

# Caithness West Action Group (CWAG)

---

## Precognition

Alastair MacDonald

---

**for a Public Local Inquiry**

into an application by Baillie Wind Farm Limited

for the proposed construction of a wind power station comprising

21 wind generator turbines of 110m overall height, and associated development, on land  
at

BARDNAHEIGH FARM, WESTFIELD, BY THURSO, CAITHNESS

known as "BAILLIE HILL WIND FARM"

---

DPEA Ref IEC/3/105/3

Highland Council Reference. No. 04/00342/S36CA

*Before:* Mr David Russell, MA (Hons), MPhil, MRTPI, Principal Inquiry Reporter, DPEA

1. My name is Alastair MacDonald. I live at Stempster House, Westfield, Thurso which will be approximately 600 meters from the nearest turbine should this development proceed. I have lived in Caithness for most of my life and at this residence with my family since 1991.
2. I am a manager with UKAEA - the company that currently manages the decommissioning of the nearby Dounreay facility. I have the following relevant professional qualifications and experience.
  - a. A degree in Physics and Engineering,
  - b. A member of the Institution of Engineering and Technology.
  - c. A Chartered Engineer.
  - d. A member of the Institute of Directors.
3. I have worked in the nuclear industry for 22 years and have a wide range of experience in many aspects. This includes training and experience in Planning, Environmental and Safety aspects of work in the industry.
4. Neither I nor my family have any financial interest in the proposed development.
5. I would consider myself a supporter of green and renewable energy and would be in favour of wind farms and alternative renewable developments provided they are constructed in the correct places with proper cognisance of the detriments.

6. I wish to reinforce from the outset that I consider any nuclear verses wind arguments as a non-issue and believe that a balanced energy supply to ensure security, quality and affordability of supply within the UK is a prime factor irrespective of the generation source.
7. I am not presenting this evidence as an expert witness but as a local resident presenting my own views and those of the group I represent.
8. I am appearing at this Inquiry for the following reasons:
  - a. I have been asked to represent the views of the local community - the residents who live nearby have formed a group of like minded people who have good reason to oppose this development.
  - b. I am concerned that this development is too close to residential houses and will have detrimental effects on amenity.
  - c. I am concerned that the evidence to date highlights the developer's company - Baillie Wind Farm Ltd (BWFL) - has paid scant regard to planning law in Scotland and am worried where this will lead should they be successful with securing deemed planning permission for this development.
  - d. I am concerned that there has been no attempt to listen to the views of local residents and any consultations have been too late to have any influence on the design of the proposal.
  - e. There is overwhelming evidence that there is strong local objection to this development and I wish to make sure that this is clear.
  - f. I am concerned that issues relating to tourism are insufficiently developed with the direction given by the Scottish Ministers and the views of the local population ignored. Given the economic position in Caithness this development should not be approved.

9. My evidence will be organised as follows:
  - a. Planning Process - from paragraph 10.
  - b. Public Opinion - from paragraph 29.
  - c. Tourism - from paragraph 88.

## **PLANNING PROCESS**

10. To date the developer has shown, at best, an indifference to the planning process. We would contend that this does not bode well should planning permission be granted for the Baillie Wind Farm particularly given the number of planning conditions proposed.
11. The recent European Court of Justice ruling relating to a wind farm being built at Derrybrien in Ireland highlights problems caused by developers that breach planning conditions. This has prompted a change of law to bring in harsher punishments to those who breach planning conditions. It also shows the need for carrying out a proper EIA. David Craig will produce evidence showing shortfalls in the BWFL Environmental Statement and addendum.
12. The following evidence leads us to the conclusion that the developer has little regard to the planning system.
  - a. A 10m anemometer mast erected in 1994 had planning permission for 1 year. This highlights that the landowner was well aware of the need for planning permission for a mast.
  - b. A 60m mast was illegally erected in May 2004 without planning permission. Retrospective planning permission was granted in

September 2004 [CWAG/096 Exh 1] subject to planning conditions [CWAG/040].

- c. A planning condition to fit bird deflectors was not closed out until nearly a year after planning permission was granted.
  - d. A formal Breach of Conditions was served on the developer on the 11th February 2005 with 30 days notice. Six months later on the 9th August 2005 the Highland Council had to prompt the developer for evidence of closure. This was eventually closed out on the 23rd August 2005, over one year since the initial planning committee meeting.
  - e. When the planning permission expired in April 2006 the mast was still in place illegally without planning consent.
  - f. Retrospective planning permission was once again sought and granted on 19th May 2006 [CWAG/041] [CWAG/096 Exh 4].
  - g. When Planning Permission again expired in May 2008 the anemometer was once again in place illegally without planning permission.
  - h. The mast remained in place illegally for nearly 8 months after the planning permission expired and 2 months after the Highland Council had written to remind the developer that the mast was unauthorised.
  - i. The mast was eventually dismantled on 14th January 2009.
13. We believe that this is relevant because there are planned to be a significant number of conditions attached to the deemed planning approval. These conditions are there to protect the public, ensure compliance with consultees' demands, and make sure the development is constructed in accordance with the Environmental Statement.

