
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **CONSULTATION FROM SCOTTISH
GOVERNMENT ON APPLICATION UNDER
SECTION 36 ELECTRICITY ACT 1989**

Prepared by: **ANDREW TAIT, PLANNING OFFICER
(DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: **CONSTRUCTION OF 31
TURBINE WIND FARM, ALLT
DUINE, KINCRAIG, HIGHLAND**

REFERENCE: **N/A**

APPLICANT: **RWE- N POWER RENEWABLES**

DATE CONSULTED **10 MARCH 2011**

RECOMMENDATION: **OBJECTION**



Fig. 1 - Location Plan (park boundary yellow)

PURPOSE OF REPORT

1. The purpose of this report is to provide a consultation response to the Scottish Government for this proposal on a 31 turbine wind farm. Other organisations are inputting into this process and replying direct back to the Scottish Government. Technical issues such as highways, noise, aviation issues will be dealt with by the appropriate authorities who are replying back to the Scottish Government. Community Councils have also responded to the Scottish Government. However, their responses have been appended at the back of this report for information (appendix 5).
2. This report focuses on the key issues covered by the submitted Environmental Statement (ES) and how they impact upon the Park's statutory responsibilities and interests and in particular the National Park Plan and CNP Local Plan. It is important to point out from the beginning that the area proposed for the wind farm itself is outwith the CNP area (*note: the CNP Local Plan applies only to the parts of the development located within the CNP area*). However, the access and cabling route as well as other infrastructure elements including reception, temporary construction compound are within the CNP boundary (all other elements including the turbines themselves and borrow pits, control building are outwith the CNP area) which is shown at figure 1 above and as appendix 2 at the back of this report.

SITE DESCRIPTION AND PROPOSAL

3. The site is located to the east of the A9 in the Monadhliath Hills above Kincaig and to the north of Kingussie. The wind farm itself is located in a bowl to the North West of a hill ridge which runs parallel to the A9. The Park boundary generally follows this ridge which links the Corbetts (hills of over 2,500ft) of Geal Charn Mor and Carn Fhreicheadain. The site is located on Alvie, Dalraddy and Dunachton Estates.
4. The turbine site itself is located in a west facing bowl within the catchment of the River Dulnain which flows back into the Park boundary near Carrbridge on its way to the River Spey. The main access track and cable route to the proposed substation would be located on the east facing slopes within the CNP area and requires a limited number of water crossings to be constructed. The main access point (for construction and future servicing) to the application site is located at Leault Farm and the access point for the substation is located at West Delfour. Both access points have existing tracks direct onto the A9. The proposed substation would be located within an existing development area that includes a saw mill and quarry behind Wester Delfour. The cabling route would be laid alongside an existing access track. Cables would be laid in trenches 2 metres wide and 1.1 metre deep. The exact point of grid connection is not at this time known and would be subject to a separate application. The connection is likely to be made by a single trident wooden pole, but would not require a new pylon line.

5. The wind farm comprises 31 wind turbines with an anticipated maximum capacity of 3MW each. The turbines would have permanent foundations with associated crane hard standings. Each turbine would have an external transformer at its base. A total of 11 water crossings of burns that flow into the River Spey SAC would be required (the majority outside of the CNP area) with an underground cable route to the substation. The proposal also includes an 80 metre high anemometry mast. The operational lifespan for the wind farm is 25 years. At the end of this lifespan it would either be re-powered or decommissioned. The decommissioning process would include the dismantling and disposal of turbines. Foundations would be left in situ though the top metre would be removed and re-soiled/vegetated, access tracks and hard standings would be left in situ, site access would be left in situ but wind farm control buildings and equipment removed.



Fig. 2- Access from A9



Fig. 3- Area for Security Office



Fig. 4- Access from A9 for cabling substation compound



Fig. 5- Approx position of access track to zig-zag across hillside below rocky area

6. The ES sets out the design evolution of the proposal and includes a landscape and visual impact assessment, a geology analysis, carbon emissions statement and sections on hydrology and ecology.
7. The Landscape and Visual assessment includes a section on the Cairngorms National Park. This section notes that the proposed wind farm would be seen in views looking away from the CNP. The statement notes that it would mostly be seen in the context of existing wind farm development, albeit at closer proximity than other wind farms. The proposed wind farm would reduce the undeveloped character of part of the Monadhliath Mountains which abut the CNP to the west. However, this part of the hill range is considered by the applicant to display fewer 'Wild Land' qualities than other areas.



Fig. 6- View towards Cairngorms from Park boundary near site.

8. The Statement considers that significant effects on the upland landscape of the CNP are predicted from the Argyll Stone, Sgoran Dubh Mor and Sgor Gaoith (Munro) which occur at distances up to approx 16km from the wind farm. Visibility from lower parts of the CNP is considered limited.
9. In terms of the wild land resource the effects are considered to be limited. A significant effect is predicted for Carn Sgulain (Munro within CNP boundary). However, this section of the report concludes that the proposed wind farm would not be visible from the majority (94%) of the SNH Wild Land Search area.



Fig. 7- View showing upper section of Dulnain catchment

10. The Landscape and Visual section of the statement goes onto consider the visibility of the wind farm from the Straths and residential properties as well as road and rail routes. While some individual properties around Glen Feshie may have visibility of the wind farm the main settlements would have no visibility. The main transport routes through the Park would have little visibility of the wind farm with a small stretch of the A9 near Slochd and two short sections of the A938 at Duthill and Carrbridge experiencing visibility. The minor road between Auchlean and Feshiebridge would have some visibility however this would be limited due to tree cover. Overall it is not considered that there would be any significant effects on users of road or rail routes.

11. Reproductions are attached at the back of the report indicating the levels of visibility of numbers of turbines from the Park. Two photomontages from the ES are also attached to the back of the report (appendix3).



Fig. 8- View showing central area of site (existing anemometer mast centre)



Fig. 9- View from Park boundary towards wind farm

12. In terms of recreational routes and facilities the ES considers that the majority of these are located on lower ground apart from the Cairngorm Mountain Railway and Cairngorm Ski Centre. For hill walkers and climbers within the study area significant effects resulting from the wind farm would be experienced from summits within the Cairngorms and Monadhliath Mountains within a distance of up to 16 km from the nearest proposed turbine.
13. The geology section of the report considers the potential impacts of the wind farm particularly in terms of erosion. The key issue with the part of the application within the CNP area relates to borrow pits and access tracks from the A9 to the wind farm site. The risk of slope instability from the construction of new tracks is considered to be negligible. The statement notes that the first part of the access track involves upgrading of an existing track. A number of mitigation measures are set out including restoration of vegetation on embankments adjacent to access tracks with drainage ditches being constructed on the upslope side of tracks.
14. The carbon emissions section of the report concludes that the total carbon dioxide emission savings and payback time for the project indicates that the overall payback period for the development would be 24 months to repay the carbon exchange to the atmosphere from the construction of the proposed wind farm.
15. In terms of hydrology specific measures are proposed to safeguard the River Spey and Kinveachy Forest SAC/SSSI's (Special Area of Conservation and Site of Special Scientific Interest). Measures include that with the exception of where watercourses have to be crossed a standoff area of at least 50 metres will be applied from any part of the proposed site infrastructure. A water monitoring programme will be put in place that can be used to monitor water during construction/operation and decommissioning. The proposed watercourse crossings would be constructed in accordance with best practice guidelines so as to ensure to ensure that crossings would not pose a potential obstacle to fish migration. Measures have been proposed to manage the quantity and quality of runoff that might be generated. SUDS have been proposed to ensure that the rate of runoff from the site post development is no greater than before.
16. The ecology (non bird) section of the environmental statement notes that the site is not located within any site designated for the purposes of nature conservation. However, there are watercourses in the vicinity that are part of the River Spey SAC. Surveys have confirmed that several protected mammal species are present in the area including otter, water vole, red squirrel and pine marten. The assessment has considered all potentially significant ecological impacts arising from the proposal; and the impacts upon these species has been reduced through the detailed constraints in the development of the wind farm. Locations of greatest sensitivity were mapped and this has been part of an iterative design process resulting in the layout being put forward.

