

**TCP/11/16(303)**  
**Planning Application 13/01905/FLL - Erection of two wind**  
**turbines on land 1300 metres south east of Tombuie**  
**Cottage, Bolfracks, Amulree**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN  
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form.**  
**Failure to supply all the relevant information could invalidate your notice of review.**

Use **BLOCK CAPITALS** if completing in manuscript

## Applicant(s)

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Mark this box to confirm all contact should be  
through this representative: ☒

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

Planning authority

Perth & Kinross Council

Planning authority's application reference number

13/01905/FLL

Site address

Land 1300m south-east of Tombuie Cottage, Bolfracks, Amulree

Description of proposed  
development

Erection of two wind turbines and ancillary works

Date of application

08 October 2013

Date of decision (if any)

5th February 2014

**Note.** This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

**Nature of application**

- |  |                                     |
|--|-------------------------------------|
| 1. Application for planning permission (including householder application)   | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle  | <input type="checkbox"/>            |
| 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) | <input type="checkbox"/>            |
| 4. Application for approval of matters specified in conditions   | <input type="checkbox"/>            |

**Reasons for seeking review**

- |   |                                     |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer  | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/>            |
| 3. Conditions imposed on consent by appointed officer   | <input type="checkbox"/>            |

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- |   |                                     |
|---|-------------------------------------|
| 1. Further written submissions                                    | <input type="checkbox"/>            |
| 2. One or more hearing sessions                                   | <input type="checkbox"/>            |
| 3. Site inspection  | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input checked="" type="checkbox"/> |

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

If the LRB wished to enter the application site access will need to be arranged with the agent. This is a fenced forestry area.

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached Review Statement

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

N/a

## List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

A completed Notice of Review form  
 Copy of Decision Notice  
 A Statement of reasons for Review Request  
 Statement of matters which the applicant requests should be taken into account in determining this review  
 Further comments of applicants Landscape Consultant (Atmos Consulting), dated 09 December 2013 which appear absent from the planning file on the Council's web portal  
 SNH Visual Representation of Wind Farms - Good Practice Guide

**Note.** The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

## Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

**Note.** Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

## Declaration

**I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.**

Signed

Garry Dimeck

Date

02 May 2014

# **Bolfracks Wind Proposal**

## **Submission to Local Review Body**



Finalised Review Statement



## Document Issue Record

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<b>Date of issue:</b>	01 May 2014	

Issue	Date	Purpose of Issue & Amendment
1	29 April 2014	Draft Internal Review
2	30 April 2014	Client Draft
3	01 May 2014	Finalised Statement

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# Review Statement

## 1.0 INTRODUCTION

The applicant hereby requests a review by the Perth & Kinross Council (Local Review Body) of a decision made by an officer appointed to determine a planning application for a local development (Ref: 13/01905/FLL) . That local development comprises the erection of two wind turbines (45m to blade tip, 30m to hub), and associated ancillary works (access track, crane pad/hardstand, control kiosk).

The application was refused on the 5<sup>th</sup> February 2014, for the following reasons:

1. Due to the siting, size of turbines, prominence and visual association with existing and approved windfarms/turbines within the locality the proposals would have a major adverse cumulative impact on existing landscape character and visual amenity. The Council is not satisfied that the social and economic benefits of the proposed turbines would outweigh the significant adverse effects on local environmental quality. Accordingly the proposal is contrary to Policy 6 of the Tayplan 2012 as well as policies 1, 2, 3 and 11 of the Highland Area Local Plan 2000 and policies PM1A, ER1A and ER6 of the Proposed Local Development Plan. The proposal is also contrary to Scottish Government Guidance in the form of Scottish Planning Policy 2010.
2. The proposed scale of the turbines cannot be absorbed by the existing landscape framework surrounding the site. The proposal will result in the upper hub and blades breaching the skyline from key viewpoints including the Drummond Hill which would contravene the recommendations contained within the Tayside Landscape Character Assessment 1999 (TLCA). This would result in an adverse landscape impact which cannot be economically or socially justified. Accordingly the proposal is contrary to Policy 6 of the Tayplan 2012 as well as policies 1, 2, 3 and 11 of the Highland Area Local Plan 2000 and policies PM1A, ER1A and ER6 of the Proposed Local Development Plan. The proposal is also contrary to Scottish Government Guidance in the form of Scottish Planning Policy 2010.