### **The 1994 Mast**

14. Bailie Wind Farm literature states that a mast was erected in 1994. The Highland Council have a record of Planning Permission awarded on the 20th January 1994 for a 10m mast which expired on the 31st Dec 1994.

### **Construction of 60m Anemometer Mast**

15. A mast was constructed on Baillie Hill on the 6th May 2004. A planning application was not received until the 10th May [04/00178/FULCA]. The application was considered on the 9th August 2004 [C/P/184/4] [CWAG/040] but deferred until the 30th August for a site visit. Planning Permission was granted on the 2nd September (see appendix B) subject to conditions:
  - Planning permission expired on the 15th April 2006. See [CWAG/096 Exh 1] for the decision document.
  - No work between the 1st April and 15th August in any year.
  - Bird deflectors to be fitted to the prior written approval of the Planning Authority
16. Ultimately all these conditions were breached.
17. Prior to granting permission the developer's agent wrote to The Highland Council with the reasons for not applying for permission in good time - the reasons given were that (a) a mast became available and (b) the application was minor. This prompted an angry reaction which was recorded by the press. See [CWAG/096 Exh 2] for the local press article. A similar article appeared in the Press & Journal.

- Chairman of the Planning Committee - "The applicant has shown a cavalier disregard for the planning process."
- Planning & Control Manager - "This is not the unimportant development the company is trying to make it out to be. Their excuses are inexcusable."

### **Bird Deflectors**

18. By October there were still no bird deflectors fitted. After 3 letters and 2 site visits from the Highland Council a formal Breach of Condition was served on the 11th February 2005. This breach of condition should have been complied with, within a 30 day period. After 6 months there was no evidence of compliance and the Highland Council reminded the developer. The condition was closed out on the 23rd August 2005, just under 1 year since planning permission was granted.
19. The evidence of these letters and visits are all available in the Highland Council files associated with the planning application.
20. Again this issue was of sufficient interest to warrant articles in the press [CWAG/096 Exh 3]. A similar article again appeared in the Press & Journal.

### **Second Planning Application**

21. Planning permission expired on the 15th April 2006 but a follow on planning application was not granted until the 19th May 2006. The planning permission was therefore allowed to lapse and the mast was again unauthorised.

22. Planning permission was granted for a further two years. [CWAG/096 Exh 4] shows the decision document.

### **Expiry of Planning Permission**

23. Planning permission for the mast expired on the 19th May 2008. However the mast remained in place. On the 10th November 2008 the Highland Council stated that - "We [Highland Council, Planning Department] have written to the applicants and reminded them that the mast is now unauthorised. They have been given the opportunity to apply to renew the planning permission or to remove the mast from the site, failing which enforcement action may be taken."

### **Mast Removal**

24. The mast was removed on the 14th Jan 2009. This was just under 8 months after the expiry of the planning permission.

### **Conclusions**

25. We would conclude that this mast was erected in an unauthorised manner and planning permission allowed to expire twice therefore leading to three separate periods which the mast was unauthorised and therefore erected illegally.
26. We would conclude that compliance with planning conditions was not adhered to in a timely manner.

27. We would conclude that a formal "Breach of Condition" notice was not complied with in a timely manner.
28. This would lead us to the conclusion that the development company and its Directors do not take the planning process seriously and do not respect the process. They have not shown the responsibility to manage, design, construct and operate a wind power station on this scale.

## **PUBLIC OPINION**

29. Local public opinion is a material consideration when determining any planning application. Scottish Planning Policy reminds us that: *The [planning] system should operate to **engage all interests as early and as fully as possible** to inform decisions and allow issues of contention and controversy to be identified and tackled quickly and smoothly.*
30. This precognition shows that there is considerable objection, both local and further afield, to the Baillie wind farm. The objections are by and large of substance and specific to the planned wind farm.
31. This precognition will also show that there is very little support for this planned wind farm. What support there is, is largely general in nature in support of renewable energy by people not living close to Baillie, or is from individuals and organisations with a financial or similar interest in the site.

## **The 1994 Scheme**

32. In 1994 a planning application and supporting ES [CWAG/092] was submitted for a 10 turbine wind farm (6 MW max) on the Baillie Site [CA/1994/261]. This application was not fully progressed because the developer did not get a contract under the Scottish Renewables Obligation (SRO) scheme and the planning application was withdrawn in July 2000. However the scheme prompted significant local unrest with a number of articles in the press highlighting this. These are available for inspection if required.
33. On file there are well over 50 specific letters of objection to this development during the formal consultation phase. In addition there were some petitions with over 70 signatures.
34. A report was produced by the local community and submitted to the Highland Council explaining the issues with this development - along with two other related developments. This report included 62 signatories.
35. This gave the developer ample opportunity and time to understand the local concerns and to deal with them. Instead a number of years later we see a much larger scheme proposed on the same site that largely ignores the genuine local opinions that were raised.

#### **Environmental Statement 2004**

36. In July 2004 a consultation was started by the Scottish Executive for a new scheme which had been submitted for a 75 MW wind farm comprising 25 turbines at Baillie.

