

## CAIRNGORMS NATIONAL PARK AUTHORITY

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### **DEVELOPMENT PROPOSED:**

Application under Electricity Act Section 36 and Schedule 8: Application for the proposed Clashindarroch Wind Farm Extension in the Planning Authority of Moray Council at Clashindarroch Wind Farm West Of Existing Clashindarroch Wind Farm Approximately 11kkm South East Of Dufftown Moray

**REFERENCE:** 2023/0023/PAC

**APPLICANT:** Energy Consents Unit

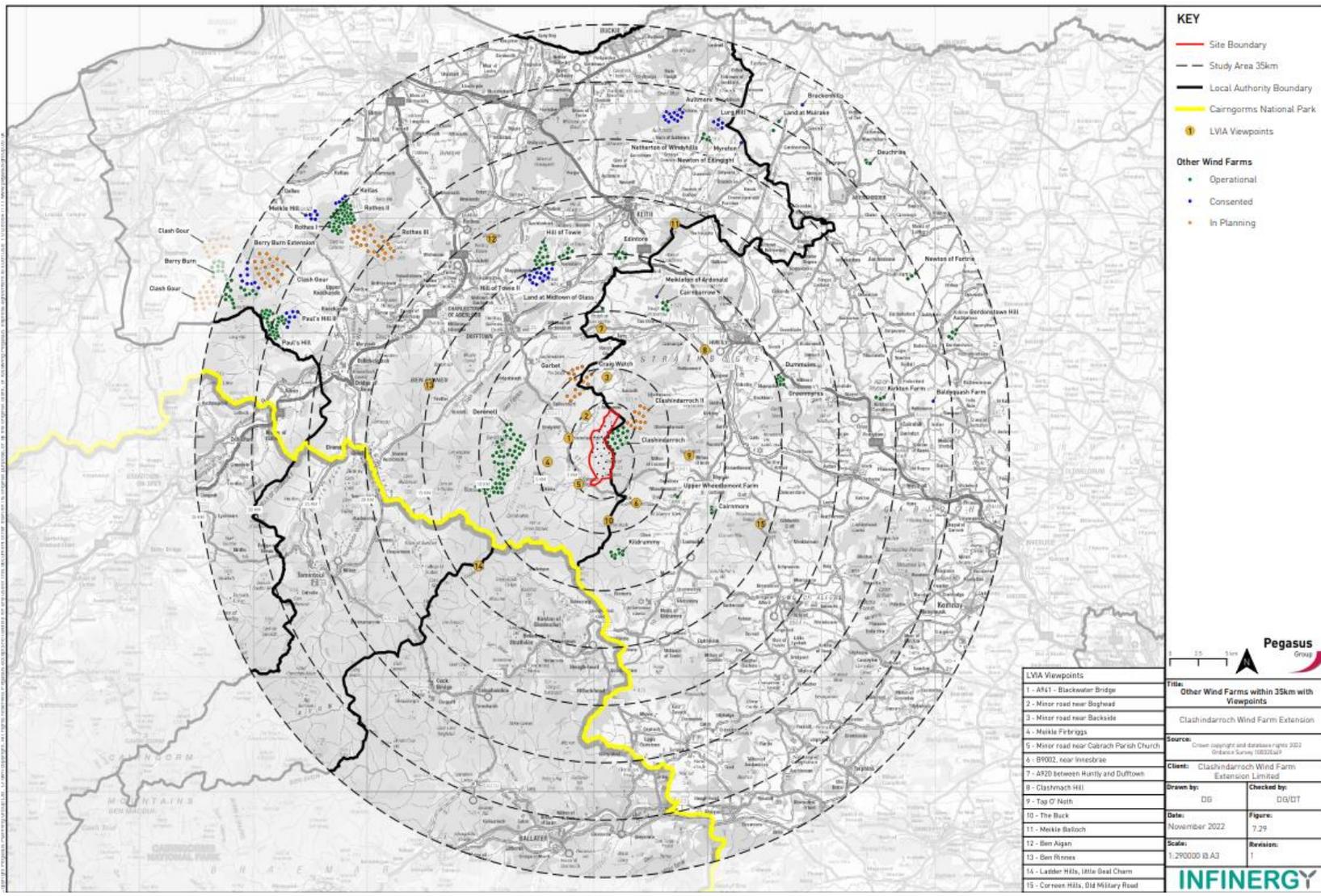
**DATE CALLED-IN:** 13 January 2023

**RECOMMENDATION:** No objection

**CASE OFFICER:** Emma Bryce, Planning Manager  
(Development Management)

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**CAIRNGORMS NATIONAL PARK AUTHORITY**  
**Planning Committee Item 9 28/04/2023**



