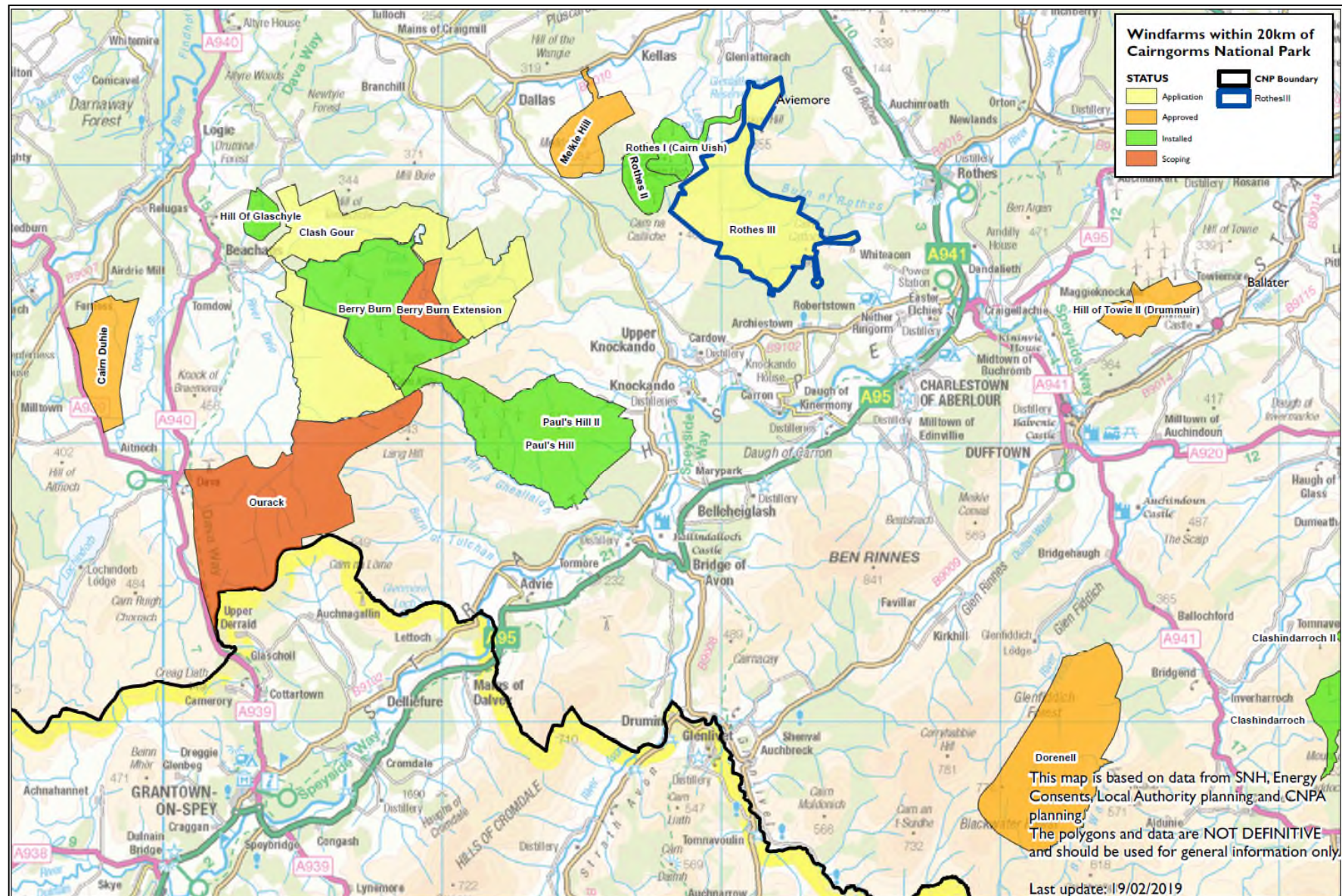


CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:	
Consultation from Scottish Government Energy Consents Unit	
REFERENCE:	2019/0045/PAC
APPLICANT:	Roths 3 Wind Farm
DATE CONSULTED:	11 February 2019
RECOMMENDATION:	No Objection
CASE OFFICER:	Katherine Donnachie, Planning Officer

CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Agenda Item 11 24/05/2019



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PURPOSE OF REPORT

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

SITE DESCRIPTION AND PROPOSED DEVELOPMENT

4. The proposed wind farm is to be located beside the existing Rothes Wind Farm located on an upland plateau south of Elgin in the vicinity of the hill of Carn na Cailliche some 7 km north east of Upper Knockando.
5. The site is located some 15 km (at its nearest point) to the north east of the northern boundary of the Cairngorms National Park as shown on the committee site plan above and within the plans attached in **Appendix I**. This site is located within the Moray Council administrative area and Moray Council is also a consultee to this process.
6. The development is proposed as an extension to the existing wind farm at Rothes. This existing wind farm originally comprised 22 turbines of height 100 metre to tip (Rothes I). An extension to the west of the original wind farm (called Rothes II) is also installed and comprises 18 turbines of height to tip ranging from 110 metres to 125 metres. It is now proposed to extend the existing “Rothes Wind Farm” to the south and east by Rothes III comprising 29 turbines, 18 at height 225 metres to tip, 8 at 200 metres to tip and 3 at 149.9 metres to tip. A total of 69 turbines would therefore comprise the total wind farm here.
7. The proposed turbines are of standard three blade design and the grid connection is anticipated to be made eastward towards Blackhillock or Aberlour. The expected installed capacity is likely to be around 4.2 MW per turbine to give total potential capacity of around 121 MW depending on final choice of turbine. Aviation lighting (comprising medium intensity 2000 candela lighting) will be required for all turbines higher than 150 metres which is 26 out of the 29 turbines. To mitigate the effects of aviation lighting the applicants have indicated that they would intend to install radar activated aviation lighting. Further mitigation could be considered by reducing the lights to 200 candela (10% of full 2000 candela luminescence) in clear visibility conditions.
8. A copy of the site location and layout plans is attached in **Appendix I – Plans**.

9. Ancillary infrastructure is proposed as follows:
 - a) Access tracks
 - b) Transformer housing
 - c) Anemometry mast
 - d) Construction and storage compounds
 - e) Substation and control buildings
 - f) Crane hardstanding and laydown areas.
 - g) Up to six borrow pits
 - h) Forest felling and re-stocking
10. The application is supported by an Environmental Statement (ES) which includes chapters on Landscape and Visual Impact Assessment (LVIA), photomontages, wirelines and ZTVs. The submission contains cumulative ZTVs, aviation lighting ZTV and sequential routes assessment.
11. The LVIA concludes that there will be significant effects in relation to the Upland Moorland and Forestry landscape character area which the site sits in due to the direct effects on landscape character and the increase in extent of the area with turbines that may be described as a 'wind farm landscape'. Significant effects have also been identified within 8 km of the proposed development area for the Broad Farmed Valley landscape character area which covers the Spey valley (Ballindalloch eastwards), due to the introduction of the turbines as large and prominent features on the horizon to the north. No further significant effects on landscape character were identified, with the LVIA highlighting no significant visual or landscape impacts for the National Park.
12. Overall, the LVIA concludes that the scale and topography of the receiving landscape is considered appropriate to accommodate the proposed development. Significant effects have been identified although these are considered to be relatively limited given the scale and size of the proposed Rothes III Wind Farm. It is also noted that given that 26 of the 29 turbines will be fitted with mandatory aviation lighting there will be periodic effects during night time hours. It is considered that radar activated aviation lighting together with mitigation to limit the intensity of the lights when lit between dusk and dawn will substantially limit these effects.
13. Assessment of the impact on the Special Landscape Qualities of the National Park is included in the LVIA material. This concludes that the proposed development will be visible from some upland summits located within the National Park as additional turbines adjacent to the existing Rothes I and II Wind Farms; will be further from the Park than Paul's Hill Wind Farm; and from Carn na Loine (Viewpoint 14) will be seen through Paul's Hill Wind Farm. It is considered that it will not introduce a new group of wind turbines into the view, but will enlarge an existing group in the distance.
14. This material also highlights that the visual effect on routes has been assessed and no significant effects identified within the National Park. In cumulative scenarios in which consented and application stage wind farms are also present in the landscape, there will be views from the hill summits at the northern edge of the National Park, of a series of wind farms outside the National Park to the north. The proposed development will be seen as part of this series, beyond Pauls Hill I (and II) Wind Farms. It is concluded that

the cumulative relationships between wind farms will not affect the reasons for which the Park was designated.

