

CAIRNGORMS NATIONAL PARK AUTHORITY

Title: CONSULTATION REPORT

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**CONSULTATION: RESPONSE TO HIGHLAND
COUNCIL PLANNING AND
DEVELOPMENT SERVICE ON
DRAFT SUPPLEMENTARY
PLANNING GUIDANCE FOR
ONSHORE WIND ENERGY**

RESPONSE DATE: 24 JUNE

PURPOSE OF REPORT

1. The purpose of this report is to provide a CNPA consultation response back to Highland Council on their Draft Supplementary Planning Guidance for Onshore Wind Energy. A CD is attached to this report containing a full copy of the guidance which can also be found at <http://www.highland.gov.uk/yourenvironment/planning/developmentplans/developmentplanpolicyguidance/windenergyspg.htm>
A series of questions are posed in the document which the Council is seeking a response to. This report is structured to introduce the background to the report then answer the questions set out in turn. There is opportunity to provide other comments and these are discussed at the end of the report.

BACKGROUND

2. Highland Council has an existing renewable energy strategy which was published in 2006. This document covers a wide range of renewable energy options. Since 2006 Scottish Planning Policy has been revised and latest guidance indicates that planning authorities should set out a spatial framework for onshore wind farms of over 20MW generating capacity. Authorities can also include guidance on wind farms of less than 20MW generating capacity. This document supplements the Highland Wide Local

Development Plan (which covers all of the Highland area outside the National Park) which contains policies on renewable energy. The two documents taken together represent Highland Council's response to the Scottish Government's indication of the methodology that should be followed in planning for onshore wind energy.

3. The guidance follows the approach set out in National policy in that it identifies:
 - areas to be afforded significant protection
 - other constraints and policy criteria
 - refining areas of no significant constraint, in order to:
 - identify broad areas of search (providing a strong steer to developers; and
 - setting out other guidance indicating the considerations that will be taken into account.
4. The document includes a number of process Stages from 1-4. The process uses map based layers to identify constraints resulting at stage 4 in broad areas of search at Map 4a with Map 4b Highlighting the potential of most viable opportunity for wind energy within those broad search areas. The staged maps are attached at the back of this report.

QUESTIONS

Commentary Question 1

5. Table 2 on page 13 of the guidance sets out four categories (based on size: capacity and height) of wind energy development into micro, small, medium and large with micro representing below 15 metres to the hub, small being below 30 metres to the hub, medium being below 50 metres to the hub. Large is represented at above 50 metres in height to the hub. The criteria are also set by numbers of turbines.

Question 1.

6. Do you agree that categorising wind energy development in this way is useful in order that policy and guidance can be set out for each type? If not why not? If you think the categorisation needs improving please explain how.

Answer

7. Setting out categories of wind energy development is helpful in developing appropriate and proportionate policies and guidance. The categorisation fits with the CNPA's thoughts in relation to landscape effects. It is understood that Scottish Natural Heritage are working on new guidance for onshore wind farms. It would be helpful if categorisation was consistent between the two organisations.

Commentary Question 2

8. Parts of the spatial framework are still being developed in discussion with Scottish Natural Heritage and other organisations. Landscape and visual elements have been worked up for pilot sub areas including the Monadhliath which is of particular relevance for the CNP (see fig. 1 below). Map 1 on page 17 of the guidance shows areas to be afforded significant protection across Highland. Figure 1 below is a more detailed pilot study of the Monadhliath area.

