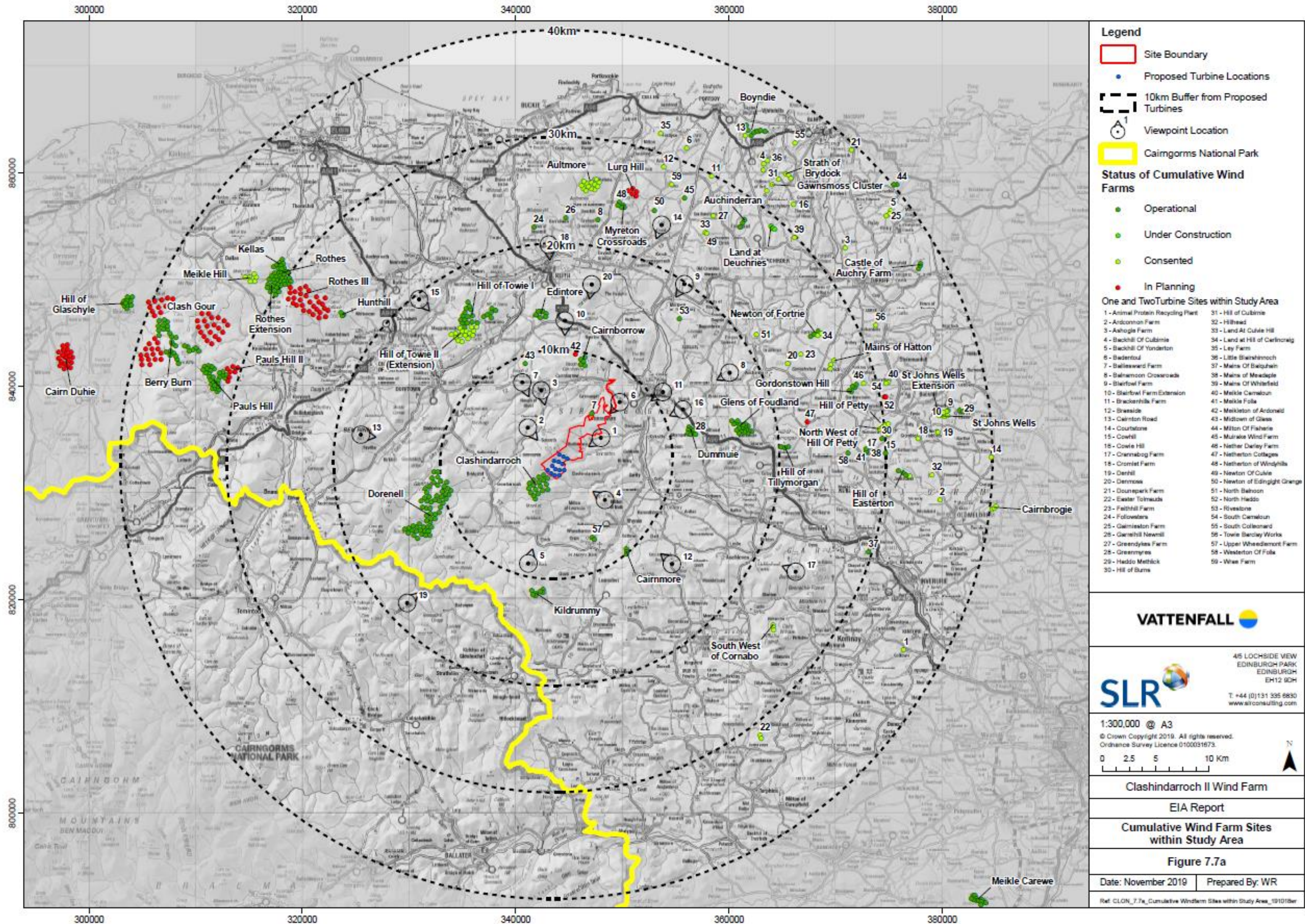


CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Consultation from Scottish Government Energy Consents Unit