In support of this review request the applicant relies on the very comprehensive planning & environmental report (Volumes 1 & 2) which was submitted as part of his planning application together with:

- A completed Notice of Review form;
- Copy of Decision Notice;
- A statement of reasons for the review request;
- Statement of matters which, the applicant requests, should be taken into account in determining the review;
- Further comments of applicants landscape consultant (Atmos Consulting) which appear to be absent from planning file on the Council's web portal
- SNH Visual Representation of Wind Farm – Good Practice Guide 2006

## 1.1 PROJECT INTRODUCTION:

- This is a proposal for two small scaled wind turbines;
- The turbines would be 30m to blade tip and 45m to hub;
- The turbines would be sited in a location which, in landscape terms, benefits from a backdrop of rising land and commercial forestry plantations;
- The proposal constitutes a diversification project for the Bolfracks Estate.

## 1.2 POLICY CONTEXT

It is the applicant's contention that his submitted Environmental & Planning Report has demonstrated that:

- The proposal would accord with the broad objectives of the Council's Local Development Plan;
- The proposal would meet the Scottish Government objectives for the delivery of medium and smaller scale renewable technologies;
- The proposal would meet the Scottish Government objective of delivering opportunity for rural businesses to invest in the ownership of renewable energy projects
- The proposal would make a meaningful contribution towards the Scottish Governments commitment to carbon reduction targets and the delivery of energy from renewable resources; and
- The development would not give rise to landscape harm which renders the proposal contrary to Planning Policy and Scottish Government Planning Guidance.

## 1.3 REPRESENTATIONS

This application has not given rise to any substantive local objection. Two representations only were submitted at the application stage. The concerns raised therein were not deemed to be overriding by the Planning Officer. No representations were made by local residents.

## 1.4 CONSULTATIONS

No objections were received at application stage from key consultee's.

## 1.5 REASONS FOR REVIEW REQUEST

The Planning Officer's conclusions on likely cumulative impacts giving rise to major adverse effects are not justified, are overstated and have not been effectively demonstrated. Existing landscape character and amenity would not be materially harmed;

The Planning Officer has not taken a 'rounded' view of the likely landscape impacts of the proposal;

The Planning Officer has applied inappropriate weight to impacts from a single view point with the result that his narrow focus to LVIA has distorted the findings of *significance* of landscape impacts;

The proposal does not breach the recommendations set out in the Tayside Landscape Character Assessment 1999

The Planning Officer's approach does not accord with the Good Practice Guidance relating to the *Visual Representations of Windfarms* (SNH 2006).

## **1.6 MATTERS TO BE TAKEN INTO ACCOUNT IN DETERMINING REVIEW**

In this Review statement the applicant will separately address his concerns with both Refusal Reason 1 and Refusal Reason 2.

## **2.0 REFUSAL REASON 1 – Cumulative Effects:**

The Planning Officer's Refusal Reason 1 asserts that the cumulative impacts on landscape character and visual amenity arising from the small scale turbines proposed at Bolfracks would be *major adverse* as a consequence of their siting, size, prominence and their visual association with existing and approved turbines within the locality.

SNH Guidance *Assessing the cumulative impact of onshore wind energy developments* (2012) identifies that cumulative effects on *landscape character* arise when

*....two or more developments introduce new features into the landscape. In this way they can change landscape character to such an extent that they create a **different landscape character type**, in a similar way to large scale afforestation...*

### **2.1 LANDSCAPE CHARACTER**

The Planning Officer's Report of Handling makes clear that *a key consideration in the assessment of this application is whether the landscape is capable of absorbing the development*. Refusal reason 1 asserts that the two small scale turbines proposed would not be successfully integrated.

The applicants submitted LVIA has identified that the application site falls within the Highland Summits & Plateau Landscape Character Type (LCT) as identified by SNH's Tayside Landscape Character Assessment (TLCA) 1999. The Planning Officer Report of Handling identifies that this landscape includes *extensive areas of upland plateau* which separate the principal glens to the north of the Highland Boundary fault. It is this character which the Planning Officer concludes would be impacted in a majorly adverse way and he finds that the capacity of the landscape at this location is limited given the presence of existing wind energy developments.