37. According to information received from the Scottish Government Energy Consents Unit (ECU) there were:

- 162 objectors
- No supporters

38. An analysis of this data where the location is known shows the demographic spread of these objectors [CWAG/064 Table 1] shows this. It highlights that 73 (45%) of these objectors live closer than 5km to the site.

39. Most of these responses are in the form of detailed letters and have clearly been informed by the Environmental Statement prior to making their responses.

40. Where the letters have been made available from ECU (I have all but 2) the table below shows how they are split:

- A letter - which in many cases took a lot of effort and examination of the Environmental Statement
- A downloaded letter from CWIF [Caithness Windfarms Information Forum] - this was pre-prepared and individuals could choose from a range of topics that they had issues with and then send this to the ECU - many chose to add their own additional and personal comments.

<b>Type of Objection</b>	<b>Number</b>
CWIF	18
Letter	142
<b>Grand Total</b>	<b>160</b>

41. Of the 142 letters the following table shows how many pages were submitted:

No of Pages	No of Letters
1	87
2	32
3	8
4	3
5	3
6	1
7	5
8	1
9	1
15	1
<b>Grand Total</b>	<b>142</b>

42. Many include a number of A4 handwritten pages showing that people put a lot of effort in what they wished to say. While the number of pages is not a direct correlation to the quality of the submission the objectors' letters cover a wide range of concerns.
43. The issues raised by the objectors were many and varied. The ECU have tabled the points raised which are summarised here. The top 10 issues are shown in the table below.

<b>ISSUE</b>	<b>Number</b>
LANDSCAPE & VISUAL AMENITY	146
PROPERTIES IN CLOSE PROXIMITY	89
EFFECTS ON HEALTH	88
EFFECT ON BIRDS	83
TOURISM	73
NOISE	64
STROBOSCOPIC EFFECT	63
OTHER SUITABLE SITES	55
LACK OF COMMUNICATION	53
CONTRAVENES PLANNING POLICY	45

44. There are a further 34 topics that have been raised by the objectors to this first ES. Many of these are planning issues (cumulative effect,

ecology, effect of wildlife) but some are not planning matters (house prices) and some indicate wider concerns in relation to policy (inefficiency of generation, no need for the development, the need for backup generation).

45. It is disappointing that those who took the time and effort to write with their concerns were completely ignored by BWL in subsequent iterations of their ES.

### **Environmental Statement 2006**

46. In early 2006 a further consultation was initiated when BWFL submitted an addendum to their original Environmental Statement.
47. This document makes no mention of taking on board the views of the consultees - other than those statutory consultees. This is blatantly ignoring one of the fundamental principles of planning policy.
48. Further objections were received. Some of these objections were from the original objectors and there were additional members of the public objecting.
49. Of those who originally objected, 43 reiterated their objection with additional comments. Of the 43, individual letters were submitted by 32 people with 10 people choosing to use the CWIF template. (This leaves 1 where I do not have the details.)
50. A further 71 people added their names to those opposing the development with 42 writing letters and 27 using the CWIF template (the remaining 2 are unknown).

51. By the time the deadline of the 10th March 2006 for the consultation period was complete there were no letters of support.
52. I should reinforce that the quality of the letters were very good (with 38 of the 74 letters more than 1 page long) and described in a good level of detail the reasons why this development should not go ahead. The top 10 issues raised by the objectors were as follows:

<b>ISSUE</b>	<b>Number</b>
LANDSCAPE & VISUAL AMENITY	67
OTHER SUITABLE SITES	60
LAND USE & OWNERSHIP	54
TOURISM	53
CONSTRUCTION HAZARDS	49
RECREATION AREA	45
EFFECT ON WILDLIFE	39
NO NEED FOR DEVELOPMENT	29
LOCAL EMPLOYMENT/BUSINESS	24
EFFECT ON BIRDS	22

### **Supporters after the Close of Consultation of the ES addendum**

53. The consultation period closed in March. From April to November 2006 there were a total of 13 supporters who registered with the ECU. However only 12 letters exist. The 13th name was entered on the wrong part of the database by ECU as this person was one who filled out the petition letter.
54. The majority of the supporters have a business interest, a financial interest or are a stakeholder in the development. CWAG/064 table 2 shows this. Many of the points in the letters were in recognition of the need for renewable energy but included points such as:

- a. They have a financial stake in the development.
  - b. Reduce the dependence on oil & gas.
  - c. The care that the developer has taken to consult.
  - d. Business opportunities.
  - e. NIMBY's.
  - f. Easier to decommission, unlike nuclear.
  - g. Turbines being safer for children because they are more difficult to climb than pylons.
  - h. Out of view of Thurso and Reay.
  - i. Houses close do not face the turbines.
55. It is surprising that more of the shareholders did not write to support the development, but with the exception of the current landowners living at Baillie all the other shareholders live far away from the area and would not have to put up with the implications and detriments associated with the development - only the financial return. CWAG/096 Exh 5 shows a breakdown of the shareholdings in the company which highlights the fact that indirectly 31% of the shareholding is owned by the Norwegian state.
56. In June 2007, over a year after the consultation closed, a petition was received with 830 names. ECU data in Feb 2009 shows a total of 811 petition letters. A copy of a specimen is referenced [CWAG/063]. This shows that the prime focus of the petition letter is very generic in support of renewable energy. The signatories were obtained by members of a group called the Sustainable Energy Alliance - a group who state "that renewable forms of energy and especially that of wind power, should be adopted as soon as possible". They canvassed for support in Wick, Thurso and Inverness.