REFERENCE:	2019/0305/PAC (ECU00002002)
APPLICANT:	Clashindarroch II wind farm
DATE CONSULTED:	15 January 2020
RECOMMENDATION:	No Objection
CASE OFFICER:	Nina Caudrey, Planning Officer



PURPOSE OF REPORT

1. The purpose of this report is to inform the committee decision and subsequent consultation response to the Scottish Government Energy Consents & Deployment Unit (ECDU) on an application submitted under Section 36 of the Electricity Act 1989 for a proposed wind farm located to the north 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 Report (ER), which presents the findings of the applicant's Environmental Impact Assessment (EIA).
2. The planning issues to be considered are confined to the effects of the proposed wind farm on the landscape character and Special Landscape Qualities (SLQs) of the National Park. All other matters, including ecology, noise, general amenity, etc, are assessed by the decision maker (Scottish Ministers) with advice from statutory consultees.
3. Under the current working agreement on roles in landscape casework between Scottish Natural Heritage (SNH) and the Park Authority, SNH lead on the provision of advice on the effects on the SLQs caused by proposals outwith the Cairngorms National Park. Their advice has been used to inform this report.

SITE DESCRIPTION AND PROPOSED DEVELOPMENT

4. The proposed wind farm is adjacent to the existing Clashindarroch wind farm in Aberdeenshire, approximately 6km to the south-west of Huntly, as shown in the applicant's ER Figure 7.7a (page 2 of this report). In the surrounding area, there are numerous existing, consented and proposed wind farms in the planning system, as also shown on page 2.
5. The proposed development would comprise 14 turbines with a maximum height of 180m to the tip of the blade in an upright position, approximately 21km of existing track, 2km of upgraded track plus 11km of new track, as well as other infrastructure and works (such as substation, underground cabling, borrow pits, etc). Aviation lighting would be required on the turbines for air traffic safety due to their height. It is expected that each wind turbine would be rated to between 4MW and 6MW (or greater, subject to future advances in turbine technology) giving an estimated total installed capacity of between 56MW and 84MW.
6. The nearest turbine would be around 12.4 km to the north east of the closest part of the boundary of the Cairngorms National Park, with the tracks and associated infrastructure located further from the Park.
7. Visibility of the proposed wind farm from within the Park would be very limited, as shown by the blue areas in Figure 7.8 of the applicant's ER (**Appendix I**). Some theoretical visibility is found 30-40km distant from the wind farm, to the south west of Tomintoul and around Ballater; and between 20-30km from the wind farm, the northern part of the Cromdale Hills would also experience some theoretical visibility.
8. However, when considering the cumulative visual effects, the proposed wind farm does not create visibility of a wind farm in areas that do not or would not already see

existing and consented wind farms - as shown by Figure 7.20 of the applicant's ER (**Appendix 2**¹).

9. Visualisations from one viewpoint, VPI9 Little Geal Carn within the Ladder Hills, have been provided in the applicant's ER to demonstrate the level of visibility that would be had from within the Park, at a distance of approximately 18km to the nearest proposed turbine. These are available to the public online via the ECDU website using <https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00002002&T=5>, then by searching the application documents for "Volume 3c – Chapter 7 – Figure 7.40 – Viewpoint 19".

RELEVANT PLANNING HISTORY

10. **PRE/2017/0012:** In May 2017 CNPA responded to a scoping request from ECDU for a different number and size of turbines in the same location (16 turbines at 149.5 metres to tip). The response pre-dated the SNH/CNPA landscape casework agreement that has been used to gain SNH advice to inform this report. The CNPA response provided detailed advice about potential effects on the Park but concluded that "...it is unlikely that Clashindarroch II will have significant adverse effects on the landscape setting of the National Park or upon the SLQs experienced in the Ladder Hills".
11. Under the same reference number, in October 2018 CNPA responded to a revised scoping request from ECDU for the 14 turbines now under consideration. CNPA advised that "Points raised in our original scoping comments would remain wholly relevant - in addition impacts of aviation lighting would presumably form part of the any landscape and visual assessment too to enable us to fully consider the impacts on the National Park".

