
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: CONSULTATION RESPONSE TO HIGHLAND COUNCIL

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(DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: ERECTION OF 2 x 50 METRE HIGH ANEMOMETRY MASTS AT LAND 4 KM NW OF MEALL A' CHOCAIRE, KINGUSSIE

REFERENCE: N/A

APPLICANT: N-POWER RENEWABLES, NORTH RANGE EAST LODGE, MILL ROAD, STANLEY MILLS, STANLEY, PH1 4QE

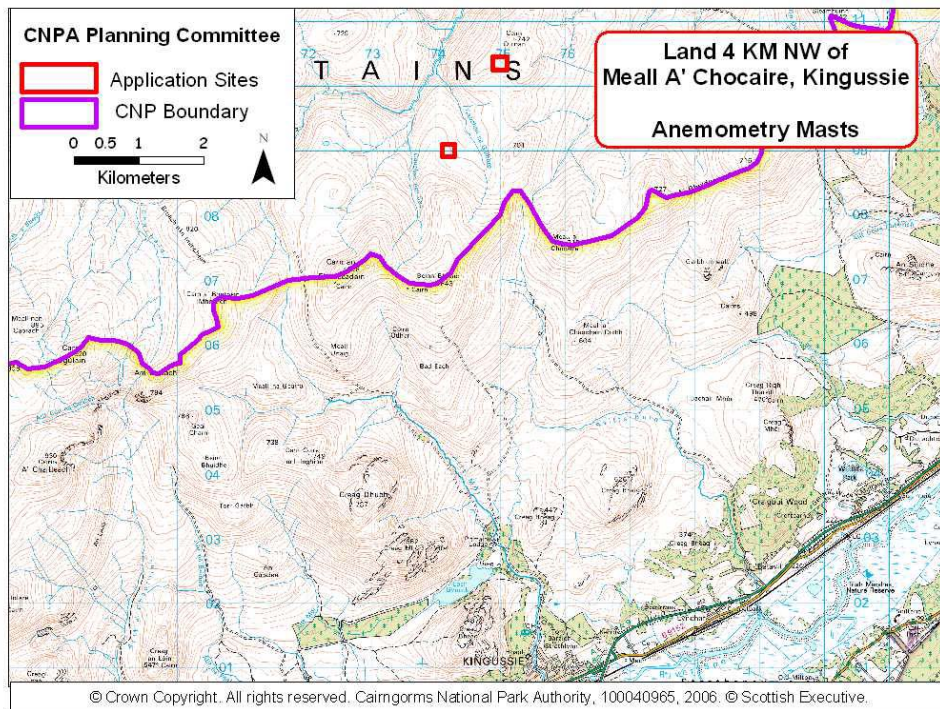


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This report is essentially to agree a consultation response to Highland Council on an application outside of the Park boundary. Because of the location and nature of the development officers thought it pertinent to request an informal consultation on the proposal and this report has been written at short notice to form a response to Highland Council.
2. This proposal relates to the erection of 2x50 metre high anemometry masts, the nearest approximately 1.7 kilometres to the north of the park boundary as it runs along the summits of Carn an Fhreicheadain (Corbett hill over 2,500ft) Ben Bhreach and Meall a' Chocaire (see fig 1). The sites lie approximately 200 metres below the main ridge, one mast would be located on a spur between the confluence of the Caochan nan Sac and the Caochan na Gaibhre. The other is approximately 800 metres distance to the south west of the summit known as Cairn Dulnain; the mast would be set approximately 40 metres (in height) below the summit.
3. As mentioned the masts are 50 metres high and would be fixed to the ground using tension cables with a small pad for the main pole and anemometers on the top. The masts are to measure wind speeds in the area to assess whether the area would provide suitable energy for a wind farm. The intention is that the masts would be sited for a maximum period of 24 months from the date of installation. Consequently, temporary permission for such a period is sought by this application. There appear to be no vehicle tracks that access the site and it is assumed that the masts would be brought to the site by helicopter.