15. The submission also includes a number of viewpoints to help illustrate visibility from the Park. These will be available at the Planning Committee meeting.
16. Key viewpoints within the National Park are:
 - a) Viewpoint 8 - Carn a Ghilie Chearr located in the southern end of the Cromdale Hills some 18 km from the nearest turbine. This has been chosen to represent views from the northern boundary of the Park in the Cromdales,
 - b) Viewpoint 14 Carn na Loine some 16.8 km from the nearest turbine
 - c) Viewpoint 15 Carn Diamh some 22 km from the nearest turbine in the Glenlivet/Strathavon area
 - d) Viewpoint 16 Cnap Chaochan Aitinn some 37 km from the nearest turbine and south of Tomintoul
 - e) Viewpoint 17 Bynack More some 44 km from the nearest turbine and located in the Cairngorms.

RELEVANT PLANNING HISTORY

17. **PRE/2017/0038** -As this is an EIA development a scoping opinion was submitted to the Energy Consents Unit and the CNPA and SNH responded with comments in May 2017.
18. There are a number of other wind farm proposals, at both formal application and scoping stage in the immediate vicinity summarised as follows:
 - a) **Pauls Hill I** - constructed and operational since 2006, it comprises 28 turbines of height 100 metres to tip and overall output of 64.4 MW.
 - b) **Pauls Hill II** - A Section 36 application to erect a further 7 wind turbines to the east of the existing wind farm was considered at the August 2018 meeting of the CNPA Planning Committee when it was agreed to raise no objection but to recommend that the CNPA support Scottish Natural Heritage's landscape recommendation that the applicants consider further mitigation of landscape and visual impacts through removing, relocating and/or reducing the height of turbines 5, 6 and 7 providing this did not compromise embedded mitigation for the River Spey SAC and Hen Harrier interests. Six of these turbines were to be 134 metres to tip, and one 149.9 metres to tip. Hub height ranged from 75.5 metres to 91.4 metres.
 - c) **Berryburn Wind Farm (previously known at Cairn Kitty)** - Moray Council reference 04/02473/S36 is constructed and operational, comprising 29 wind turbines of height 100 metres to tip.
 - d) **Roths 1 and 2 Wind Farms** - constructed and operational. Roths 1 comprises 22 turbines of height 100 metres to tip, and Roths 2 comprises 18 turbines of height 125 metres to tip.
 - e) **Clashgour Wind Farm** is the subject of the next item on the agenda (CNPA reference 2019/0019/PAC) and proposes the erection of up to 48 turbines

wrapping around the Berryburn wind farm with height to tip ranging from 130 to 176 metres.

- f) **Hill of Glashcyle** (Moray Council reference 13/00053/EIA) - wind farm consented and constructed comprising 12 wind turbines of height 100 metres.
- g) **Cairn Duhie** (Highland Council reference 13/04142/S36) - wind farm consented and under construction comprising 20 wind turbines of height 110 metres.
- h) **Ourack** (CNPA Reference PRE/2017/0043): at scoping stage this proposal comprised up to 50 turbines of unspecified height ranging at this stage.

19. These are shown on the plans contained in **Appendix 2** which shows wind farms around the National Park.

PLANNING POLICY CONTEXT

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

National Policy and Guidance

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

considered and references the range of SNH publications and guidance on wind energy and planning.

24. National Parks are highlighted in paragraphs 84 – 86 of the SPP under the “promoting rural development” section. These paragraphs re-state the aims of the National Parks and the need to pursue these collectively. SPP highlights that if there is a conflict between the first aim (conserving and enhancing the natural and cultural heritage of the area) and any of the others then greater weight must be given to the first aim. Planning decisions are expected to reflect this weighting and be consistent with these aims.
25. Paragraph 212 of the SPP highlights that where development affects a National Park it should only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or any significant adverse impacts on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
26. SPP also highlights in paragraph 85 that these aims and requirements apply to development outwith a National Park that affects the Park.

