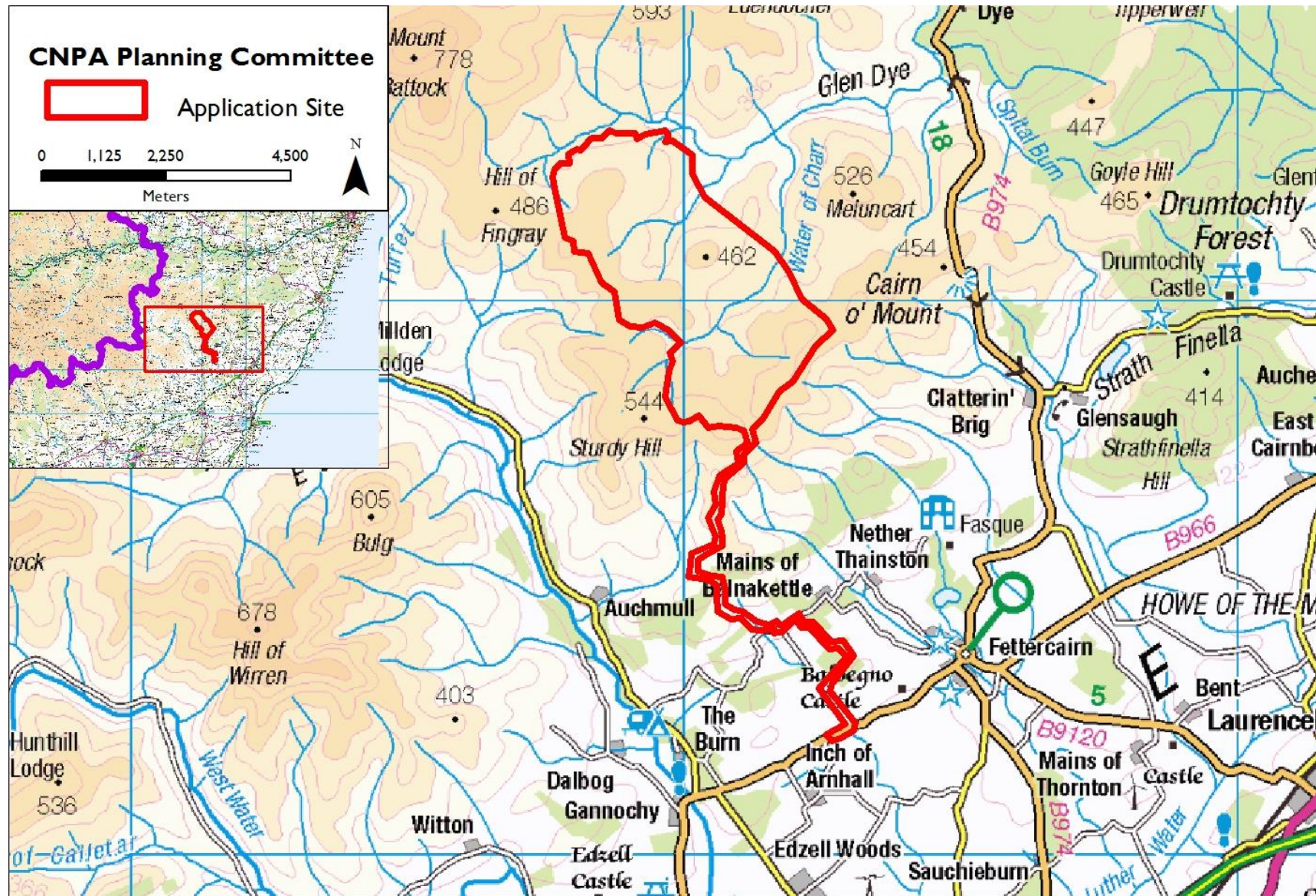

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:	
Consultation from Scottish Government Energy Consents Unit	
Proposed Glendye Wind Farm, near Fettercairn, Aberdeenshire	
REFERENCE:	2018/0378/PAC
APPLICANT:	Glendye Wind Farm
DATE CONSULTED:	5 October 2018
RECOMMENDATION:	No Objection
CASE OFFICER:	Katherine Donnachie, Planning Officer