57. We have been informed of one person who became aware that her name was being used to support this development. She thought that she had signed a sheet supporting renewable energy in general and not to support the Baillie Wind Farm. CWAG/096 Exh 6 shows a copy of her comments to the ECU.
58. This highlights the dangers of using a petition such as this obtained from people in the street and using this to highlight support for a specific development. The developer has tried to claim that this is not a petition but individual letters of support. See an email from a Director of Baillie Wind farm Ltd to ECU 4th Dec 2007 attached as CWAG/096 Exh 7. It is pretty clear that this is simply a petition, even though the signatures are on individual sheets of paper rather than lines on one sheet.
59. The demographic spread of the supporters' petition where addresses are available is shown in CWAG 064 table 3.
60. This highlights that 1/3 of the total live in Caithness and maybe directly affected by the Baillie Wind Farm. Further analysis of the supporters in Caithness (KW Postcode therefore includes Orkney) is shown in the CWAG/064 table 4.
61. This highlights that there is only one person who signed the petition that lives near (within 5km) the proposed Wind Farm.
62. There are two further issues with this petition which David Craig will address:
  - a. Exaggerated CO<sub>2</sub> savings claims.

b. A promise of no need for any new pylons.

63. There is also a letter of support from the Caithness West Community Fund. This group has been set up distribute funds from Wind Farms in the area. Interestingly one of the Directors of this company has separately submitted a letter of objection to this development.

### **Later Letters of Support**

64. Further letters were received much later - from October 2008 to January 2009. The ECU database shows a total of 15 supporters. However:

- a. One of these is a cover letter from the developer submitting some of these letters.
- b. Two of these are additional comments from stakeholders that have previously submitted letters of support.
- c. Three of these are from people with a financial interest or are tenants of the landowner.
- d. One is supporting because of his business interests during construction.
- e. Some of the remainder are from those in the farming community who live nearby with one clearly keen to use his land for any expansion of this wind farm.

### **Postal Ballot - Highland Council and the Community Council**

65. The Community Council and Highland Council organised a postal poll in late 2007. This poll demanded a simple answer to a simple question. The

details are in a letter from the Highland Council Ward Manager included in CWAG/096 Exh 10. The key points from the results are:

- a. Ballot papers were coded to understand the responses from those who live within 2km, between 2 and 5 km and over 5km from the development.
  - b. Average return rate was 42.7% with a high 68.4% rate from those close to the development and a 28.4% return from those furthest away.
  - c. 76.3% of those within 1km from the development are against the wind farm.
66. Overall 82.3% of the total returns were against the proposal.
67. The outcome of this poll clearly reinforces strong local opinion against the development.

#### **Further Objections after the Close of Consultation of the ES Addendum**

68. Later in 2007 a further 33 individual letters of objection were submitted - 3 of these are from people who live within 5km. The remainder are mostly from within Caithness.
69. When The Highland Council Planning Report [CD/5] was issued, a further set of 92 objectors letters were received in Jan/Feb 2008. A copy is attached in CWAG/096 Exh 8. These letters were prompted by the fact the Highland Council had not seen the letters submitted to ECU.

## Highland Council Report

70. As statutory consultees to the Scottish Government, the Highland Council prepared a planning report. This report states:
71. 42 objections received by Council - and acknowledges 269 were received by ECU. CWAG/096 Exh 9 shows the adverts which clearly stated that consultation responses should be submitted to the ECU and not to the Highland Council. It is disappointing that this means that the Highland Council were not able to take on board all the opinions of the local population when preparing their report and therefore the level of objection to this development was under-represented in the HC report.
72. A single letter of support was sent to the Highland Council - their report acknowledges 13 to the ECU and "a petition containing around 830 signatories".
73. This highlights that when the Highland Council were preparing their report they didn't take full consideration of the extent and detail of the objectors comments. We do hope that the ECU will take local support and objections into account when they are advising the ministers that decide the outcome of the approval process. We have been assured that this will happen.
74. At the planning hearing that took place in January 2008 it was clear that there was strong local objection to this development. It was also very apparent that once the evidence was heard from all parties that the elected members of the Council were unequivocal in their position with a unanimous objection from all of the members.

75. Interestingly, this contrasts with the hearing that took place recently (13th Jan 2009) for the Camster wind farm in Caithness. The developer had clearly listened to locals and the only objection raised at the hearing related to transport where the objector wished to be assured that a promise made by the developer was binding. This was achieved and the development received unanimous support from all the elected councillors. This and the fact that there are a number of other wind farms operating and approved in Caithness shows that the Councillors take a balanced view towards wind farm development, recognising the need to meet Scottish Government Targets for renewable energy but being sensitive to the location and appropriateness of specific developments.