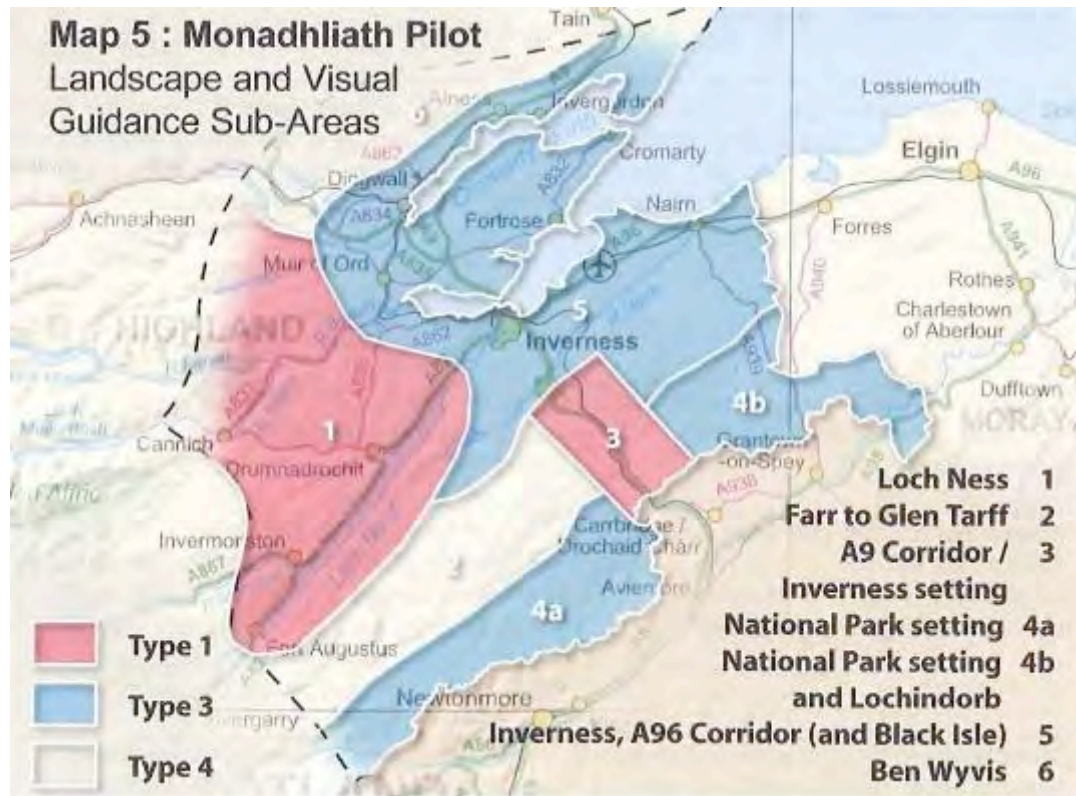


Figure.1- Monadhliath Pilot Area

Question 2

9. Do you agree with the intended process for developing landscape and visual guidance for further sub-areas of Highland and for incorporating them into this document at a later date? If not, why not? If an alternative approach is required, please explain.

Answer

10. Agree, though in the interests of transparency, fairness and in relation to the defensibility of the document all criteria, inputs and processes that lead to the identification of sub areas should be made available. Scottish Natural Heritage and Highland Council have worked together to produce what are generally considered to be sound spatial classifications. It is important that this information is clearly available as the inputs underlying the sub areas could well become contentious in public inquiry situations. It is to be noted

that there are a number of wind farm proposals within areas identified in figure 1 above where the CNPA has raised concern about cumulative impact in particular. The identification of the Monadhliath Pilot Area is consistent with the concerns that the CNPA has expressed on individual proposals.

Question 3.

11. Do you agree with this approach to the identification of areas to be offered significant protection from large scale wind farm developments? If not, why not? In particular do you have any comments on the approach to the identification of areas where the limits of cumulative impact have been reached, and the range of matters for which cumulative impacts have been identified on the map?

Answer

12. Agree but with reference to the Stage 1 Map 'Areas to be Afforded Significant Protection' (page 17) it would be better if the whole of the Park was included and shown in solid red. The sensitivity shown just outside of the NW boundary is not related to landscape character mapping.

Commentary Question 4

13. The guidance seeks to identify other constraints and policy criteria such as historic environment, areas designated for their regional and local natural heritage value, tourism and recreation interests, communities, buffer zones designated for their landscape or ecological value, etc... These are shown in the guidance as stage 2 criteria (see map on page 21 of guidance).

Question 4.

14. Do you agree with this approach to the identification of other constraints and policy criteria? If not why not? If you are aware of additional sources of information on these matters which could be useful to the Council then please provide details. Do you have any other comments on this, including suggestions of specific issues that should be considered?

