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Energy Consents Unit  
The Scottish Government  
Energy Consents Unit planning reference: ECU00003423  
Sent by email:

1 February 2024

Dear Case Officer,

### **Objection: Culachy Wind Farm**

It is with regret that we note our objection to the Section 36 application submitted by Fred. Olsen Renewables Limited seeking approval and deemed planning permission for the construction and operation of the 8 turbine Culachy Wind Farm (Energy Consents Unit reference: ECU00003423).

We are a conservation charity that supports the Scottish Government's net zero emissions target. We also support the continued protection of Scotland's wild land as a finite national asset that contributes to the health and wellbeing of present and future generations. We are objecting to this application principally because of its adverse impact on nationally important wild land.

We believe that the Energy Consents Unit can continue to make choices about whether siting onshore renewables in wild land is appropriate. On 26th January 2024 the Scottish Government published a statement announcing, '*Renewable technologies generated the equivalent of 113% of Scotland's overall electricity consumption in 2022*'<sup>1</sup>. This progress has largely been achieved whilst protecting Scotland's Wild Land Areas and by our estimations the Scottish Government's onshore wind target can be achieved without any new onshore wind development in Scotland's Wild Land Areas ('WLAs').

#### **Wild Land**

It is acknowledged that there is clear support for renewable energy developments, even within WLAs, in Policy 4(g) of National Planning Framework 4. However, this support is caveated later in the policy which states that any proposal for development within a WLA must be accompanied by a Wild Land Impact Assessment ('WLIA') which sets out how '*design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land*'.

The implication of the policy is that only developments which have been designed so that there are no resulting significant impacts will be supported within WLAs. No indication is provided as to what

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<sup>1</sup> <https://www.gov.scot/news/record-renewable-energy-output/>

level of significant effect is considered unacceptable which means it is possible that even very localised impacts could be considered unacceptable.

It has been acknowledged by NatureScot that '*[i]t can be difficult to mitigate the impacts [of wind farms] on wild land even if general good design principles are adhered to, as it is often the presence of the turbines as a highly visible element that will result in a significant effect*'<sup>2</sup>. It is therefore understood that only in very specific circumstances, where the siting and design of the development has negated all significant impacts, will a wind farm be supported within a WLA.

We believe that the Proposed Development has failed to set out in the WLIA how '*design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land*' as required by Policy 4(g) of NPF4. This is evidenced in Section 4.6 of the WLIA which states that '*a high magnitude of change [has been assessed] locally which will when combined with sensitivity will lead to a **Moderate and Significant effect** on the wildness qualities present in the WLA study area*'<sup>3</sup>.

On reading the planning documents, no technical justification is provided for why the Proposed Development could not have been sited outwith the WLA. We recognise that the Applicant has worked to design the Proposed Development within several constraints at the site. However, to minimise significant impacts on the wild land qualities, as required under Policy 4(g), we would expect the Applicant to have considered siting the development outside the Wild Land Area and to provide a clear explanation as to why such an alternative was deemed unfeasible. We therefore believe the Proposed Development is in breach of Policy 4(g) of NPF4.

### **Visual landscape impacts**

The Applicant has placed great weight on the impact of existing infrastructure, such as the Beaully-Denny Overhead Line (the 'Beaully-Denny OHL'), on the wildness of the area to justify the impact of the Proposed Development. We wholeheartedly disagree with the proposition that existing infrastructure reduces the visual landscape impacts of the new development. Existing development is not a justification for the increased industrialisation of wild places.

In this instance the localised significant effects of the Proposed Development would be exacerbated by the existence of the Beaully-Denny OHL. We accept that this infrastructure detracts from the '*sense of naturalness*' in this area but it nevertheless remains wild. This would change with the Proposed Development as shown by the extent of the combined theoretical visibility of both the Proposed Development in combination with the Beaully-Denny OHL<sup>4</sup>.

The presence of existing infrastructure should induce increased protection against further development and the incremental degradation of our finest wild places. The Proposed Development would have a cumulative effect on the detrimental impact that the existing infrastructure has on the wild quality of this part of the WLA, potentially resulting in the localised loss of the sense of wildness from this part of the WLA entirely<sup>5</sup>. We ask the Energy Consents Unit to consider the significance of effects in terms of permanent loss of something we can't replace or replicate.