Strategic Policy

Cairngorms National Park Partnership Plan 2017- 2022

27. The Cairngorms National Park Partnership Plan (NPPP) is the National Park Plan required under section 11 of the National Parks (Scotland) Act 2000. It is the management plan for the Cairngorms National Park that is approved by Scottish Ministers. It sets out how all those with a responsibility for the Park will coordinate their work to tackle the most important issues. As noted earlier the National Park Act sets out that decision makers must in exercising functions so far as affecting a National Park, have regard to the National Park Plan as adopted.
28. The NPPP sets out the vision and overarching strategy for managing the National Park, guiding the work of all public bodies and other partners to achieve the aims of the Park which are set out in the NPPP and legislation. The vision is for an outstanding National Park enjoyed and valued by everyone, where nature and people thrive together.
29. Three headline long-term outcomes for the Park are set out as follows:
 - a) **Conservation** - A special place for people and nature with natural and cultural heritage enhanced.
 - b) **Visitor Experience** - People enjoying the Park through outstanding visitor and learning experiences.
 - c) **Rural Development** - A sustainable economy supporting thriving businesses and communities.
30. The Plan also explains that the landscapes of the National Park are valued by many and underpin the area's economy. The NPPP contains policies to deliver these

outcomes. Key policies in relation to the current Pauls Hill 2 proposals are policies 1.3 and 3.3.

31. Policy 1.3 seeks to conserve and enhance the special landscape qualities with a particular focus on conserving and enhancing wildness qualities; maintaining and promoting dark skies; enhancements that also deliver habitat improvements; enhancing opportunities to enjoy and experience the landscapes of the Park and applying a presumption against new constructed tracks in open moorland.
32. Policy 3.3 seeks to support development of a low carbon economy and states that: *“large scale wind turbines are not compatible with the landscape character or special qualities of the National Park. They are inappropriate within the National Park, or where outside the Park they significantly adversely affect its landscape character or special landscape qualities”*

CONSULTATIONS

33. The Scottish National Park Authorities have agreed a protocol arrangement with Scottish Natural Heritage (SNH) on respective roles in advisory casework. The agreement sets out that SNH will take the lead role in considering the impacts on the National Park designation of proposals outside the Park, with the National Park Authority in a supporting role. The protocol also sets out that National Park Authorities and SNH, with others share a responsibility for delivering National Park Partnership Plans and safeguarding the integrity of the National Parks and their special qualities.
34. Set against this background, SNH’s landscape advisor has assessed the proposed development focussing upon impacts on the Special Landscape Qualities of the National Park noting that impacts upon the wider landscape and visual resource outside of the Park will be considered by the respective Councils.
35. The advisor considers that Rothes I is a relatively well sited wind farm contained within the upland landscape, with Rothes II seeking to work with the existing development to reduce adverse views. As a result the existing Rothes Wind Farm is experienced as a relatively tight cluster of turbines on the horizon in views from the Cromdale Hills and Cairn Daimh where visibility for the new proposals is predicted. However the scale and spacing of turbines of the proposed Rothes III development leads to an impression of a substantially larger development, the prominence of which may introduce significant adverse effects on the Special Landscape Qualities to the north of the Park. Allied to this is the fact that the new development extends onto, and surrounding, the hill summit of Carn na Cailliech, which provides some visual containment to the existing wind farm, so resulting in Rothes III appearing prominent in views from the northern fringes of the National Park.
36. This results in Rothes III being experienced as a separate, much larger development albeit it one that sits next to the existing wind farm. The composition is one of a loose arrangement of large turbines contrasting markedly with the existing tight cluster of smaller turbines, creating a complex layout,

contributing to the extent of significant cumulative visual effects in views from highly sensitive receptors to the south and introducing significant effects on the special landscape qualities of the National Park. Concern is raised regarding the design of the wind farm itself.