The applicant strongly disagrees with this assertion. The proposal would not give rise to a different *landscape character type*.

### **2.2 EXISTING MAN-MADE INFLUENCES**

The applicants LVIA records that this 'host' landscape has, in recent years, been substantially modified by existing wind turbine and large pylon influences. This is acknowledged by the Planning Officer in his Report of Handling and would be apparent to the LRB should they undertake a site inspection.

This man-made influence is principally focussed on the Craigvinean Forest section of the Highland Summits and Plateau LCT, to the north of Glen Quaich with two large wind farms at Griffin and Calliachar and the new Beaully-Denny 400kV pylon line. These features now provide a significant and expansive built influence in the surrounding landscape and have been recorded in the Figures 19 & 20 of Vol 2 of the application submission and can be seen in many of the montages, notably Figure 13, VP9.

Additionally and immediately to the south, two new turbines have also been approved by Perth & Kinross Council on the Urlar Estate (Ref: 11/0766/FLL) within 1km of the application site at Bolfracks. Those consented turbines are of an **identical** height and type to those now proposed at Bolfracks. Construction work is due to begin on that Council approved development in summer of this year.

### **2.3 EFFECTS ON LANDSCAPE CHARACTER**

The Planning Officer's Report accords a great emphasis to the gap between those existing large scale operational wind farms and the Council approved turbines at Urlar. He concludes that the 'gap' is essential to the successful integration of those two approved small-scale turbines in this Highland Summits and Plateau LCT, enabling those turbines to be *seen as a separate development, isolated from the larger turbine group*. The Council approved turbines are approximately 14km from the Calliachar and Griffin sites.

The Planning Officer concludes that this 14km gap would be severely compromised through the introduction of a further two small scale turbines on the application site at Bolfracks. He finds that the capacity of the landscape to effectively absorb new development would be exceeded.

The new small scale turbines would be only 1km from the approved Urlar site. This would result in a 13km 'gap' of open moorland separating the new turbines from the *larger turbine group* at Calliacher and Griffin. The Planning Officer finds that the introduction of the two small scale turbines at this point would introduce a new focal point within that important gap, effectively drawing the viewer's eye across the stretch of landscape in a way which would not happen otherwise. He suggests that this will provide visual 'confusion' and be to the detriment of landscape character.

The applicant would direct the LRB towards the photomontages at Figure 5 VP1, Figure 12 VP8 & Figure 13 VP9 & Figure 16 VP12 which show that it can reasonably be concluded that through the addition of the proposed turbines at this point, the identity, character, scale and expansive nature of the upland moorland character remains dominant and distinct. Furthermore it is evident that the 'gap', to which the Planning Officer accords significant value, would not be materially compromised and its role as a 'visual buffer' would not be diminished.

In the opinion of the applicant the scale of the two new turbines and the distance from the nearest turbines at Calliacher would not significantly change or alter the underlying balance of elements in the landscape.

## **2.4 SIGNIFICANCE OF EFFECTS**

The ability of the landscape to accommodate the proposed development without undue consequences for the maintenance of baseline character has been assessed by the Planning Officer. His Refusal Reason 1 asserts that the magnitude of effect to the Highland Summits & Plateau LCT would be *Major Adverse*. A definition of this term is not presented but it might suggest that the turbines would introduce a very obvious, notable change to the balance of landscape characteristics resulting in a dominating effect and realising a prominent feature in the makeup of the area's character.

The applicant would suggest that this is not a proportionate conclusion to draw.

The submitted montages show that the turbines would sit comfortably within the context of the larger scaled open moorland of the Highland Summits and Plateau LCT.

The applicants own LVIA concludes that the cumulative effects of the proposed turbines, in combination with other existing developments would not be significant, with no extensive visible overlap or complexity in developments from the vast majority of the surrounding landscape and only a modest addition to the existing man-made influence. While the turbines would create a new focus at a new point within the Highland Summits and Plateau LCT this development would typically be seen, as a consequence of its small scale, as a minor element in the underlying context, with no adverse effects on the wider scale, focus, integrity or setting of key features which make up the landscape character of this LCT. As a result it can be reasonably concluded that the surrounding landscape would have the capacity to absorb the type and scale of development.

