

Wind Energy development in the Cairngorms National Park

Checklist for Developers

Planning in the Cairngorms National Park

Planning in the Cairngorms National Park is unique. It involves the Cairngorms National Park Authority (CNPA) working alongside the five local authorities which operate in the Park – Aberdeenshire, Angus, Highland, Moray and Perth & Kinross.

Due to the expansion of the National Park in October 2012 to take in part of Perth & Kinross, different planning policies apply there.

The following paragraphs set out what planning policies apply in the National Park and how planning applications are dealt with.

Planning Policies

The Cairngorms National Park Local Plan, and its associated Supplementary Planning Guidance (SPG), covers the Aberdeenshire, Angus, Highland and Moray part of the National Park only. The Local Plan and SPG does not cover the Perth and Kinross area of the Park. The Perth & Kinross Highland Area Local Plan, or the Perth & Kinross Eastern Area Local Plan, and any associated SPG, apply.

Planning Applications

All planning applications submitted within the Cairngorms National Park must comply with the relevant Local Plan and SPG.

Planning applications should be submitted to the relevant local authority in the normal manner. The local authority ensures all the necessary information is supplied and registers receipt of the application. The CNPA is informed by the local authority and has 21 days to decide whether to call-in the application. Only applications which are of general significance to the aims of the Park are called-in. The CNPA determines called-in applications. In instances where planning applications are not called-in, the local authority will determine the application.

Policy Background

Wind energy development in the Cairngorms National Park will be assessed against Policy 15 in the Cairngorms National Park Local Plan.

Policy 15 – Renewable Energy Generation
Developments for small scale renewable energy schemes which support the aims of the Cairngorms National Park and the National Park Plan
Strategic objective regarding energy production, will be favourably considered where they contribute positively to the minimisation of climate change, and where they complement the sustainability credentials of the development.

Development, including any ancillary works, will be sited and designed to have no significant adverse visual or landscape impact, including any cumulative impact, caused as a result of energy generation, transmission or distribution measures, and will not have an adverse impact on the amenity of neighbouring properties or any unacceptable impact on the environment.

Financial bonds will be used where appropriate to secure decommissioning.

Process

Before you submit a planning application for any form of wind energy development, we strongly recommend that you speak to a planning officer about your ideas. Wind energy schemes have a lot of impacts that need to be considered, and so you will be expected to submit detailed information on a variety of topics along with your planning application. Early discussion with a planning officer can ensure you know what will be expected, and so work to provide this can be progressed, and hence should not delay the assessment of your application once submitted.

In order to help inform your initial pre application discussions with the planning officer, you need to have considered the following, and be able to provide the following information; a description of your development, its location, and the design details being proposed. You should also be able to show how you have decided on the location for your development, and provide information on other sites that have been considered.

Moving onto the formal submission of a planning application for wind energy development in the Park, again in order to demonstrate how your proposal adheres to the policy set out in the Cairngorms National Park Local Plan, the following table sets out the information that you will need to submit with your planning application. As with all planning applications, the amount of information and level of detail required will depend on the size of your scheme and the specific impacts it has on the proposed location, and the table below gives an indication of the amount of information required for various sizes of wind energy development. If you are unsure about the level of information required, please contact a planning officer, who will be able to help you.

		Wind Energy Development (Height to blade tip unless otherwise stated)	
		Turbine height up to 15m	Turbine height 15 - 30m
		Turbine height greater than 30m	
Natural Heritage Designations		<p>All developments should consider the SNH guidance set out in 'Assessing the impact of small-scale wind energy proposals on the natural heritage' (February 2012). Due to the location of the proposed development in a National Park, the SNH guidance for turbines of over 50 metres in height should be applied to applications for turbines of over 30 metres in height. Supporting information should include an assessment of the ecology of the proposed site and details of proposals for habitat management both during construction and once operational.</p> <p>Special Protection Areas (SPAs) In addition to this, all developments likely to have a significant impact on an Special Protection Areas, should adhere to the guidance set out in SNH's guidance 'Assessing connectivity with Special Protection Areas' (March 2012)</p>	
		<p>Bats - To assess the impact of ALL developments on bats, please follow the approach set out in the Bat Conversation Trust's Good practice guidelines – surveying for onshore wind farms (2nd edition 2011) As some surveys can only be undertaken at certain times of year, it's important to consider this early in the development of proposals so as not to cause undue delay</p>	
		<p>Raptors – Developers should consider the information held at http://www.raptortrack.org/ to assess the likely potential for issues relating to raptors and their development location.</p>	
Peat and soils		<p>Where proposals affect peat soils, applicants should demonstrate carbon savings are calculated in accordance with Scottish Government advice and that SEPA and SNH have been consulted. http://www.scotland.gov.uk/Resource/Doc/229725/0062213.pdf</p> <p>Consideration should also be given to the joint Scottish Renewables / SEPA publication 'Developments on peat land' that provides good practice examples of activity and info required for assessments of developments on peat land. http://www.scottishrenewables.com/static/uploads/publications/a4_developments_on_peatland.pdf</p>	