## **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 an extension to the existing Clashindarroch wind farm which is 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 for a wind farm comprising of 22 turbines. This was accompanied by an Environmental Impact Assessment Report (EIAR).
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, such as 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 NatureScot (formerly Scottish Natural Heritage, SNH) and the Park Authority, NatureScot 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 located approximately 11km south east of Dufftown, 13km south west of Huntly and 8km to the north west of Rhynie. It lies approximately 7km at its closest point to the National Park boundary. The site lies within Moray, with its eastern boundary largely coincidental with the boundary between Moray and Aberdeenshire. The site lies within the Cabrach Estate and covers an area of approximately 859 hectares. It is predominantly heather upland which has been managed as grouse moor. Clashindarroch Forest lies to the east where the existing Clashindarroch wind farm is located on land that has now been largely clear felled. The existing wind farm comprises 18 turbines with blade tip heights of 110m.
5. The proposed wind farm will comprise 22 turbines, 13 with a maximum blade tip height of 200m and 9 with a maximum blade tip height of 180m. The proposal also includes associated infrastructure and ancillary works including internal tracks, construction compound, substation and battery storage compound and borrow pits. It has been

identified that 9 of the turbines will require aviation lighting. It is estimated that the proposed wind farm will have an estimated total installed capacity of 145.2MW.

6. Theoretical visibility of the proposed wind farm from within the National Park is shown by the applicant's EIAR figure 7.6 (**Appendix 1**). When considering the cumulative visual effects, the applicant's drawing P18-1991.400 Combined CZTV Proposed Clashindarroch Wind Farm (**Appendix 2**) demonstrates visibility of the proposed wind farm from within the National Park. Much of where it would be seen from is already influenced by visibility of a number of other existing and consented wind farms (the combined visibility shown in yellow). There are however some areas (shown in green) within the National Park where it would introduce visibility of a wind farm where currently there is none.
7. Visualisations from 15 viewpoints have been provided within the applicant's EIAR that demonstrate the level of visibility that the wind farm will potentially have. Only one is within the National Park boundary:
  - Figure 7.51a-c Viewpoint 14 – Ladder Hills Little Gheal Charn
8. All visualisations can be found (along with other EIAR material) on the ECDU website via [Scottish Government - Energy Consents Unit - Application Details](#)  
It is recommended that Committee members familiarise themselves with the visualisation(s) prior to the Committee meeting.

## **RELEVANT PLANNING HISTORY**

9. PRE/2017/0012 - May 2017 - CNPA responded to a scoping request from ECDU for 16 turbines at 149.5 metres to tip on site adjacent to the existing Clashindarroch wind farm in Aberdeenshire. The response predated the NatureScot/CNPA landscape casework agreement that has been used to gain NatureScot 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".
10. PRE/2017/012 (same reference number as previous case) - October 2018 - CNPA responded to a revised scoping request from ECDU for 14 turbines on the same site (Clashindarroch II) adjacent to the existing Clashindarroch wind farm in Aberdeenshire. 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".

11. 2019/0305/PAC – 15 January 2020 – CNPA raised no objections to the application for Clashindarroch Wind Farm II.
12. PRE/2020/0020 – 29 September 2020- CNPA responded to a scoping request for an extension to Clashindarroch 11. The response referred to the NatureScot/CNPA casework protocol and advised that NatureScot would provide advice on the potential effect on the SLQs given the site was outwith the Park. CNPA offered no further comment and referred to NatureScot's advice.

## PLANNING POLICY CONTEXT

13. The proposed development is located outside the National Park therefore policies contained within the Cairngorms National Park Local Development Plan 2021 do not apply. However, an assessment of the proposal must have regard to National Planning Framework 4 (NPF4) and the National Park Partnership Plan (NPPP).

### National Policy

14. **National Planning Framework 4 [NPF4]** sets out the 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 policies are a material consideration in planning decisions that carries significant weight.
15. Policy 4c (Natural Places) states that "development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest, or a National Nature will only be supported where:
  - a) The objectives of the designation and the overall integrity of the areas will not be compromised; or
  - b) 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."
16. Of relevance to the application is Policy 11: Energy of NPF4. The policy intent is to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy

generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage. Criterion 11(b) confirms that development proposals for wind farms in National Parks and National Scenic Areas will not be supported. Criterion 11(d) confirms that development proposals that impact on international and national designations will be assessed in relation to Policy 4. Criterion 11(e) required project design and mitigation to demonstrate how the impacts on road traffic and on adjacent trunk roads, including during construction and how the impacts on public access, including impact on long distance walking and cycling routes and scenic routes have been addressed by the proposal development.