Answer

15. The CNPA has deep concern about the cumulative impact of a number of wind farm proposals and the effects of these proposals beyond the boundary. While recognising that the Scottish Government indicates that planning authorities should not impose additional zones of protection around areas designated for their landscape or natural heritage value the CNPA welcomes reference (para 4.16) to the fact that Highland Wide Local Development Plan provides for this consideration.
16. As regards additional information the Environmental Statements submitted with applications now usually contain a socio-economic assessment which

include assessing the impacts of proposals on a number of identified tourism/recreation resources. These individual assessments may be of assistance as an additional source of information.

17. If the National Park designation is being seen as a key high level filter is there a need to show stage 2 constraints for the Park?

Commentary Question 5

18. After identifying constraints stage 4 of the process (see map page 27) identifies Broad Areas of Search for wind farms

Question 5

19. Do you agree with this approach to refining the remaining areas of no significant constraints? If not? Why not? If you are aware of additional sources of information on these matters which could be useful to the Council then please provide details. Do you have any other comments on this, including suggestions of specific issues that should be considered?

Answer

20. In the absence of mapped wildness/wildland sensitivity (para 4.34) the exclusion of areas more than 8km from A and B roads from broad areas of search will help to protect this declining resource and is to be welcomed, as is the identification of the most viable areas of opportunity by highlighting those areas within 5km of A and B roads.

Question 6

21. Do you agree with this approach to the identification of broad areas of search? If not? why not? In particular, do you agree with the intention to present further useful information without using it to further limit the broad areas of search for large wind farms? If you are aware of additional sources of information on these matters which would be useful to the Council then please provide details.

Answer

22. Yes agree with this approach, it is considered by the CNPA to accord with the requirements set out by the Scottish Government.

Commentary Question 7

23. A suggested Policy is set out on page 29 of the guidance. The policy considers that areas to be afforded significant protection are considered to be of a high sensitivity to wind energy development and consequently, are to be afforded significant protection. It is unlikely that large scale wind energy development will be able to be accommodated in those areas due to the nature of those constraints, and as such, development is directed elsewhere. Therefore any development will only be permitted in these areas if it can be demonstrated that the scheme meets the requirements of Scottish Planning Policy and complies with policies 58 and 68 of the Highland Wide Local Development Plan and that the requirements of other parts of the supplementary guidance are able to be satisfied.

Question 7

24. Do you agree with the policy set out above for the areas to be afforded significant protection from large wind farms? If not, why not/ Do you agree with the principle that these areas will be periodically revised and added to if necessary? If not, why not?

Answer

25. Yes the policy would appear to accord with Scottish Government requirements. Yes areas must be periodically assessed to take account of changes in circumstances. However, the baseline at this point in time must be retained as a reference point for assessing any change in circumstances. If areas of significant protection are gradually eroded by the approval of individual applications this could place into question the benefits of this policy approach. Periodically assessing the areas may also be a useful means of evaluating the success or otherwise of the Policy.

Commentary Question 8

26. The guidance from page 30 onwards sets out detailed guidance as an amplification of Policy 68 of the Highland Wide development Plan which sets out the Council's overall policy for renewable energy. A total of 12 areas are set out. Of particular interest to the CNPA are Natural, Built and Cultural Heritage, other species and habitat interests, landscape and visual impact.

Question 8

27. Do you have any comments on the development guidelines set out in this part of the document?

Answer

Natural Built and Cultural Heritage Issues

28. Para 4.30 should be re-worded because Scottish Natural Heritage has recently published reports on Special Landscape Qualities for the National Scenic Areas (NSA's) and National Parks which should be referred to where proposals may affect NSA's or National Parks.
29. The CNPA welcome the inclusion of Wild Land and the need to safeguard the underpinning resource on which it depends. Once mapped the CNPA would encourage the Council to include the outputs in the Stage 3 mapping (Refine Remaining Areas of No Significant Constraint page 25 of the guidance). This would reflect the perceptual appreciation of this resource by locals and visitors alike, in turn reflecting the economic importance of this quality within the Highlands.

Landscape and Visual Impact

30. At para 4.43 (page 30) include additional bullet point 'any national parks'
31. At para 4.44 (page 30) third bullet point 'Number of Turbines' should be expanded to number, location and siting of turbines and be placed at top of the list.