<p>Landscapes and Visual Representation</p>	<p>Technical information from the turbine supplier often adequate. Photomontage may be requested to illustrate relationship to location and surroundings. Eight figure grid reference for each proposed turbine</p>	<p>Basic level of Visual Impact Assessment (VIA) should include :-</p> <ul style="list-style-type: none"> • ZTV map covering an area up to 20km (radius) from the turbine; • wireline drawings and photomontages from a limited number of key viewpoints; • viewpoints to be agreed with the planning authority, and SNH where appropriate; • design statement may be required in the case of multiple turbines; and • eight figure grid reference for each proposed turbine 	<p>Full Landscape and Visual Impact Assessment (LVIA) should address the sensitivity, magnitude and significance of landscape and visual impact and include:</p> <ul style="list-style-type: none"> • ZTV map covering an area up to 35km (radius) from the turbine; • wireline drawings and photomontages from key viewpoints; • viewpoints to be agreed with the planning authority, and SNH where appropriate; • design statement identifying design objectives and process; and • eight figure grid reference for each proposed turbine.
<p>Cumulative Assessment</p>	<p>The cumulative impacts of wind turbines can be a significant constraint to potential wind energy development. Developers should avoid contributing to a situation where multiple single turbines are visible from settlements, visitor sites and destinations, and where multiple turbines are visible in combination or sequence as one moves through the National Park on roads, rail, footpath and waterways.</p>		
<p>Noise Assessment</p>	<p>Where a noise assessment is required (check with the relevant Local Authority Environmental Health service) the methodology and cumulative considerations must be agreed with the relevant Local Authority Environmental Health Service. If the methodology is not agreed, or if sufficient information is no provided, this may result in the application being recommended for refusal on the basis of lack of information.</p>		
<p>Historic Environment</p>	<p>Supporting information should include details of any potential impact on Scheduled Ancient Monuments, archaeologically sensitive areas, Conservation Areas, Listed Buildings, Gardens and Designed Landscapes, Battlefields and Areas of Relict Historical Land Use and mitigation measures proposed where applicable.</p> <p>English Heritage have recently published a methodology guidance for assessing impacts on historic views. Although this is guidance produced for England, the methodology set out is equally useful in a Scottish context and should be utilised to help assess views that require further consideration.</p> <p>http://www.english-heritage.org.uk/publications/seeing-history-view/</p>		