17. The ecology (ornithology) section of the statement identified a number of notable birds in the area including golden eagle, merlin, black grouse, golden plover, dunlin and other wading birds. Collision risk for golden eagles has been a key consideration and the ES, it considers that any adverse impacts predicted for golden eagles, merlins of golden plovers arising from the wind farm are considered to be insignificant at the scale of the Central Highlands NHZ and it is noted that no adverse impacts on the Cairngorms Massif SPA (Special Protection Area) are anticipated.
18. The ES contains a section on Cultural Heritage and Archaeology and sets out a table identifying cultural heritage features at the site. The features generally consist of farmsteads, enclosures, shielings, bothies and footings of buildings. In general terms the wind farm has been designed to avoid features of interest. Features most at risk/closest to the track are a line of grouse butts and a shieling group at the end of the current track. This area should be cordoned off during construction of the track. The same applies to Lleault Farmstead and nearby enclosure, this will be discussed with Highland Council Archaeological Unit. This section of the report concludes that cultural heritage within the application site is limited in scope and the proposal is likely to impact on only a very small amount of heritage assets of low importance. Through sensitive micro siting and limited mitigation, it should be possible to ensure that the significance of any impact would be neutral.
19. The Statement includes a section on the socio-economic impact of the proposal considering that the site is within an area where tourism is based upon the natural assets associated with the CNP where scenery, wildlife and the funicular and visitor centres are important to the economy. The tourism and recreation impact section of the ES included a direct telephone survey with local business. In total 9% of the businesses surveyed considered the wind farm would be a major negative and 7% considered it would be of moderate negative impact. However, after the event comparative research from elsewhere demonstrates that no such negative impact generally results from the development of wind farms. Concerns expressed were that the wind farm would have a negative impact upon scenery and natural heritage features. The socio economic assessment refers back to chapters on landscape, visual impact and ecology and that there would not be an adverse impact on the special qualities of the Park. The statement points out that a number of opportunities will arise out of the construction and operation of the wind farm and that benefits to the landowners would likely result in wider local benefits. The overall conclusion of the assessment is that the proposed wind farm would not have a significant effect on tourism and recreation or ultimately the socio or economic baseline of the area.
20. The final sections of the ES contain statements on highways issues, noise and vibration and aviation and telecommunications. Such issues will be considered by Transport Scotland as the trunk roads authority and specialist officers at Highland Council. The transportation section notes that the wind farm would result in an average of 106 HGV movements per day accessing the application site from the A9 over a 16 month period. As a maximum 198 HGV movements per day would occur on 3 days over a one month period. In addition up to 200 light vehicle movements per day would access the

application site. The statement considers that this level of trip generation would have an insignificant impact on the safe operation of the A9 trunk road. Two improved junctions would be constructed onto the A9 to facilitate access for both conventional HGV traffic and abnormal loads.

21. The application includes a planning statement setting out why the proposal is considered appropriate in planning policy terms. Before the application was submitted the applicant carried out a range of community consultation and responses from this together with responses from the developer were summarised in a public consultation report.

DEVELOPMENT PLAN CONTEXT

Planning Policy Context

22. **Scottish Planning Policy¹ (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
 - The constraints and requirements that planning imposes should be necessary and proportionate;
 - The system shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
23. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government's central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
24. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”

¹ February 2010

25. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes 'subject policies', of which two are particularly applicable to the proposed development and set out below. Topics include rural development, and landscape and natural heritage. In terms of renewable energy there is a clear commitment to increase the amount of energy generated from renewable as a vital part of the response to climate change. This will contribute towards more secure and diverse energy supplies and support sustainable economic growth.
26. **Landscape and Natural Heritage:** Scotland's landscape and natural heritage are internationally renowned and important underpinning significant industries such as the food, drink and tourism industry, and are a key component of the high environmental quality which makes Scotland an attractive place. The aim of the policy is to facilitate positive change whilst maintaining and enhancing distinctive character. Different landscapes will have a different capacity to accommodate new development, and the siting and design of development should be informed by local landscape character. The most sensitive landscapes may have little or no capacity to accept new development. Areas of wild land character in some of Scotland's remoter upland, mountain and coastal areas are very sensitive to any form of development or intrusive human activity and planning authorities should safeguard the character of these areas in the development plan. Planning Authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence for believing that significant irreversible damage could occur. Para 138 of the SPP sets out the aims of the National Parks noting that where conflict between objectives cannot be resolved the National Parks Act requires that the conservation of natural and cultural heritage should take precedence.
27. **Renewable Energy Wind Farms:** The design and location of any wind farm development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that landscape and visual impact is minimised. When considering cumulative impact, planning authorities should take account of existing wind farms, those which have permission and valid applications for wind farms which have not been determined. Decisions should not be unreasonably delayed because other schemes in the area are at a less advanced stage. Cumulative impact will largely relate to the scale and proximity of further development
28. **Planning Advice Note 45 Renewable Energy Technologies (2002)** has been replaced by web based guidance relating to onshore turbines. The guidance sets out technical information and typical considerations for such development including impacts upon wildlife and eco systems and landscape. The guidance notes that as more sites are proposed within or near sensitive landscapes, landscape protection and designing appropriate mitigation through conditions will become a routine consideration alongside maximising the potential of wind energy. In relation to landscape impact, a cautious approach is necessary in relation to particular landscapes which are rare or valued, such as National Scenic Areas.

Cairngorms National Park Plan 2007

29. **Strategic objectives for Landscape, Built and Historic Environment** include, amongst others; maintaining and enhancing the distinctive landscapes across the Park; conserving and enhancing the sense of wildness in the montane area and other parts of the Park; and ensuring development complements and enhances the landscape character of the Park. This section also emphasises the importance of assessing the potential impacts of public and private roads, masts, utilities, renewable energy developments (in and where relevant beyond the Park), to ensure that designs and locations do not detract from the landscape character. Strategic Objective a) on Biodiversity seeks to conserve and enhance the condition and diversity of habitats and species present throughout the Park. Objective e) seeks to ensure that populations of species given special protection under the Habitat Regulations, the Wildlife and Countryside Act, the Nature Conservation Act, and European Directives are stable or where appropriate increasing.
30. **Strategic objectives for Energy** include; contributing to national targets for greater renewable production through increasing community, business and domestic-scale renewable energy schemes. However, large scale wind farms are not considered to be appropriate in the National Park due to landscape and natural heritage impacts, but the development of domestic, and community-scale facilities in a full range of energy options should be pursued in appropriate locations.
31. **Strategic objectives for Sustainable Tourism** include : a) raise awareness of the Park as a premier, year round, rural tourism destination recognising its outstanding natural heritage and its National Park status; e) strengthen and maintain the viability of the tourism industry in the Park and the contribution that it makes to the local and regional economy; f) develop and maintain a wide range of opportunities for visitors to experience and enjoy the special qualities, distinctiveness and natural and cultural heritage of the Park.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

32. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at : <http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
33. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.

34. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the wind farm proposal.
35. Policy 1 Natura 2000 Sites: development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment in accordance with the Conservation (Natural Habitats, &c.) Regulations 1994. Where an assessment is unable to ascertain that a development will not adversely affect the integrity of the site, the development will only be permitted where: a) there are no alternative solutions; and b) there are imperative reasons of overriding public interest, including those of a social or economic nature. Where the site has been designated for a European priority habitat or species, development will only be permitted where the reasons of overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).
36. Policy 2- National Natural Heritage Designations: development that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it has been demonstrated that: a) the objectives of designation and overall integrity of the designated area would not be compromised; or b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance and mitigated by the provision of features of commensurate or greater importance to those that are lost.
37. Policy 4 Protected Species: development which would have an adverse effect on any European Protected Species will not be permitted unless there are imperative reasons of overriding interest, including public health or public safety; there is no satisfactory alternative solution; and the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The policy is intended to ensure that the effects of development proposals on protected species are fully considered by the planning authority. Developers will be required to undertake any necessary surveys for species at their own cost and to the satisfaction of Scottish Natural Heritage and the planning authority.
38. Policy 5 – Biodiversity : development that would have an adverse effect on habitats and species identified in the Cairngorms Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, will only be permitted where:

- (a) The developer can demonstrate that the need and justification for the development outweighs the local, national and international contribution of the area of habitat or population of species; and
 - (b) Significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimised where harm is unavoidable, and appropriate compensatory and / or management measures are provided and new habitats of commensurate or greater nature conservation value are created as appropriate to the site.
39. Policy 6 – Landscape: there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
40. Policy 12- Water Resources (Part A Use of Resources): there will be a presumption against development which does not meet all of the following criteria: 1) minimises the use of treated and abstracted water; 2) does not result in the deterioration of the current or potential ecological status or prejudice the ability to restore water bodies to good ecological status; 3) treat surface water and foul water discharge separately and in accordance with SUDS Manual Ciria C697; 4) have no significant adverse impact on existing or private water supplies or wastewater treatment services. Part B of the policy relates to flooding and a presumption against development that does not meet criteria including being free from significant flood risk and not increasing the risk of flooding elsewhere.
41. Policy 15- Renewable Energy Generation : developments for small scale renewable energy schemes which support the aims of the 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 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 any adverse impact on the amenity of neighbouring properties or any unacceptable impact on the environment
42. Policy 16- Design Standards for New Development : design of all development will seek where appropriate to: a) minimise effect on climate change; b) reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and distinctiveness, whilst encouraging innovation in design and materials; c) use material and landscaping that will complement the setting of the development; d) demonstrate sustainable use of resources; e) enable storage and segregation of recyclable materials; f) reduce need to travel; g) protect neighbouring amenity; h) accord with

Sustainable Design Guide. All proposals to be accompanied by a design statement.

43. Policy 18- Developer Contributions: development which gives rise to the need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects will normally require the developer to make a fair and reasonable contribution in cash or kind towards the additional cost or requirements. Such contributions will be consistent with the nature and cost of the development proposed.
44. The CNP Local Plan is the subject of an appeal under section 238 of the Town and Country Planning (Scotland) Act 1997 against the decision of the CNPA to adopt the CNP Local Plan 2010. The Appeal will be decided by the Court of Session and is a material consideration. Therefore, account has been taken of the Appeal in the determination and recommendation made in respect of this application.
45. **Supplementary Planning Guidance: Water Resources** sets out in more detail how the water resources of the Park will be taken into account in decision making. The context to the policy and other legislation and guidance in the form of the CAR Regulations is set out. Links are provided with the River Basin/Catchment Management Plans. In particular the guidance emphasises the need for construction method statements. **Natural Heritage Guidance** sets out a range of advice on the different surveys that are required for development. The CNPA has produced **Supplementary Planning Guidance on Wildness**. The consultation on this document has recently closed. Wildness has been banded into three typologies. The guidance highlights the sensitivities within each band

Highland Structure Plan Policies

Policy EI Distributed renewable energy developments

46. The Council supports the utilisation of the region's distributed renewable energy resource, including hydro, wind, wave and tidal stream powers. Proposals will be assessed against the provisions of the General Strategic Policy.
47. Approvals for renewable energy developments will normally be for a temporary period only (tied to the life time of a 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

48. Wind energy proposals will be supported provided that impacts are not shown to be significantly detrimental. In addition to the 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 flight paths / MOD operations; and
 - cumulative effects.
49. Policy **L4 Landscape Character** notes that the Council will have regard to the desirability of maintaining and enhancing present landscape character.

Highland Council Renewable Energy Strategy and Planning Guidelines

50. In May 2006 Highland Council adopted their **Highland Renewable Energy Strategy and Planning Guidelines**. The strategy includes a map showing preferred development areas for wind farms, possible development areas and areas where there is a presumption against.
51. **Policy E5** in the strategy relates to **preferred areas** (see fig 10 below) 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.