### **Holyrood Consultation**

76. Consultation is supposed to be prior to making a decision - finding out information and adjusting a proposal according to the views received.
77. At the small number of meetings held by the developer after the ES was produced it was reinforced that there was a strong body of people against this development. This prompted further "consultation." However consultation is about finding out about issues and dealing with them early. It is not about telling people what is happening after decisions have been made to find out what further "evidence" or "support" is needed to back up these decisions.
78. Very late on in the process a "consultation" was carried out by Holyrood Consultations - A newsletter and questionnaire dated May 2006 was sent

to residents [CWAG/098]. This was some 2 months after the close of the formal consultation on the second addendum of the ES.

79. I wrote to Holyrood Consultations asking for the information on their survey on the 20th June 2006 - but have not received a reply. However the Baillie Wind Farm site gives some information:

Baillie Web Site	Comments
This was a thorough, comprehensive and independent consultation process which involved: sending a detailed newsletter and questionnaire to around 4,500 households living within 10km of the proposed site	There is no distinction between those living very close and those living 10km away.
The initial response to the postal survey sent with the newsletter was not as high as expected with a low response rate of 9%. Additionally the results seemed biased ...	Could this be because the developer did not get the result they wanted. 9% of 4500 is 405 people which is a valid number for a local poll and more than 2.5x the number called by telephone.
The telephone survey showed that 69% were in favour or neutral (44% slightly/strongly approving, 25% neutral). 30% were very/slightly resistant. 158 telephone interviews were conducted within 10 km of the site.	The developer preferred the telephone survey results although I would contend that these reflect quite high levels of opposition to this development. 30% is 47 people and this is over a 10 km distance.
The postal survey was less supportive, with 26% of respondents approving of the proposal (slightly or very), 10% neutral and 60% very/slightly resistant.	A postal survey is the only one which provides a proper auditable record. 60% resistant is 243 people over the 10 km distance.
Again the postal survey was not as favourable with 40% indicating that it is an acceptable, good or very good choice and 56% that it is a poor or very poor choice.	Again reiterating the poor choice of location. A fundamental part of preparing an Environmental Statement is to include options and alternatives. None are included in the ES.

Baillie Web Site	Comments
<p>Overall the main objections to the proposal detailed in this document, can be categorised into the following groups:</p> <p>Visual impact/perception of the area. Impact on Wildlife. Environmental Effects During and Post Construction. Health and Safety/Noise levels. Property values.</p>	<p>This would be a fair reflection - it is recognised that property values is not a material consideration for a planning application.</p>
<p>As part of the consultation two focus groups were also completed with residents living within the 10km radius of the site. One was completed in Reay and the other in Thurso. The purpose of the groups was to gain a more in depth insight into local people's views and opinions of Baillie Windfarm Ltd's proposal. Individuals, selected at random, were invited to attend, but those who did attend appeared to be very much against windfarms being developed locally.</p>	<p>This could be because there is a strong feeling against wind farms where they are being developed close to houses and to the detriment of local people who live nearby.</p>
<p>Overall the findings from the focus groups show that the debate concerning windfarm developments in Caithness is in danger of being distorted by myths, hearsay and rumours.</p> <p>However, it is important for developers, like Baillie Windfarm to respond to local people's concerns and together with local stakeholders address these perceptions.</p>	<p>There is no evidence showing how the developer is going to "respond to local people's concerns", Despite the developers claim of "a detailed web-site <a href="http://www.bailliewindfarm.co.uk">www.bailliewindfarm.co.uk</a> which will provide a platform for on-going communication with the local community." The web site has not been updated for a long time and local views continue to be ignored.</p>

80. It is interesting that depending on your view certain information can be extracted from the full Holyrood report.

Q5 - When you last saw a windfarm in operation would you say this had a positive or negative effect on your perception of the local area? 60% were negative.

Q11 - Taking the photomontages into consideration what do you think of the chosen location for the windfarm? 58% thought it was poor or very poor.

Q12 - Overall what do you think of the chosen location? 56% poor or very poor.

## Conclusions

81. The planning process is required to reflect social justice and the extent of local objection should be a strong material consideration when coming to a decision.
82. The graph shown in CWAG/064 Figure 1 shows a timeline highlighting and summarising the numbers of public consultation responses discussed in the preceding paragraphs.
83. The following points have been highlighted in the preceding text.
  - a. For many years there has been strong local objection to developing this site.
  - b. When the 2004 ES was published there were a lot of quality objections from local people. Individuals spent time researching and setting out their objections.
  - c. There was no support expressed.
  - d. Once the ES was revised in 2006 this prompted further quality objections. The responses to the 2004 consultation were ignored.

- e. Later, a small number of support letters were written but these were mostly from people with a financial or similar interest.
  - f. A large number of petition names in support of the proposal were received but these are not from people who live near (within 5km) the wind farm.
  - g. The supporter's petition "letters" were clearly obtained from canvassing people in the streets which the objectors letters were positively obtained by objectors willing to object without prompting and having being educated about the specific proposal.
  - h. Attempts by the developer to consult were too late and were more about getting ammunition to show support for the development.
84. A breach of a Core Principle of the Scottish Planning Policy has taken place.
85. It would be a travesty of local democracy to approve this development - against the community and against the unanimous verdict of the elected members of our Council.
86. We should be clear on the value of objection from those who live closest.
87. I accept that many people support renewable energy in the right places but in this case it is simply too close to people - that is what causes the unrest.