<p>Residential Amenity</p>	<p>Assessment to include properties agreed with the planning authority subject to:-</p> <ul style="list-style-type: none"> • scale of turbine and blade size; • existence of buffers including woodland, buildings, landform; and • location and aspect of primary rooms and garden ground, 	<p>Assessment to include properties within a 2km radius of the proposed turbine(s) subject to:-</p>
	<p>Turbines should generally be a minimum of 10x the blade length from sensitive properties* to avoid the potential effects of shadow flicker.</p>	
<p>Access and Traffic Management</p>	<p>* Sensitive properties include:- residential properties including care homes; educational buildings, hospitals, cemeteries; some visitor facilities and accommodation; and land allocated for future development in the relevant Development Plan.</p> <p>Access likely to be feasible within existing road network – relevant Local Authority Roads Division should be consulted.</p>	<p>Access arrangements and traffic management plan and suitable route for large vehicles to be agreed with relevant Local Authority Roads Division. Any required road improvements to be implemented prior to commencement of construction.</p>
	<p>Any new tracks required as part of the development should be included in the planning application. Supporting information should include the proposed route of any access tracks, details of any river crossings and design of bridges, design of the track itself, details of any borrow pits required for track construction, and finally information on decommissioning /reinstatement arrangements as appropriate.</p>	
<p>Aviation and Defence</p>	<p>Transport Scotland advise that a wind turbine should be located no closer than 1.5 x the Wind Turbine height to the nearside Trunk Road kerb line. For the avoidance of doubt the nearside kerb line is either the kerb of the live carriageway or the nearside heel kerb of the Trunk Road footway if present.</p> <p>Military Aviation Interests - Developers should seek input from MoD Defence Infrastructure Organisation if the proposed wind turbine is 11 metres to blade tip or taller, or has a rotor diameter of 2 metres or more, and provide the forthcoming information to the planning authority. http://www.mod.uk/DefenceInternet/MicroSite/DIOM/WhatWeDo/Operations/ModSafeguarding.htm</p>	
	<p>Civil Aviation Interests – Developers should refer to Scottish Government Circular 2/2003 to determine who needs to</p>	

	<p>be contacted to determine impacts of any wind energy development on civil aviation interests. http://www.scotland.gov.uk/Resource/Doc/47021/0026439.pdf</p>
<p>Other</p>	<p>Design – supporting information should include reasons for choice of turbine and siting of turbine Restoration and reinstatement – supporting information should include details of plans for restoration and reinstatement at the end of the lifespan of the development. Construction method statement – this should be submitted along with your planning application. Conditions attached to any given planning permission may also require waste and environmental management plans. Ancillary development – as appropriate to the scale of the development, information may also be required on control buildings, substations, grid connections and construction compounds.</p>

Other relevant consents required and process to undertake

To obtain consent for a wind energy development, planning permission may not be the only consent required. We encourage developers to undertake the work required to obtain the various consents required at the same time, as there may be overlap between the information required for the different consents. Early discussion with planning officers and other public agency staff as required will assist in the process.

Environmental Impact Assessment (EIA)

An Environmental Impact Assessment (EIA) may be required under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. In order to determine if an EIA is required, a screening opinion should be sought for all wind energy developments in the National Park. At the next stage, scoping for the Environmental Report should be prepared in accordance with Annex B of Planning Circular on the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. All EIAs will be required to demonstrate potential impacts, including length and significance of effects and mitigation measures for all component of an application.

Even were an EIA is NOT required, environmental information may still be required to consider agreed impacts. (see table above for details)

NB - All EIA screening and scoping requests should be submitted to the relevant Local Authority. The Cairngorms National Park Authority is a consultee in the assessment process.

Planning Officer contact details To follow...

Hydropower development in the Cairngorms National Park

Checklist for Developers

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Planning Policies

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Policy Background

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Policy 15 – Renewable Energy Generation

Developments for small scale renewable energy schemes which support the aims of the Cairngorms National Park and the National Park Plan Strategic objective regarding energy production, will be favourably considered where they contribute positively to the minimisation of climate change, and where they complement the sustainability credentials of the development.

Development, including any ancillary works, will be sited and designed to have no significant adverse visual or landscape impact, including any cumulative impact, caused as a result of energy generation, transmission or distribution measures, and will not have an adverse impact on the amenity of neighbouring properties or any unacceptable impact on the environment.

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Process

Before you submit a planning application for any form of hydro power development, we strongly recommend that you speak to a planning officer about your ideas. Hydro power schemes have a lot of impacts that need to be considered, and so you will be expected to submit detailed information on a variety of topics along with your planning application. Early discussion with a planning officer can ensure you know what will be expected, and so work to provide this can be progressed, and hence should not delay the assessment of your application once submitted.

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Moving onto the formal submission of a planning application for hydro power development in the Park, again in order to demonstrate how your proposal adheres to the policy set out in the Cairngorms National Park Local Plan, the following table sets out the information that you will need to submit with your planning application. As with all planning applications, the amount of information and level of detail required will depend on the size of your scheme and the specific impacts it has on the proposed location. If you are unsure about the level of information required, please contact a planning officer, who will be able to help you.

