MSC

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Baillie Wind Farm
Barnaheigh Farm, Westfield, By Thurso, Caithness
DPEA Reference: IEC/3/105/3

02 March 2009

1.0 QUALIFICATIONS AND EXPERIENCE

My name is Mark Steele and I am a Chartered Landscape Architect as well as a Member of the Landscape Institute.

I have nearly thirty years' experience of landscape planning and design in the United Kingdom, Australia and Hong Kong. Until 2007 I was Director of Landscape at Keppie Design and before that, a principal of Ironside Farrar Ltd with responsibility for expert witness commissions. I established Mark Steele Consultants (MSC) in early 2008. MSC specializes in the preparation and presentation of landscape evidence at Local Plan and Public Local Inquiries. I have attended many public inquiries as a witness for developers, objectors and planning authorities. I am aware of my duty as an expert to the Inquiry.

2.0 EVIDENCE, SCOPE AND STRUCTURE

My evidence relates to the potential landscape and visual effects of the proposed development. The evidence of Mr Ian Kelly will address planning policy as well as the wider planning context.

My precognition describes the site, environs and proposed development, substantiates the reasons for objection, provides a critique of the Environmental Statement Addendum, assesses the consultation responses made by Scottish Natural Heritage (SNH) as well as Historic Scotland and finally reviews the report made to the Caithness and Easter Ross Planning Application and Review Committee.

3.0 SITE AND ENVIRONS

3.1 The Site

The proposed wind farm is located 7km to the west-south-west of Thurso, Caithness and is less than 4km from the seacoast.

The site area is approximately 560 hectares with twenty-one proposed turbines concentrated to the west of the site. The overall height of the turbines is 110m from base to blade tip.

The site is positioned on the western flank of the Hill of Shebster (133m AOD) a prominent ridge running on a north / south orientation (THC8 Page 5 - Photograph 4). Secondary ridges rise to 117m AOD and 106m AOD on a north-easterly and easterly orientation within the wind farm site boundary. The ridges are seperated by a small plateau known as Yellow Moss and a valley through which run Stemster Burn and the Burn of Baillie.

Partially felled coniferous forest covers the plateau and the tops of the two ridges whilst the lower slopes are a mixture of rough grazing and improved pasture.

Two transmission lines traverse the southern part of the site on an approximately east / west alignment.

3.2 Site Environs

A number of the oldest ancient monuments in Caithness are located along the Hill of Shebster ridge including; a standing stone, stone rows, cairns and chambered cairns (THC 8 Page 3 - Archaelogical Setting & Topography). These are promoted as a Historic Scotland

site within the *'Selected Tourist and Leisure Information'* on the Ordinance Survey Explorer Map of the area. A more detailed description of the ancient monuments is contained in the Historic Scotland correspondance (CD3 & 4).

The particular prominance of this ridge has evidently made it a focus for prehistoric ceremonial activity. Turbines are proposed as close as 500m to these monuments.

3.3 Adjacent Communities

The communities of Shebster (THC8 Page 5 – Photograph 3) and Westfield (THC8 Page 4 – Photograph 1) are immediately to the south-west and south-east of the development site. The following communities form an arc from the west through north to the east of the development site:

- Upper Dounreay Smallholdings
- Skiall Smallholdings
- Lybster Smallholdings
- Hallam Smallholdings
- Forss Smallholdings
- Stemster Smallholdings

These small holding communities were established at the beginning of last century for returning servicemen and to ensure tenure rights for local people. By their very nature these communities are fragmented and do not congregated into villages.

Dependant upon how a community is defined the proposed development site is either encircled by a series of communities or lies

centrally within a wider dispersed community (THC8 Page 1 - Dwelling Proximity).

4.0 OBJECTION

4.1 Basis of Objection

The Caithness and Easter Ross Planning Application and Review Committee unanimously agreed to object to the scheme on the following grounds:

- The proposal is contrary to the provisions of the Caithness Local Plan, the site being covered in part by a PP3 designation, which presumes against development,
- The proposal is contrary to SPP6, in relation to the proximity of the proposed wind farm to existing dwellinghouses,
- The proposal is unacceptable in terms of its cumulative impact with other windfarms in the vicinity, and in relation to the likely adverse impact on tourism, tourist routes and tourist destinations such as Dunnet Head and Strathy Point,
- The proposal is unacceptable in terms of its adverse visual impact and is contrary to the Highland Renewable Energy Strategy policy and guidance,
- The application should be subject of an appropriate assessment carried out to the satisfaction of Scottish Natural Heritage to address the issues raised by the RSPB and Historic Scotland.

The second, third and fourth bullet points are specifically relevant to my evidence. I also comment on the Historic Scotland position in section 7 of my precognition.

4.2 Proximity to Dwellings

4.2.1 SPP6 – Renewable Energy

SPP6 (CD18) Annex A Communities states that: *'Broad criteria should be used to set out the considerations that developers should address in relation to local communities. These should ensure that proposals are not permitted if they would have a significant long term detrimental impact on the amenity of people living nearby. When considering spatial policies, planning authorities may consider it helpful to introduce zones around communities as a means of guiding developments to broad areas of search where visual impacts are likely to be less of a constraint. PAN 45 confirms that development up to 2km is likely to be a prominent feature in an open landscape. The Scottish Ministers would support this as a separation distance between tubines and the edge of cities, towns and villages so long as policies recognise that this approach is being adopted solely as a mechanism for steering proposals to broad areas of search and, within this distance, proposals will continue to be judged on a case-by-case basis.'*

Furthermore paragraph 17 of SPP6, states that '*ensuring impacts on local communities and other interests are satisfactorily addressed'*

For the reasons set out in paragraph 3.3 of my evidence the small holding community is dispersed rather than congregated into a single village. Proximity to specific dwellings is illustrated in the Production Document (THC1 Page 1 – Dwelling Proximity) and can be summarised as follows:

- 7 dwellings are located within 500m,
- 25 dwellings are located within 1km,
- 61 dwellings are located within 2km.

- 158 dwellings are located within 3km.

This suggests that this site should not be within the *'broad areas of search'* described in SPP6 and my evidence will demonstrate that when '*judged on a case-by-case basis'* the proximity of the development to dwellings *'would have a significant long term detrimental impact on the amenity of people living nearby*.'

In the section on Environmental Impact Assessment paragraph 48 of SPP6 states that *'Applicants should use the assessment process to demonstrate the appropriateness of the chosen location for accommodating development.'*

The applicant has failed to demonstrate the appropriateness of the site location on the basis of proximity, as there are 61 dwellings within 2km.

4.2.2 SNH Guidance

Paragraph 2.4.4 of the '*Guidelines on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes'* states that: *'Windfarms should generally be distanced from nearby settlements or residences by a buffer of open space. This is not only to visually separate the development to minimise visual confusion, but also to avoid the windfarm seeming to impinge upon, or dominate the character of a neighbouring settlement or dwelling which is smaller in scale and of different character.'*

In my opinion the windfarm lacks a sufficient buffer and therefore will dominate the character of the adjacent settlements.