## **2.5 VISUAL AMENITY**

The consented but currently not built scheme at Urlar is at a similar elevation to the Bolfracks turbines and location to the south side of Loch Tay at 2.5km southwest of the proposal. This approved development is for two turbines up to 45m blade tip height. As the Cumulative ZTV in Figure 21 shows, the two schemes would be visible together from most of the elevated moorland landscapes to the north of Loch Tay and to the south of the proposed site at Bolfracks. The ZTV also indicates that, at times, the Urlar turbines would be visible from wider key stretches of the glen areas, particularly across Loch Tay, to the northwest and therefore sets an accepted pattern of wind turbine influence at this point to the south of Loch Tay. The Bolfracks turbines

would then carry no greater influence than these approved turbines, across these glen areas. This is evidenced by the cumulative wireframes from the identified viewpoints.

When combined with the consented pattern of development in the area, the proposed Bolfracks turbines would, therefore, add a comparable scaled development at a similar point in the Highland Summits and Plateau LCT, to the south of the Highland Glen LCT at Taymouth. This would reduce the potential for encroachment into more sensitive landscapes. The proposed Bolfracks turbines would also sit at a sufficient distance from the consented turbines, such that it would allow the underlying scale and balance of landscape characteristics to remain dominant between separate wind turbine elements. This would fit with the emerging pattern of accepted wind turbine influences, allowing more notable remote sections of the Highland Summits and Plateau area to remain largely unchanged.

The applicant is 'confused' by the concern that the Planning Officer has expressed in his Report of Handling towards the Urlar turbines and the suggestion that the .....*proposal at Bolfracks will only serve to exacerbate those concerns and therefore any approval of this application would only be of further detriment.*

The Urlar twin turbine development has been conditionally approved by Perth & Kinross Council with the Planning Officer using the Delegated Procedure for determination. At the same time the Planning Officer now appears to imply that the proposal would not meet Planning Policy objectives for this area? Whilst each case must of course be dealt with on its own merits, a planning approval would normally provide an applicant with a very good indication of the type and scale of development considered by the Planning Authority to accord, in principal, with the objectives of the Development Plan and Scottish Planning Policy.

### **3.0 REFUSAL REASON 2 – Landscape & visual impacts:**

The Planning Officer's Refusal Reason 2 asserts that due to the scale of turbines proposed the landscape surrounding the site cannot effectively absorb the development and that from key viewpoints the turbines would breach the skyline and therefore conflict with landscape guidance (*Tayside Landscape Character Assessment* - 1999)

Any wind turbine, by its nature, must have a certain exposure to wind to be viable. Invariably optimum sites will be open or elevated. Such new features may give rise to issues of landscape sensitivity. Where sensitive it does not automatically follow that landscape harm would result.

With the appraisal of any wind turbine proposal it will be important that a holistic assessment of landscape and visual impacts is adopted rather than a simple viewpoint analysis to have confidence on the effectiveness overall of landscape integration. To this end Scottish Government advice set out in its *Onshore Wind Turbine Guidance 2013* encourages visual representations to meet SNH's national standards for windfarm representations.

Specifically it is advised that:

*SNH is the Government national agency and statutory advisor on landscape matters. Their guidance is expected to be followed in the first instance in respect of landscape character appraisal, landscape and visual impact analysis and wind farm design. SNH and its partners have carried out a comprehensive national programme of Landscape Character Assessments which will assist in identifying landscape characteristics that are particularly sensitive to wind farm development. There is also a range of guidance available from SNH which can help in design, visualisation and assessment of impacts within the landscape.*

In its guidance (*Assessing the impact of small-scale wind energy proposals on natural heritage* – 2012), SNH define the size of turbine proposed at Bolfracks (45m to tip), as small scale.

This is a small-scale wind turbine proposal which the Council has deemed to be non-EIA development.

SNH publication *Assessing the impact of small-scale wind energy proposals on the natural heritage* (February 2012) identifies that when presenting proposals for the erection of turbines between 15m and 50m in height, only a basic level of Landscape and Visual Impact Assessment (LVIA) supported by a wireline drawings and/or photo montages from a limited number of key viewpoints is likely to be required. The LRB is asked to note that the applicant's submission goes **significantly beyond** any basic assessment, is supported by montages and wirelines from 14 viewpoints, and has been professionally prepared by Landscape Consultants familiar with both the Perth & Kinross landscape and the appraisal of wind development proposals within it.