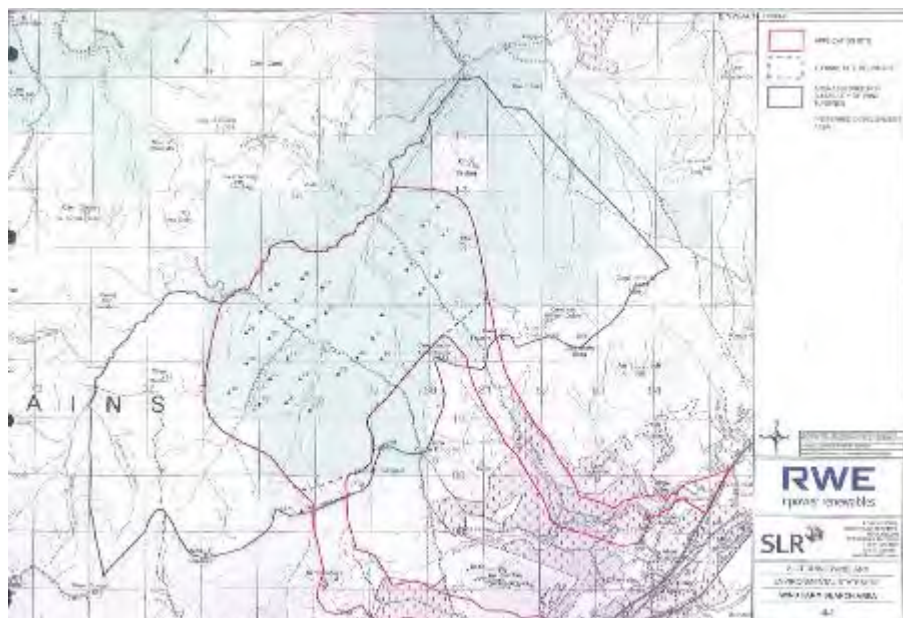


Fig. 10 Plan from application ES showing preferred area in green

52. **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.
53. **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.
54. The site is located in a small block area considered under the strategy as a preferred development area (fig 10), the area is otherwise surrounded by presumption against development areas.
55. The Strategy gives some consideration to landscape noting that wind farms outwith but close to designated places can have an impact upon the landscape experience
56. **Highland Council are currently working on the Highland Wide Development Plan (HWDP)** and the main issues report for this document has been produced. The plan contains a range of policies including Policy 68 Renewable Energy Developments. The policy considers that renewable energy proposals should be well related to the source of the primary renewable resources that are needed for the operation. The Council will also consider the contribution of the development towards meeting targets and any positive or negative effects it is likely to have on the local and national economy. Any proposals will be assessed against the HWDP and where appropriate the On –Shore Wind Supplementary Guidance and have regard to any other material considerations. Subject to these and taking into account mitigation measures the Council will support proposals where they are located, sited and designed such that they will not be significantly detrimental either individually or cumulatively with other developments having regard to any significant effects on the following (amongst others): natural, built and cultural heritage features, species and habitats, public health and safety, visual impact and impact upon character of the Highlands (the design and location of the proposal should reflect the scale and character of the landscape and seek to minimize landscape and visual impact, subject to any other considerations), community benefit, amenity of occupied buildings, ground water/surface water, tourism and recreation interests, the amenity of anyone using a core path or other established public access for walking cycling or horse riding.

57. **Highland Council has produced new Draft Supplementary Policy Guidance** relating to on-shore wind energy which was published in April this year and is currently out for consultation. This guidance is in relation to a requirement in Scottish Government Guidance to produce a spatial framework for large scale wind farms. The guidance identifies and maps where significant protection should be afforded. This includes areas designated for their national or international landscape or natural heritage value (this includes the CNP fig 11 below). A suggested policy in the guidance notes that areas identified as areas to be afforded significant protection are considered to be of high sensitivity to wind energy development and its associated infrastructure, and consequently are to be afforded significant protection. It is thought unlikely that large scale wind energy development will be able to be accommodated in those areas due to the nature of the constraints, and such development is, in principle, directed elsewhere. Therefore wind energy development and associated infrastructure will only be permitted in these areas if it can be demonstrated that proposals meet the requirements of Scottish Planning Policy; comply with HWDP Policies 58 and 68 and would not give rise to overwhelming adverse cumulative impact; and that the requirements of other parts of the SPG are able to be satisfied. The notes associated with Map5 below for area 4a which covers much of the application site relates to the protection of the setting of the National Park. Reasons for defining this sub area relate to protecting the ridgeline and south facing slopes towards the Park protecting localized short distance views from the Park and longer views from the Cairngorm Mountains. The text indicates this as an area where there is no potential capacity from a landscape and visual point of view. An option in the text questions whether there is scope for accommodating development within the northern area of the 4a boundary without affecting views from the National Park.

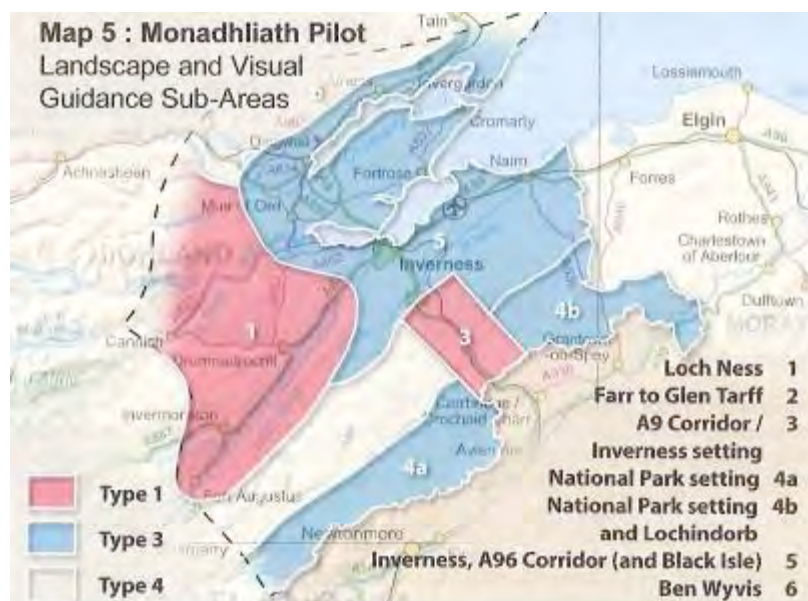


Fig. 11 - Landscape and Visual Guidance Sub Areas

CONSULTATIONS

CNPA Ecologist comments as follows (full comments appended)

58. The access track traverses habitats that are listed in the habitats directive, namely blanket bog, wet heath, dry heath and lichen rich heaths. The majority of these habitats are listed as priority habitats on the Scottish Biodiversity list. The exact area of these habitats to be lost due to the creation of the access is not clear, although it is likely to be significant due to the access road being 15 metres wide (5 metre running width with 5 metres either side for cuttings/track batters). The proposal is not considered to fulfil the first aim to conserve and enhance. There is no consideration of compensatory habitat. Compensation and enhancement schemes need to be developed to ensure that the proposal complies with the first aim of the Park. There is significant risk of pollution to watercourses and bog habitats, it is essential that construction method statements are submitted to the appropriate bodies including the CNPA.
59. In terms of mammal species the cable route appears to be directly on top of two potential pine marten dens. A more detailed survey of these den locations should be undertaken to ascertain if they are in fact pine marten dens. If pine martens are found the cable route should be altered to prevent any disturbance. With regard to water voles no burrows have been found, although there were a couple of latrines identified along the access road route. A pre-construction survey should be carried out and if burrows are found a 30 metre exclusion zone should be created around each burrow.
60. With regard to bird species the CNPA has previously raised concerns about the number of wind farms around the park and how this impacts upon bird populations within the Park. Given the turbines are outside of the Park the CNPA can only comment upon how they would affect populations within the Park. There are limited studies of bird movement from and to the Park. The CNPA Partner Project Raptor Track has satellite tagged several raptors in the vicinity of the proposed wind farm including 3 golden eagles and a peregrine falcon. The project provides crucial information on the importance of the site for raptors that is free of the inherent errors associated with vantage point surveys from a human observer potentially causing disturbance at a site. From this data there are two golden eagle territories in the area and not one.
61. While recognising that that the CNPA casework agreement with SNH means that SNH lead on European Protected Species such as golden eagle there are concerns about the methodology which makes it difficult to assess the true ornithological value of the proposed wind farm site. Within the information presented in the ES, there are few flights of any species within the proposed wind farm area, therefore the calculated collision risk is low for raptor species. However, this cannot be fully assessed due to the concerns with the data and SNH has asked for further information.
62. In general terms wind farms are known to have a barrier effect on some mammal and bird species. In particular golden eagles have been documented

as avoiding wind farm areas. The CNP is concerned that the growing number of wind farms could create a barrier for some species, effectively resulting in habitat fragmentation. This particular application has provided no compensation measures for the loss of habitat for golden eagles. In the scoping report the CNPA suggested that potential impacts upon sea eagles and red kites should be considered but this has not been assessed. If the proposal is overall found to be acceptable a detailed construction statement would need to be developed to prevent disturbance to raptors. As wind farms are growing rapidly in number, if the proposal should prove acceptable the CNPA would recommend a minimum 3 year post construction fatality survey to be undertaken for birds.