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<sup>2</sup> [Guidance - Assessing the cumulative landscape and visual impact of onshore wind energy developments | NatureScot](#)

<sup>3</sup> Section 4.6, Appendix 6.2: Wild Land Impact Assessment

<sup>4</sup> Figure 2.11, Local Context CZTV of Proposed Development and Beaully Denny Line

<sup>5</sup> As NatureScot concluded was the case with the eastern limb of the Reay – Cossley Wild Land Area following the decision to consent the Sallachy Wind Farm in their response to the application for Achany Extension Wind Farm (ECU ref. ECU00001930)

## **Cumulative impact**

The Proposed Development would have a cumulative impact on the developments which are already operational or in the pipeline, these include: Stronelairg, Cloiche, Millennium, Beinneun, Beinneun Extension, Bhlaraidh, Bhlaraidh extension, Beinneun 2, Bunloinn, Dell and Tomchrasky. The effect would be to turn the area to the north of the WLA into a development hotspot.

The Proposed Development would have a significant adverse impact on the Corrieyairack Pass which is a popular route for accessing the wild land area. The development would have a significant sequential impact as people move through the landscape from Corrieyairack Forest to Liath Dhoire, and this would be exacerbated by the existing developments visible in the distance. Figures 6.22a and 6.24f clearly demonstrate the cumulative impact that the Proposed Development would have on the view to the north-west, from Viewpoint 1: Corrieyairack Pass and Viewpoint 3: Corrieyairack Hill. The visuals show that should the Proposed Development be constructed c.57 turbines will be visible from these viewpoints in several separated clusters. These clusters of development are an incongruous feature in the landscape, changing it from one which is characterised in part by moorland plateaux to a wind farm landscape. The Proposed Development would bring significant infrastructure much closer to this popular route and wild place.

The Highland Council's previous refusal of the Culachy wind farm proposal<sup>6</sup> (13 wind turbines with 12 up to 149.5 m tip-height and one up to 132m tip height including ancillary development) cited the harm the proposal would have had on the Corrieyairack Pass, noting '*unacceptable significant adverse impact on the setting of the Corrieyairack Pass, a Scheduled Monument, and on the experience and appreciation of the users of this Pass.*' The predicted impact was considered contrary to the Highland Wide Local Development Plan policies 28, 57 and 67. As those policies remain relevant to this proposal, we ask the Energy Consents Unit to carefully consider whether the Proposed Development is not still contrary to those policies. In the wider landscape, the Proposed Development is a step change from the pattern of development we have seen so far, bringing the industrialisation noticeably further south and within the WLA. Figure 6.20 clearly shows the pattern of existing, consented and in application onshore wind development grouped to the north-east and the north-west of the Proposed Development. It shows that the Proposed Development is much further south of the existing development pattern. This Figure illustrates the intrusion of development into a wild landscape. Should it be consented, the Proposed Development would undermine the ambition of Policy 4 to protect and restore natural places.

## **Peat**

By siting the Proposed Development almost entirely on Class 1 peatland there appears to be a lack of any meaningful attempt to avoid disturbance of undeveloped peat in compliance with the mitigation hierarchy as per Policy 5(a) of NPF4. It seems some effort has been made to avoid areas of deep peat and thus mitigate the peatland impacts through the design and layout of the Proposed Development, however we would expect to see some attempt at avoidance in recognition of the intention of Policy 5(a) of NPF4 and with respect to NatureScot's '*Advising on peatland, carbon-rich soils and priority peatland habitats in development management*' guidance<sup>7</sup>.

In addition, the failure to avoid undeveloped peat undermines the intention of Policy 5. The Proposed Development has not evidenced a specific locational need and that there is no other

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<sup>6</sup> Highland Council planning reference. 14/04782/FUL

<sup>7</sup><https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>

suitable site in compliance with 5(c)(i). It is also not clear how the Proposed Development would satisfy Policy 5(c)(ii) of NPF4. By extension, it also violates Policy 2(a) which requires the Proposed Development to be *'sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.'* It is our view that a development sited on peatland cannot claim to optimise the contribution of the area to GHG reduction targets, nor minimise lifecycle greenhouse gas emissions, without reliable evidence and a full carbon audit.