## **TOURISM**

88. This section looks at issues associated with tourism in the area. At the Highland Council Planning hearing the Councillors were clearly worried

about the effect on tourism and this section will show that the developer has made no attempt to address tourism.

### **Ministers Scoping Opinion and Developers Response**

89. In August 2003 the Scottish Ministers gave a formal scoping opinion for this development [CWAG/094]. The ministers directed that:
- a. An assessment should be carried out of the potential impact on recreation and tourist receptors in the area.
  - b. This should cover both formal facilities and informal activities. The former would include the Visitor Centre at Dounreay and golf courses at Reay and Thurso. The latter would include walking (e.g. footpaths, Sandside Bay, Holburn Head), riding, fishing and cycling (noting that a National Cycle Route passes adjacent to the site).
  - c. General tourism impact could include an assessment of the extent of tourism enterprises potentially affected by this development - e.g. bed and breakfasts, guest houses, hotels, self catering, camping and caravans, plus the formal activities as above.
  - d. The Environmental Statement should consider whether visitor access and interpretation would be a feature of this particular site.
90. In 2004 the developer published their Environmental Statement in response to the Ministers Scoping Opinion [CD/2A]. Chapter 12 of this ES provides us with a baseline description reminding us that:
- a. Tourism is an important industry in the Highlands... and that tourism is similarly important in Caithness, providing approximately 13% of the jobs in the region.

- b. On, and adjacent to the site includes prehistoric remains, the river Forss and the National Cycle Network.
  - c. There are a number of popular tourist and recreational destinations within 10km of the site.
91. The Summary of Potential Effects associated with this wind farm simply referred to surveys of the effect of wind farms on tourism in Scotland:
- a. A MORI survey in 2002 - a sample of 307 tourists - "90% of visitors would return to Scotland for a holiday whether or not there were wind farms in the area".
  - b. A Visit Scotland survey in 2002 - a sample of 180 visitors - "75% of visitors were either positive or neutral towards wind farm development in general, although less positive about specific visual impact. 63% said it would make no difference to their decision to holiday in Scotland if the number of wind farms increased."
92. It also mentioned effects on archaeological remains, and transport which are all covered by other evidence at this public inquiry.
93. The addendum to the ES in 2006 [CD/2B] did not update information on tourism.
94. I would contend that the developer has ignored all aspects of the Ministers direction in this area.
95. There has clearly been no attempt to carry out an assessment of the potential impact on recreation and tourist receptors in the area.

96. The ES acknowledges the importance of tourism to the Caithness economy but again ignores the Ministers with no assessment carried out to assess the extent of tourism enterprises affected by this development.
97. The ES makes no mention as to whether visitor access and interpretation would be a feature of this particular site.

### **Responses to the 2004 Environmental Statement**

98. The previous section showed how the Ministers were ignored. As we have shown already there have been quite significant and detailed objections to this development. Data from the ECU shows that there were a total of 73 responses that mentioned tourism as an issue. Some quotes from individual responses follow:

- a. I think it's clear to say that not many people want to visit a place that is overrun by wind farms. I certainly wouldn't!
- b. This development will significantly affect the scenic views from tourist routes.
- c. Famous big sky violated.
- d. The turbines will overshadow the very gentle features of the Caithness landscape changing its character dramatically.
- e. Impact of tourism will be severe. There should be some attempt at Planning Policy. Natural resources are being plundered.
- f. Scottish Parliament Enterprise & Culture committee (6th Report 2004) calls for a halt to continued "wily-nilly" wind farm developments.
- g. The Caithness local plan states that the council will seek to safeguard scenic views from unsympathetic development and the

Highland Region Tourist Policy advises that no development which will significantly affect the scenic views from tourist routes should go ahead.

- h. The remoteness of Caithness is something which many of our visitors relish.
  - i. ...glad to have been here before the county was over run by wind farms.
  - j. Policy T2 - The open views and natural wilderness of the landscape across the whole of this flat county are the major attractions for tourists who visit Caithness.
  - k. There is no evidence that this generic finding [referring to the ES] is relevant here.
  - l. I moved here because of its unique attraction...
  - m. I used to love coming here but that would change.
  - n. It is lovely here please don't spoil it.
99. Our local MP also called on the First Minister to bring in tougher guidelines - fearing his constituency will be blighted... there is a place for wind farms but the cumulative impact of them threatens to spoil the greatest asset of the far north - its natural environment and landscape.
100. All these comments were ignored by the developer and as stated earlier the 2006 ES addendum was not modified.

## Responses to the 2006 Environmental Statement

101. In the response to the 2006 ES there were a total of 53 objections referring to tourism as an issue - this was the 4th highest ranking issue.
102. I would contend that this reinforces the view that the developer has failed to deal with the comments from consultees and has made no attempt to provide any formal assessment of the impact of the proposed development on tourism.