Other Tourism Recreation and Film Industry Interests

32. At para 4.64 second bullet point recognition should also be given to the fact that the landscape of the Highlands is also an important component of the marketing of certain high value products and to an extent is also used as an incentive to inward investment and relocation. Specific reference should perhaps also be made to the economic contribution of traditional sporting activities and their reliance on the quality of the environment.
33. The potential cumulative impact of a number of wind farms on species that use the Park and areas outwith may become an increasingly important issue. This is particularly the case with raptors.

Commentary Question 9

34. A section on additional guidance at page 39 onwards notes that a number of other considerations will need to be taken into account in the determination of any planning applications including: community renewable energy developments, design and layout of wind farms, forestry, peat, electricity grid infrastructure etc...

Question 9

35. Do you have any comments on the Additional Guidance set out in this part of the document?

Answer

36. Infrastructure for wind farms such as access tracks can potentially have significant environmental impacts. Mention should be made of this issue and reference could be made to the Scottish Natural Heritage Document 'Constructed Tracks in the Scottish Uplands'.

Question 10

37. Do you have any comments on the broad approach taken to developing landscape and visual guidance?

Answer

38. In part the response to this question reflects that given in question 2. It is important in the interests of transparency and to ensure that policy can be defended that all of the criteria and inputs to the guidance that lead to the identification of sub areas are available. Highland Council and Scottish Natural Heritage have worked together to produce what appear to be generally sound spatial classifications based on a range of information including a knowledge of current and proposed developments. However, unless all of the criteria process and assumptions are available this could create difficulties at public inquiries into individual proposals where developers have in the past sought to undermine the logic and process leading to adopted guidance. This not only risks schemes being approved at inappropriate locations but can also undermine the plan led approach by which applications should be assessed.

Commentary Question 11

39. This question relates to figure 1 of this report referring specifically to the Monadhliath Pilot Area. The text to areas 4a and 4b can be seen on pages 50 and 51 of the guidance. These two pages are attached at the back of the report.

Question 11

40. For each sub area identified for the Monadhliath Pilot Area (fig 1 of this report) do you have any comments on the sub area identified in terms of its extent, purpose and reasons? Do you have any comments on how the sub-area has been classified in terms of protection from and potential capacity for development, from a landscape and visual point of view? Do you have any comments on any other development guidance provided above, or suggestions as to further guidance that may be appropriate for wind energy

development proposals within the sub-area? Do you have any other comments specifically on the Monadhliath Pilot Area?

Answer

41. The CNPA agrees with the sub area landscape and visual assessment for the Monadhliath. This flags up the importance of views into the Park from the A9 corridor and the need to protect the ridgeline and south-facing slopes towards the National Park. The pilot also seeks to protect short distance views from within the Park and longer views from the Cairngorm Mountains identified as areas 4a and 4b at figure 1 in this report. The CNPA would recommend that any consideration of the sub-area 4a in respect of views from the Park should be based upon intervisibility analysis.

CONCLUSION

42. The consultation also provides an opportunity for other comments. There has been some involvement of CNPA staff with regard to the Monadhliath pilot sub-area, and CNPA contributed £5,000 towards a landscape study of the Monadhliath area which has fed into this new guidance. This is a good example of where a small financial input from CNPA and ongoing dialogue between officers from a number of organisations can lead to more beneficial outcomes for all. This new guidance addresses some of the weaknesses that CNPA identified in the previous Highland Renewable Energy Strategy. Overall, the CNPA welcomes the document considering that it is well thought out and a good example of partnership working between a range of bodies. The document is also consistent with CNPA's increasing concerns about the cumulative impact of a number of wind farm proposals upon the setting of the Park. It is however also important that the document makes clear that the guidance does not cover the National Park. This is important to help ensure the public are clear as to the roles and responsibilities of both Highland Council and CNPA when it comes to planning matters. Please note, we are in the middle of a study looking at renewable energy options for the Park, and this will also feed into our own Supplementary Guidance on renewable energy in due course.

RECOMMENDATION

43. That Members of the Committee **ENDORSE** this report as the CNPA Response to Highland Council on its Draft Supplementary Guidance: Onshore Wind Energy

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