PURPOSE OF REPORT

1. The purpose of this report is to provide a consultation response to the Scottish Government Energy Consents Unit on an application submitted under Section 36 of the Electricity Act 1989 for a proposed wind farm located to the east 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 Impact Assessment (EIA).
2. The planning issues being considered in relation to this consultation are the impacts upon the landscape character and special landscape qualities of the National Park.
3. Under the existing protocol agreement on roles in advisory casework between Scottish Natural Heritage (SNH) and Scottish National Parks Authorities, SNH lead on the provision of advice concerning impacts on the National Parks designation of proposals outside the National Park, and their comments are included in this report.

SITE DESCRIPTION AND PROPOSED DEVELOPMENT

4. The proposed wind farm is located at Glendye on the Fasque and Glendye Estates some 2 km to the west of Fettercairn and the Howe of the Mearns, and some 12 km to the south of Strachan. It will be located some 10 km to the east of the boundary of the Cairngorms National Park at its nearest point at the head of Glen Esk. This is shown on the committee site plan and within the plans attached in **Appendix I- Plans**. This site is located within the south west part of the Aberdeenshire Council administrative area, close to the boundary with Angus Council.
5. The current proposal is to erect 26 wind turbines on open upland moorland largely used for grouse estate management and sheep grazing. The turbines will be a maximum height of 149.9 metres to tip. Each turbine is expected to generate 4 Megawatts of electricity, giving a total output of 104 megawatts.
6. Vehicular access will be taken from the south leading to the site from the public road south of Fettercairn near Thorneybank (B966) where a new junction will be formed. The turbines are of standard three blade design and it is understood that this height of turbine should not require automatic aviation lighting.
7. A copy of the site location and layout plans is attached in **Appendix I – Plans**. Full details of the development are available on the Scottish Government’s Energy Consent Unit website on this link using reference Glendye:
<http://www.energyconsents.scot/ApplicationSearch.aspx?T=1>
8. Ancillary infrastructure is proposed as follows:
 - a) 20 km of access tracks and turning areas within the site and 11 km of main access track linking the site to the public road network, some of which comprises upgrading existing tracks with forestry felling alongside some of the track.
 - b) Substation and control building.
 - c) Three on site construction compounds.
 - d) Crane hardstanding and laydown areas by each turbine.

- e) Three permanent anemometer masts.
 - f) Network of buried cables.
 - g) Up to four temporary borrow pits.
9. The application is supported by an Environmental Statement (ES) which includes chapters on Landscape and Visual Impact Assessment (LVIA), photomontages, wirelines and Zone of Theoretical Visibility maps (ZTVs). This material includes a number of viewpoints assessed to illustrate visibility from the Cairngorms National Park and copies of relevant material will be available at the Planning Committee meeting.
10. In terms of potential impacts upon the Cairngorms National Park the ES concludes that the extent of the Park within which the special landscape qualities may be potentially adversely affected is limited to the south eastern corner to the west of Glen Esk, encompassing the landscapes of the Upper Glen Esk Landscape Character Area and the Angus Glens Landscape Character Area, neither of which is predicted to experience significant effects. The ES further concludes that the overall integrity of the National Park and the objectives for its designation will not be compromised by the proposed development, largely due to the intervening distance between the National Park and the site (approximately 12 km at its closest point), the limited extent of visibility from within the National Park (as illustrated in the ZTVs) including from the well visited glens and middle range hills.
11. Key viewpoints within the National Park are:
- a) Viewpoint 17 – Mount Keen located some 17.7 km from the nearest turbine, a Munro located within wild land area 16 Lochnagar- Mount Keen.
 - b) Viewpoint 15 – Shores of Loch Lee located some 15.4 km from the nearest turbine representing recreational lower level walking route. This route is also a core path.
 - c) Viewpoint 18 – Shank of Inchgrundle located 18.5 km from the nearest turbine and representing views from popular walking paths within the National Park
 - d) Viewpoint 19 – Ben Tirran at the south edge of the National Park some 21.9 km from the nearest turbine representing views from a Corbett hill, located within wild land area 16.
 - e) Viewpoint 22 – Lochnagar some 33.8 km from the nearest turbine and representing views from the high mountains, and located within wild land area 16.
 - f) A viewpoint has also been provided from Cairn O Mount on the B974 public road running from Banchory to Fettercairn. This illustrates views from the east towards the National Park in the distance. This viewpoint lies outwith the National Park and is some 3.4 km from the wind farm.