4.2.3 Highland Renewable Energy Strategy

The Highland Renewable Energy Strategy (CD10) paragraph 8.2.4 states that *'The aim is to ensure that renewables developments cause negligible nuisance or disruption to neighbours and that there is widspread support within communities for renewable energy* projects' and Policy S.1 states that *'Devices should be positioned far enough away from residential areas and working places to avoid direct nuisance and disturbance...'*

Policy S.2 is unequivical and states that *'Devices should be positioned so as to maintain at least a one km separation zone between dwellings and wind turbines'.*

All twenty-one proposed turbines are within 1km of a dwelling and there are twenty-five dwellings within 1km of one or more turbines. The proposed wind farm is therefore contrary to Highland Renewable Energy Strategy policy on the basis of proximity.

4.4 Cumulative Impact

4.4.1 Highland Renewable Energy Strategy

The Highland Renewable Energy Strategy (CD10) paragraph 8.2.6 Visibility states that: *'Other features of visibility relate to cumulative and sequential visual experience. If more than one renewable development can be seen from a certain point, it may be concidered more detrimental than seeing just one. If renewable developments are continually/repeatedly seen along a route, that could be concidered more intrusive than seeing more objects clustered in one place.'*

This issue is discussed in more detail in SNH guidance.

4.4.2 SNH Guidance

Paragraph 35 of *Cumulative Effect of Windfarms* (CD38) states that: *'Cumulative effects are those which occur, or may occur, as a result of more than one wind farm project being constructed. The degree of cumulative impact is a product of the number of and distance between individual windfarms, the interrelationship between their Zones of Visual Influence (ZVI), the overall character of the landscape and its sensitivity to windfarms, and the siting and design of the windfarms themselves. It is important to recognise that cumulative effects consist of both those upon visual amenity as well as the effects on the landscape.'*

Paragraph 35 explains that cumulative effects on visual amenity consist of combined visibility - '*where the observer is able to see two or more developments from one viewpoint'* - and sequential effects - '*when the observer has to move to another viewpoint to see different developments*'.

Paragraph 38 states that: *'Cumulative visual effects will vary in degree with*

- *The number and sensitivity of visual receptors;*
- *The duration, frequency and nature of combined and sequential views (glimpses or more porlonged views; oblique, filtered or more direct views; time separation between sequential views); and*
- *The relative impact of each individual windfarm, with regard to visual amenity'*

Paragraph 39 explains that cumulative landscape effects *'affect the physical fabric or character of the landscape, or any special values attached to the landscape.'* Paragraph 39 also explains that cumulative effects on landscape character arise when *'windfarms introduce new features into the landscape. In this way, they can so change the landscape character that they create a different landscape character type…'*

Paragraph 40 states that: *'Windfarms may also have a cumulative effect on the character and integrity of landscapes that are recognised to be of special value. These landscapes may be recognised as being rare, unusual, highly disitinctive or the best or most representative example in a given area. This recignition may take the form of local or national designations, citations in development plans, community plans or other documents.'*

Paragraph 43 sets out the stages in a Cumulative Landscape and Visual Impact Assessment (CLVIA), which may be summarised as follows:

- Preparation of a base plan, showing all existing consented or publically proposed windfarms within a 30km range of the proposed windfarm;
- ZVI analysis;
- Selection of appropriate viewpoints;
- Preparation of photomontage or wireframe representations;
- Description and assessment of the nature and significance of cumulative visual effects; and
- Description and assessment of the nature and significance of cumulative landscape effects.

4.4.3 Cumulative Landscape and Visual Impact Assessment

A CLVIA was undertaken as part of the ES Addendum, however this has been revised to address the current status of existing, consented and submitted windfarm schemes within 35km of Baillie Wind Farm. A revised base plan and associated ZTV analysis has been prepared by the appelants (BWL40).

Firstly it should be noted that the selection of cumulative viewpoints is very limited as only three representative viewpoints were selected for the ES Addendum as well as the revised CLVIA. Additional cumulative viewpoints would have allowed a more comprehensive understanding of cumulative impact.

This assessment of cumulative impact is therefore limited to the three viewpoints for which photomontages have been prepared:

- **Viewpoint 13 (Cumulative): A9: Spittal**
  The cumulative visualisation remains similar to that indicated in the ES Addendum and cumulative impacts would remain as moderate/minor. It is noted however that the turbines are now shown facing the viewpoint, which is a better representation of impacts.

- **Viewpoint 21 (Cumulative): A836: Forss / Middleton**
  The cumulative visualisation has altered from that indicated in the ES Addendum as Borrowston are not included and Bettyhill Wind Farm (in the far distance) is included. It is evident that this viewpoint was originally selected to illustrate the cumulative impacts of Baillie with Forss and Borrowston. A new viewpoint should have been selected that is more

representative of contemporary cumulative issues. It should also be noted that if scoping stage wind farms had been included then Melvich and Ackron, Melvick wind farms would be prominent in the middle distance to the centre of the image. Nevertheless, both Baillie and Forss wind farms will be seen together and the cumulative effects are therefore judged to remain at moderate.

- **Viewpoint 25 (Cumulative): A386: near Cnocan Dubh**
  The cumulative visualisation has altered from that indicated in the ES Addendum as Forss 2 and Borrowston are not included and Olgrinmore Moss, Spittal and Durran Mains are included. The ES Addendum assesses the landscape sensitivity to be low and the visual sensitivity medium. In my judgement the sensitivity of the landscape should be medium as this view illustrates the relative prominance of the Hill of Shebster as well as the hills to the south such as Beinn Freiceadain and Beinn nam Bad Beag. Whilst the Doudreay plant forms an element of the view it does not breach the skyline. In addition I judge that visual sensitivity as high as the viewpoint is a promoted view on a tourist route as well as a National Cycle Route. In addition the Baillie wind farm does not appear as a cohesive unit but as groups of clustered wind turbines. This compounds the cumulative effect. In conclusion I judge the landscape and visual effects as major and significant.

Additional cumulative viewpoints should been selected as in my opinion significant cumulative effects would be apparent from the following viewpoints:

- 30b – South Shebster, Baillie and Hill of Lieurary.

- 32 at Dunnet Head – Stoupster, Durran Mains, Bower Quarry, Spittal hill, Causeway Mire, Olgrinmore Moss, Hill of Lieurary, South Shebster, Baille and Forss.
- Production Document Photographs 1 (THC8 Page 4) – South Shebster and Baillie.
- Production Document Photographs 2 (THC8 Page 4) - South Shebster, Baillie and Hill of Lieurary.
- Hill of Shebster monuments – Forss, Baille, Hill of Lieurary (and more distant wind farms to the south-east) and South Shebster.

