

*Speyside Business Alliance*

*Dorenell Windfarm*

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*Landscape and Visual Impact*

*Precognition*

*Mark Steele Consultants*

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## **1.0 Introduction**

### **1.1 Qualifications & Experience**

1.1.1 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 and have attended many public inquiries as a witness for developers, objectors and planning authorities.

### **1.2 Scope**

1.2.1 My evidence relates to landscape and visual impact. David Tyldesley (appearing for the National Park) will deal with impacts upon the Cairngorms National Park and Ian Kelly will address planning policy.

## **2.0 Methodology**

### **2.1 ES and OPEN Methodologies**

2.1.1 The MSC Landscape and Visual Topic Paper provides a critique of the ES methodology. The OPEN Landscape and Visual Report paragraph 3.1.6 states that '*at no stage during the application process has TMC, CNPA or SNH identified shortcomings in the methodology used by H+M...*' Ten ES errors and inconsistencies are identified in the same paragraph. The ES and OPEN methodologies are both modified from GLVIA guidance and understate the significance of effects.

### **2.2 MSC Methodology**

2.2.1 For ease of reference the MSC methodology will use a similar assessment process to that used by the ES and OPEN but will refer to GLVIA guidance for the assessments of sensitivity, magnitude of effect and significance.

### 2.2.2 Sensitivity

The sensitivity of receptors is assessed using the GLVIA guidance cited in GLVIA paragraphs 2.27, 2.28, 7.16 and 7.31.

### 2.2.3 Magnitude of Effect

The magnitude of landscape and visual effect is assessed using the GLVIA methodology cited in MSC ES Methodology Critique paragraph 2.5.4.

### 2.2.4 Significance

The threshold of significance is set within the moderately significant level of effects. Professional judgement is used to determine whether a moderate level of effect is significant (with reference to GLVIA paragraphs 7.43 and 7.49).

## **3.0 Landscape Impact**

### **3.1 Landscape Characteristics**

3.1.1 OPEN report paragraph 5.2.2 states that *'Of essence to the acceptability of the development in landscape and visual terms, is its relationship with the landform of the site'*. It has been clearly demonstrated at the Hearing Session that the development configuration is a response to site constraints rather than topography.

3.1.2 The OPEN report claims that *'the hills within the site are unremarkable'*, however it is also acknowledged that they form *'a subset to, or fringe to the Cairngorms massif'*. The hills therefore form an integral part of a 'remarkable' hill range. This is illustrated in APP-L 3 Figures 4 and 5 and the SBA Appendix Document Figure 2, and is confirmed by their inclusion within a Designated Landscape.

3.1.3 The hills and valleys within and adjacent to the site also have greater interest and diversity than is implied by the ES and OPEN report. This is illustrated by the SBA Appendix Documents and aerial photographs. The ES and OPEN documents do not include photographs that specifically illustrate the characteristics of the site and its environs.

3.1.4 OPEN Report paragraph 5.2.3 states that *'The degree to which the effects of the development would be contained at Dorenell is particularly beneficial and this containment fundamentally underpins the suitability of the site to accommodate the proposed wind farm'*. However the ZTVs in APP-L 3 Figures 6 and 9 demonstrate that visibility is not contained.

### **3.2 Landscape Character**

3.2.1 Based on APP-L 2 Figure 19 and ES Figure 9.9, the main significant landscape effects are likely to occur within the Open Uplands LCT and the adjacent North Eastern Hill Ranges LCT.

3.2.2 OPEN report paragraphs 5.11.6 quotes the Moray & Nairn LCA which states *'In the remoter regions... a windfarm may appear as a man-made intrusion and be an inappropriate element to introduce in these areas.'*

OPEN Report paragraphs 5.11.7 and 10.3.2 argue that this guidance is out of date as the Paul's Hill and Berry Burn windfarms have been consented within the same LCT. However the guidance is still relevant as it relates to the *'remoter regions'* of the LCT such as the area where the Dorenell Windfarm is proposed. Indeed OPEN acknowledges that the consented windfarms are in a separate part of the LCT.

3.2.3 OPEN's assessment agrees with the ES that there will be significant effects on landscape character within approximately 5km of the proposed windfarm.

However, I am of the opinion that significant effects will extend beyond 5km and up to 10km from the proposed turbines. This will be particularly so when the windfarm forms a larger proportion of the view (when viewed from the east and west). This is illustrated by APP-L12 Supplementary Wireframe 2.

Furthermore, OPEN report paragraphs 10.5.2 and 8.2.4 concede that there will be significant visual effects from Little Geal Charn (6.1km), Upper Howdog (7.2km), Ben Rinnes (7.6km) The Buck (9.7km) and Tap O'Noth (14.4km).