#### **3.1 VIEWPOINT APPRAISAL**

The applicant would direct the LRB to the section of the Planning Officer's report of handling where Viewpoints (VP)/Photomontages are appraised. The impacts of the turbines from each of the 14 VP's are reviewed by the Planning Officer and his findings inform Refusal Reason 2. The Officers conclusions are précised below:

VP1 Schiehallion - *The turbines are back clothed from this viewpoint by the rising hills to the south and therefore their visual impact in isolation from this important viewpoint is not considered to be significant.*

VP2 Ben Lawers - *The turbines will be back clothed from this VP by the rising hills and therefore the visual impact in isolation is not considered to be significant.*

VP3 Kenmore Bridge - the turbines are not visible due to intervening landscape features although part of the blade of one turbine is visible from the bridge but not to any significant extent.

VP5 Taymouth Castle - .....the turbines are not visible due to intervening landscape features.

VP6 Coshieville - Whilst the turbines sit above the skyline when seen from this viewpoint it is noted that this view would only be apparent at two isolated points along the road. I am satisfied with the LVIA's conclusion on this viewpoint that the turbines represent "a minor indistinct element in the general context and within fleeting peripheral views."

VP7 Rob Roy Way - ..... the turbines will be clearly visible, however the existing woodland will help to provide some containment to the turbines although some of this is due to be felled.

VP8 North of Fortingall - From here the turbines appear below the skyline with no conflict or overlap with other skylines. In isolation I have no concerns with the turbines when viewed from here.

VP9 Meall Greigh - Again I have no concerns regarding the turbines in isolation from this viewpoint.

VP10 Glen Quaich - I agree with the LVIA's view that the impact on this view would be negligible, however the turbines would extend the sequential views of wind development further north down the hill.

VP11 Beinn Ghlas - The turbines sit below the skyline and away from the valley when viewed from here as such I do not consider the impact to be significant in isolation from here.

VP12 Meall Tairneachan - I have no concerns regarding the impact from this viewpoint and agree with the conclusion reached in the LVIA

VP13 Creag an Sgliata - the turbines are not visible due to intervening landscape features

VP14 Meal Nam - I am satisfied the impact of the turbines in isolation from this viewpoint are minimal.

### 3.2 VIEWPOINT 4: DRUMMOND HILL



In this part of the Report of Handling the Planning Officer records a concern with a **single** viewpoint only, namely VP4 Drummond Hill. He identifies that:

VP4 Drummond Hill - *I am concerned that the turbines will have a detrimental impact on this important view of Kenmore and introduce turbines to an important view where currently none exist.*

The applicant does not agree with this conclusion of visual harm and would direct you to his consultants own findings set out at in the Atmos Report at Section 1.5.6 (*Representative viewpoint effects*). The applicant would suggest that his consultants own findings from this important static viewpoint should be considered a fairer representation of likely impacts. The appraisal acknowledges that this is a VP and receiving environment with a *high* sensitivity to change but finds that the impacts of this small scale proposal would be *moderate*. The applicant's Landscape Consultant comments are reproduced below:

This viewpoint is located at a prominent high point within a forested section the Tay Forest Park, overlooking Loch Tay and Kenmore. The existing view south is defined strongly by landform, commercial forestry and woodland. These elements combine to enclose the lower loch area and curtail the view in the mid distance. Key elements of the view are then focused to low points around Loch Tay. They include Kenmore and the grounds of Taymouth Castle. The view then rises sharply over forested lower glen slopes to open moorland slopes and on to a moderately flat skyline. At this point large blocks of forest plantation provide strong edges and form and evidence of human management in the elevated moorland landscape. In this view the proposed turbines would be observed within a plantation area in the elevated moorland (Figures 8) with just the hub and blade tips visible within the forest area. The turbines would not, therefore, be incongruous with the function and balance of elements in this elevated section of the view, which lies at a separate point to the rear of the more valued glen area at Kenmore. While some of the mature forest trees around the proposed turbines would be removed to construct the proposed turbines, further areas of forest plantation, in the intervening view are maturing. These features would assist in screening the turbines and reinforcing the separate context of the turbines to the rear of the view. While they would be visible from this local high point, they would only form small elements to the rear of the view, with no notable effect on the balance and scale of elements in the wider view. This would represent a Medium to Low magnitude of visual change from this isolated point and a Moderate effect. Elsewhere views would be more substantially screened by intervening landform and conifer woodland.