In addition, if scoping stage wind farms were concidered then viewpoint 31 at Strathy Point would also be subject to significant cumulative effects.

The ES Addendum assesses the cumulative impact of Baillie with each of the other wind farms in the study area however I am of the opinion that significant cumulative impacts are most likely to occur with the three closest wind farms:

- Baillie and Forss – The ES Addendum assesses cumulative landscape and visual effects to be moderate or moderate/minor, however this does not take account of the increased magnitude of effect of the revised geometric layout or give sufficient emphasis to the sensitivity of the Hill of Shebster or users of the A836 tourist route or the National Cycle Route. I judge the cumulative landscape and visual effects to range from moderate to major.
- Baillie and Hill of Lieurary - The ES Addendum assesses cumulative landscape and visual effects to be moderate or moderate/minor, however this does not take account of the

increased magnitude of effect of the revised geometric layout or give sufficient emphasis to the sensitivity of the Hill of Shebster or users of the National Cycle Route. I judge the cumulative landscape and visual effects to be moderate.

- Baillie and South Shebster - The ES Addendum does not assesses cumulative landscape and visual effects for south Shebster as it was at scoping stage when the ES was prepared. It is however shown on the cumulative impact visualisation for viewpoint 25. Given the increased magnitude of effect of the revised geometric layout as well as the sensitivity of the Hill of Shebster and users of the A836 tourist route and the National Cycle Route, I judge the cumulative landscape and visual effects to be major.

Sequential cumulative effects are discused in paragraph 5.5 of my precognition.

4.5 Visual Impact

4.5.1 Visual Impact assessment

I have visited the site, its environs and all the viewpoints identified in the ES as well as the ES Addendum. Whilst there are a reasonable number of viewpoints, communities within the vicinity of the proposed wind farm are poorly represented. I have reassessed potential landscape and visual effects against those in the ES Addendum and my assessments (where they differ from those in the ES Addendum) are as follows:

- Viewpoint 01 – Landscape effects increased from Moderate/Major to Major due to clustering effect of turbine geometry.

- Viewpoint 04b – Landscape effects increased from Moderate to Moderate/Major due to clustering effect of turbine geometry.
- Viewpoint 10b – Visual effects increased from Moderate/Minor to Major due to poor selection of viewpoint. Assessment made on the basis of a viewpoint that is more representative of the local community and has less foreground screening (THC8 Page 4 Photograph 1).
- Viewpoint 17 - Visual effects increased from Moderate to Major due to poor selection of viewpoint. Assessment made on the basis of a viewpoint that is more representative and has less foreground screening (THC8 Page 4 Photograph 2).
- Viewpoint 18b - Visual effects increased from Moderate to Major for road users as sensitivity is understated in the ES Addendum.
- Viewpoint 24 – Landscape effects increased from Moderate/minor to Major/Moderate due to clustering effect turbine geometry. Visual effects on road users increased from Moderate to Moderate/Major.
- Viewpoint 25 – Landscape effects increased from Moderate/minor to Major/Moderate due to clustering effect of turbine geometry. Visual effects on road users increased from Moderate to Moderate/Major.
- Viewpoint 30b – Landscape effects increased from Moderate to Major/Moderate due to clustering effect of turbine geometry. Visual effects on road users increased from Moderate/Minor to Moderate.
- Viewpoint 31 – Landscape and Visual effects increased from negligable to Major/Moderate due to poor viewpoint selection.

- Viewpoint 32 – Visual effects increased from Moderate to Moderate/Major, as turbines will be seen against dark backdrop.

This assessment demonstrates that SNH should not have withdrawn their objection to the scheme as the revised proposals do not in my opinion mitigate the landscape and visual effects identified in the original SNH assessment but compound them.

4.5.2 Highland Renewable Energy Strategy

The Highland Renewable Energy Strategy paragraph 7.1.1 explains that mitigation *'provides any recommendations as to how the significant impacts identified can be reduced to a level that is acceptable to the developer and stakeholders'*.

The mitigation measures offered by the revised proposal are limited to the ommision of four turbines, the relocation of remaining turbines into a smaller footprint and a reduction in associated access tracks.

The Highland Renewable Energy Strategy paragraph 8.2.6 Visibility also states that: *'The extent to which this visibility is accepted depends upon the distance of the objects from the viewer, the size and arrangement of the objects and the backdrop of the objects.'*

The turbines remain within 1km of dwellings and whilst the overall size of the development has reduced the geometric arrangement will make it a more prominent feature within the landscape. The elevated position also means that it does not benefit from a backdrop. Significant visual effects have therefore not been reduced to an

acceptable level to comply with Highland Renewable Energy Strategy policy.

4.5.3 SNH Guidance

Paragraph *2.4.1 Rationale* of '*Guidelines on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes'* states that: *'This visible rationale needs not only to relate to the siting of the windfarm, but also to the image of the development as a whole, such as its layout and number, form and colour of turbines…'*

Paragraph 2.4.1 continues: *'On the ground, this involves being able to determine what the key characteristics of a landscape are, and then considering the relationship of all aspects of the windfarm in direct relation to these, from the setting of the windfarm as a whole to the location and pattern of the turbines and associated elements such as access tracks, powerlines or any buildings.'*

As described in paragraph 3.1 of my evidence the site is positioned on the western flank of the Hill of Shebster a prominent ridge running on a north / south orientation. Secondary ridges lie on a north-easterly (Stemster Hill) and easterly (here called the Bardnaheigh ridge for reference) orientation within the wind farm site boundary. The Stemster Hill and Bardnaheigh ridges are seperated by a small plateau and a valley through which run Stemster Burn and the Burn of Baillie. A second valley lies between the Hill of Shebster and Stemster Hill ridges through which run Achiebraeskiall Burn and Hallum Burn. The topography becomes more apparent when the contours are highlighted (THC8 Page 3 - Archaeological Setting & Topography).

This demonstrates that the landform characteristics are not simple but are a complex interplay of elevation, orientation and landuse.

The revised wind farm layout does not respond to this complex landform but simply imposes a geometric triangular grid across an arbitary area of land ownership that has been constrained by proximity to dwellings and transmission line easements (THC8 page 2 - Turbine Layout Geometry). Therefore the layout is simply the result of an exercise in maximising the number of turbines within a constrained area. No apparent concideration has been given to landscape characteristics.

This can be demonstrated by the alignment of turbine numbers 20, 21, 19, 14 and 09 (CD2B Figure 3 - Application Boundary and Proposed Site Layout). Turbine 20 is positioned on the northern flank of the Bardnaheigh ridge and turbine 09 is located on the north-western flank of the Stemster Hill ridge. Turbines 21, 19 and 14 lie in an almost perfect straight line between turbines 20 and 09 and do not respond to the intervening valley and ridge landform.