3.2.4 OPEN report paragraph 10.3.1 discusses whether the windfarm will become a defining characteristic of the LCT. It is useful to refer to APP-L 3 Figure 19 which identifies the extent of visibility within the Uplands LCT. It is clear that the majority of the LCT to the south of Dufftown will have visibility of all or part of the proposed windfarm. Where the windfarm is the predominant defining characteristic, the LCT may be described as a 'wind farm' landscape (within 5km of the development) and where it is one of a number of defining characteristics (5km to 10km), the LCT may be described as a landscape 'with windfarms'.

The characterising effect of the windfarm is therefore not as '*localised*' as suggested in OPEN report paragraph 10.3.3.

3.2.5 Whilst OPEN report paragraph 10.3.4 concedes that there are significant effects on landscape character it is claimed that these effects are not *'harmful or unacceptable.'* Acceptability is a matter for the decision maker who also has to make a judgement as to whether the proposal is in accordance with (or contrary to) planning policy. Paragraph 10.3.4 concedes that the proposal is contrary to TMC planning policy.

The landscape characteristics of the LCT will be changed by the proposed development. Whether the change is *'harmful'* is judged by the value placed on the landscape and whether that value will be compromised by the proposed development.

### **3.3 Landscape Value**

3.3.1 GLVIA paragraphs 6.17 to 6.21 discuss landscape value. A key indicator is whether the proposed development lies within or close to a designated landscape. Perceptual characteristics such as: *'scenic quality, tranquility or wildness'* should also be considered.

3.3.2 ES Figure 9.9 illustrates that the site is located within the Ben Rinnes, Blackwater and Tomintoul Area of Great Landscape Value (AGLV) and OPEN Figure 1A demonstrates that there are no existing or consented windfarms within the AGLV. The proposed windfarm is located in the Blackwater valley, a core area of the AGLV.

3.3.3 APP-L3 Figure 19 demonstrates that:

- the extent of visibility is extensive within the eastern section of the AGLV;
- the extent of visibility coincides with the eastern boundary of the GLVIA; and

- the windfarm will also be visible from the Ben Rinnes core area.

3.3.4 OPEN report paragraph 5.6.2 quotes Moray Council Local Plan Policy E7 which states that *'Development proposals which would have an adverse effect on an Area of Great Landscape Value will be refused unless:*

- *They incorporate the highest standards of siting and design for rural areas,*
- *They will not have significant adverse effect on the landscape character of the area,*
- *They are in general accordance with the guidance in the Moray and Nairn Landscape Character Assessment.'*

The Hearing Session has demonstrated that the highest standards of siting and design cannot be achieved on such a heavily constrained site. The ES and OPEN report concede that there will be significant effects on landscape character and the proposal does not accord with the guidance in the LCA. The proposal is therefore contrary to Local Plan Policy E7 in every respect.

3.3.5 OPEN paragraph 5.6.3 states that there are *'...a large number of instances within Scotland where wind farms have been successfully located within AGLVs'* and these are illustrated in APP-L3 Figure 22. Of these the only windfarm of a size comparable to Dorenell is the Crystal Rig group on the Lammermuir Hills.

The Crystal Rig windfarm group has not been *'successfully located'* as it clearly compromises the AGLV designation. I invite the Reporter to visit the road between the B6355 and Longformacus to view the Crystal Rig windfarm group.

- 3.3.6 OPEN report paragraph 5.6.5 concurs with the ES which concludes that the AGLV is of medium sensitivity with a medium magnitude of change resulting in moderate and significant effects. Both the sensitivity of the AGLV and the magnitude of change are understated. An AGLV is self evidently of high value and sensitivity.
- 3.3.7 The magnitude of effect is also understated. The OPEN report acknowledges that the windfarm is located '*within the central part of the AGLV*'. Therefore there is a high magnitude of change (and consequential substantial significant effects) in a core area of the AGLV.
- 3.3.8 OPEN report paragraph 5.9.1 dismisses Search Areas for Wild Land (SAWL) as '*not a key issue at this Inquiry*'. Whilst the site does not lie within an identified SAWL area it should be noted that the search area boundaries are not prescriptive and are drawn at a very broad scale. APP-L3 Figure 17 is informative as the actual extent of wildness can be contrasted with the SAWL area indicated on ES Figure 9.9.

Of particular relevance is the assessment of wildness within the 5km and 10km radius bands from the proposed windfarm. This should be considered with reference to APP-L3 Figure 4 which helps locate the windfarm and associated topography and APP-L3 Figure 6 which demonstrates the number of visible turbines.

It is clear that the Ladder Hills within the National Park have high wildness characteristics and these characteristics extend along the same ridgeline beyond the National Park boundary and into the area occupied by the proposed windfarm (Appendix Document Figure 2). Indeed, as the site

inspection demonstrated, it is difficult to distinguish the National Park boundary in this location as there is not a distinct change in landscape character.

The sense of wildness (and associated tranquility) is also enhanced by the partial enclosure provided by the ridgelines to the east and west. It should also be noted that the Moray Core Paths Plan describes Core Paths 29 and 30 (both of which are directly affected by the development) as featuring 'remote wild hill country'.