Hydro energy development	
Natural Heritage Designations	<p>All developments should consider the SNH advice note Hydro Electric schemes and the Natural heritage (2010) and the list of information requirements set out at: www.snh.gov.uk/planning-and-development/renewable-energy/hydro/</p> <p>Supporting information should include an assessment of the ecology of the proposed site and details of proposals for habitat management both during construction and once operational. Information on site restoration works, and enhancement works should also be submitted.</p>
	<p>Fish – hydropower developments can have a significant impact on fish, and in particular migratory species. Developers must submit evidence of work undertaken to show potential impacts on fish species, and mitigation measures being proposed if appropriate.</p>
	<p>Bats – if re-using an existing building for use as a turbine house, ensure you follow the Bat conservation trust guidelines relating to how and when to survey for bats. All bats are protected species and as such should be considered and appropriate mitigation provided where necessary if disturbance will occur.</p>
	<p>Other species – Developers must submit evidence of work undertaken to show potential impacts on other protected species (for example otters, water voles, and breeding birds), and mitigation measures being proposed if appropriate. Further information on Natural Heritage interests is available in Cairngorms National Park Supplementary Planning Guidance on Natural Heritage available at http://www.cairngorms.co.uk/park-authority/about-us/publications/?publicationID=264</p>
	<p>Wildness – Developers must consider their development in relation to adopted Supplementary Planning Guidance on Wildness. http://www.cairngorms.co.uk/park-authority/about-us/publications/?publicationID=264</p>

<p>Landscape and Visual Representation</p>	<p>The landscape and visual impacts associated with hydro schemes are not necessarily proportionate to the size of the energy output, but more to the degree and extent of disturbance and long term change. Applications should include an assessment of landscape character and visual impact in the construction phase, restoration phase (1 to 5 years) and in the long term operational phase. Reference should be made to the current LVIA guidance. Landscape Inst and Inst http://www.landscapeinstitute.org/PDF/Contribute/GLVIA3consultationdraftformembers.pdf</p> <p>The assessment of construction impacts should be supported by information on soils and topography (see below), an evidence-based construction method statement (with reference to other schemes and similar conditions) that includes detailed plans and cross-sections for all component parts of the scheme and an assessment of the effects of disruption on access and amenity.</p> <p>The assessment of restoration phase effects should be informed by a restoration method statement (again with reference to successful and unsuccessful restoration in similar situations –climatic, soils and scheme) that includes plan and section information, details of plant and seed materials and the ongoing protection and management of restored and reinstated areas.</p> <p>The assessment of the longer term landscape and visual impacts should be informed by details of ongoing scheme management (access in particular) and include ZTVs and photomontage of key components that will have a long term effects such as new access tracks, turbine house, intake weir and impoundment and the effect on water features. The production of photomontages should be informed by a consideration of the ZTV as they may not be necessary for all components.</p> <p>Cumulative effects</p> <p>An assessment of potential cumulative landscape and visual effects should be undertaken based on established routes through the landscape, (including public roads and recreational routes) and destinations (including key summits, waterfalls etc)</p> <p>Further Hydro-specific landscape guidance can be found at http://www.cairngorms.co.uk/landscape-toolkit/sensitivities-map/small-hydro/.</p>
<p>Historic Environment</p>	<p>Supporting information should include details of any potential direct or indirect effects on Scheduled Ancient Monuments, archaeologically sensitive areas, Conservation Areas, Listed Buildings, Gardens and Designed landscapes, Battlefields and Areas of Relict Historical Land Use and mitigation measures proposed where applicable.</p>