The proposed wind farm layout does not achieve a sympathetic fit with the landscape. It is simply the imposition of geometric form over a topographically complex and prominent landscape feature.

The selection of a triangular grid also maximises the number of orientations from which the geometry may be apparent (THC8 Page 3 – Turbine Layout Geometry). This is clearly illustrated by the photomontages where turbines are viewed as a series of confused clusters rather than an evenly dispersed cohesive grouping (CD2B

Viewpoints 04b, 06, 12, 14, 16b, 22, 24 and 25). This serves to increase the visual impact of the wind farm.

Paragraph *2.4.1 Simplicity of Image* of '*Guidelines on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes'* states that: *'Of greatest concern may be the separation of a windfarm from surrounding features and for the turbines to appear collectively as a single element to create a simple image.'*

Key viewpoint photomontages clearly illustrate that the Baillie Wind Farm will not be viewed '*as a single element to create a simple image.'* It is therefore contrary to Scottish Natural Heritage guidance.

5.0 ENVIRONMENTAL STATEMENT

The following critique concentrates on the ES Addendum document and will be principally based upon the non technical summary and in particular section 4 - Landscape and Visual Impacts and section 8 – Cultural Heritage.

5.1 Project Description

Paragraph 1.1 of the Environmental Statement explains that the original application was *'for twenty-five wind turbines of output between 2.7MW and 3MW and associated structure, including:*

- *Anemometer mast*
- *Operations building and compound*
- *Underground power cables*
- *Access tracks*
- *Substation*
- *Temporary construction compound'*

Paragraph 1.1 also states that *'The wind farm will generate electricity for 25 years, after which time it will be removed or an application made for further planning permission to extend the duration of operation of the site'*.

Sections 1.4 - Renewable Energy and 1.5 - Wind Power then explain the need for renewable energy and the contribution that wind power can make.

On this basis the need for renewable energy is likely to have increased rather than diminished in 25 years and as there is a significant investment in infrastructure it is reasonable to expect that a further application to extend the life of the wind farm will be made.

The wind farm should therefore be assessed as a permanent rather than a temporary structure.

In the ES Addendum paragraph 2 - Consultation and Revision to Proposals states that *'…further technical assessments were carried out in order to re-assess the potential effects associated with the proposed development, inform the layout and design of the wind farm to minimise environmental impacts and finally to propose further post design mitigation measures.'*

Paragraph 2 continues *'…the layout of the wind farm has been revised in order to address concerns raised by consultees.'* Figure 2 of the ES Addendum provides a direct comparison between the submitted and revised layouts.

Paragraph 3 – Project Description confirms the following revisions:

- *'Reduction in number of turbines from 25 to 21;*
- *No change in size of turbines;*
- *Reduction in total length of access tracks and cabling;*
- *Requirement for two rather than one anemometer mast;*
- *Temporary laydown area re-sited; and*
- *Reduction in number of watercourse crossings from 21 to 17.*

In my opinion the landscape and visual effects of these revisions are as follows:

- Some turbines are moved slightly further away from dwellings in close proximity to the development whilst others have moved closer - neutral visual effect.
- Omission of four turbines whilst the layout has become more geometric – positive visual effect offset by negative landscape and visual effect.
- Turbine size unchanged. It is unclear why this is identified as a revision – neutral effect.
- Reduction in access tracks – slight positive visual effect.
- Additional anemometer – slight negative visual effect.
- Re-sited temporary laydown area – temporary slight visual positive effect.
- Burn crossings reduced – neutral landscape and visual effect.

The footprint of proposed wind farm is now smaller and although the number of turbines has reduced it would appear that a more rigid geometric layout has been adapted to fit turbines into a more restricted area. The turbines are evenly spaced and the only break in geometery arrises from the transmission line easement.

When the negative effects of the more geometric configuration are concidered alongside the minimal positive effects of the revisions it would appear that no overall landscape or visual benefit has been gained.

5.1 Methodology

The SNH letter dated 30 August 2004 (CD3) provides a critique of the original ES methodology and identifies a number of deficiencies. SNH were satisfied that the ES Addendum addressed these although they do not provide a detailed reassessment.

The ES Addendum (CD2B) assesses the impact of a revised scheme using five categories of effect:

- *'Effects on the landscape resource;*
- *Effects on the perception of the landscape;*
- *Effects on the visual amenity;*
- *Sequential effects; and*
- *Cumulative effects.'*

5.2 Effects on Landscape Resource

This section of the Non-Technical Summary states that: *'The proposed wind farm will have direct effects on the landscape resource of the site and its immediate surroundings, principally from the introduction of the turbines, scale form: this effect is considered to be moderate.'*

It is assumed that this means that it is the scale and form of the turbines that will have direct effects on the landscape resource.

An important landscape resource in the *'immediate surroundings'* of the development is the Hill of Shebster ridge. This ridge is a prominent feature in the landscape, the significance of which is both acknowledged and enhanced by the presence of a series of ancient monuments. In my opinion this landscape resource is of high sensitivity and will experience a high magnitude of change. It will therefore be subject to major effects.

5.3 Effects on the Perception of the Landscape

This section of the Non-Technical Summary states that: *'There are 13 landscape character types within the study area, and only one has been assessed as experiencing a significant effect, at Dunnet Bay. The other landscape character types are assessed as undergoing effects which range from moderate to negligible.'*

It should be noted that moderate impacts constitute significant impacts in accordance with the EIA regulations.

This section continues: '*The effects on the perception of the landscape also examined the predicted effects on designated areas within the study area. Only part of one of the Area of Great Landscape Value, also at Dunnet Bay, was considered to experience a significant effect.'*

5.4 Visual Effects

This section of the Non-Technical Summary states that: *'The assessment of effects on visual amenity has been determined by the in depth examination of 33 viewpoints.*

Significant effects are predicted at 10 of these 33 viewpoints. 8 of these 10 are located in the immediate vicinity of the site (within 6km of the proposal); located on Shebster Road, the A836, and at Lythmore. This is to be expected, as the large scale and open character of the landscape, which is considered an appropriate location for this type of development and capable of accomodating the proposal, also allows open views.'

There is a fundamental contradiction is this statement as it is trying to imply that such a high proportion of significant visual effects is acceptable as the character of the landscape is considered appropriate for wind farm development. In my opinion the high proportion of significant visual effects simply illustrates the extent to which the proposed wind farm will dominate the landscape as well as the inappropriateness of the location.

The Visual Effects section continues: *'From these locations, there also tend to be views to the Dounreay Power station, pylon lines and existing turbines at Forss, so the architecture of power generation already has an influence on these views.'*

This statement uses the cumulative effect of existing power generation architecture as a justification for further development. In my opinion the opposite argument will apply.