PLANNING POLICY CONTEXT

12. The development proposal is located wholly outwith the National Park, therefore the Cairngorms National Park Local Development Plan (2015) policies do not apply. However, an assessment of the proposal must have regard to Scottish Planning Policy (SPP) and the National Park Partnership Plan (NPPP).

National Policy

13. **Scottish Planning Policy** (revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the development and use of land, as well as for operation of the planning system. The content of SPP is a material consideration in planning decisions that carries significant weight.
14. Policy relating specifically to National Parks and development management can be found in paragraphs 84 and 85 of SPP. These re-state the four aims of the National Parks as set out in the National Parks (Scotland) Act 2000, as well as 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

¹ Note this figure also shows wind farms in the planning system not just those that are consented and existing, so requires careful interpretation.

greater weight must be given to the first aim. Planning decisions are expected to reflect this weighting and be consistent with the four aims.

15. Paragraph 85 of SPP also clarifies that the aims and requirements of paragraphs 84 and 85 apply to development outwith a National Park that affects the Park.
16. Paragraph 212 of SPP states 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”.

Strategic Policy

17. The **Cairngorms National Park Partnership Plan (NPPP) 2017 – 2022** is required under section 11 of the National Parks (Scotland) Act 2000. It is the management plan for the Cairngorms National Park approved by Scottish Ministers. The NPPP sets out how all those with a responsibility for the Park will coordinate their work to tackle the most important issues. There is a duty for decision makers to have regard to the NPPP, a requirement set out in Section 14 of the Act. As such, the NPPP is a material consideration in planning decisions.
18. The NPPP identifies that the landscapes of the National Park are valued by many and underpin the area’s economy. It contains policies to safeguard landscape interests. Of relevance to wind farm development proposals are policies 1.3 and 3.3.
19. Policy 1.3 seeks to conserve and enhance the SLQs.
20. Policy 3.3 seeks to support development of a low carbon economy and increase renewable energy generation where this is compatible with conserving the SLQs. In relation to wind farm development, the policy 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

SNH advice

21. SNH have provided CNPA with advice in relation to the effects on a range of landscape interests, including the Park, of the proposed wind farm both alone and cumulatively with other existing and consented wind farms in the surrounding area.
22. SNH consider that “the proposed turbines have a close relationship to the operational Clashindarroch turbines, lying to the north and east on similar rolling ridges and slopes, at a similar distance of separation between turbines. From higher viewpoints to the

southwest and south they appear as an extension of the existing group, creating a larger single wind farm”, and “from the south (VP5)² and southwest (VP 19)³ the proposed turbines lie behind the existing [Clashindarroch wind farm turbines]. As they are seen at a further distance and overlap partly or completely, the scale differences are less apparent, and they appear as one integrated group”. SNH advice is that “significant landscape and visual effects of the proposed turbines would be limited in extent due to screening by surrounding topography and forestry and by the existing effect of the Clashindarroch turbines, with which the proposed scheme would usually be seen.”

23. In relation to cumulative effects, SNH advice is that “The key cumulative relationship would be with the 18 existing Clashindarroch turbines immediately to the southwest and the 59 turbines at Dorenell, just under 10km distant in the west-southwest. While there would be some cumulative effects with other schemes, these would tend to be specific to the receptors located near the other schemes”. In relation to views from the south and west (which could include locations on the edges of and within the Park), SNH advise that “the disparity between [the existing Clashindarroch and the proposed Clashindarroch II] turbine sizes would be less apparent from viewpoints to the south and west due to a different visual relationship between the turbines seen from this direction”.
24. In relation to landscape character, SNH advice is that “All of the potentially significant landscape effects would be located within a few kilometres of the proposed turbines, mainly in the area of Moorland Plateaux/ Grampian Outliers Landscape Character Type (LCT) in which the site is located and in the immediately adjacent area of Northern Rolling Lowlands LCT around Tillathrowie to the east. The effects would not be significant for Landscape Character Areas (LCAs) or LCTs as a whole.”
25. SNH have not provided specific advice on the effects on the SLQs. However this is because their advice is clear that significant adverse effects are not found in the Park, so specific consideration of effects on the SLQs was not required: “The proposed turbines would be visible from higher summits to the west and southwest; close to or within the Cairngorms National Park, including the nearest Corbett, Ben Rinnes (VPI3) and the Ladder Hills (VPI9). From these hills the proposed turbines would be seen with the existing Clashindarroch turbines, but further away or behind them. At distances of 18km or more the effects would not be significant”.
26. SNH highlight that aviation lighting would be required due to the height of the turbines “we note that the main lighting on the nacelle would be medium intensity (2000cd), visible for up to 20km.”. The applicant has suggested mitigation of reduced intensity (200cd) in good visibility and radar activated aircraft proximity detectors that turn the lights on only when aircraft are in the vicinity. SNH consider that further mitigation is possible and have advised that “all available aviation lighting mitigation measures,