We understand from the EIA<sup>8</sup> that much of the peat at the site is degraded and a Peatland Action feasibility study has been conducted to explore avenues to restoration at the site. Although the quality of the peat has been degraded by historical drainage and grazing, it has a retained value in its restoration potential. There is a danger that permitting developments such as this will make it harder in the longer term to reach the Scottish Government's peatland restoration targets<sup>9</sup> as the sites which are often the easiest to access are used to offset the impact of development rather than provide enhancements.

In the absence of a full carbon audit there are too many unknowns to be sure that the Proposed Development optimises the contribution of the area to GHG emissions reduction targets. The unknowns include:

- Risks, which the carbon calculator is known to underestimate currently, that the peat on site surrounding the new infrastructure (e.g. tracks and turbine bases) becomes a source of greenhouse gas emissions as a result of the extent of drainage and a reduced ability to function as a carbon store.
- Reliance on the reuse of excavated peat to mitigate the impact of the Proposed Development assumes that peat can be easily reused without any significant impact on quality; this assumption is contrary to expert opinion. The IUCN's recent briefing on Peatlands and Development states that *'the assumption that [peat] can be easily reinstated ignores the complexity of peatland structure and function.... Peat structure is an important element of how (for bogs in particular) hydrology is regulated, and any disruption permanently degrades this regulation. The result of this is that it is unlikely to maintain saturation without further consideration to its hydrology and this therefore runs the risk of carbon loss through oxidation and erosion'*<sup>10</sup>. It is likely that the CO<sub>2</sub> emissions from excavated peat resulting from the Proposed Development are underestimated, something decision makers should take into account when evaluating whether Policy 5(c) is satisfied.
- The extent to which restoration of peatland is successful is unknown at this time which makes it hard to quantify the extent of carbon savings without modelling data and assurances about monitoring.

Siting wind farms on peatland much reduces the contribution of this type of development to reducing GHG emissions. Research has found that as the electricity grid mix continues to decarbonise and fossil fuel generated energy is replaced by renewable energy, by 2040 most onshore wind farms that are constructed on high quality peatlands will not deliver a carbon emission reduction<sup>11</sup>. The research concludes that even if constructing wind farms on undegraded peatlands is of value in reducing carbon emissions today, it is not likely to be so in the future<sup>12</sup>. Given wind farms that are

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<sup>8</sup> Chapter 9: Hydrology, Geology and Hydrogeology

<sup>9</sup> <https://www.gov.scot/news/funding-to-restore-scotlands-ic-peatlands/>

<sup>10</sup> <https://www.iucn-uk-peatlandprogramme.org/resources/briefings>

<sup>11</sup> J. Smith et al. / Energy Policy 66 (2014) 585-591

<sup>12</sup> J. Smith et al. / Energy Policy 66 (2014) 585-591

granted planning permission receive it for their lifetime, or in perpetuity, this means that decisions made now must take into account how the grid mix will be in 10-20 years from now.

### **Biodiversity**

Under Policy 3(c) of NPF4, development proposals are required to demonstrate *'that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'*. We welcome the commitments in the Outline Biodiversity Enhancement Management Plan ('OBEM') to restoring peatland, planting native woodlands and deer management.

We note in the EIA that the Applicant intends to restore 424.6ha of peatland to compensate for the 24.65ha of peat that will be lost and to enhance biodiversity at the site. We welcome the ambition to restore a much greater area than will likely be lost from the Proposed Development. The OBEM explains that the peatland restoration will be conducted within the Management Unit A which is 424.6ha, however this area also encompasses much of the Proposed Development. We would therefore be grateful if the Applicant could confirm whether the actual area of restoration will be the 424.6ha of Management Unit A minus the area of the Proposed Development.

If the Proposed Development were to be consented, we would expect any consent to be conditional upon on-going site monitoring and evidence of successful biodiversity enhancement. We would also ask for the detailed Biodiversity Enhancement Plan to be made publicly available with evidence of completion and successful biodiversity enhancement as this will aid future transparency.

### **Conclusion**

By locating the Proposed Development within the WLA the Applicant has failed to minimise significant impacts on the qualities of wild land, as required under Policy 4(g) NPF4. Further, there is a lack of any meaningful attempt to avoid disturbance of undeveloped peat in compliance with Policy 5(a) and (c) of the NPF4, and by extension Policy 2(a), which requires that greenhouse gas emissions are minimised as far as possible, has been breached.