

The Highland Council
Caithness And Sutherland Area Committee

23 September 2014

Agenda Item	10
Report No	CS/ 29/14

Cumulative Landscape and Visual Assessment of Wind Energy in Caithness

Report by Director of Development and Infrastructure

Summary

This report presents the findings of the Cumulative Landscape and Visual Assessment of Wind Energy in Caithness which has been produced as advice for the Council. Since the presentation of draft findings to the Planning, Development and Infrastructure Committee (PDI) on 14 May 2014, the Cumulative Assessment report has been revised and finalised. In addition the Scottish Planning Policy (2014), which sets out aspects of how planning authorities are to plan for onshore wind energy, has been published and highlights of that were presented to the PDI Committee on 20 August 2014. The Assessment is a technical study which provides evidence to feed in to Development Planning and Development Management.

1. Background

- 1.1 Members will recall that The Highland Council was successful in bidding for Scottish Government funding to undertake Cumulative Landscape and Visual Assessment of wind energy developments. Land Use Consultants (LUC) were engaged to undertake the work. In Highland this was focussed on Caithness and on the Ardross (Easter Ross) area, both being areas which have experienced considerable development pressure. Work has been focussed mainly on Caithness in order to complete that within the resource available. Draft findings for Caithness were reported to the PDI Committee on 14 May 2014. Since then the Cumulative Landscape and Visual Assessment of Wind Energy in Caithness (“the CLVA”) has been revised and finalised by LUC. The CLVA is therefore now published on our website and is appended – Appendix 1 contains the written report (Booklet D of the agenda papers) and Appendix 2 contains the accompanying figures (Booklet E of the agenda papers).
- 1.2 The CLVA is a technical study. It is not the Council’s policy/guidance, but has been produced to inform preparation of our policy/guidance. In particular it will feed in to a revision of the Onshore Wind Energy Supplementary Guidance, which is currently in ‘Interim’ form as approved by Committee in March 2012. It may also be referred to, where relevant, as a material consideration in development management.
- 1.3 Scottish Planning Policy (SPP) sets out how local planning authorities should prepare spatial frameworks for onshore wind energy development, a spatial framework being a primarily map-based tool for steering the location of development. SPP identifies the types of consideration that can be included in the spatial framework. For planning considerations not included in the spatial framework, the authority should consider whether to set out criteria for

assessing proposals. When the CLVA was being undertaken, it was envisaged that the findings would inform both parts of our supplementary guidance for onshore wind energy – the spatial framework and the criteria. However, as reported to the PDI Committee on 20 August 2014, the new SPP which was finalised and published in June 2014 has changed the range of considerations that may be included in the spatial framework. In doing so, Scottish Government has excluded studies such as the CLVA from the list of considerations to be included in the spatial framework. In light of SPP, this report sets out an overview of how the CLVA can be used by the Council and other decision-makers.

2. The Finalised CLVA and its Findings

- 2.1 As set out in the CLVA, its purpose is to specifically identify areas where existing and potential cumulative effects may be a factor in determining opportunities for further development. The CLVA does not identify the cumulative effects of individual wind farms, but seeks to identify areas where such effects are more or less likely to occur. It differs from cumulative assessment usually carried out as part of landscape and visual impact assessment, in that the potential for cumulative effects is considered strategically, rather than in the context of one specific development. The CLVA does not set out to determine the capacity of the landscape for wind energy development, which will depend upon a wider range of factors.
- 2.2 Through the CLVA, LUC have had regard to both ‘landscape receptors’ (aspects of the landscape resource that have potential to be affected by multiple wind energy developments) and ‘visual receptors’ (individuals or defined groups of people, who have the potential to be affected by multiple wind energy developments). As the CLVA is strategic, it was necessary and appropriate to identify a selection of these receptors for the purposes of undertaking the CLVA.
- 2.3 LUC’s recommendations in the CLVA are made based on the definition of specific areas within the study area. Areas are categorised as follows (slightly re-described from the earlier draft report, to provide greater clarity):
- Areas where **receptor sensitivity** to potential cumulative effects is a limiting factor to further development;
 - Areas where additional development may give rise to the **extension of cumulative effects** in relation to existing and emerging development patterns;
 - Areas where cumulative effects could be limited by siting additional development **in association with existing patterns of development;** and
 - Areas where additional development could be sited **away from existing patterns**, with reduced potential for cumulative effects.

Section 10 of the CLVA presents LUC’s Recommendations, which are illustrated in Figure 10.3. The overall findings are the same as the draft findings which were presented to PDI Committee in May. Officers will talk through key points in the CLVA in presentation to Committee.