² The Buck, Cabrach

³ Little Geal Carn, Ladder Hills

including proximity detection and shielding, should be implemented to minimise effects on dark skies”.

APPRAISAL

27. The policies of the NPPP and SPP set out how proposals outwith the boundaries of the National Park should be considered in terms of effects on the Park.
28. Policy 3.3 of the NPPP sets out a test for considering effects on the Park, in that large scale wind turbines are inappropriate outside the Park where they “significantly adversely affect its landscape character or special landscape qualities”. If a proposal fails policy 3.3, it would also be in conflict with policy 1.3, which seeks to conserve and enhance the SLQs.
29. Paragraph SPP sets out that “development that affects a National Park... should only be permitted where:
 - the objectives of designation and the overall integrity of the area will not be compromised; or
 - any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.”
30. In the policy context of the NPPP and SPP, consideration is required of the effects of the proposed development, including aviation lighting, on landscape character and the SLQs, both alone and cumulatively with other existing and consented wind farms in the surrounding area.
31. While there are a number of existing and consented wind farms in the area to the north-east of the National Park (as shown on page 2), which the proposed wind farm adds to, it is not considered that the proposed wind farm alone or in combination with other existing or consented wind farms will significantly adversely affect the landscape character or SLQs of the National Park. This is due to a number of factors:
 - the proposed wind farm would be located in an area of landscape character that is not continuous⁴ with the landscape character of the Park;
 - as shown on page 2, the existing Clashindarroch wind farm is located immediately in line with the proposed Clashindarroch II wind farm. This means that, in the majority of views from the Park the proposed turbines would be seen behind the existing turbines, so would not increase the visible extent or spread of the existing wind farm;
 - as identified in paragraph 7 of this report, there would be a limited amount of visibility from within the Park and, where there is visibility, it is in areas that already

⁴ It should be noted that the assessment against landscape character carried out by the applicant pre-dated the 2019 publication of revised LCTs by SNH (<https://www.nature.scot/professional-advice/landscape/landscape-character-assessment/scottish-landscape-character-types-map-and-descriptions>). Therefore, the LCT boundaries shown in the Environmental Report are slightly different to the contemporary 2019 mapping. This does not however affect the findings of the assessment of effects or advice provided by SNH.

have visibility of existing and consented wind farms as well as being at some distance (approximately 20 - 40km).

- in respect of aviation lighting and dark skies, there should not be a significant effect on dark skies within the Park (and the associated Visual and Sensory SLQ) as the areas with visibility of the wind farm are outwith the visibility range for the aviation lighting stated by SNH.
32. SNH advice is clear that significant adverse effects on landscape interests will be limited and localised to the more immediate surroundings of the proposed wind farm, with no significant adverse effects predicted on the SLQs or landscape character of the Park. Consequently the proposed wind farm would not compromise the objectives of the Park designation or its overall integrity.
33. As a result, the proposed wind farm is considered to comply with national planning policies that seek to safeguard National Parks, as well as NPPP policy 3.3 (and so 1.3). Therefore, it is considered that CNPA should **not** object to the proposed wind farm development.

RECOMMENDATION

That Members of the Committee confirm:

- **That CNPA has NO OBJECTION to the application for the proposed Clashindarroch II wind farm.**