DEVELOPMENT PLAN CONTEXT

4. There are no direct planning policies relating to anemometer masts. However, they are generally an integral part of windfarm development both prior to and during operation. Because of this, it is considered worthwhile producing a summary of windfarm policy for this section of the report.
5. As a starting point in terms of wind farms **Highland Council Structure Plan Policy E1** considers that the Council supports the utilisation of the region's distributed renewable energy resource, including hydro, wind, wave and tidal stream power. Proposals will be assessed against the provisions of the General Strategic Policies. Approvals for renewable energy developments will normally be for a temporary period only (tied to the lifetime of the project), with provision where appropriate for the removal and reinstatement of affected areas. Earlier action for removal and reinstatement will be required in the event of premature permanent cessation of energy production. **Policy E2 Wind Energy Developments** considers that wind energy proposals will be supported

provided that impacts are shown not to be significantly detrimental. In addition to General Strategic Policies, wind energy proposals will be assessed in respect of the following: visual impact, noise; electro-magnetic interference; roads, bridges and traffic; aircraft flightpaths/MOD operations; and cumulative effects.

6. The key General Strategic Policy referred to in this case by policies E1 and E2 is **Policy G2 Design for Sustainability** which considers that developments will be assessed on the extent to which they: are compatible with service provision; are accessible by public transport; maximise energy efficiency in terms of location, layout design, including the utilisation of renewable resources of energy; are affected by significant natural hazards; are affected by safeguarding zones from industrial installations; make use of brownfield sites; impact upon individual community and residential amenity; impact on the following resources including habitats, species, landscape, scenery, freshwater systems, marine systems, cultural heritage, air quality; demonstrate high quality design; contribute to the economic and social development of the community.
7. **Policy T6 Scenic Views** The Council will protect important scenic views enjoyed from tourist routes and viewpoints, particularly those specifically identified in Local Plans. There will be a presumption against development in narrow areas of land between roads and railways and open water.
8. **Policy L4 Landscape Character** The Council will have regard to the desirability of maintaining and enhancing the present landscape character in the consideration of development proposals.
9. In May 2006 Highland Council adopted their **Highland Renewable Energy Strategy and Planning Guidelines**. The strategy includes a map showing preferred development areas for windfarms, possible development areas and areas where there is a presumption against.
10. **Policy E5** in the strategy relates to **preferred areas** that have been established for major and national scale onshore wind developments. There are 3 designated areas which contain optimal conditions in terms of planning constraints, energy production, technical feasibility and proximity to grid. The detailed suitability of all prospective sites still needs to be confirmed through the normal planning process. There will, however, be a strong presumption in favour of projects proposed for these designated areas, and developers will be encouraged to come forward with proposals there subject to appropriate community and environmental safeguards.

11. **Policy E6** of the document identified **possible development areas** that have been identified in places where although constraints are relatively light, their limited extent makes them less optimal than preferred development areas for national scale schemes. In these locations developments will be judged on their merits and will need to show that there is no scope for alternative development within preferred development areas.
12. **Policy E7** of the Strategy considers that elsewhere in Highland there will be a **presumption against** export wind development. Any proposals for national or major projects will have to overcome a precautionary approach to planning approval. Any development would also need to show that there is no scope for alternative development within other preferred and possible development areas.
13. **The site is located in an area where there is a presumption against development.**

Cairngorms National Park Draft Policy

14. **Renewable Energy Finalised Draft January 2005** Windfarm proposals which are outwith the CNP boundary may still be visible from within the Park, and may indeed have an adverse impact on the character and quality of landscapes which cross the Park boundary. Such proposals should be assessed for their impact upon the Park, as careful layout-design and siting can potentially reduce these impacts. Pre-application meetings with the CNPA will be sought in these cases and the CNPA should always be consulted as an interested party by the relevant Planning Authority or Scottish Executive. The issue of cumulative development from a number of wind farms around the Park will also create serious issues of visual impact.
15. **Recommendation RE4: Wind Farm Developments Outwith the Park** Windfarm proposals beyond the boundary of the Park will be carefully assessed for their visual impact on the landscape and setting of the Park and their natural heritage impacts. The 4 aims of the Park should not be considered as stopping dead at the boundary either, but ideally their objectives should extend beyond the invisible line. Viewpoints should be taken from within the Park, at the earliest stages of a proposal, to assess and mitigate against visual impacts. Natural heritage issues will also stretch across the boundary, such as bird foraging areas and river catchments and hydrology. The cumulative impacts of wind farms outwith the Park should also be carefully considered and minimized.

