Its effects would extend across the northeast facing slopes and tops. While NatureScot recognise that these locations are some distance from the proposal at around 20km,

they are well within the interior of the National Park where the Landscapes both cultural and natural SLQ is well expressed as described. There would be a significant effect on the SLQ as a result of the proposed wind farm blurring the distinction between these two key underpinning characteristics.

38. Other wind farms are visible at comparable distances from the National Park, such as Berry Burn and Pauls Hill. NatureScot's experience of these and other developments from within this part of the National Park is that they are seen from extensive areas, particularly up the north facing slopes and tops of the Cromdales, and form part of the wider landscape backdrop of receding low-lying hills in outward facing views. The existing Moray wind farms (located on the Moray upland plateau) appear closely associated with the landforms to the north and outside the National Park, clearly distinct and separated from the natural landscapes that are an integral part of this part of the National Park. As a result their effect on the Landscapes both cultural and natural SLQ is more limited than the effects that would arise as a result of the proposed wind farm.
39. In relation to turbine lighting, as daylight fades the key characteristics that underpin the Landscapes both cultural and natural quality tend to be less well expressed, as the characteristics are largely reliant on visual information, therefore the strength of this SLQ is reduced. The appearance of turbine lighting would therefore have little adverse effect on the Landscapes both cultural and natural SLQ.
40. As a result of the effects on the three SLQs described in paragraphs 25 - 39 above, NatureScot conclude that from close proximity to and along the rim of the Park, which is a less well visited and geographically limited area, the proposal would have a significant effect on the appreciation of both the Dark skies and Wildness SLQs as a result of the turbine lighting. From the more distant and well visited Cromdale Hills, the proposal would have a significant effect on the Landscapes both cultural and natural SLQ.
41. The nature and significance of the effects are however such that NatureScot advise that the integrity of the National Park would not be compromised.

APPRAISAL

42. The policies of the NPPP and SPP set out how proposals outwith the boundary of the National Park should be considered in terms of effects on the National Park.
43. Policy 3.3 of the NPPP sets out a test for considering effects on the landscapes of the National 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.
44. Paragraph 212 of SPP sets out that "development that affects a National Park... should only be permitted where:
 - a) the objectives of designation and the overall integrity of the area will not be compromised; or

- b) 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.”
45. 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.
46. Due to the effects on three SLQs described in paragraphs 25 - 39, the proposal is considered to conflict with National Park Partnership Plan policies 3.3a and 1.3.
47. When considering the nature and significance of the effects, the proposal would not compromise the integrity or objectives of the National Park. The proposal is therefore considered to be in accordance with Scottish Planning Policy paragraph 212.
48. Nonetheless, because the proposed development conflicts with the NPPP policies 1.3 and 3.3a, it is considered that CNPA should **object** to the proposed wind farm development.

RECOMMENDATION

That Members of the Committee confirm:

- **That CNPA object to the application for the proposed Lethen wind farm, due to significant adverse effects on the Landscapes both cultural and natural, Dark skies and Wildness Special Landscape Qualities.**