A finding of *Medium to Low* magnitude of effect has been defined by Atmos applying industry guidelines in the following way (see Table 1.2: Magnitude of effect Atmos Report):

**Medium:** Whilst notable or obvious, the change would not fundamentally alter the balance of the landscape characteristics

**Low:** Very small change in the balance of overall characteristics, such that post development the change would be discernible but the underlying pattern of characteristics would remain similar to the baseline condition.

The LRB should also note that Atmos identify that the key receptor group most likely to experience and be sensitive to any such change would be recreational users/visitors. Whilst Drummond Hill is a promoted viewpoint, in practice, recreational use is generally confined to the forest trails on the lower slopes from which there are no views, or very limited at most, of the hills to the south of Loch Tay.

Atmos identify that the following factors will determine any findings of magnitude of effect:

Visual sensitivity is dependent upon "the susceptibility (of different receptors) to change in views and visual amenity they experience at particular locations". It includes a combination of parameters, including the activity / occupation / pastime of the receptors at particular locations; the extent to which their attention or interest may therefore be focused on the views and the visual amenity they experience at particular locations. It will comprise the location, relative focus and orientation of views, the quality or importance of the existing view; the principal or secondary interest in that view and the ability of the view to accommodate the type of development and the frequency and duration of the view.

A new element would be introduced to the landscape were these small scale turbines to be approved and constructed and this is acknowledged. However, as the photomontage shows (Vol2, Fig 8 VP4 Black Rock, Drummond Hill) the turbines would take up only a small part of an expansive 'corridor' view which is dominated by Loch Tay itself.

Elements of established and young planting immediately around the application site, together with an undulating landform and the position of the turbines on the slope, below the ridge, would also provide mitigation of visual effects.

From within the Conservation village of Kenmore the turbines would not be apparent due to perspective and the presence of intervening planting and this is acknowledged by the Planning Officer in his own analysis of Viewpoint 3 (Kenmore Bridge). Furthermore Historic Scotland have not raised objection in relation to impacts on important heritage assets within the same view (ie Taymouth Castle & Gardens, Kenmore Conservation Area and Category A Listed Buildings).

VP4 is the only viewpoint where the Planning Officer raises a concern about the landscape and visual impacts of the two turbines and the capacity of the landscape surrounding the site to effectively accommodate them. On the basis of the Planning Officer's perceived impacts from this **single** viewpoint the Refusal reason asserts that adverse landscape impacts would result as a consequence of the scale of turbines and the visibility of the upper hub and blades.

Refusal reason 2 does assert also that *key viewpoints other than* Drummond Hill would experience similar *adverse* effects, although nowhere in the Report of Handling are those *key viewpoints* or *adverse* effects identified?

The Planning Officer uses his perceived concern to assert, through refusal reason 2 that the proposal would not meet the positive landscape objectives set out in Planning Policy and Scottish Government Planning Guidance.

In the opinion of the applicant the Planning Officer has not taken a 'rounded' view of the likely landscape and visual impacts of the proposal. His conclusions on this part of the LVIA give inappropriate weight to a single view point. By applying such a narrow focus to assessment the Planning Officer's overall conclusions of his LVIA and findings of *significance* are distorted and this, in turn, has led to his conclusion that the proposal would not meet with National and Local Planning Policy objectives.

It is the opinion of the applicant that the Planning Officer's restricted approach to assessment does not accord with the Good Practice Guidance relating to *Visual Representations of Windfarms* (SNH 2006). This is an SNH publication which is regarded as an industry best practice tool. Although the guide is now 8 years old it has yet to be superseded and continues to have value in the production and assessment of LVIA. The applicants Landscape Consultants have followed this guidance.

### 3.3 SNH – VISUAL REPRESENTATION OF WINDFARMS 2006

The LRB is asked to note the following:

There are a number of key references within that document which indicate that the Planning Officer's over reliance on a single viewpoint to conclude that the small scale Wind turbine proposal at Bolfracks would give rise to unacceptable landscape harm, should be treated with caution.