37. Against this background in terms of impacts upon landscape character the advisor broadly concurs with the applicants' findings that there will be no significant effects on the landscape character of the National Park.
38. The impacts upon the visual amenity of the National Park have also been considered and the advisor notes that there is limited fragmented visibility running up the northern boundary which reduces on extending into the Park. However there will be new theoretical visibility introduced into the Park at lower elevations. This may be mitigated by existing woodland etc., whereby it is concluded that the effects would not be significant.
39. Up to the Park boundary visibility is predicted within and on the north facing slopes that form the Spey Valley and to a lesser extent the River Avon to two main areas with noted visibility to part of the wind farm blade tips and hub. These area comprise (a) fragmented visibility along the Cromdale Hills from the northern Park boundary at Carn a Ghille Chearr and running southwest along the ridgeline to Sgor Gaoithe and (b) along the immediate slopes of Glen Avon and upper slopes and summits of Carn Liath/Carn Dìamh
40. Beyond 30km there is fragmented visibility in a cone extending across the Cairngorm Massif limited to upper north facing slopes and summits. Given the distances involved and the relatively limited visibility, significant effects are unlikely to occur here.
41. However the advisor considers that, contrary to the applicants' assessment of viewpoints, the proposed development will introduce significant adverse impacts on the northern extent of the Cromdale Hills at Carn a Ghille Chearr. This will be a cumulative effect, in particular with Pauls Hill, as the proposed Rothes III development will increase the extent of large scale wind energy along and down from the immediate horizon, breaching the screening previously afforded. The level of cumulative impact will be increased by Clashgour but it the large scale and prominence of Rothes means that it will introduce the greater extent of cumulative change.
42. In terms of impacts upon the Special Landscape Qualities (SLQs) of the National Park the advisor has focussed on effects in two areas, the Cromdale Hills and Cairn Dìamh area at Glenavon. Within this area the most susceptible special landscape qualities are considered to be vastness of space, scale and height; grand panoramas and framed views; landscape of layers; the surrounding hills; extensive moorland; layers of receding ridge lines; a landscape of many colours; and attractive and contrasting textures . These SLQs can be considered collectively as they are typically all expressed in these two areas. Wildness and Dark Skies SLQs are not however consistently expressed here and so were considered separately.

43. Due to the extent and large scale of the proposed development (irrespective of its relationship to Rothes) Rothes III appears of a comparable scale to Paul's Hill, which usefully informs assessment in the field. In views, for example from Carn a Ghille Chearr, the development at Paul's Hill features prominently in the view, the turbines partially skylining and backclothed, the rotating blade clearly visible, creating a strong point of focus in the views north, interrupting and drawing attention from the wider panoramas. Whilst Paul's Hill is typically 8 km closer to the receptor, the comparable scale of the Rothes III turbines would mean they would be clearly visible on the horizon, extending down the slope which forms the immediate visual horizon. From the summits of the Cromdales and north facing slopes (and from Carn Daimh slopes and summit and part of the Speyside Way) Rothes III would introduce large turbines in an additional loose composition over 18 degrees of view, which will be viewed in combination with existing turbines at Rothes, Paul's Hill and to a lesser extent Berryburn and Glaschyle .
44. Collectively the SLQs contribute to the individual SLQ of wildness. From SNH's Wildness mapping the Cromdales have a higher wildness score as opposed to Carn Daimh, which relates to the broader and more elevated topographical mass of the Cromdales. Viewed at a comparable scale and spread of development as Paul's Hill the turbines of Rothes II will create an extended experience of turbines on the immediate upland visual horizon to the north, eroding the tangible wildness SLQ.
45. The SLQ Dark Skies is considered to be a distinctive feature for both Carn Daimh and in particular the Cromdale Hills where the intermediate skyline is created by the darker contrast of the closer uplands and the lighter Moray Firth in the distance.
46. Although no specific night time visualisations have been provided other supporting material indicates that aviation lighting could introduce impacts up to 25 km from the development into the National Park. Accordingly from Carn Daimh and the north extents of the Cromdales, lighting will impact on the Dark Skies SLQ. .
47. In these overall circumstances the Advisor considers that Rothes III cumulatively has the potential to significantly increase and intensify some adverse significant effects on some of the special landscape qualities. It is recognised that there would be an increase in magnitude of change contributing to significance of cumulative effects on the collective appreciation of SLQs but their limited extent on the north of the Park are unlikely to affect the integrity of the Park.
48. It is therefore concluded that whilst significant effects on the SLQs will result from the introduction of Rothes III, these are unlikely to affect the integrity of the Park and therefore do not raise issues of National Interest to SNH.