CNPA Landscape Officer comments as follows (full comments appended)

63. Landscape and Visual Effects (Wind Turbines) Owing to the lie of the land and the site being in an elevated bowl the potential visibility of the wind farm (wind turbines) is limited from the lower ground of the National Park. Some areas will be affected but not the settlements, nor particularly from the busy roads (apart from the junctions on to the A9), but from the woodlands, farmlands and minor roads and local high points where people are likely to go for their quiet enjoyment. The outlying hill groups of the Meal A Buachaille ridge, Cromdales and the hills along the northern edge of the Park will have views of the wind farm and there is a high degree of penetration into areas hitherto little or unaffected; the Gaick, Dalnamein and even into Atholl forest with predicted visibility on Beinn a Ghlo. Most affected will be the Monadhliath itself and the slopes, ridges and summits of the Plateau. For a detailed consideration of all areas please see Annex A (attached as appendix 4).
64. The wind turbines are outside the National Park boundary but the effects would be felt to a very large extent within the National Park. The Environmental Statement (ES) largely concurs with this view and concludes that there will be significant effects on landscape character in parts of the Monadhliaths, the Strathdearn Hills and the Cairngorms Central Massif. (5.715). and significant effects on walkers, climbers and cyclists (and presumably also skiers) at south east corner of Strath Dearn Hills, the summits and shoulders along the north western edge of the Cairngorm massif and some summits within Monadhliath Mountains. (5.722)

Special Qualities

65. The special qualities of the Park, are described in the National Park Plan and further discussed and developed in 'The Special landscape Qualities of the Cairngorms National park' (SNH Commissioned Report No. 375 2010). A consideration of these qualities should be at the heart of the analysis of how this proposal affects the Park.

66. Despite not undertaking a systematic assessment of effects on special qualities the ES concludes thus "...The proposed development would be located away from the core of the CNP and related distinctive landscape and overall would not have an adverse effect on the Special Qualities of the CNP."
67. Those who come to the plateau do so because they have made a decision to go there for the challenge and the experience. They will be on foot or skis moving at a pace where it is possible to take in ones surroundings in some depth. The qualities that make the landscape and scenery of the plateau special are the experience of magnificent mountains towering over moorland, the vastness of space, scale and height, an imposing massif of strong dramatic character, the unique plateau of vast scale, distinctive landforms and exposed boulder-strewn high ground, the drama of deep corries, exceptional glacial landforms, snowscapes, grand panoramas and a great sense of wildness.
68. The predicted landscape and visual effects are likely to impact upon and substantially dilute the experience of these special qualities.

Special Qualities –Wildness

69. The Cairngorms National Park is characterised by having a substantial area of wild land (wild land - an area where an individual finds the experience of wildness is particularly strong). Recognising and valuing the special quality of wildness and the enjoyment that it can give to the public is core to the strategic management of the National Park. No systematic assessment was made of the effects of this proposal on wildness within the National park.
70. The Plateau is an area where for many the wild land experience is at its best. In the Monadhliath, walkers, sportsmen and cross-country skiers experience something that is different from the plateau. The Munros are popular but the glens and lesser hills are little-visited and are described by some as a classic wildland area. Both the access road and turbines would affect the Monadhliath.
71. The predicted landscape and visual effects resulting from this proposal would impact upon the special qualities of the plateau and the Monadhliath, and could undermine and severely compromise the quality of the wild land experience.
72. The ES fails to adequately consider the strategic objective within the Park Plan, 'to conserve and enhance the sense of wildness in the montane area and other parts of the Park', and does not reflect on the fact that the experiences of residents and visitors enjoying the National park should be of the highest quality (Park Plan 2007 5.3.1).

Access Road and Ancillary Components

73. The principal landscape and visual effects arising in the Strath would be as a consequence of the access road and other ancillary components. Much weight has been put on the routing of the access road as mitigation. The route alignment does use landform and tree cover to shield views but parts of the access road would be open to views within the Strath and from elevated locations.
74. Along with the road shoulder and drainage ditches, the width of disturbed ground would, at a conservative estimate, range from 7m to 17m depending on the angle of slope. The access track construction details and the draft construction method statement do not reflect the variable terrain and slope, (from rock and scree to peat bog and thin soiled fragile heaths) that occur along the proposed route.
75. The ES makes judgements based on the comparison of the wind farm access road with other existing estate tracks in the area. The specification of the proposed track is far more substantial and the visual effect likely to be greater.
76. There would be two site entry points off the A9, one at Dalraddy and one at Leault Farm. The nature and scale of the Leault entry point would be a significant detractor particularly during construction when there would be a high level of vehicle activity. No specific design mitigation is given in respect of the A9 entry points.
77. In contrast to the ES it is considered that the level of disturbance arising from the access road and associated developments would constitute a significant level of impact on the landscape fabric and landscape character of parts of the National Park and would have an adverse effect on views from the A9, within the Strath and from elevated locations. In respect of Policy 6 (Landscape) of the Local Plan, the level of effect would be such that the development would fail to complement and enhance the character of the Park.

Cumulative Discussion

78. To date the effects of constructed and operational wind farms (Rothes and Paul's Hill) affect the Cromdales, Meal a Buachaille, and the northern part of the massif including Caringorm, Breariach, Macdui and Ben Avon at distances of approx. 36 to 53km. Berryburn (consented) will have a similar effect. Farr affects the Cromdales and a similar part of the massif at approximately 36km. Farr and Pauls hill also theoretically affect lower-lying parts of Abernethy and Strath Spey.
79. Dunmaglass and Corriegarth (both consented) will similarly affect Meal a Buachaille and the Cromdales at approximate distances of 35km to 50+km, both affect the north western corner of the plateau (at approx. 35km to 43km) and Dunmaglass extends the wind farm effect further south into the Feshie Forest and Gaick (at approximately 30km to 35km)

80. Should Glenkirk and Tom nan Clach be built they will add to the effect experienced on the Cromdales (at approx. 20 to 25Km) and on the Meal a Buachaille and on that part of the plateau that includes Cairngorm, Braeriach, Macdui (at 27 to 30km) and the hills on the northern and north western boundaries of the Park . Glenkirk would also be visible at 45km from Gaick.
81. Allt Duine would extend the effect west and south with extensive visibility at distances of 13 to 22km from the plateau summits and ridges, from the Feshie forest and from the north-facing slopes of the Gaick forest and at approximately 32km from some parts of the Dalnamein forest. There will be intensive visibility from distances of less than 1km along the western boundary of the Park in the Monadhliaths. It would contribute to the now marked encircling effect of wind farms around the northern and western side of the National park.

Conclusion

82. Careful attention has indeed been given to the design and layout of the proposed turbines and other components of the proposed wind farm which has resulted in reducing potential landscape and visual effects. However, the fact remains that the number, location and intensity of the remaining landscape and visual effects of the wind farm, both on its own and cumulatively, fall principally within the National Park and upon those experiencing the special qualities of the National Park. These effects are significant and largely cannot be mitigated and as a consequence the proposal fails to meet the first and third aims of the Park.
83. The **CNPA Sustainable Economy Manager** comments (full comments) as follows:

General

84. The Socio Economic Assessment is a thorough piece of work that provides a good analysis of most of the key issues. The majority of the comment we provided at the scoping stage was accepted although a business survey was used as a proxy instead of consulting actual visitors.

Methodology – Business Survey

85. The business survey was extensive and it did highlight recognition of the impact that the development would have on the scenic and natural heritage features of the Park. It also showed that there was concern amongst some businesses about such impacts although the majority of respondents, 74%, did consider it would have no impact on their business.