This section concludes that: *'The majority of significant effects on the visual amenity are a direct result of the location of the site within a developed area and the resultant high number of close potential visual receptors.'*

This statement concedes that the proposed wind farm is within a *'developed area'* and that significant effects are a consequence of its location. In my opinion this confirms that the wind farm is poorly located.

5.5 Sequential Effects

This section of the Non-Technical Summary states that: *'The sequential effects of the proposed wind farm have been assessed on the main transport corridors within the study area (A9, A836, A882, and the rail corridor) and National Cycle Route 1, which follows the local Shebster Road in the vicinity of the site.*

No significant effects are predicted on the A9, A882, and rail corridor, more distant parts of the A836, or the eastern section of Shebster Road. Significant effects are limited to within 6km of the site, along the A836 and the western section of Shebster Road, were other elements of power generation already influence views.'

The ES Addendum Sequential Views Plan (Figure 4.54) illustrates constant views of the entire Baillie Wind Farm as well as partial views. It is evident that the Baille Wind Farm is visible from a significant proportion of surrounding roads. It is also self evident that the significance of impacts will increase with proximity.

The significance of impacts increases when the cumulative impacts of wind farms are concidered. This is illustrated by the Cumulative ZTV – Existing and Consented Schemes (BWL40) which shows that the majority of routes will be subject to sequential cumulative effects.

5.6 Cumulative Effects

This section of the Non-Technical Summary has been superceded by a new CLVIA and is discussed in paragraph 4.4.3 of my precognition.

5.7 Landscape and Visual Impacts - Conclusions

This section of the Non-Technical Summary states that: *'The site itself provides an appropriate receiving environment for the wind farm in that the local landform is simple and large-scale and from the middle distance, of around 5 to 6km, the site area appears as a simple, horizontal ridge without any local detail or scale comparisons that can emphasis the large size of the turbines.'*

This statement is missleading as the landform is not simple. The high ground comprises three separate ridges with the Hill of Shebster ridge forming a prominent feature within the wider landscape. The description used is normally applied to open moorland areas whilst the landscape in the vicinity of the proposed wind farm is more comlex and comprises a diverse range of elements including numerous dwellings, transmission lines, forestry and a dense network of field boundaries. All provide scale comparisons that will emphasis the large scale of the turbines particularly from middle distance and closer views.

This section continues: *'The assessment has determined that there will be some significant effects primarily within the immediate vicinity of the site. Where there are significant effects within areas of high landscape sensitivity, these are limited in nature and do not extend across the full extent of these areas, but are limited to specific locations. Where there are significant effects on locations of high visual sensitivity, these tend to be limited to individual residences and roads in the immediate vicinity of the site, and do not extend to larger*

settlements or towns, or main transport corridors. The landscape and visual effects are considered to be acceptable when considered collectively.'

This statement concedes that there are significant effects in the immediate vicinity of the site. It then implies that if significant effects do not extend over the whole area of an area of landscape sensitivity then this diminishes the significance. This is not the case as it is dependent upon the nature of receptors as well the cumulative effects of other wind farm developments. Likewise it is implied that as visibility does not extend to larger settlements or towns that the significance of impacts on local communities is diminished. This is not the case as these significant effects are contrary to SPP6 guidance as well as Highland Renewable Energy Strategy policy. A similar logic is also applied to main transport corridors yet the roads subject to significant impacts include a main tourist route as well as a road that is a national cycle route. The final sentence states that '*The landscape and visual effects are considered to be acceptable when considered collectively'.* This is demonstrably not the case.

5.8 Cultural Heritage

This section of the Non-Technical Summary states that: *'Visual effects of major and moderate significance upon the settings of some scheduled and otherwise nationally important monuments beyond the site boundary are predicted. These will principally consists of changes in views to and from the group of prehistoric monuments associated with the Cnoc Feiceadain long cairns upon the Hill of Shebster to the immediate west of the site boundary. However, the relationship of the sites as a group will not be compromised nor will an understanding of the monuments in terms of historic development,*

nor an understanding of their place in the wider landscape be prevented. The development will not block views to and from the Hill of Shebster, to or from any other cultural heritage features, although it is recognised that the turbines will introduce a new and visible element to the landscape.'

This statement concedes that there are significant effects on upon the setting of ancient monuments. A more comprehensive discussion of impacts on cultural heritage is in section 7 of my precognition.

6.0 SCOTTISH NATURAL HERITAGE POSITION

6.1 Consultation Responses

In paragraph 1 of the SNH letter dated 30 August 2004 (CD3) their position was that *'SNH's advice is that both the landscape and visual impact assessment and the cumulative landscape and visual impact assessment are inadequate. SNH therefore objects to the proposal as currently submitted.'*

The letter continues in paragraph 5.2 *'SNH disagrees with a number of the judgements in the ES regarding the landscape and visual effects of the proposal. We have attached a summary table in Annex 2 to illustrate visual effects of the proposal.'*

Annex 2 identifies four landscape receptors that would be subject to significant effects and eleven viewpoints that would be subject to significant effects.

In paragraph 1.3 of the SNH letter dated 10 March 2006 (CD3) their position had changed to *'It is our opinion that the landscape and*

visual impacts of this proposal when concidered on its own are acceptable. With regard to cumulative landscape and visual impacts, our advice is that the landscape capacity for wind farm development within this part of Caithness and the A9 corridor between Dunbeath and Thurso is very close to being reached.'

It should be noted however that Annex 2 of the earlier letter has not been reassessed and it is therefore not possible to accurately determine the basis of their change of position.

6.2 Landscape and Visual Impacts

Paragraph 2.2 (vi) of the SNH letter dated 10 March 2006 (CD3) states: *'The revised layout as presented in the addendum includes:*

- *Locating turbines further from Stemster smallholdings;*
- *Reducing the area of forestry which requires felling by relocating turbines;*
- *Reducing the effect on Shebster Road by removing the turbines closest to this road; and*
- *Keeping the turbines north of the ridge (the dominant east-west ridge Baille Hill – Hill of Shebster).*

We believe that siting and design of this proposal have carefully been carefully considered to minimise adverse impacts on the landscape and visual amenity, following our comments on the original proposal.'

These points should be looked at closely to establish the real benefits arising from the revised layout:

- It is noted that whilst turbine numbers 14, 15 and 9 have moved further away from the Stemster Smallholdings, numbers 19, 20 and 21 have moved closer. In fact, turbines 19 and 21 are similar in distance from the Stemster

Smallholdings as was the original position of turbine 9. The only potential benefit is the relocation of turbine 15. However in my opinion the original position – at less than 500m from dwellings - was unrealisically close to the Stemster Smallholdings.

