

**Town and Country Planning (Scotland) Act 1997 and the Planning etc (Scotland) Act  
2006**

**Town and Country Planning (Appeals) (Scotland) Regulations 2008**

**Appeal**

**PROPOSED CULACHY WIND FARM**

**Appellant: RES UK & Ireland Ltd**

**Planning Application 14/04782/FUL**

**DPEA Ref: PPA-270-2151**

**INITIAL APPEAL SUBMISSION**

**On behalf of the John Muir Trust (Objectors)**

Submitted to the DPEA by email only: 6<sup>th</sup> April 2016

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## Background

1. This initial appeal stage submission is in respect of the appeal by RES Ltd in relation to the proposed Culachy wind farm which was progressed by the Highland Council as the planning application reference number 14/04782/FUL.
2. This submission is an addendum to our original objection which we understand will be taken into full consideration by the Reporter.
3. The Trust, have serious concerns about the proliferation of wind farm development proposals (and associated energy transmission infrastructure) around the wider area to the south of the Great Glen including in and nearby WLAs 19 and 20. This particular planning application appeal is for a large scale wind farm, on the Braeroy, Glenshirra and Creag Meagaidh Wild Land Area (WLA).
4. The Trust objects on the basis of the development's physical and visual impact on the site and surrounding landscape, including Wild Land Area 19 as identified by Scottish Natural heritage in June 2014, which we believe is contrary to National Policy as indicated in NPF3 section 4.4 which states '*We also want to continue our strong protection for our wildest landscapes – wild land is a nationally important asset*'.
5. SPP2 page 47 section 200 states that : '*Wild land character is displayed in some of Scotland's remoter upland, mountain and coastal areas, which are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development. Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas*'. This proposed development will severely impact on the character of WLA 19 and as such is in conflict with SPP2.
6. The landscape in this general area is already subjected to a very high level of development:
  - Operational windfarms : Millenium 1,2 & 3 - 20 turbines
  - Approved windfarms : Beinneun 25 turbines, Corrie Garth 20 turbines, Dunmaglass 33 turbines , Stronelairg 67 turbines

- Application : Bhlaraidh 32 turbines, Beinneun Extension 7 turbines, Dell 14 turbines, Culachy 13 turbines
  - Scoping : Moriston up to 30 turbines, Millenium South 10 turbines, Aberchalder up to 13 turbines
  - **A potential total of 284 turbines plus the**
  - Glen Doe Hydro scheme and the
  - Beaully Denny Overhead Line
7. Consequently we are seriously concerned about the cumulative impact of the proposed development. Scottish Natural Heritage's own guidance on cumulative impact (March 2012) states that two wind farms '**need not be intervisible**' to have an impact. The John Muir Trust believes that the Culachy Wind Farm would have a significant and detrimental effect in both terms of '**Combined Visibility**' and '**sequential impact**'. This industrial landscape will not enhance the area's scenic qualities. Mitigation may reduce the impact of these massive structures however given that they will be almost twice the height of Scotland's tallest high rise flats the 'mitigation' will in reality only have very limited impact.
8. Over a five-month period from July to November 2015 the Scottish Government rejected four wind farm applications, all which would have been constructed wholly or partially within the Wild Land Areas, totalling 134 turbines. The judgements behind four of these decisions are very important.
9. The first was Allt Duine Wind Farm on the western edge of the Cairngorms National Park in the Monadhliath WLA 20. Where following an Inquiry the Scottish Ministers decision over ruled the Reporter's findings in some aspects including: *'Ministers agree with SNH's advice that the Allt Duine wind farm will result in a number of effects on the wildness attributes of the WLA resulting from-:*
- *The physical reduction in extent of wild land qualities due to the addition of a prominent new focal feature within the interior of an area of wild land.*
  - *A reduction in the current sense of sanctuary and appreciation of lack of human intervention across a large extent of the WLA.*
  - *The cumulative effect of a further wind farm within and visible from areas where wind farm development is not/will not be readily apparent or a dominant feature.*

- *A reduction in the currently apparent expansive wild land qualities that are appreciated collectively with the adjacent Cairngorms WLA.*”
10. With regard to Glencassley wind farm in WLA 34 near Ben More Assynt (featured in JMT’s Area 34 campaign) they said ‘ *Although Scottish Ministers’ policy envisages that wind farms on wild land may be appropriate in some circumstances, where it can be demonstrated that significant effects on the qualities of the area of wild land can be substantially overcome by siting, design or other mitigation, Ministers have concluded, with respect to this Development, that the wild land impacts are unacceptable and cannot be mitigated.*’
  11. For Sallachy wind farm in WLA 34 part of the judgement said ‘ *Ministers are of the view that the Development would have significant adverse effects on the wildness attributes of the south eastern segment of the Reay-Cassley WLA to the degree that this area of the WLA would no longer be considered to be wild land. This in turn means that the Development would still have a significant effect on the Reay-Cassley WLA when considered as a whole*’.
  12. Finally the Reporters decision on Carn Gorm wind farm, which was planned to be partially in WLA 29 near Ben Wyvis was that ‘ *I have considered the benefits of the proposed development and the support contained in national policy. My conclusion is that the presumption in favour of sustainable development and the proposed development’s accordance with other aspects of national policy would not be sufficient to outweigh the conflict with protecting landscape and safeguarding the character of areas of wild land. This conflict justifies refusal of planning permission.*’
  13. The Trust is of the view that all four of these judgements are pertinent to this Appeal and support the Highland Council, South Planning Applications Committee’s decision to refuse the application.
  14. The decision that the application should be refused was democratically reached after a site visit and debate by a Committee which is highly experienced in the critical assessment of wind farm and wind turbine proposals. The Trust is of the view that this outcome should be respected.

15. The Reporter should also be aware that this proposal is only one of what is now a considerable number of wind farm and wind turbine proposals where the Councillors of the NPAC and SPAC are taking a different and far more critical view of the impact of onshore wind farm developments and, as a result, the Committees have frequently rejected the advice of Officers. In the cases of Spittal, Dunbeath, Druim Ba. Tressady, Balmacoil, Glenmorie and Allt Duine the views of the Councillors, rather than the Officers, were upheld at Inquiry/appeal and the proposals were rejected.

16. In conclusion this comment adds to our original objection and the Trust would wish to be part of any further discussion or Inquiry. No matter the process of evaluating this appeal, the Reporter is in any event respectfully requested to reject it and refuse to grant planning permission for the proposed Culachy wind farm.

[END]

Submitted April 6<sup>th</sup> 2016

On behalf of John Muir Trust

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