86. However, the business survey did have some weakness:
- a. It was conducted over the telephone and it is not clear how the scale and wider visual impact of the development would have been explained to consultees without visual prompts.
 - b. The questions asked did not mention the likely cumulative effects and impacts of multiple wind farm developments on the periphery of the Park.

Economic Impact – Tourism

87. Tourism is the dominant economic driver in the Park and the Assessment recognises this. The most likely direct impacts on the tourism industry are predominantly centred on the visitor experience of the Park and in particular the landscape and natural environment (the Special Qualities). As the Assessment highlighted, extensive recent visitor research has confirmed the importance of scenery and landscape to Park's visitors.

88. One piece of important context missing from the Socio Economic Assessment is mention of the Sustainable Tourism Strategy for the National Park. This provides the strategic guidance for the management of tourism. The Cairngorms were the first National Park to be awarded the European Charter for Sustainable Tourism in Protected Areas (ECSTPA) in 2005, based on the submission of a Sustainable Tourism Strategy that had been developed by the tourism sector. This was a valued and important piece of work that shaped much of the early work around tourism in the National Park.

89. The ECSTPA lasts for 5 years and a new Strategy has been completed during 2010, led by and with extensive engagement from, the tourism industry. The broad forum that provides leadership and direction (the Sustainable Tourism Forum) has a number of prominent tourism business leaders but also has representation from communities, environmental bodies and land managers (including NFUS and SRPBA).

90. The new strategy has 6 strategic objectives, one of which is:

Environmental Impact: *To minimise negative environmental impacts from tourism and gain support for the conservation, management and enhancement of the Cairngorms' natural resources and heritage.*

91. At a more detailed level the Strategy has a number of actions to support these objectives including:

4a Guard against damaging and intrusive development: *Consultation revealed concern about a variety of types of development in the Cairngorms, some related to tourism but many only indirectly or not at all, that have spoilt or are threatening the special qualities of the Park and so could adversely affect the area's appeal to visitors. These include housing developments, roadways and tracks in the mountains, windfarms, powerlines and various other developments.*

92. The Sustainable Tourism Strategy reinforces the importance of the Park's special qualities and the need to respect and care for them. The extracts noted above provide further backing for the detailed landscape comment being provided by the CNPA Landscape Advisor.

Economic Impact – Wider Considerations

93. The Assessment does note the important positive impact the development could bring to the local economy. In particular:
- a. **Short Term (construction phase).** It would appear that reasonable opportunity may be given to local construction firms to bid for work. Local businesses (accommodation, catering, retail, services) all have opportunity to benefit from increased trade during the construction phase.
 - b. **Medium Term (operational phase).** A modest number of full time maintenance and operational jobs may be provided during the lifetime of the site. The local community may also benefit should any community benefit fund be confirmed.
 - c. **Long Term (legacy).** The individual estates and land holdings on which the development is proposed will benefit from a new income stream that will help diversify their enterprise, potentially enable further business development, and help strengthen long-term economic viability.
94. The mitigation measures proposed to limit disturbance to local events during the construction phase are noted and welcomed. The impact of construction traffic on visitor traffic flow on the A9 is covered in a separate study. Little mention is made of this in the socio-economic assessment and this may be worthy of more detailed scrutiny.

Conclusion

95. Despite the thorough presentation on the importance of tourism in the Assessment a degree of unease remains that the deeper and longer term consequences of this development, and others of a similar nature, are not being fully explained or captured during consultation. Such effects may often be intangible and can be difficult to comprehend if not presented in a comprehensive manner. The analysis of the likely direct impacts on tourism attractions and businesses appears fair; the key issue being the visual impact from routes, paths and viewpoints for which separate comment is being provided.
96. However, of particular note is the apparent lack of discussion with visitors and businesses on the cumulative effect of multiple wind farm developments on the landscape of the Park. The true and long-term impact on the visitor experience of such creeping large scale developments on the periphery of the Park has not been fully explored. The comparative research from elsewhere,

on which much of the analysis and conclusions are based, also does not appear to include this issue in any detail.

97. There are likely to be a number of positive impacts in the short, medium and long term that are to be welcomed. Diversifying and broadening the economy in the Park is important, however, it should be done with due regard for, and in balance with, the other aims of the National Park.
98. The **CNPA Outdoor Access Officer** comments as follows:
99. On site impacts: The ES refers to 32 promoted routes within the assessment. However, there are a number of others and in particular a 2 day route from Aviemore to Kingussie that crosses the site and is promoted in the Cicerone guide to Backpackers Britain. The report considers that the Dunachton and Alvie tracks have limited popularity in terms of users. The Access Officer disagrees with this statement because the Alvie track provides access to a popular bothy, both tracks are used by long distance horse riders and cyclists and both tracks were identified as being important during the first round of consultation into the Core Paths Plan. In terms of off-site impacts there are a number of clustered routes that have been omitted from the assessment including Nordic ski and mountain bike trails at Carn Bad Luibheannear and the Sloch; mountain bike trails around Feshie Bridge and; promoted paths around Newtonmore and Kingussie. In terms of impacts on hills the appendix to the ES is missing Carn Glas choire a graham (hill over 2,000ft) from where it may be possible to see 16-20 turbines.
100. The responses of Kincaig, Kingussie and Aviemore and Vicinity Community Councils made to the Scottish Government are attached at appendix 5 to this report for information. Kincaig, on balance, support the proposal. Kingussie and Aviemore neither support or object to the proposal but do raise a number of concerns as set out in the respective letters of the Councils. These letters have been submitted to Highland Council/Scottish Government and will form part of the Government's consideration of the proposal.

APPRAISAL

101. This section of the report will assess the proposal against the policies of the National Park Plan and the CNP Local Plan in so far as the Local Plan policies relate to the parts of the development located within the CNP area. Many technical issues will be assessed by other bodies such as Highland Council, Transport Scotland, Scottish Environmental Protection Agency (SEPA) and Scottish Natural Heritage (SNH). Such bodies are providing their views directly to the Scottish Government who will in time make a decision on the proposal; it is possible that the application will be determined by means of a public inquiry. This report focuses on areas of key interest to the Park including ecology, landscape and visual issues and potential effects upon the economy of the Park.

Ecology

102. The Environmental Statement covers a range of ecological issues. The CNPA Ecologist has considered the ES with regard to the track and cabling route within the CNP area and also the potential effects of the turbines which are outside of the area. In terms of the access track and cabling route a number of concerns are raised about loss of habitat. Policy 5 of the CNP Local Plan requires that where development would have an adverse effect on habitats or species identified in biodiversity action plans, or Scottish Biodiversity list then it will only be permitted where the need and justification for the development outweighs the contribution of the habitat or species. Part b) of the policy requires that significant harm is avoided or minimised and appropriate compensation measures provided. No compensation measures have been provided and it is not clear that potential harm has been fully avoided or minimised. Consequently, as things stand some elements of the development within the Park could not be considered to accord with the first aim. Although, it is recognised that these issues could perhaps be overcome with the provision of further information and compensatory habitat improvements.
103. In terms of the turbines the key concern relates to their effect upon bird populations which use the Park. Golden eagles are an important issue and concern is raised by the CNPA Ecologist that there are two eagle territories in the area and not one as identified by the ES. Concern is also raised that the methodology of human vantage point use can lead to disturbance of the species being studied. SNH lead on European Protected Species and in particular Golden eagle. However, the CNPA would support a request that SNH has made for more information on this issue. While the policies of the Local Plan are not applicable outside of the CNP administrative area the aims of the National Park and the National Park Plan do apply to the wind farm, a precautionary approach should be adopted with regard to European Protected Species.
104. While concerns regarding ecological impacts could perhaps be resolved by additional information/proposals being submitted at this stage there is considerable doubt regarding the ecological value of the area and to how the proposal would, in ecological terms conserve and enhance the natural heritage of the Park.