17. As per Policy 4, the impact of any wind farm development outwith the National Park, must therefore be determined against the four aims of the National Park as set out in the National Parks (Scotland) Act 2000.

## **Strategic Policy**

18. The **Cairngorms National Park Partnership Plan [NPPP] 2022-2027** 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 National 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.
19. 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 A4 and C2a.
20. Policy A4 seeks to conserve and enhance the Special Landscape Qualities [SLQs]. Policy C2a 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 landscape qualities of the National Park. They are inappropriate within the National Park

or in areas outside the National Park where they adversely affect its landscape character or special landscape qualities.”.

## CONSULTATIONS

### NatureScot advice

21. In accordance with the NatureScot/CNPA casework agreement, NatureScot have provided CNPA with advice in relation to the effects on the National Park, of the proposed wind farm both alone and cumulatively with other existing and consented wind farms in the surrounding area.
22. They advise that there will be no significant adverse effects on the landscape character of the National Park.
23. In relation to the SLQs, NatureScot advise that there would be significant in combination and cumulative effects for the dark skies special landscape quality of the Cairngorms National Park. The assessment undertaken by the applicant considers the potential effects on the following SLQs:
  - 1) a landscape of layers, from inhabited straths to remote uninhabited upland/layers of receding ridgelines;
  - 2) the surrounding hills;
  - 3) grand panoramas and framed views; and
  - 4) dark skies.
24. There were no effects identified in relation to SLQ1, with moderate effects on SLQ2 and minor effects for SLQ3. In terms of SLQ4, there would be moderate, but not significant effects. The LVIA identifies both in combination and sequential significant cumulative effects for SLQ4 and notes that these “would occur within the same tract of the landscape to the north of the CNP and would not undermine the overall integrity of the SLQ to such an extent that it would no longer be able to be perceived.”
25. The proposed measures to mitigate the effects of the aviation lighting represent an optimal suite of lighting mitigation which is currently available.
26. It is concluded that the addition of the Clashindarroch wind farm extension along with consented or under construction, would not result in any significant cumulative effects beyond those arising from the development itself. Taking account of those windfarms consented or

under construction and including those in planning would however introduce significant cumulative effects.

27. NatureScot therefore consider that the significance of the effects the proposed wind farm extension will have on the SLQ are not to a degree that it would damage the integrity and objectives of the National Park.

## **APPRAISAL**

28. In the policy context of the NPPP and NPF4, consideration is required to be given to the effects of the proposed development on landscape character and the SLQs, both alone and cumulatively with other wind farms in the surrounding area.
29. Policy C2a of the NPPP sets out a test for considering effects on the landscapes of the National Park, in that large scale wind turbines are inappropriate outside the National Park where they 'significantly adversely affect its landscape character or special landscape qualities'. If a proposal fails policy C2.a, it will also conflict with policy A4, which seeks to conserve and enhance the SLQs.
30. Policy 11 of NPF4 seeks to encourage, promote and facilitate all forms of renewable energy development on shore and off shore. In assessing such proposals, Policy 4 – Natural Places, seeks to protect, restore and enhance natural assets making best use of nature based solutions. Paragraph c) states that development proposals that will affect a National Park will only be supported where the objectives of designation and the overall integrity of the areas will not be compromised.
31. Only one SLQ would be moderately affected by the introduction of aviation lighting and the effect on the dark skies. The site, however, is in an area which benefits from significant weather obscuration where the lights will be regularly obscured by cloud. The lights will only be required to operate at 10% luminous intensity 94% of the time significantly reducing effects. A series of additional mitigation measures has also been proposed including dimming, directional intensity and should regulatory process allow, the visible medium intensity turbine lights will be switched off for the majority of the time and only activated on those rare occasions in this location when aircraft activates the system. The applicants have also agreed to a suitably worded condition to enable future lighting effects to be mitigated to the extent of becoming almost non-existent.

32. The nature and significance of the effects are such that the proposal is therefore considered to comply with National Park Partnership Plan policy C2.a. Given the proposal is considered to comply with policy C2.a it is also considered to comply with policy A4.
33. When considering the limited nature and significance of the effects, in an area already affected by other wind farm developments, the revised proposal is not considered to compromise the objectives or the integrity of the National Park. The proposal is therefore also considered to be in accordance with NPF4 policies 11 and 4.
34. There are a number of existing and consented wind farms in the area surrounding the proposed wind farm. The addition of the Clashindarroch wind farm extension to this baseline would not significantly add to the existing level of effects, either alone or in combination with other existing or consented wind farms.
35. For these reasons, it is recommended that CNPA should **not** object to the revised proposed wind farm development.

## **RECOMMENDATION**

**That Members of the Committee confirm that CNPA does not object to the application for the proposed Clashindarroch wind farm extension.**