### Highland Councillors

103. In the minute of the planning hearing in January 2008 [CWAG/042] there was clearly concern by the elected members about the likely adverse effect of this development on tourism in the area. Recorded comments included:
- a. The unacceptable cumulative impact of an additional wind farm in Caithness must be considered.
  - b. The unique landscape of Caithness must be recognised and protected.
  - c. There is both a national cycle and tourist route in Caithness and the development will impact on both routes.
  - d. The development will be visible from Dunnet Head and Strathy Point both of which are areas of Great Landscape value.
  - e. There will be a significant adverse impact on tourism exasperated by the cumulative impact of such developments.
104. These comments reinforce the worries of the community and highlight the complete lack of assessment to deal with these issues.

## The Moffat Report

105. In May 2006 the British Wind Energy Association (BWEA) published a report "The Impact of Wind Farms on the tourist industry in the UK" [BWL/62]. Some of the statements in the Executive Summary are relevant to this development:
- a. It is not feasible to attempt to draw any conclusions about the effect of wind farms on tourism from national tourism statistics. There is no possible way that any cause and effect could be established for such a massive industry with such a magnitude of influences.
  - b. For future wind farms, the judgement of acceptability based on landscape protection will provide ample protection for the protection of tourism. The threshold of landscape protection is more sensitive to wind farm development than tourism, therefore if there is deemed to be no damage to landscape at the planning stage, there will be no damage to tourism.
106. The first comment reinforces the views stated earlier than the references quoted in the 2004 ES are irrelevant and in no way dealing with the issues - eg the ministers Scoping Opinion and the worries of locals.
107. The second comment highlights the issues that the elected members were dealing with at the planning inquiry. The councillors' worries about the impact on tourism stem from the fact that this development as proposed is inappropriate for the landscape.

108. The above mentioned BWEA report was used as a reference to the recently published Moffat Report [CD/34] for the Scottish Government (SG). As usual with the publication of such a report there are a lot of varied comments from the press:
- a. The official SG press release [BWL/61] highlights that Wind Farms and Tourism are "compatible"
  - b. The BBC news article (13th March 2008) headlining "Wind farms could hit tourist jobs" and quoting the CEO of Scottish Renewables who said "the wind farm sector would continue to ensure developments were built in the right places".
  - c. The Press & Journal (22nd March 2008) headlines "Row erupts over tourist claims in wind farm report". This highlights a report for the tourism industry association Wilderness Scotland [CWAG/100] showed that 61% of operators felt the impact of wind farms would be negative. It also highlights another holiday operator Activity Scotland [CWAG/100], found that 88% of businesses agreed with that conclusion. It quotes a Director of Wilderness Scotland "The Government study clearly does not represent the situation accurately."
109. The Moffat Report - formally titled "The economic impacts of wind farms on Scottish tourism" - makes some relevant statements:
- a. Scottish Tourism depends heavily on the country's landscape, with 92% of visitors stating that scenery was important in their choice of Scotland as a destination.

- b. Sensitive located, renewable energy can also bring social and economic benefits to communities and local businesses.
  - c. 75% of people felt that wind farms had an impact on the landscape with 25% negative.
  - d. Opinions on wind farms amongst tourists are heavily divided.
  - e. A well sited wind farm does not ruin the landscape.
  - f. On visitor intentions to return to an area the impact of no wind farms to current levels the net results of changes in intentions is small, but when the farms was extended respondents became significantly more negative.
110. This report intercepted 380 tourists at locations where they might have seen a wind farm. 700 people were also surveyed using the internet. The internet survey gave a higher percentage of people indicating they would not visit an area if a wind farm was constructed. While caveating the result with caution the report acknowledges that the result is indicative of the level of negative feeling some people have towards wind farms.
111. The report makes recommendations that planning authorities should include an assessment of the impact on tourism. This is what the Government asked the developer to do in 2003 but has not been done. It suggests that consideration of a proposal would be greatly assisted if the developer produced a Tourist Impact Statement.
112. It highlights that having a number of wind farms in sight at any point in time is undesirable and to minimise the impact on tourism very large single developments are preferable to a number of smaller developments, particularly when they occur in the same general area.

113. Specifically in Caithness it highlights that:
114. Caithness and Sutherland has an extremely fragile economy with its largest, indeed dominant, employer disappearing. Renewable Energy offers an alternative but whilst business tourism would probably expand in the short term it would negatively affect those tourists to Caithness looking for scenery and tranquillity.
115. In Caithness it is fair to say that the community is taking the run down of Dounreay seriously. The graph referenced in CWAG/096 Exh 12 shows the most recent figures presented to the Dounreay Stakeholder Group showing the planned annual funding profile of Dounreay decommissioning.
116. The Caithness and North Sutherland Regeneration Partnership has been formed to lead the regeneration of Caithness post Dounreay and has produced a strategy and action plan. This action plan [CWAG/099] includes:
- a. Promoting the North to visitors through coordinated development and marketing focused on activity based tourism, culture, the cruise market and including links to Food and Drink. Later version introduces archaeological projects.
  - b. Enhance opportunity for renewable energy developments and build on existing strengths eg Wick CHP, Pentland Firth in Collaboration with Orkney.
  - c. Explore links between Mey Selections, North Highland Tourism and Inward investment branding for the area.