- The forestry is a commercial crop and felling has already taken place in some areas. Any felling associated with the wind farm would have insignificant effects when compared to those of commercial felling. In my opinion there would be no benefit from relocating the turbines.
- Turbines 23, 24 and 25 have been omitted. These three turbines were seperated from the main grouping and in my opinion their original position was unrealistically close to the dwellings (23 and 25 are less than 500m from dwellings) as well as Stemster Road.
- Turbine 17 is south of the ridge and turbine 16 is on the ridgeline. It is also a matter of debate as to whether turbines 4 and 10 are north of the ridgeline or not. Nevertheless, these four turbines will still be particularly prominent when viewed from the Shebster Road as well as Stemster.

In my opinion, any benefits arrising from the revised layout are minimal and do not warrant a change to the summary of significant effects appended to the SNH letter dated 30 August 2004 (CD3). There is also no acknowledgement that the turbines remain closer to dwellings than is recommended in the appropriate guidance.

6.3 Landscape Impacts

Paragraph 2.2(vi) continues in the section titled Landscape Impact: *'SNH's view on the landscape impacts of the revised proposal are broadly in agreement with the findings of the Addendum. These are:*

- *The reduction in the number of turbines, relocating turbines further from the Stemster Smallholdings, and the removal of turbines closest to the Shebster Road will mean that the impacts will be slightly less than for the original proposal;*
- *Impacts will be relatively localised, being largely confined to the site itself, and to the "Mixed Agiiculture and Settlement" Landscape Character Type in which the site is situated; and*
- *Significant impacts outwith this localised area are restricted to a single viewpoint from Dunnet Head AGLV and the Landscape Character Type "Long beaches, dunes, and links" also at Dunnet.*

It is our opinion that the large scale of the development relates to the open, exposed nature of the landscape character and that this landscape has the capacity to accept this proposal without exceeding the capacity of this landscape. In addition, the landscape impacts of this revised proposal area considered to be less than for the original proposal as highlighted earlier in this letter.'

The first bullet point acknowledges that *'impacts will be slightly less than for the original proposal'*. A slight reduction in impact would not, in my opinion, warrant a change to the summary of significant effects appended to the SNH letter dated 30 August 2004 (CD3).

In addition, there is no concideration given to the increased effects arising from the geometry of the revised layout. The geometry of the

layout is imposed upon the landform and does not achieve a sympathetic fit.

There is also no concideration given to the prominance of the Hill of Shebster ridge or it's significant as a feature within the wider landscape.

6.4 Visual Impacts and Sequential Visual Impacts

Paragraph 2.2(vi) continues in the section titled Visual Impact & Sequential Visual Impact: *'SNH's view on the visual and sequential visual impacts of the revised proposal is again broadly in agreement with the findings of the Addendum. These are:*

- *The reduction in the number of turbines, relocating turbines further from the Stemster Smallholdings, and the removal of turbines closest to the Shebster Road will mean that the impacts will be slightly less than for the original proposal, particularly for viewpoints close to the site to the south;*
- *There are a number of viewpoints (c.30 – 36%) which will experience significant impacts on visual amenity;*
- *One of the affected viewpoints is located within a protected landscape (Dunnet Head AGLV), which is of regional importance;*
- *Significant sequential impacts will be localised;*
- *Significant sequential impacts will be confined to parts of two routes, at locations within c.5 – 6km of the proposed site; and*
- *Sequential impacts will occur to a section of a National Cycle Route.*

Although the viewpoint assessment indicates that around one third of all viewpoints will experience significant impacts, the majority of these, together with significant sequential impacts, are all located in

relatively close proximity to the proposed site. In addition, the large scale of the development relates to the open, exposed nature of the landscape character. For these reasons, SNH does not consider that impacts on visual amenity are sufficient to warrant us to object on these grounds.'

The first bullet point acknowledges that *'impacts will be slightly less than for the original proposal'*. Again, a slight reduction in impact would not, in my opinion, warrant a change to the summary of significant effects appended to the SNH letter dated 30 August 2004.

In addition, yet again, there is no concideration given to the increased impacts arising from the geometry of the revised layout. The configuration of the layout creates numerous axes along which the geometry will be apparent. Turbines will be seen as tight clusters, which is contrary to SNH guidance on best practice.

The statement that significant viewpoint impacts and significant sequential impacts are located in relative close proximity to the site does not diminish their significance. Indeed proximity is a key issue as there is no acknowledgement that the turbines are closer to dwellings than is recommended in the appropriate guidance.

The comment that *'the large scale of the development relates to the open, exposed nature of the landscape character'* is perhaps more relevant to landscape rather than visual impact, however, as the Hill of Shebster ridge is a visually significant feature within the landscape it follows that the proposed wind farm will be even more visually significant. It will therefore not relate to the '*exposed nature of the landscape character'* in the way described.

6.5 Cumulative Impacts

Paragraph 2.2(vi) continues in the section titled Cumulative Impact: *'In our opinion, the crucial factor in reaching a decision regarding landscape and visual impacts in relation to this proposal is the potential cumulative impact, relative to the capacity of the landscape to accept wind farm development. This is due to the number of existing and proposed wind farm schemes within Caithness, particularly in West Caithness and along the A9 road corridorbetween Dunbeath and Thurso.*

The impact of this proposal in conjunction with other wind farm schemes is considerable. However, we consider that the character of the landscape, with its existing settled and developed characteristics, such as the Dounreay UKAEA site and associated infrastructure, has the capacity to accommodate these proposals (including Baillie), without unacceptable cumulative landscape and visual effects.

However, the additional impact of the proposal when considered together with any or all of the potential wind farms studied, in our opinion, clearly shows that the landscape capacity for wind farm development within this part of Caithness and the A8 corridor from Duneath to Thurso, is very close to being reached. Should the wind farm proposals known as Hill of Lieurary and Borrowston Mains, which have been refused by the Highland Council, be granted consent to proceed through appeal mechanisms, we believe this remaining capacity will have been reached.'

This statement concedes that when the ES Addendum was prepared cumulative capacity is close to being reached. Conciderably more wind farm sites now exist particulary when those in scoping are concidered.

The CLVIA has therefore been updated and is discussed in paragraph 4.4.3 of my precognition whilst sequential effects are discussed in paragraph 5.5.

6.6 SNH Conclusion

SNH conclude that: *'On the basis of the acceptibility of the proposal on its own and cumulatively, we wish to remove our objection on the grounds of impacts on landscape and visual amenity. However, we also advise, that in our opinion, if this scheme is approved, the threshold capacity of acceptable landscape change in this area will have been reached.'*

In my opinion this conclusion is missguided, as it does not take account of guidance on the proximity of turbines to dwellings, the relative landscape significance of the Hill of Shebster ridge or effects arising from the geometric configuration of the revised turbine layout. SNH also acknowledge that the reduction in both landscape and visual effects arising from the revised layout is slight, yet they have not undertaken a revised assessment that justifies a withdrawal of the objection.

