1.0 Introduction

This response to the 'Planning for Onshore Wind Energy' consultation being undertaken by The Highland Council has been prepared by LDA Design acting as independent landscape consultants and was commissioned by REG Windpower. This commission does not relate to any specific sites (LDA Design are not currently working on any sites in The Highland Council area on behalf of REG Wind power).

In drafting this response, the underlying approach taken is that it is to the benefit of The Highland Council, local communities and developers that the Spatial Framework is robust – with clear, reasonable criteria for the identification of Group 2 areas and clear, reasonable consideration criteria for acceptability in both Group 2 and Group 3 areas. This should rationalise applications in Group 2 Areas (so that only those which perform well in terms the acceptability criteria come forward) and minimise the number of appeals – to the benefit of all parties.

2.0 Responses to questions

1) What do you consider to be the minimum scale of onshore wind development that our spatial framework should apply to?

A number of indicators would suggest that there is good reason to differentiate between 'wind farms' and smaller scale wind developments:

- SPP refers to 'wind farms' – not 'wind turbines' or 'wind developments';
- SNH guidance differentiates between small wind developments and larger wind farms (at a threshold of 50m in height;
- Feed-in-Tariff has thresholds at 1.5KW, 15KW, 100KW, 500KW, 1.5MW and 5MW.
- Elsewhere in the UK (Wales), wind developments of 5MW or less are differently treated in policy.
- At the smaller scale (under 2MW), proposals are more likely to be for the direct or primary benefit of community groups, businesses or individual land owners, and less likely to arise from commercial developers. These groups often have limited options in terms of location.

A typical landowner, community or business Feed-in-Tariff wind scheme will consist of a single turbine or pair of turbines of up to 100m in height, but more usually 30-80m in height. If drafted to include these developments, which often have markedly reduced effects compared to larger wind farms and can be acceptably located within areas which would not be suitable for larger wind farms, the guidance may unnecessarily prevent otherwise acceptable developments. Such a result would be to the disbenefit of local communities, landowners and businesses.

Consideration could be given to using potential thresholds such those within the SNH(Small Scale Wind Energy) guidance, which covers schemes up to 2-3 turbines of any height and has an intermediate threshold at 50m tip height (turbines up to this height also have separate SNH Siting Design Guidance); or the Feed-in-Tariff thresholds of 1.5MW or 5MW. In terms of turbine sizes – a 1.5-2MW threshold would realistically mean single turbines of up to 90-

100m in height or 2-3 turbines of up to 70m in height; whereas 5MW would mean up to 2-3 turbines of up to 125m in height (roughly equivalent to the upper limit of the SNH Guidance on Small Scale Wind Energy). If turbine height is deemed to be a particular concern, then either a 1.5-2MW threshold or a combined threshold which takes in both capacity and height (e.g. the spatial framework applies to developments over 5MW or where turbines are greater than 100m in height) could be used.

2) Apart from the matters identified in Table 1 of SPP, what other considerations do you think we should take into account when identifying where there is strategic capacity for wind farms and areas with the greatest potential for wind development? And what information is available to help us consider those issues?

Given that SPP indicates that councils should not add 'extra considerations' then – no additional considerations should be added which would further restrict available areas for development, and a buffer zone around Wild Land Areas should not be implemented, as this would be a departure from the policy intention of SPP This intention can be discerned from the fact that Group 1 only includes the nationally designated areas – and not protective zones around them. Therefore Group 2 should only include the mapped areas identified by the two leftmost columns of SPP Table 1, and the community separation areas; which will need to be identified by The Highland Council.

However, where the 'community separation' criterion is the only reason for potentially placing an area of land into Group 2, consideration should be given to major technical constraints to wind development, as land free of such constraints is where developers will focus their attention. Therefore where otherwise unconstrained areas of land are only designated as Group 2 because of the community separation criterion, the guidance will come under considerable pressure, so it would be prudent to ensure that any such areas are as small as is necessary to provide 'significant protection' to communities; and are rational and well-justified. This may result in fewer applications in Group 2 areas, and fewer successful applications within Group 2 areas; whereas an overly-protective Group 2 approach to defining community separation areas could result in confidence in the Group 2 areas definitions being eroded by a high frequency of consents (as happened with some of the Cumulative Sensitivity Zones which were identified as areas of protection under previous SPP).

Information sources for the most of the Group 2 criteria are readily available (as they are designations or areas mapped by SNH). For the settlements, the initial 'search area' is described by Table 1 of SPP – an area of up to 2km from settlements defined by a 'mapped boundary' in the Local Plan. This does not require the Local Plan to be revisited in terms of which settlements should have a 'mapped boundary', so the starting point would be to identify those settlement boundaries and set a 2km limit from these. Each area would then need to be considered in more detail looking at topographic features and such matters as the 'orientation' and landscape setting of the settlement. Some of this could be done via detailed technical studies such as ZTVs (at a detailed scale and using surface mapping data - which is viable for small study areas), and final confirmation should be carried out through site work.

In defining the community separation areas, particular consideration should be given as to what degree of visibility would be acceptable. SPP does not indicate what this threshold should be, and the pattern of previous development approvals would not appear to indicate

that that the only acceptable result in terms of effects on communities is 'no visibility'. Any such thresholds should be clearly defined so that developers would also be able to use the thresholds to test their sites against should they want to bring forward a site in a Group 2 area, and decision makers can use those thresholds to aid the determination of acceptability. This is important as even using good quality data and site visits, the Group 2 areas will still not be site specific and would be likely to include a small number of sites which could be developed and still meet the criteria due to localised factors.