Landscape and Visual Impact

105. The key policy in the CNPA Local Plan covering landscape and visual impact is Policy 6 Landscape. This policy holds a presumption against development that does not complement and enhance the landscape character of the Park. This policy covers the access track and cable routes but not the turbines which lie outside of the Park. However, the National Park Plan does apply to areas outwith the CNP and strategic objectives relating to landscape seek to ensure that development maintains and enhances the distinct landscapes in and where relevant beyond the Park.

106. The proposal has been through an iterative design process and the wind turbines are sited in an upland bowl on slopes facing west (away) from the Park. This means that visibility of the wind farm from lower ground within the Park is limited. However, the visibility of the turbines increases with height gained and the turbines would be visible from some of the lower hills such as the Cromdales and also more popular hills such as Meal a' Bhuachaille as well as the summits of the western Cairngorms and Monadhliath in particular.
107. Given the siting of the turbines, the more significant visual effects are felt within the uplands of the National Park and in particular the Cairngorms Central Massif and parts of the Monadhliath to the south of the site. These are all areas that could be described as prime destinations for hillwalkers and climbers who come to enjoy the dramatic scale of the plateau and the solitude of quieter hills in the Monadhliath and surrounds.
108. The CNPA Landscape Officer makes specific reference to the special qualities of the Park as set out in the National Park Plan and by documentation published by SNH. The ES does not undertake a systematic assessment of these qualities. The ES concludes with the comment that "the proposed development would be located away from the core of the CNP and related distinctive landscape and would overall not have an adverse effect on the distinctive qualities of the CNP." The ES identifies viewpoints such as the Argyll Stone and Sgoran Dubh Mor on the western edge of the plateau as experiencing major effects both in terms of landscape (change to the actual landscape) and in terms of visual impact (impact upon the visual amenity enjoyed by users) upon users of the area who are likely to be seeking out areas for the dramatic nature and solitude of their landscapes.
109. In the consideration of viewpoint assessments it is important to note that the viewpoints are representative and from upland parts of the central massif and other upland parts of the Park there would be significant areas from which the wind farm would be visible. Such areas frequented by people that visit the area specifically because of the special qualities, and wildness qualities in particular. The ES includes little analysis on the wild land issue and in particular the enjoyment of that the wildness experienced by visitors to the higher areas of the Park. Recognising and valuing such areas is crucial to the strategic management of the Park and this is illustrated by the strategic objective of the National Park Plan which seeks to 'conserve and enhance the sense of wildness in the montane area and other parts of the Park'. Given the level of visibility of the wind farm from areas where a sense of wildness is enjoyed, taken together with the levels of impact anticipated by the ES itself the proposal is not considered to accord with this objective.

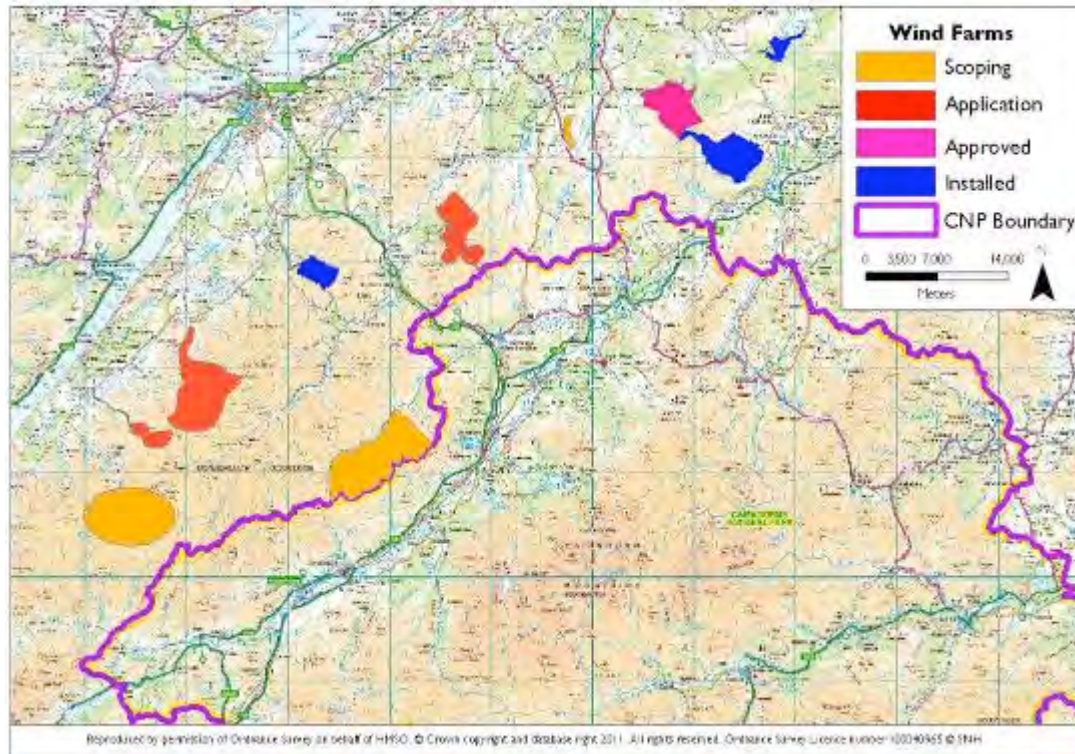


Fig. 12- Wind Farms around the northern and western boundary of the CNP

110. There is also concern relating to the cumulative landscape and visual impact of this proposal in combination with other built/consented/applied for schemes around the Park. Again, the ES is identifying that certain areas within the Park will experience major/moderate impacts in cumulative terms from Allt Duine in combination with other wind farms/potential wind farms. There is increasing concern about the marked encircling effect of a number of schemes around the Park (see fig 12). Since this application has been applied for a scheme has been submitted for scoping (part of pre-application procedure) for a large (approx 100 turbines) wind farm at Stronelairg in the Monadhliath Mountains to the south west of Allt Duine.

Socio and Economic Impact

111. The ES includes a chapter on the socio-economic impacts of the proposal and officers consider this section of the report to be a good piece of work, although it would have been beneficial if some direct survey of visitors was carried out. With previous proposals for wind farms around the Park the CNPA has generally objected on socio economic grounds if it considered that a particular proposal resulted in adverse landscape and visual impacts. There is a clear link between landscape impact and potential economic impact and the ES recognises this. Potential negative impacts upon tourism must be balanced with economic opportunities from the construction of the project. The CNPA Sustainable Economy Manager has commented on the proposal and holds some unease about the deeper and long term consequences of this development, and others of a similar nature. The CNPA Landscape Officer has concern about the marked encircling effect of wind farms around the boundary of the CNP area and it is difficult to make a judgement about whether the cumulative impact of wind farms would have an effect on

people's choices to visit the CNP area as opposed to other areas. The Sustainable Economy Manager clearly notes the lack of discussion with visitors and the comparative research from other areas does not appear to address this issue.