117. This shows that the area is taking its Branding seriously and is not focussing on Wind Energy into the future.
118. The Moffat Report then goes on to suggest that:
119. One answer is to utilise the strongly positive attitude of some tourists and market the area as the region for Renewable Energy. Our area is clearly planning to do this but not looking to do this with onshore wind.
120. The report concludes that a worst case scenario would be that 30 jobs would be lost in Caithness, but states that this will certainly be less than the full time jobs in the wind farm industry.
121. Given that the number of sustainable jobs created in the industry is very small this conclusion seemed to be a very strong claim. This prompted me to check with The Scottish Government as there seemed a good trail of evidence to lead to the 30 jobs losses statement but no evidence to lead to the creation of jobs. In a reply on the 13th Feb 2008 Sue Kearns who is the Head of Renewables Strategy & Onshore Renewables at The Scottish Government stated that:
122. "I have checked with our analysts who advise that the report only provides estimates of adverse impacts on tourism. No attempt was made to show other economic impacts associated with the construction or operation of wind farms that may offset these at either at the Scotland or regional level."

123. So - the very strong conclusion to the Moffat Report ends up having little substance to back it up. The statement about 30 job losses has a lot of substance (than after all is what the report was about) - and we can't afford to lose any in Caithness. The statement that concludes that the job gains will be much greater than this has no substance.

### **Local Business and Tourism Views**

124. To give a more local view the developer is quoted in the Highland Council Planning Hearing minute (CWAG/042] as stating that "The Forss House Hotel had reported to the applicants that the nearby Forss wind farm development had no affected their trade." Forss House Hotel is located 2.6 km from the nearest turbine and has a mixed customer base consisting of Dounreay related customers and visitors carrying out country related activities, for example fishing.

125. I have no reason to doubt this statement as anything but fact. After learning about the proposed development and reading The Moffat Report a Director of the Ackergill Ltd (company that owns Forss House Hotel) makes the following comments:

- a. For an area such as Caithness where tourism is expected to become a major part of the local economy this impact [of expanding existing wind farms] is an even bigger cause for concern.
- b. This report [The Moffat Report] gives little comfort when it comes to new wind farm development in particular.

126. He is clear that he would be unable to support the Baillie Wind Farm development.

127. There are other experts in the area with strong views.
128. During the Highlands Of Scotland Tourist Board (HOST) AGM on 5 November 2004 in the Drum Mossie Hotel, Inverness, the HOST Chairman, David Noble, said the following "And the LOW point - I do not think there is anything that has depressed me more than the threat that is posed by wind farms and their associated pylon lines. Their proliferation will do immense damage to our industry, and therefore the economy of the Highlands. Do not let anyone tell you otherwise. As other commentators have pointed out there is no Scottish Executive strategy for renewable energy or wind farms and their siting and at present the situation is tantamount to anarchy. Until a proper strategy is put in place I believe there should be a complete moratorium of wind farms in the Highlands."
129. In a later press report on the 8th Jan 2005 the chairman of the Highlands of Scotland Tourist Board called for a moratorium on wind farm developments in the Highlands and Islands. [CWAG/096]
130. In his formal objection to the ES addendum (objection number 93) Mr James Murray, Administrator of the Castle of Mey writes - "As Chairman of the Caithness and Sutherland Visitor Attraction Group I have been made increasingly aware by members what a detrimental effect wind farms have on the tourist industry. Already tourists complain that they have come to enjoy the peace and beauty of the countryside in Caithness and Sutherland only to find that we have started to destroy it with wind farms." Mr Murray has also recently confirmed that he sees wind farms as no asset to tourism in Caithness.

## Conclusions

131. In conclusion the preceding work shows that:

- a. The Scoping Opinion from Scottish Ministers highlighted the need for proper assessment of the tourism impact.
- b. The Developer has chosen not to act on this advice.
- c. There is no assessment of the impact of this development on tourism.
- d. Many people raised the issue of tourism during the consultation period but again these have been ignored by the developer. The revised ES made no changes to this section.
- e. Our elected members are concerned about the impact on tourism.
- f. More recent publications and surveys are at best inconclusive and contradictory.
- g. Tourism is an important part of the economy of Caithness and is being taken seriously as an issue to be tackled in response to the Dounreay rundown. The action plan for the area puts no emphasis on the development of on-shore wind energy, but has a clear emphasis on marine renewable energy.

- h. Key people in the local tourism industry are worried and do not support this proposal,
- i. The closest hotel to the development does not support this development.
- j. The "brand image" of the entire area will be affected. This is applicable to local hotels and B&B establishments, as well as tourist attractions including Cnoc Freiceadain, Reay Golf Club and local fishing interests. This is also applicable to the designated North Coast Tourist Route which lies immediately to the north of the proposed development and the road immediately to the south which is a national cycle route.

---ooo END ooo---