<p>Peat and soils</p>	<p>Land form and soils</p> <p>Reducing impacts on landscape and ecology will be dependent on working with the soils and drainage of the locality. Information on local topography, hydrology and soils is crucial to making realistic assessment of impact and informing mitigation. Soils information along the length of the scheme should include peat depths and the location of key rock heads and glacial-fluvial deposits.</p> <p>Developers should refer to guidance from SEPA on soils and peat, and should include details of site restoration and the soil management plan for the development as part of their planning application.</p>
<p>Water Environment</p>	<p>Developers should refer to SEPA's guidance on hydropower construction for examples of best practice and findings should be included in the works being proposed.</p> <p>www.sepa.org.uk/water/hydropower.aspx</p> <p>Where proposals are within the source catchment area of any private water supply potential impact must be considered and, if necessary, mitigation measures implemented</p> <p>Supporting information should include an appropriate drainage assessment.</p> <p>Flood risk – some hydro schemes may impact on, or be affected by flooding. Developers should contact the relevant Local Authority flood prevention team, and SEPA in order to ascertain the impacts on their proposals.</p> <p>Developers must consider their development in relation to adopted Supplementary Planning Guidance on Water Resources http://www.cairngorms.co.uk/resource/docs/publications/29102010/CNPA.Paper.1660.Water%20Resources.pdf</p>
<p>Access and Traffic Management</p>	<p>All access arrangements should be agreed with the relevant Local Authority Roads Division. For small schemes, access is likely to be feasible within the existing road network. However, for larger schemes, access arrangements and traffic management plans may be required, and should be agreed with the relevant Local Authority Roads Division. Should any road improvements be required, these will be implemented before construction of the hydro scheme begins.</p> <p>For large schemes, developers are advised to talk to Transport Scotland due to the potential impacts on trunk roads during the construction phase.</p>

	<p>Any new tracks required as part of the development should be included in the planning application. Supporting information should include the proposed route of any access tracks, details of any river crossings and design of bridges, design of the track itself, details of any borrow pits required for track construction, and finally information on decommissioning /reinstatement arrangements as appropriate.</p>
<p>Recreation and Access</p>	<p>Developers should contact the Scottish Canoe Association for early discussion of their proposal and potential impacts on recreational interests. The Scottish Canoe Association has a renewable energy policy which can be found at http://www.canoescotland.org/AccessEnvironment/Environment/EnergyIssues.aspx</p> <p>Information about recreational opportunities on a number of Scottish rivers is available at http://www.ukriversguidebook.co.uk/rivers/regions. Developers should consider this information but be aware that data on recreational use is constantly being updated, hence the need for dialogue with the SCA. Further informal information about recreational use of watercourses can often be found by undertaking a general web based search on the river name.</p>
<p>Other</p>	<p>Design of scheme – supporting information should include reasons for choice of location / size of scheme, routes, buildings required and detailed aspects of the design of structures required.</p> <p>Restoration and reinstatement – supporting information should include details of plans for restoration and reinstatement at the end of the lifespan of the development.</p> <p>Construction method statement – this should be submitted along with your planning application. Conditions attached to any given planning permission may also require waste and environmental management plans.</p> <p>Ancillary development – as appropriate to the scale of the development, information may also be required on control buildings, substations, grid connections and construction compounds.</p>

Other relevant consents required and process to undertake

To obtain consent for a hydro energy development, planning permission is not be the only consent required. We encourage developers to undertake the work required to obtain the various consents required at the same time, as there may be overlap between the information required for the different consents. Early discussion with planning officers and other public agency staff as required will assist in the process.

Controlled Activities Regulations licence from SEPA

All hydro schemes will require a licence under the Water Environment (Controlled Activities) (Scotland) Regulations 2005. Further information about CAR licences is available at http://www.sepa.org.uk/water/water_regulation/car_application_forms.aspx

All developments should also consider the joint guidance published by SNH, SEPA and Marine Scotland in relation to supporting information for hydro power applications available at:

<http://www.snh.gov.uk/planning-and-development/renewable-energy/hydro/>

Environmental Impact Assessment (EIA)

An Environmental Impact Assessment (EIA) may be required under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. In order to determine if an EIA is required, a screening opinion should be sought for all hydro power developments in the National Park. At the next stage, scoping for the Environmental Report should be prepared in accordance with Annex B of Planning Circular on the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. All EIAs will be required to demonstrate potential impacts, including length and significance of effects and mitigation measures for all component of an application.

Even were an EIA is NOT required, environmental information may still be required to consider agreed impacts. (see table above for details)

NB - All EIA screening and scoping requests should be submitted to the relevant Local Authority. The Cairngorms National Park Authority is a consultee in the assessment process.

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