112. In 2008 the Scottish Government published a report about the economic impact of wind farms upon tourism. While overall the impacts were considered limited most commentators at the time considered that wind farms in remote areas were likely to have a larger negative impact. The study commented that there may be a case for the protection of National Scenic Areas and National Parks.
113. The positive economic impacts from construction must be recognised. However, in the light of concerns raised both in landscape and visual terms, together with a lack of evidence regarding the cumulative impact of a number of wind farms on visitors choices, a cautious approach is recommended with regard to this issue. It would be an appropriate subject for future research.
114. On one other issue, the CNPA Sustainable Economy Manager notes that there is little analysis on the economic impact of the amount of traffic to be generated from the main access and the cabling route access to the north. While recognising that Transport Scotland will provide views on the road safety impact any decision made by the Scottish Government should take account of the potential economic impact of traffic delays if Transport Scotland indicate that there is potential for this to happen.

Community Benefit

115. The issue of community benefits from such proposals lies outside of the planning system and is not a material consideration of the merits of a proposal. However, in this case, part of the development (access tracks and cabling route) falls within the CNP area. This means that CNP Local Plan Policy 18 Developer Contributions applies. The Planning Gain service has prepared a report recommending a certain level of planning gain. This report will be forwarded to the Scottish Government for consideration.

Policy Discussion/Conclusion

116. The overall case for making a recommendation upon a development must be considered in a collective way taking account of all four aims of the Park. In this case, the proposal leans heavily upon the fact that the wind farm is located in an area where the 2006 Highland Renewable Energy Strategy is indicating as a preferred area for such development. However, the consideration of the National Park and landscape as an issue is limited in the 2006 strategy. The guidance does recognise that wind farms outwith, but close to designated places can have an impact on the landscape experience within such areas. However, new guidance has been produced by Highland Council in April this year as a result of the Scottish Government requirement for planning authorities to produce a spatial framework to guide the development of larger wind farms. This latest guidance seeks to protect the Park and its setting with particular reference to the area in which this

application is located (fig 11). While it could be argued that limited weight should be attached to a consultation document it reflects the policy and situation on the ground to a greater extent than the 2006 version being relied upon by the applicant. The 2006 version makes limited mention of landscape considerations and limited reference to the existence of the Park as a national natural heritage designation. The latest strategy corrects this and recommends that the setting of the Park is protected, and is protected at the particular location of this proposal.

117. Throughout Park policy there is a requirement to conserve and enhance the natural heritage of the area. There are considerable doubts over some of the ecological impacts upon bird species in particular. With regard to landscape there is clear concern that the proposal would have an adverse impact on the special qualities of the park and in particular the view of the access from the A9 and the enjoyment of some of the remoter upland areas. Park policy requires a better than neutral effect and the proposal does not achieve this.
118. Given the level of concern placed upon species of international and national importance as well as concerns about landscape and whether the proposal can truly be considered to conserve and enhance the special qualities whether it be landscape, or sense of wildness for visitors to the Park, this is a case where the first aim to conserve and enhance is in conflict with the second and fourth aims. With this in mind the approach to be followed is clearly set out in Section 9 (6) of the National Parks (Scotland) Act 2000. This states that 'if in relation to any matter, it appears to the authority that there is a conflict between the National Park aim set out in section 1 (a) and other National Park aims, the authority must give greater weight to the aim set out in section 1 (a)' (the first aim). The level of friction between the first and second and fourth aims is considered significant in this case centring on the ecological, landscape and visual impacts upon a national natural heritage designation.
119. Officers recognise the emphasis that the second aim places upon the authority to promote the sustainable use of the area's natural resources and also the strong emphasis that the Scottish Government Policy places upon renewables. However, the scale and nature of that emphasis must be achieved in a way that does not compromise the special qualities of the Park which are the underlying reason for its designation. Renewable energy is clearly a national priority and the CNPA are seeking to promote renewables of a scale and nature that is compatible with the Park. As part of the choice of renewable options the provision of energy from onshore wind is a national priority. However, that does not make every individual wind farm a national priority and this is particularly the case when considered against potential impacts upon the national park as a national asset. The Park's boundary is set out based upon its special qualities and is a feature given national priority that cannot be moved. Individual wind farms can be sited so as to avoid/reduce impact on the CNP.
120. Some of the concerns expressed in this report could potentially be addressed by additional information and further research. However, at this point in

time the proposal is not considered to accord with the aims of the Park and the strategic objectives of the National Park Plan. Consequently, it is recommended that the CNPA object to the application.

RECOMMENDATION

121. That Members of the Committee support a recommendation to OBJECT to the construction of a 31 turbine Wind Farm, Allt Duine, Kincaig, Highland for the following reasons:

1. At this point in time there is considerable doubt with regard to the effect of the proposal on a number of protected species and habitats, with particular concern with regard to golden eagles as a European Protected Species. The proposal as it stands is not considered to accord with the strategic objectives of the National Park Plan 2007 'Conserving and Enhancing the Park which seek to conserve and enhance the condition and diversity of habitats and species present throughout the Park and seek to ensure that populations of species given special protection are stable or where appropriate increasing. As it stands the proposal is not considered to comply with Policy 1 Natura Sites, Policy 2 National Natural Heritage Designations, Policy 4 Protected Species and Policy 5 Biodiversity of the CNP Local Plan 2010.
2. The outstanding and unique characteristics of the landscape extend beyond the administrative boundaries of the Cairngorms National Park. The proposal would have an adverse impact upon the experience of landscape character and special qualities of the Park from the Monadhliath Hills and the western part of the Cairngorms themselves. The proposal would impact upon the appreciation of wildness from the Monadhliath Hills and Cairngorm Plateau. There would be adverse visual impact upon the character of the Cairngorms National Park from the Allt Duine proposal and crucially, in combination with a number of wind farms and proposals for wind farms at various stages of development which are resulting in a marked encircling effect upon the Park. The proposal is not considered to meet with the strategic objectives of the National Park Plan to maintain and enhance the distinctive landscapes across the Park and to conserve and enhance the sense of wildness in the montane area and other parts of the Park. As the proposal stands more detailed elements such as the access track are not considered to comply with Policy 6 Landscape of the CNP Local Plan 2010.
3. Tourism is central to the economy of the Cairngorms National Park with visitors coming to the area to enjoy the unique character of the environment, especially its internationally recognised landscape as well as modern and traditional sporting activities. Whether visitors are experiencing the views and sense of wildness from the plateau or from popular smaller hills such as Meall a' Bhuchaille, the proposal has potential to impact upon that experience. The socio-economic study includes no direct survey of visitors to the Park regarding their views on this proposal or this proposal in combination with others. There is also no reference to the potential economic impacts of increased traffic on the A9 at and around the site. In the absence of such an assessment and while recognising that there are some

positive economic benefits of the proposal, a precautionary approach should be taken to this development.

4. While recognising that the site lies within a preferred area for wind farm development within Highland Council Renewable Energy Strategy 2006 the latest Draft Supplementary Guidance for Onshore Wind Energy (2011) indicates the site as potentially an area to be afforded significant protection. This is with particular regard to protection for the setting of the National Park. This is an important material consideration that reflects the importance to be placed upon protecting the National Park and should be taken into account in the determination of the application.

NOTE:

In addition to the recommendation a copy of the report and the full comments made by CNPA internal consultees will be forwarded to the Scottish Government.

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16 May 2011

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.