Cairngorms National Park Local Plan Consultation Draft (For information purposes only)

16. The site is located approximately 1.7 kilometres from the Park boundary. The area of the park adjacent to the site is a **General Policy 2** area under the terms of the Plan because of its height above sea level (over 400 metres). **General Policy 2** notes that development will only be permitted where it is demonstrated that there is no alternative and; the aims of the National Park or objectives of designation and the overall integrity of the areas, features or interests will not be compromised; or any significant adverse effects on the special qualities of the National Park or qualities for which the area, feature or interest has been designated or identified, or amenity or public health are clearly outweighed by social or economic benefits of national importance and are mitigated to provide features or interests of equal importance to those that are lost.
17. **Policy 21 of the Plan Energy from Renewables** considers that a) There will be a presumption against the development of new commercial windfarms or hydro electric schemes within the Park. b) This Local Plan will strongly support the development of community or domestic small scale/micro renewable energy projects. c) Commercial projects such as biomass or biofuel developments will be considered subject to a full assessment of their impacts.
18. **Policy 4 Landscape** considers that development that is likely to have an adverse impact on the special landscape qualities of the National Park including landscape character; scenic qualities; natural beauty; amenity; historic landscape elements; cultural components; or wild land character of parts of the National Park will not be permitted.

CONSULTATIONS

19. Despite the limited time period it has been possible to gain comments from Natural Heritage Group (Landscape) who consider that the masts would be unlikely to be visible from the strath. However, there would be likely to be some visibility from surrounding hillsides and summits for hillwalkers. Despite this, the structures are relatively light in their design. In terms of servicing it is assumed that the masts would be accessed by helicopter but depending on how the data is gained access to them on a regular basis may be required which could result in a track to access the site. The construction may have some local residual effect but this is unlikely to be significant from the Park area.

REPRESENTATIONS

20. An e-mail raising concern about windfarms generally as well as in relation to this proposal has been received.

APPRAISAL

21. The key issue with regard to the Park's perspective is the impact of the proposal upon the first aim, with particular regard to landscape. In addition, there are some principle policy issues that are discussed first.
22. In terms of principle the masts are located at the edge of an area of land that is shown by Highland Council's preferred area guidance as being an area where there is a presumption against windfarm development. The masts are of a temporary nature to measure the potential for harvesting wind energy at this particular site. They are often viewed as pre-cursors of wind farm developments. However, the masts must be considered on the basis on which they are presented, but recognition made that they are an integral part of windfarm development. As far as I am aware proposals for such monitoring equipment are rarely refused by planning authorities particularly where they are located in preferred areas for windfarm development. However, detailed analysis of the location of the masts show that while they are close to an area preferred for major windfarm proposals the masts are actually located in a area where there is a presumption against such development. The relevant policy of the Highland's Renewable Strategy is E7 (see para 12) where it is considered that there will be a presumption against major wind farm development with any development having to show that there is no scope for development in a preferred area. Given this, some concerns should be raised regarding the justification for the proposal and whether such masts should be approved in areas where Highland Council is seeking to presume against windfarm development, particularly when there is a preferred area relatively close to the site of the masts. This is raised by recommendation III.
23. There must be a general recognition that the CNPA has raised formal objection to windfarms close to the boundary of the Park and it is my view that the applicant for these masts must be made aware of this stance as incorporated in recommendation I at the end of the report. I would also suggest that the CNPA provide the developer with our Interim Policy Guidance on renewable energy. If the masts show that the site is suitable in technical terms to host a wind farm the developer would have to carry out a scoping study to inform the contents of any Environmental Statement to be submitted with an application. Part of recommendation I also asks the developer to consult early with the CNPA should a formal proposal for a wind farm at the site come forward.