RELEVANT PLANNING HISTORY

12. PRE/2016/0002 – The CNPA provided comments at the scoping stage in February 2016 relating to a proposal at that time for 40 turbines of height up to 150 metres to tip.

13. There are a number of other wind farms in the area to the east of the site, and further away from the National Park. These are shown on “Figure 7 Wind Farms within 40 km” as provided by the applicants and included within **Appendix 1 Plans**. The wider context of wind farms around the National Park is illustrated in **Appendix 2**.

PLANNING POLICY CONTEXT

14. The development proposal is located wholly outwith the National Park, therefore the Cairngorms National Park Local Development Plan (2015) policies are not applicable. However, an assessment of the proposal must have regard to Scottish Planning Policy and the National Park Partnership Plan (NPPP). The NPPP is a material consideration with section 14 of the National Parks Act 2000 expressly setting out that the Scottish Ministers, a National Park authority, a local authority and any other public body or office-holder must, in exercising functions so far as affecting a National Park, have regard to the National Park Plan as adopted.

National Policy and Guidance

15. **Scottish Planning Policy** (SPP revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. The content of SPP is a material consideration in planning decisions that carries significant weight. The SPP promotes consistency in the application of policy across Scotland while allowing sufficient flexibility to reflect local circumstances.
16. SPP specifically sets out that the planning system should support the transformational change to a low carbon economy, support the development of a diverse range of electricity generation from renewable energy technologies, and guide development to appropriate locations. In paragraph 154, it sets out the Scottish Government’s commitment to increasing the overall amount of energy generated from renewable sources to 30% by 2020 with the equivalent of 100% of electricity demand being met by renewable sources by this date. In terms of policy principles, paragraph 154 requires the planning system to guide renewable energy development to appropriate locations and to advise on the issues that would need to be taken into account when specific proposals are being assessed.
17. Paragraph 169 sets out the issues to be considered when considering energy infrastructure development proposals including the need to consider likely cumulative impacts and landscape and visual impacts, including effects on wild land. Further advice on wind energy is contained in the Scottish Government online information note on “onshore wind turbines” which outlines the issues to be considered and references the range of SNH publications and guidance on wind energy and planning.
18. National Parks are highlighted in paragraphs 84 – 86 of the SPP under the “promoting rural development” section. These paragraphs re-state the aims of the National Parks and 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 these aims.

19. Paragraph 212 of the SPP highlights that where development affects a National Park it 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 impacts on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
20. SPP also highlights in paragraph 85 that these aims and requirements apply to development outwith a National Park that affects the Park.