- 2.4 Members will note from LUC's Recommendations and Figure 10.3 that a number of areas have been identified in Caithness for each of the recommendation types listed above. LUC suggests this means that there are some areas where wind energy development should be generally discouraged and other areas where there is more likely to be potential to accommodate such development. However, LUC do caveat this at paragraphs 10.13 and 10.14 of the CLVA and Members should also note paragraph 4.5 below.
- 2.5 A key principle underlying LUC's recommendations is a 'clustering and gaps' approach to the location of development, taking into account the existing and emerging development patterns, receptor sensitivity and cumulative effects.
- 2.6 In finalising the CLVA, LUC have made improvements to it. Specifically, the CLVA has been made clearer and more helpful to the user – particularly the Executive Summary and the Recommendations. There is some area-specific guidance with respect to scale of turbine. Table 2.2 (page 10) has been added which defines each of the four recommendation types listed above and in doing so explains what is meant by each. Whilst the CLVA does use technical terms, the 'Glossary' explains key terms such as "cumulative visibility" and "cumulative effect on landscape".
- 2.7 LUC have added a 'User guidance' section (see Appendix 3 in the CLVA), designed to assist decision makers in considering applications for wind energy developments in light of the findings of the CLVA.
- 2.8 LUC's recommendations present general conclusions on the different parts of the study area, but will require more detailed interpretation to apply to specific sites, particularly where these lie close to the boundaries between areas. The conclusions drawn in relation to each of the Landscape Character Types should also be referred to (see Section 9 of the CLVA). Individual proposals will continue to be judged on their own merits.

3. Next Steps

- 3.1 LUC's finalised CLVA is now published and is available on the Council's website. The next steps, which include steps already agreed by the PDI Committee, may be summarised as follows:
- The CLVA will be referred to, where relevant, as a material consideration in development management.
 - Officers will take into account the CLVA in preparing revisions to the Onshore Wind Energy Interim Supplementary Guidance in response to Scottish Planning Policy 2014.
 - In taking into account the CLVA, we will bear in mind decisions made with respect to applications since the date of the baseline data on wind energy schemes that were used for the study. We will also need to take into account the Wild Land Areas map and the approach taken in SPP with respect to planning for the coastal zone, both of which have brought changes to national policy context. LUC have acknowledged such matters in the finalised CLVA.

- A local consultation on strategic capacity and development potential for wind energy in Caithness, informed by the CLVA, will be conducted alongside the statutory consultation on the Caithness and Sutherland Local Development Plan Main Issues Report (which is subject of a separate report to this Committee with consultation anticipated to commence by the end of October); responses will be taken into account in revising the Council's Onshore Wind Energy Interim Supplementary Guidance.
- Once draft revisions to the Onshore Wind Energy Supplementary Guidance have been prepared, these will be reported to the PDI Committee for consideration prior to public consultation being undertaken. In the run-up to that meeting of PDI Committee, a Member workshop will be held on the full range of issues for revision of the Interim Supplementary Guidance, including cumulative impact.
- The arrangements for consultation on draft revisions to the Council's Interim Supplementary Guidance will include a public consultation event to be held in Caithness, at which information about the CLVA will be available, together with the draft revisions.

4. Implications

4.1 Resource

The CLVA has been completed. We have resources to undertake the revision of the Onshore Wind Energy Interim Supplementary Guidance, including consultation and progression to adoption. We are considering options for informing guidance for other pressured areas of Highland, taking account of the role of assessments such as the one for Caithness in the light of SPP (2014) and resource pressures.

4.2 Legal

Planning law sets out requirements for development plans and development management. A distinction is made between documents forming part of the development plan (our adopted Local Development Plans, adopted Local Plans (as continued in force) and adopted Supplementary Guidance) and any other material considerations.

4.3 Equalities

The CLVA is strategic and is unlikely to lead to significant adverse or differential effect on particular equality groups. Our Onshore Wind Energy Interim SG has previously been subject of Equalities Screening.

4.4 Climate Change/Carbon Clever

The CLVA assists in the identification of opportunities for renewable energy development, which will contribute towards Carbon Clever and in responding to Climate Change. It will inform preparation of our policy and guidance, which will be subject of Strategic Environmental Assessment.

4.5 Risk

The CLVA is a strategic study and LUC's recommendations are not a substitute for project-specific landscape and visual impact assessment and cumulative assessment. It would be inappropriate to use the CLVA as a 'traffic-light' style indication of the acceptability, or otherwise, of particular

developments. Risk would therefore arise if it were misused. In officer reports for the consideration of applications for development, where the officer considers it relevant then reference will be made to the CLVA as a material consideration in development management and through that officers will seek to advise members on the appropriate weight to be accorded to it.

4.6 Gaelic

When we revise our Onshore Wind Energy Supplementary Guidance, we will ensure it complies with the Council's requirements for publications.

4.7 Rural

The CLVA covers a wide study area including both urban and rural areas. The main pressures for wind energy development are outside urban areas. The CLVA will help to inform our policy and guidance and hence help in planning for rural areas. Where relevant it will be referred to as a material consideration. Our policy and guidance will cover a wider range of considerations than are included in the CLVA, which is on a specific issue and is strategic.

Recommendation

The Committee is invited to:-

- (i) note the finalised findings of the Cumulative Landscape and Visual Assessment of Wind Energy in Caithness ("the CLVA");
- (ii) note the work to be undertaken on revision of the Onshore Wind Energy Interim Supplementary Guidance in response to Scottish Planning Policy 2014, which will take into account the CLVA and be subject of public consultation including a consultation event to be held in Caithness;
- (iii) agree that the CLVA will be referred to, where relevant, as a material consideration in development management; and
- (iv) agree the proposed timing of a Member workshop to be held on the full range of issues for revision of the Interim Supplementary Guidance, including cumulative impact.

Designation: Director of Development and Infrastructure

Date: 11 September 2014

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Background Papers:

Cumulative Landscape and Visual Assessment of Wind Energy in Caithness, LUC, July 2014 – appended in two parts: written report and figures