24. In terms of more detailed landscape issues it is difficult to make a clear assessment of the landscape impact of these two particular masts in the time allowed and also due to the level of information submitted. The application includes a site location plan and more detailed site plan showing where the masts would be situated. There is also a standard elevation showing the design of the mast.
25. As mentioned the true landscape impact of the masts is difficult to analyse given the short time and the limited information available in the application and this is raised by recommendation II. However, the key starting point is to note that the sites are downslope from the main ridge that defines the boundary of the National Park. Correspondingly, the masts are unlikely to be visible from the Strath running between Newtonmore and Aviemore. In addition, the highest part of the ridge which the Park boundary runs along is defended by lower heights which from many viewpoints obscure views of the main ridge that the masts would sit behind.
26. Despite the above it does not mean to say that the masts would not be visible from surrounding hillsides and some of the higher summits of the Monadhliaths. It is difficult to make any thorough assessment. However, our Landscape Officer has had a look at the application and considers that the masts would be unlikely to be visible from the Strath but they would be visible to hill users from other hillslopes and summits in the area, and in particular the main ridge which forms the Park boundary. It is recognised that the structures are light and proposed on a temporary basis but there is no information accompanying the application that is specific to predicting visual impact.
27. In conclusion, this report does not suggest that the Park objects, or supports the proposal. While on the basis of a cursory examination the masts may not result in any significant visual impact the information with the application does not allow for a clear assessment of this issue, although it is recognised the masts are proposed on a temporary basis. While, together with our landscape officer I have been able to draw the conclusion from the information provided that the masts would be unlikely to be visible from low ground. I am unable to make a clear assessment as to the magnitude of impacts from surrounding hillsides and summits within the Park. Because of this, the recommendation is essentially one of making comments that raise concern about the policy background, express some concerns about potential landscape impact for hill users, and seek to ensure the removal of the masts after the temporary period should the proposal prove acceptable to Highland Council.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

28. The information available makes it difficult to make a clear assessment of the impacts of the proposal upon the natural and cultural heritage of the Park with regard to landscape. It is unlikely that the masts would be seen from the Strath but they may be visible from the Monadhliath and would be visible from the hill ridge above the sites which the Park boundary runs along.

Promote Sustainable Use of Natural Resources

29. The proposal is not directly relevant to this aim at the current stage.

Promote Understanding and Enjoyment of the Area

30. The masts are located on relatively remote hillslopes, while the masts would be unlikely to be seen from the strath they may well be visible from other hillsides that are used for recreational activity. This may impact upon the enjoyment of the area for those who visit the Park to seek solitude by walking in quieter, less frequented hills as well as those engaged in traditional sports in the area.

Promote Sustainable Economic and Social Development of the Area

31. The masts would be unlikely to contribute to the social and economic development of the Park.

RECOMMENDATION

32. That Members of the Committee support a recommendation to: pass the following comments to Highland Council (Badenoch and Strathspey) Planning Office.

- I. **While recognising that the current proposal involves anemometer masts they are an integral part of wind farm development. The CNPA would point out that with regard to its collective aims it has raised formal objection to previous wind farm proposals adjacent to the boundaries of the National Park. Should this proposal prove acceptable and the site ultimately found suitable for windfarm development from a technical point of view the CNPA would encourage the developer to enter into early dialogue to inform any environmental scoping study/statement that would have to be produced.**

- II. While it is recognised that the masts are downslope from the watershed boundary of the National Park the application contains practically no information on the potential visual impact of the masts from hillsides within the National Park. The material provided does not enable a thorough assessment of the potential visual impacts of the masts to be made against the statutory aims of the Cairngorms National Park, and in particular the first aim of natural and cultural heritage.
- III. While the CNPA may not object to the principle of the development on a temporary basis the CNPA note that the two sites for the masts are located in area's described by Highland Council's Renewable Energy Strategy as being where there is a presumption against development of wind farms. Given this the CNPA would question the justification for the masts being sited where they are proposed as opposed to within the nearby preferred area.
- IV. The CNPA notes that a temporary permission is being sought by the applicant's. Should the proposal prove acceptable, the CNPA would recommend that conditions are applied to ensure the removal of the masts after the expiry period of any permission.

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18 September 2006

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.