Strategic Policy

Cairngorms National Park Partnership Plan 2017- 2022

21. The Cairngorms National Park Partnership Plan (NPPP) is the National Park Plan required under section 11 of the National Parks (Scotland) Act 2000. It is the management plan for the Cairngorms National Park that is approved by Scottish Ministers. It sets out how all those with a responsibility for the Park will coordinate their work to tackle the most important issues. As noted earlier the National Park Act sets out that decision makers must, in exercising functions so far as affecting a National Park, have regard to the National Park Plan as adopted.
22. The NPPP sets out the vision and overarching strategy for managing the National Park, guiding the work of all public bodies and other partners to achieve the aims of the Park which are set out in the NPPP and legislation. The vision is for an outstanding National Park enjoyed and valued by everyone, where nature and people thrive together.
23. Three headline long term outcomes for the Park are set out as follows:
 - a) **Conservation** - A special place for people and nature with natural and cultural heritage enhanced.
 - b) **Visitor Experience** - People enjoying the Park through outstanding visitor and learning experiences.
 - c) **Rural Development** - A sustainable economy supporting thriving businesses and communities.
24. The Plan also explains that the landscapes of the National Park are valued by many and underpin the area's economy. The NPPP contains policies to deliver these outcomes. Key policies in relation to the current proposals are policies 1.3 and 3.3.
25. Policy 1.3 seeks to conserve and enhance the special landscape qualities with a particular focus on conserving and enhancing wildness qualities; maintaining and promoting dark skies; enhancements that also deliver habitat improvements; enhancing opportunities to enjoy and experience the landscapes of the Park and applying a presumption against new constructed tracks in open moorland.
26. Policy 3.3 seeks to support development of a low carbon economy and 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

27. The Scottish National Park Authorities have agreed a protocol arrangement with Scottish Natural Heritage (SNH) on respective roles in advisory casework. The agreement sets out that SNH will take the lead role in considering the impacts on the National Park designation of proposals outside the Park, with the National Park Authority in a supporting role. The protocol also sets out that National Park Authorities and SNH with others share a responsibility for delivering National Park Partnership Plans and safeguarding the integrity of the National Parks and their special qualities.
28. Set against this background, SNH’s landscape advisor has assessed the landscape and visual impacts of the development, including the impacts upon the National Park. Overall the advisor has raised concerns regarding impacts upon the distinctive landscape character of the Eastern Mounth and the clarity of Clachnaben as a key feature within this landscape. The advisor explains that the Easter Mounth can be experienced as a distinctive regional area, contrasting with the low-lying landscape to the north and the more extensive and mountainous massif of the National Park. The Easter Mounth is described as an upland area extending between Mount Keen and Binn Tirran (the south eastern boundary of the National Park) and the transition in character from the landscape further east to Stonehaven, denoted broadly by the B974 Cairn O Mount road and the key feature of Clachnaben, a prominent tor here.
29. Specifically in relation to the Cairngorms National Park the advisor has considered the landscape and visual impacts upon the National Park and the effects upon the Special Landscape Qualities. It is concluded that there will be no adverse impacts upon the Deeside and Lochnager National Scenic Area which lies within the National Park and is some 25 km away from the proposed wind farm.
30. The impacts upon Wild Land Area 16 Lochnagar and Mount Keen, which also lies within the National Park, have also been considered, and it is noted that this wild land area contributes substantially to the Special Landscape Qualities(SLQs) of the National Park, particularly the qualities of wildness, remoteness and naturalness.
31. As noted earlier in this report (paragraph 11 refers) the applicants’ Landscape and Visual Impact Assessment (LVIA) information includes material from key viewpoints in the National Park, as well as the Cairn O Mount viewpoint which illustrates views towards the Park. The advisor generally concurs with the findings of this assessment that, apart from the viewpoint at Cairn O Mount where effects are judged to be major, the visual effects are minor, with the effects at Loch Lee judged to be negligible.
32. Whilst the viewpoint assessments and landscape assessments are considered to be a reasonable assessment of effects, the SLQ assessment (as contained with the EIA report) is considered to focus strongly upon the findings of the main LVIA, as

opposed to assessment in relation to the “perceptual” aspects. Special Landscape Qualities are perceptual qualities experienced by *people* and not by the landscape.