APPRAISAL

49. As the development proposal is located outwith the Park boundary, the key planning issue for consideration is that of the landscape and visual impact, and in particular whether the proposal will significantly adversely affect the landscape character and special landscape qualities of the National Park. All other matters, including ecology, noise, and general amenity etc. are assessed by the decision maker (Energy Consents Unit) with advice from statutory consultees.
50. In this context a key consideration is the landscape and visual effects from the northern parts of the National Park arising from the increased number of turbines visible and in particular how this relates to existing wind farms in terms of height and configuration of turbines, and any impacts from visible aviation lighting.
51. The National Park Partnership Plan (NPPP) and Scottish Planning Policy set out how proposals outwith the boundaries of the National Park should be considered in terms of impacts upon the Park. The NPPP sets out in policy 3.3 a test for considering this, explaining that large scale wind turbines are inappropriate outside the Park where they *significantly adversely affect its landscape character or special landscape qualities*.
52. Similarly Scottish Planning Policy (SPP) sets out as noted earlier, that where development affects a National Park it should only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or any significant adverse impacts on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
53. In this case the new development is located at a considerable distance (around 15 km) from the National Park boundary and will be beside an existing wind farm development, set within an area of landscape character which is not contiguous or continuous with the landscape of the National Park. Whilst, due to the height and siting of the proposed turbines Rothes III will intensify the Rothes wind farm grouping (and indeed add to the cumulation of wind farms in this part of Moray), it is not considered that it will have adverse landscape and visual impacts upon the National Park given its location, set within the Moray uplands, beyond the landscape character of the National Park. Consequently the impacts upon the landscape character of the National Park are not considered to be significantly adverse.
54. Impacts upon the special landscape qualities of the National Park are generally considered to be potentially significantly adverse only in relation to the impacts on dark skies as viewed from the Cromdale and Strathavon area, albeit from a considerable distance. This is also of some relevance insofar as the Glenlivet area has recently been given dark skies status although it is not considered that this status will be adversely impacted by lighting on turbines to the far north east looking out to Moray where there are numerous settlements with lighting. These potential impacts could be mitigated by implementing mitigation to reduce the impacts of aviation lighting for example by installing sensors as described earlier.

55. The impacts upon the National Park have been fully considered by SNH's landscape advisor who has concluded that whilst in this case there will be some potentially adverse significant impacts upon the dark skies special landscape qualities as a result of the visible aviation lighting, the development will not affect the integrity of the National Park and as such no issues of national interest are raised.
56. In conclusion whilst there is already a build-up of wind farms in this area north of the National Park which the current submission undoubtedly adds to, it is not considered that the proposed development will significantly adversely affect the landscape character or special landscape qualities of the National Park. This is due to the considerable distances involved, the topography and the context in that the development is located in the Moray uplands as opposed to being contiguous and continuous with the landscape character of the National Park. The development will be viewed as extending and intensifying the existing wind farm development in this area to the north of the National Park and will be visible in the context of this.
57. In these overall circumstances it is considered that whilst there will be some effect on the National Park arising from the intensification of wind farm development in this area north of the National Park this is not considered to significantly adversely affect the landscape character or special landscape qualities as a whole. It is also not considered to compromise the objectives of the designation or the overall integrity given the distance from the Park and the nature of the impacts. In these circumstances the proposed development is considered to comply with the National Park Partnership Plan and with national planning policies in respect of the impacts on the National Park.
58. In these overall circumstances it considered that the CNPA should not raise an objection to the proposals.
59. There is however considered to be scope to reduce the impacts on the "dark skies" special landscape quality by ensuring that sufficient mitigation is implemented, for example through the use of visibility activated sensors to help ensure that lighting impacts are minimised. Accordingly it is recommended that this be highlighted to the decision maker for their consideration of design issues.

RECOMMENDATION

That Members of the Committee confirm:

- a) **That the CNPA has NO OBJECTION to the application for the proposed Rothes 3 Wind Farm and**
- b) **Recommend that mitigation is incorporated to minimise the intensity and frequency of use of aviation lighting in order to minimise any impacts upon the dark skies special landscape quality of the Cairngorms National Park.**

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,

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