3) What criteria do you think we should consider in deciding all applications for wind farms of different scales, including extensions and re-powering? And what information is available to help us set those criteria?

The list of criteria within the ISG is comprehensive. These criteria should be reviewed to fit with the updated spatial framework and SPP so that there are not contradictions – e.g. the criteria relating to community effects needs to clearly relate to the defined areas and the criteria for defining those areas. Care should be taken with defined thresholds – for instance, at present under 'Landscape and Visual Impact' at para 2.33 the ISG indicates that "*Any proposal for a wind energy development must demonstrate that the development including its associated infrastructure will not have a significant adverse effect individually or cumulatively"* on a wide range of landscape and visual receptors, including on residential amenity (not in the list at para 2.33, but added by para 2.38). However, almost all wind developments will have some significant and adverse landscape and visual effects, so these thresholds are presently set at an unrealistically low level.

The list of assets that the development must not have significant adverse effects on also includes "*the spatial framework…*". This is a meaningless criterion as it is not possible for a development to have an effect on a policy. Consideration should be given to redefining these criteria to reflect what is of particular importance for each receptor type.

The criteria should closely reflect those set out within national policy and guidance, with modifications only where directly applicable to the local situation. Local policies and guidance which depart from national guidance cause difficulties and unnecessary expense for all parties involved in applications and should be avoided except where justified due to local factors not foreseen or adequately allowed for at the national level.

4) Do you think that defining clusters of wind energy developments and important gaps between them is useful to help guide where further development may be most appropriate?

The difficulties with such guidance mean that is hard to get right – what can be accommodated in any area can be altered by the pattern of other developments over time; changes in turbine types and sizes; the underlying characteristics of the landscape itself and other changes that happen within that landscape. Given that such studies have to be based on numerous and quite broad assumptions about the likely effects of wind farms of varying scales over quite wide geographic areas they can also often be readily demonstrated to have over estimated likely effects on reaching the areas delineated. This means that defining clear and reasonable areas and criteria is difficult initially; and resulting guidance can easily become out of date and of limited use. Furthermore, some of the main constraints to wind development will coincide across large areas (e.g. aviation issues and grid capacity) and can have a notable influence on clustering patterns. SNH also note that clustering is generally beneficial in maintaining the diversity of landscape character – in that turbines will become

characteristic of some landscapes, and not of others. Discouraging clustering is not necessarily of benefit if it generates a more dispersed development pattern. Broad scale fixed area policy constraints could also discourage extensions made possible by changes of landownership – for instance a four turbine extension to an existing 15 turbine wind farm would be likely to have notably reduced landscape and visual effects overall compared to a new four-turbine wind farm in land away from other wind farms.

Lessons learnt from the use of cumulative sensitivity zones in Dumfries and Galloway and South Lanarkshire would tend to suggest that the difficulties in defining these areas well and ensuring that they are robust with the passage of time are such that cumulative sensitivity zones and policy relating to clusters and gaps tend to be of limited efficacy in directing development. In this respect it is notable that this issue has been omitted from consideration in respect of Group 2 areas in SPP.

However, the concern regarding cumulative development and establishing 'how much is too much?' wind development is valid. An approach which is used elsewhere is to establish thresholds relating to the degree of effects – for instance whether it is acceptable for a particular character area to become a 'wind farm landscape' or whether the upper limit is 'a landscape with occasional wind developments'. This could vary with different character areas. Similar limits could also be set with respect to the degree of visibility from or visual effects on settlements and other important visual receptors..

5) Given that national policy does not allow us to include the results of the Cumulative Landscape and Visual Assessment of Wind Energy in Caithness (the CLVA) in the spatial framework, in what ways do you think we should take it into account in in our plans and guidance?

As discussed above, the basic principles (which are unfortunately implicit rather than explicit within the CLVA) could be distilled out of the guidance in order to consider their suitability to help set the thresholds for 'how much is too much?' wind development.). This approach would place limits on the effects of wind farms, rather than attempting to predefine where they should / should not go. The result should inform the policy and ISG guidance rather than becoming defined areas within the spatial framework, thereby allowing for the passage of time and changing patterns of development (for example repowering or extension projects, and decommissioning).

Subject to a review to 'translate' them to fit the purpose, some of the findings regarding individual character areas are likely to be suitable to be used as a supplement to the landscape character assessment for the Caithness study area– forming part of the baseline information available to applicants and The Highland Council. This would enable the technical studies regarding cumulative development and likely effects on character to be retained to inform future development considerations, although commentary which relates to visual receptors rather than effects on character (e.g. views from roads) should be removed in order to meet this purpose.

6) If you have any general comments about the CLVA, please give them here

The CLVA is vulnerable to the issues discussed above – it will become out of date and does not for instance take account of changes that would arise as a result of decommissioning or repowering of some of the existing wind farms. It also makes assumptions regarding

potential effects of development and appears to include underlying, but not clearly specified, assumptions about the likely degree of cumulative effect that would be acceptable.

The inland study area boundary of the CLVA (i.e. between Badbea in the south and Reay in the north) provides inconclusive boundaries to the four categories of 'conclusions' that are defined in the study. Whilst we appreciate that the study is intended to cover Caithness and not the adjoining parts of Sutherland, it would be useful if boundaries were provided to the four categories shown, rather than them appearing to continue indefinitely into adjacent areas. The open nature of this edge of the four categories identified in the study may be construed as implying that areas beyond the study area boundary are also subject to the recommendations identified in the report.