7.0 THE HISTORIC SCOTLAND POSITION

7.1 Scoping Opinion

In their letter of 28 October 2003 (CD3) Historic Scotland states that: *'Although there are no scheduled monuments on the site itself, it can be predicted that, given the number of scheduled sites in the immediate and wider area, a windfarm in this location will have effects on these monuments' setting within the landscape.'*

The letter concludes that: *'The baseline information should include an assessment of the impact on these sites* ***and their setting****.'*

Historic Scotland clearly places an emphasis on the setting of the monuments and this is a theme that continues throughout their subsequent correspondance.

7.2 Consultation Response to Environmental Statement

In their letter of 28 October 2003 (CD3) Historic Scotland states that: *'The environmental statement's treatment of the archaeologocal part of the cultural heritage section is an inadequate assessment of the effect of the proposed development.'*

7.3 Consultation Response to ES Addendum

In their letter of 24 March 2006 (CD3) Historic Scotland states that: *'In summary, our principal concern is the potentially significant adverse impact of this proposed development on the setting of seven scheduled monuments in its immediate vicinity.'*

The scheduled monuments are identified in the General Background section of the Appendix to the letter.

- *'Hill of Shebster chambered cairn (index no 476)*
- *Cnoc Freiceadain long cairns (index no 90078)*
- *Cnoc Freiceadain, stone rows 640m W of (index no 2386)*

- *Mill of Knockglass, long cairn (index no 469)*
- *Knockglass, broch 300 ssw of Mill of Knockglass (index np 562)*
- *Mill of Knockglass, cairn 220m Sof, Bridge of Westfield (index no 470)*
- *Mill of Knockglass cairn 320m S of, Bridge of Westfield (index no471).*

The Environmental Statement section of the Appendix to the letter states that:

'*Essentially, the windfarm would significantly intrude upon the visual relationship between the monuments, creating precisely the fragmentation and parcelisation of the historic landscape that the Addendum had previously recognised that was important to avoid (8.2.4).*

In general we consider that the language employed throughout the ES Addendum, which by implication downplays the magnitude of the effects of the wind farm, the assertion that modern elements in the landscape already compromise the historic integrity of a monument's landscape setting and the weight afforded in the assessment to the temporary nature of the wind farm combine to present a subjective view of the likely impacts of the proposed wind farm. We are concerned that undue weight has been given to the 'temporary' nature of the development. We consider that a badly sited development which diminishes or erodes the landscape setting of nationally important heritage sites cannot be supported no matter the lifespan of the development. We would advocate a precautionary, more sustainable approach.'

I concur with this statement.

7.4 Consultation Responses to Additional Information

Historic Scotland responded to the receipt of additional information (computer generated wirelines and maps of sight lines and intervisibility between monuments) in their letter of 14 June 2006 (CD3). Historic Scotland states that: *'In conclusion, Historic Scotland continues to have serious concerns about the impact of this proposed development on significant elements of the historic environment, particularly on the scheduled monument, Cnoc Freiceadain long cairns (index no 90078), which is also a property in the care of Scottish Ministers.'*

This is expanded upon in the Appendix to the letter which states that: *'it is Historic Scotland's view that the proposed wind farm would have an unacceptable adverse impact on the historic environment, specifically on the landscape setting of the Cnoc Freiceadain long cairns; on visitors' enjoyment and understanding of the long cairns; and on our appreciation and understanding of their visual and associative relationship both with the wider landscape and with other scheduled monuments in the vicinity, especially Hill of Shebster chambered cairn and Cnoc Freiceadain stone rows.'*

Historic Scotland mounts a robust and convincing defence of their position in their letter dated 17 January 2007. The letter concludes that: *'Historic Scotland remains of the view that this application will have an unacceptable adverse impact on the setting of a number of scheduled monuments including the Cnoc Freiceadain cairns. We do not believe that those impacts can be reduced to an acceptable level by the mitigation suggested by the applicant…'*

8.0 THE HIGHLAND COUNCIL PLANNING COMMITTEE REPORT

8.1 Caithness, Sutherland & Easter Ross Planning Applications and Review Committee. Planning Report

The report (CD5) summary states that: *'The key issues raised relate to impact upon natural heritage in relation to the Caithness Lochs SPA, cultural heritage and visual amenity. The proposal is a scheme of significant size that has the ability to assist meeting the government targets for energy generation through renewables sources, but will have significant local impacts on visual amenity. On balance, the recommendation is that the Council, subject to conditions and agreements, should not object.'*

The planning committee took the opposite view and unanimously voted to object to the application.

8.2 Proposal

Paragraph 2.2 states that: *'The turbines will be laid out in a non-linear fashion in a single group.'*

It would appear that the revised layout has not been the subject of a detailed review as in reality the turbines are laid out in a linear fashion with only a slight deviation from a true geometry. Indeed, the triangular configuration actually maximises the number of axes from which the geometry will be apparent.

8.3 Consultations

Paragraph 5.15 confirms that SNH have withdrawn their objection, however as discussed in section 5 of my evidence this withdrawal was in my opinion missguided.

8.4 Landscape and Visual Impact

Paragraph 7.13 states: *'The Caithness and Sutherland Character Assessment (SNH 1998) regards the sensitivity to change on this landscape to be low as it is considered to be capable of accomodating substantial change without loss of its inherent character and therefore have a significant effect, the proposals will not conflict with the other characteristics of this landscape character type. It is worth pointing out that there are a number of man made features within this landscape, particularly the electricity pylon lines and forestry. These have all become significant features within the landscape, without significantly impacting upon the key characteristics and qualities of the landscape resource. This is likely also to be the case should this wind farm be constructed.'*

This assessment does not take account of the particular prominance of the Hill of Shebster ridge within the wider landscape character area.

The comparison between the impacts of the proposed wind farm and those of the existing electricity pylon lines and forestry is poorly made. This is clearly illustrated by the photomontage for Viewpoint 18b where a direct comparison can be made. The impacts of electricity pylon are significant as the alignment is poorly selected yet these impacts are relatively small only when compared to the scale and movement of the proposed turbines. The overpowering scale of the wind farm will inevitably significantly impact upon the

characteristics and qualities of the landscape resource. When cumulative impacts are concidered there is a risk that wind farms will become the dominant characteristic creating a wind farm based landscape character type.

Paragraph 7.16 discusses visibility from the two key tourist routes passing the site, the A836 coastal route and the C1 road between Thurso and Isauld (also a national cycle route) and concedes that despite the removal of the three closest turbines to the C1 route the development will *'continue to remain prominent in the landscape'.*

The wind farm cannot be '*prominent in the landscape'* and yet not significantly impact *'upon the key characteristics and qualities of the landscape resource'* as stated in Paragraph 7.13.

Paragraphs 7.17 and 7.18 discuss the proximity of dwellings to the development. It is stated that: *'Within the immediate area, less than 1km, there are several houses…'* This is a gross understatement as there are 25 houses within 1km with a further 36 between 1km and 2km of the development.