The wildness characteristics exhibited by the Ladder Hills within (and outwith) the National Park will be compromised by the proposed development. Therefore there will be significant and adverse effects on the wildness value of the landscape.

### **3.2 Cumulative Landscape Effects**

#### *3.2.1 Landscape Character*

The Dorenell Windfarm is the only wind development proposed within this Open Uplands LCT area. However, the proposed Clashindarroch wind farm lies on the eastern boundary of the LCT and as such will contribute to the extent of the 'wind farm landscape' and 'with wind farms' landscape.

#### *3.2.2 Landscape Value*

The Dorenell Windfarm is the only wind development proposed within the AGLV. However the cumulative ZTV maps for the Clashindarroch, Drummuir, Rothes, Berry Burn and Pauls Hill wind farms demonstrate that they will all contribute to significant cumulative effects on the AGLV and its setting.

## **4.0 Visual Impact**

### **4.1 Recreational Amenity**

4.1.1 OPEN report paragraph 10.1.1 includes the following key visual issue:

- *'Effects on walkers using the footpaths, cycleways and hilltops;*

However neither the ES nor the OPEN report refers to the Moray Core Paths Plan. The ES confines its assessment to national routes and the OPEN report only make a passing reference to core paths. This is a significant omission.

4.1.2 OPEN report paragraph 10.5.1 concedes that there would be *'significant visual effects on the paths through the Glenfiddich and Blackwater valleys, including from elevated routes over Corryhabbie Hill (Mortons Way) and over Dead Wife's Hillock.'* However, the report fails to acknowledge that these are strategic Core Paths there (SBA Appendix Document Figure 1).

4.1.3 Paragraph 10.5.1 also states that *'...the development would be prominent from the northern edge of the Ladder Hills...'* (Supplementary Wireframe 1) and continues *'...there is no obvious path along the ridgeline from Geal Charn to Round Hill...'* however a route is indicated on the Core Paths Plan.

4.1.4 The Moray Core Paths Plan sets out the legislative/policy linkages in paragraph 3, the consultation process in paragraph 5 and the attributes of Core Paths SP29 (Glen Fiddich) and SP30 (Dead Wife's Hill) on page 30.

4.1.5 OPEN paragraph 10.5.2 cites a number of wind farms that are located close to nation routes however there are examples (such as Minch Moor) where wind farm have been refused planning permission due to impacts on walking routes.

## **4.2 Cumulative Visual Effects**

4.2.1 With reference to popular hilltops OPEN report paragraph 10.5.1 states that *'Many, if not all, of these summits afford views of wind farms at present.'* The implication being that one more wind farm will not make much difference. Actually the Dorenell wind farm will contribute to significant cumulative visual effects from hill summits.

## **5.0 Significance**

### **5.1 Significance of Effects**

5.1.1 I make the following observations regarding the significance of effects summarised in OPEN report paragraph 8.2.4:

- Landscape Character / Designations – significant effects extend beyond 5km;
- Wildness – there will be significant and adverse effects on wildness within the National Park as well as the ridgeline occupied by the development; and
- ES Viewpoints – in addition to those listed there will be significant landscape and visual effects from ES Viewpoint 10.

5.1.2 My assessment of the landscape and visual significance of effects from all the supplementary Wireframe Viewpoints (APP-L12) is that they are high sensitivity receptors (both landscape - AGLV and visual - walkers) subject to a high magnitude of change and substantial significant effects. The

contribution of the Dorenell Windfarm to cumulative effects would also be significant.

Viewpoints at Dead Wife's Hill and within Glen Fiddich and the Black Water valley would also be subject to significant landscape and visual effects.

5.1.3 OPEN report paragraphs 8.3.1 to 8.3.4 addresses nature of effect, which is discussed in MSC Landscape and Visual Topic Paper paragraph 2.7. Essentially an effect is adverse where the landscape or visual amenity is compromised by the development. The landscape and its visual amenity are compromised by the proposed development.

## **6.0 Conclusion**

### **6.1 Summary of Key Issues**

6.1.1 The ES and Open methodology is flawed as:

- sensitivity and magnitude of effects (and consequential significance) are understated;
- ES viewpoints are not fully representative; and
- the Core Paths Plan is not addressed.

6.1.2 The Dorenell Windfarm will result in significant and adverse landscape (and cumulative) effects upon landscape character and the AGLV. Therefore it is contrary to:

- LCA guidance; and
- Local Plan policy.

6.1.3 The Dorenell Windfarm will result in significant and adverse visual (and cumulative) effects on hill walkers and users of Core Path Plan routes.

## **6.2 Conclusion**

6.2.1 I therefore submit that on landscape and visual grounds alone the Reporter can safely recommend to Scottish Ministers that refusal of this application would be fully justified.

MSC Consultants

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