



Jones Lang LaSalle Ltd  
7 Exchange Crescent Conference Square  
Edinburgh EH3 8LL  
+44 (0)131 225 8344

jll.co.uk

Development Plans Team  
The Highland Council  
Glenurquhart Road  
Inverness  
IV3 5NX

devplans@highland.gov.uk

Your ref

Our ref

SB/cay

Direct line

Direct fax

Mobile

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Dear Sir / Madam

### **Planning for Onshore Wind Energy – Consultation Leaflet**

Jones Lang LaSalle (JLL) represents Glenmorie Wind Farm LLP (GWF) in relation to their land interests at the Glencalvie and the Kildermorie Estates approximately 10 km to the south west of Bonar Bridge, at the head of Strathcarron.

We note the consultation leaflet issued by The Highland Council (THC) in relation to Onshore Wind Energy. The consultation has two key parts, the first consisting of high level questions and the second relating specifically to a study of landscape capacity at Caithness, (although it is not clear to what extent THC would be looking to apply the principles being consulted upon here across the rest of the Local Authority area).

In general the questions are high level and we would express some concern that the manner in which they are phrased would lead to contradictory statements and unrealistic expectations on what a Spatial Framework is designed to achieve.

For example, the consultation document asks the question as to what criteria should be considered in deciding all applications for wind farms of different scales including extensions and re-powering.

You will be aware that the Scottish Government has already consulted on a draft SPP and the specific matter of the criteria to be taken into account in the consideration of wind energy development. The THC consultation leaflet at page 2 sets out the full criteria drawn from paragraph 169 of SPP in terms of development management that the Government state “are likely to include”. There is reference to some 19 criteria.

The THC consultation document is not clear in explaining why it considers there is need to widen the list of criteria beyond that already set out in SPP and as noted which has already been the subject of consultation at a Scotland wide level. It is considered that the list of criteria set out in





SPP is comprehensive and captures all the matters that are likely to be relevant in to commercial scale wind farm development.

Clearly if additional matters are material then they would be considered under normal management practice. It would not be appropriate for Council's Supplementary Guidance to require onerous additional assessments for development proposals beyond that which would be proportionate and consistent with national planning policy and guidance.

The THC consultation leaflet also includes the question of what should be taken into account when identifying the strategic capacity for wind farms and areas with the greatest potential for wind development, apart from the matters identified in Table 1 of SPP with regard to Spatial Framework preparation.

SPP at paragraph 162 highlights that both strategic and local development Planning Authorities should work together to identify the strategic capacity for wind farms and areas with the greatest potential. In this regard you will be aware that the Scottish Government issued in December 2014 a document entitled 'Onshore Wind Some Questions Answered' and this sets out the role of Landscape Capacity Assessments. It highlights that landscape capacity does not form part of Spatial Frameworks for the wind energy developments as defined in SPP, however they can be supportive studies relevant to development management and for planning policy related to natural heritage and the landscape.

The Scottish Government document also cross refers to SPP paragraph 169 (bullets 4 and 6) which refer to cumulative impacts highlighting that Planning Authorities should be clear about likely cumulative impacts arising, recognising that in some areas the cumulative impact of existing and consenting energy development may limited the capacity for further development. It should also be noted that the Scottish Government document states that it "*encourages dialogue with SNH and use of their landscape capacity toolkit when preparing landscape capacity studies*". The document also makes reference to the SNH documents on the topic of 'Siting and Design Guidance'. Therefore, apart from the matters identified in Table 1 of SPP, the Government is clear in its recent guidance that there is a role for Landscape Capacity Studies and the Government has identified some sources of information available to assist with policy development on these issues.

As an overarching point, it also needs to be acknowledged that the purpose of national planning policy in seeking that Local Planning Authorities prepare Spatial Frameworks for onshore wind development is in recognition of Scottish and UK national uncapped targets for the reduction of greenhouse gas emissions and the generation of electricity from renewable sources. In this context the capacity for further wind energy development needs to take into account the national targets position for the generation of renewable electricity and the substantial shortfall of installed capacity that still exists at the Scottish and UK levels, and against a backdrop of no lessening in Government support for further deployment of this land use. In this regard landscape 'capacity' cannot be considered in isolation from policy requirements. Furthermore, if too much weight is placed on landscape considerations with no reference to other constraints, it may be that the severity of other constraints, including grid availability may severely limit development. In short, landscape



capacity cannot be properly defined without reference to what has to be planned for. This matter needs to be taken into account in future capacity exercises.

With regard to the second part of the consultation document entitled 'Cumulative Landscape and Visual Assessment of Wind Energy in Caithness' ("CLVA") we welcome the statement in the consultation document that the CLVA is a strategic study and that the consultant's recommendations are not a substitute for landscape and visual impact assessment and cumulative assessment for individual wind farm proposals.

This is an important principle that is acknowledged and one which should be carried forward into any public version of the document and related draft Supplementary Guidance.

The statement in the consultation document that the CLVA will not form policy or guidance, but will inform policy and guidance and that the Council "may also refer to the CLVA as a material consideration when we are dealing with individual proposals for wind energy developments, if we consider it is relevant to do so" is important.

If the intention to use the document in this way and the Council is to follow an approach of preparing CLVA documents for other parts of the Highland region which are subject to commercial wind farm development pressure, then a greater degree of public consultation on methodology should be carried out. This would ensure that the outcome of such studies enjoy a strong foundation of support and that they are acknowledged to be robust and would therefore carry more weight in planning determinations than they would otherwise would do.

In the section entitled 'LUC's recommendations' it sets out that these included "in order to limit cumulative landscape and visual impacts there are some areas where wind energy development should be generally discouraged and other areas where there is more likely to be potential....." (underlining added).

The overall objective in such studies should not be "to limit" cumulative landscape and visual impacts. As set out in the Scottish Government's recent advice (referred to above) this makes reference to setting aims or objectives "to define how areas could be developed out in order to keep within an acceptable level of cumulative change within the life time of the plan" as well as informing strategic and local planning policies or Supplementary Guidance. This is an important distinction between seeking to limit impacts and on the other hand (which in our view would be more appropriate) setting the framework in order to further develop areas out within acceptable levels of cumulative change.

On behalf of GWF, JLL welcome further consultation on the emerging supplementary guidance for Onshore Wind Energy. In the meantime we would request that the matters as set out above should be addressed and clarified keeping in mind the SPP requirement that such considerations "should not be used to constrain the Spatial Framework, but can be used to assist decision making at development management stage".





I look forward to receiving confirmation of your receipt of this representation in due course.

Yours sincerely



**Steven Black**  
**Director**