However, it is conceded that there are: *'several householders who are not stakeholders whose visual experience of the area will be impacted by the proposal. In particular, the properties at Kintail to the south and Stemster House to the east are likely to be significantly affected given their proximity. The topography of the site provides little opportunity to mitigate against this impact on visual amenity.'*

Again the use of the term 'several' is a missleading understatement and in reality the topography offers no opportunity to mitigate visual impact.

Paragraph 7.18 states that: *' The revised proposal for 21 turbines has provided a development with a more cohesive grouping of turbines and an overall improved design, yet the particular characteristics of the site and proximity to houses means that a scheme that will be acceptable in terms of its visual impact is extremely difficult. A distance of 1km from houses is normally recommended. Even where principal views from properties are not towards the wind farm, at distances of less than 1km, it is still conceivable that amenity will still be adversely affected.'*

The revised proposal does not provide a more cohesive grouping and a minimum distance of 1km from houses is not just recommended, it is a policy requirement of the Highland Renewable Energy Strategy.

As all twenty-one proposed turbines are within 1km of a dwelling and there are twenty-five dwellings within 1km of one or more turbines it is not just extremely difficult but impossible to have a scheme that is acceptable in terms of visual impacts. The use of the phrase '*it is still conceivable that amenity will still be adversely affected'* is another missleading understatement as it is self evident that at such close proximity it is inconceivable that that amenity will not be significantly adversely affected.

8.5 Archaeology and Historic Buildings

Paragraph 7.25 states that: *'There are no scheduled monuments on the site but there are seven within the immediate vicinity. Historic*

Scotland is concerned that the proposal will have an adverse impact upon the relationship between and intervisibility of some of what are considered to be the oldest scheduled monuments in Caithness in their landscape setting. This is considered to be a key factor in visitors understanding of their form and function according to Historic Scotland. The sites of particular concern are the Cnoc Freiceadain cairns, Hill of Shebster chambered cairn and Baillie Cairn.'

Paragraph 7.26 continues: *'It is accepted that the visual experience of the area will be significantly altered by the proposal as discussed above. However, the sites will retain their respective intervisibility despite the presence of the wind farm since there is no intervisibility between all three sites. The visitor's experience with regard to the archaelogical importance of the area should not be significantly affected.'*

The last statement is missguided as intervisibility is not the sole criterion for assessing impact. These monuments were constructed on this ridge as it is a particularly prominent feature within the landscape, with commanding views in all directions. The construction of 110m high turbines is proposed as close as 500m to these monuments.

The monuments are also set between approximately 18m and 68m above the base level of the turbines. Views to the east will therefore be through the revolving blades of the turbines as well as the supporting towers.

This will have a profound and significantly adverse negative effect upon the setting of the monuments as well as the experience of visitors.

Paragraph 2.4.2 of the *Guidelines on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes* states that: *'a windfarm will not necessarily conflict with historic features in a landscape if it is sited and designed to avoid distracting from the focal importance of these or the experience of their wider setting…'* The siting and design of Baillie Wind Farm will distract from the focal importance of the ancient monuments as well as the experience of their wider setting.

This is a position supported by Historic Scotland and is reviewed in section 7 of my precognition.

8.6 Planning Committee Report Conclusion

Paragraph 8.2 states: *'The major issue in this case is the impact on visual amenity and its links to tourism but most importantly the localised adverse visual impacts. There is therefore a potential issue with regard to the compatability with Highland Renewable Energy Strategy and Planning Guidelines. This is the issue that constitutes the majority of representations received.'*

Policy S.2 of the Highland Renewable Energy Strategy states that *'Devices should be positioned so as to maintain at least a one km separation zone between dwellings and wind turbines'.*

All twenty-one proposed turbines are within 1km of a dwelling and there are twenty-five dwellings within 1km of one or more turbines. It

is therefore not a *'potential issue'* as the proposed development is explicitly contrary to strategy policy.

Paragraph 8.3 continues: 'The key constraints raised within HRES were heritage, moorland and proximity and visibility from houses. The applicant has overcome the heritage and moorland constraints. The other two however are closely related to visual impact.'

This would appear to be an attempt to subsume the issue of proximity within the wider issue of visual impact. They are in fact two separate but related issues. The proposal remains contrary to policy in terms of proximity.

Paragraph 8.4 continues: *'The acceptability of the proposals with regard to their visual impact is a subjective matter. The redesign and deletion of four turbines has greatly enhanced the design of the scheme but has not significantly reduced the localised impacts. If judged to be unacceptable in terms of proximity and views from houses, the development would not overcome these constraints and therefore not comply with the Highland Renewable Strategy and Planning Guidelines or Development Plan Policy.'*

Visual impact can be a subjective matter for the layman however it is also a matter of professional judgement. In my opinion the development is not acceptable on the grounds of visual impact. The redesign has also failed to *'greatly enhance the scheme'* as it has not succeeded in resolving *'localised impacts'*. It has also resorted to a more geometric layout that actually increases wider landscape and visual impacts.

Paragraph 8.5 concludes: *'Given the subjectivity of this aspect of the proposal it is for members to make this judgement. It is however considered that this development is of a large enough scale to provide a significant contribution to the Government renewable energy targets and on this basis the likely significant adverse impacts on a few in the interest of the many places the balance in favour of the proposal.'*

This statement seems to imply that landscape and visual impact is mearly a subjective issue rather than a matter that can be tested through professional analysis. The report is missguided in this assumption as well as its recommendation. In my opinion the report should have recommended the committee to object to Baillie Wind Farm.

9.0 CONCLUSION

The Caithness and Easter Ross Planning Application and Review Committee were fully justified in their decision to object to the proposal as the development would:

- be within 1km of dwellings and is therefore contrary to Policy S.2 of the Highland Renewable Energy Strategy which relates to proximity;
- be within 2km of communities and would have a significant long term detrimental impact on the amenity of people living nearby. It is therefore contrary to the guidance of SPP6 with regard to proximity;
- cause significant adverse visual impacts upon the residents within the dispersed community surrounding the development;
- cause significant adverse visual and sequential impacts upon users of the A836 coastal route (also a tourist route) and the C1

road between Thurso and Isauld (also promoted as a national cycle route);

- cause significant adverse impacts upon the landscape setting of adjacent ancient monuments as well as significant visual impacts upon vistors; and
- cause significant adverse impacts on the wider landscape and would have the potential to contribute to cumulative and sequential effects that would create a wind farm landscape character type.

In my opinion SNH should not have withdrawn their objection to the application, as the revised scheme does not achieve the mitigation suggested. This missguided change of stance has also influenced the content and recommendation of the committee report (CD5). I submit that the reporter should determine that the proposed Baillie Wind Farm should be refused planning permission in agreement with the recommendations of the Highland Council.