33. The advisor has considered the effects on the National Park and upon the underpinning wild land attributes and concluded that the effect on the experience of the SLQs will be adverse and the magnitude of change will be greater than predicted in the applicants’ submission. However for the majority of SLQs affected the effects are considered to be moderate and not significant due to the distance from the development and the wider context within which they would be experienced – i.e. with 360 degree views including those towards the interior of the National Park.
34. It is concluded that moderate significant effects have been identified on the wildness SLQs of the National Park and the underpinning Wild Land Area. However it is considered that the majority of these effects are more relevant to the consideration of how the wind farm is perceived in relation to, and impacts on, the Eastern Mounth landscape than on the National Park and Wild Land Area alone. In this context it is considered that the impacts identified on the protected landscapes assessed do not raise issue of national interest for SNH.
35. The advisors detailed comments in relation to the National Park are contained in an annex which is attached as **Appendix 3**.

APPRAISAL

36. As the development proposal is located outwith the Park boundary, the key planning issue for consideration is that of the landscape and visual impact, and in particular whether the proposal will significantly adversely affect the landscape character and special landscape qualities of the National Park. All other matters, including ecology, noise, and general amenity etc. are assessed by the decision maker (Energy Consents Unit) with advice from statutory consultees.
37. The National Park Partnership Plan (NPPP) and Scottish Planning Policy set out how proposals outwith the boundaries of the National Park should be considered in terms of impacts upon the Park. The NPPP sets out in policy 3.3 a test for considering this, explaining that large scale wind turbines are inappropriate outside the Park where they *significantly adversely affect its landscape character or special landscape qualities*. Similarly Scottish Planning Policy (SPP) sets out, as noted earlier, that where development affects a National Park it 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 impacts on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
38. Set against this background a key consideration is the landscape and visual effect upon the south eastern part of the National Park arising from introducing wind turbines into the landscape closer to the National Park and visible from popular recreational routes here, as well as any effects at popular lower level areas such as Loch Lee. This has been fully assessed by SNH’s landscape advisor whose comments have informed our assessment of the case.

39. In summary it is considered that whilst the proposed turbines will be clearly visible from Mount Keen, Ben Tirran and Shank of Inchgrundle (at distances ranging from 17 km to 22 km) they will be associated with the lower hills and more managed landscapes that descend away from the National Park towards the coast. In terms of Special Landscape Qualities (SLQs) it is considered that the experience on the SLQs here (comprising layers of receding ridge lines, grand panoramas, surrounding hills and extensive moorland, sense of wildness and a landscape of layers) will be adverse although not significant owing to the wider context within which they will be experienced i.e. with 360 degree views including those towards the interior of the National Park.
40. The effects at Loch Lee, which is a popular visitor destination, have also been considered. The supporting material illustrates that there will be a few places along the track alongside Loch Lee where parts of three turbine blades will be visible, resulting in views of turbines penetrating into lower parts of the National Park. This will also intrude into people's experience of the SLQs here (landscapes both cultural and natural, surrounding hills, extensive moorland, beautiful lochs, grand panoramas and framed views, and attractive and contrasting textures). However the effects are not considered to be significant.
41. The effects from Cairn o Mount have also been considered in terms of the effects on the SLQs in relation to the Cairngorm Massif and distant munro summits which can be viewed from here on a clear day. The SLQs here would relate to the unifying presence of the central mountains and the imposing massif of strong dramatic character but, due to the distance and scale, it is considered unlikely that these SLQs will be significantly affected.
42. In these circumstances it is considered that the proposed development will not significantly adversely affect the landscape character and Special Landscape Qualities of the Cairngorms National Park. As such the development does not conflict with national planning policies or the policies of the National Park Partnership Plan in terms of impacts upon the National Park. Furthermore the development is not considered to compromise the objectives of the designation or the overall integrity, given the distance from the Park and the significance of the impacts. Accordingly is recommended that the CNPA should not raise any objections to the proposals.

RECOMMENDATION

That Members of the Committee confirm that the CNPA has NO OBJECTION to the application for the proposed Glendye Wind Farm.

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.