The LRB is asked to note the following paragraph extracts from the good practice guide:

Paragraph 2: *While images are very powerful and useful in communicating information, they can never tell the whole story. They can never replicate the experience of seeing a windfarm in the landscape, whether they are photographs, maps, sketches or computer generated visualisations, and prepared to the highest specification and skill possible. Similarly, however, assessment in the field will be considerably limited without the benefits of technical data such as visibility maps and visualisations that demonstrate the technical aspects of a proposed development.*

\*Paragraph 89: *It is important to stress that viewpoint assessment forms just one part of VIA. Because of the 'powerful' nature of viewpoint images and the widespread recognition of some of the locations from where these are taken, there is often over-emphasis of their role.*

*But VIA should also include assessment of the following:*

- *the extent and pattern of visibility throughout the study area (thus considering those areas from where a windfarm will not be seen, as well as those areas from where it may);*
- *views of the proposed windfarm from areas of potential visibility other than the selected viewpoints; and*
- *sequential views*

\* it should be noted that this same advice has been reproduced in the new draft document update, produced for consultation by SNH and published in May 2013.

Paragraph 90: *The viewpoints used for VIA must be carefully selected to be representative of the range of views and viewer types that will experience the proposed development. They should also form part of the "description of aspects of the environment likely to be significantly affected by the development" (PAN58, paragraph 65).*

Table 6 in the Document highlights the limitations that can arise from an over reliance of viewpoints alone in concluding any LVIA. The following can be noted:

*There may be a tendency to focus on the particular characteristics of specific viewpoints, rather than considering these as being just broadly representative of a wider area. Consequently, it is usually inappropriate to make design modifications to change the visual effects of the proposed windfarm from a single viewpoint. This is because this may have negative 'knock-on' effects a small distance away or from other viewpoints. Rather, a more holistic approach should be adopted that considers the overall windfarm image from separate viewpoints in relation to the design objectives.*

*A point, and thus viewpoint, is by its very nature static whilst views tend to be experienced on the move as well as when stationary.*

*Views from numerous viewpoints can be assessed to determine sequential effects that occur as one moves through the landscape.*

*By assessing viewpoints in combination with ZTV maps, it is possible to consider the potential pattern of visibility for a windfarm in 3 dimensions.*

The ZTV Map (Figure 3 Vol 2 of planning application) indicates visual effects of the turbines would predominantly be **localised** with only sporadic views at more distant points within the 15km study area. The matrix in the LVIA for establishing the significance of effects on landscape and receptors is set out in Chapter 6 of the Planning Report. It can be noted that an industry best practice approach has been adopted. Applying this methodology the conclusions of those effects are set out for each viewpoint in Table 1-6 of that Chapter. In general only *minor/moderate & negligible* effects are predicted.

In contrast the Report of Handling does not prescribe the methodology applied by the Planning Officer to appraisal or to any findings of significance which lead him to conclude that this small scale of turbine proposed cannot be absorbed by the existing landscape framework surrounding the site. Accordingly the applicant is unable to test the subjectivity of that opinion against any defined methodology.

Whilst it is recognised that this may be a judgement issue, and the LRB will arrive at its own judgement of Landscape and visual impacts, the LRB is asked to note the very comprehensive nature of the applicants own professional landscape assessment. It is made clear that the relevant standards and guidance of both the Landscape Institute and the Institute of Environmental Management and Assessment (IEMA) have been adopted and applied; and also that the IEMA Guidelines for Landscape and Visual Impact Assessment, third edition 2013, have been followed. A very comprehensive source of published references used to inform that appraisal are listed at s1.8 of the Atmos Report. The appraisal itself was undertaken by Andy Jones BA (Hons) DipLA CMLI, a Chartered Landscape Architect for Atmos Consulting who is experienced in the assessment of wind energy developments.

The applicant makes these points only to demonstrate the seriousness with which he has approached the issue of siting and design and objective Landscape assessment. He contends that significant weight should be accorded to his findings which are set out in a comprehensive assessment and follow industry and best practice guidance.

Attached as Appendix 1 this Statement are the supplementary comments of Atmos. These were submitted to the Council by email on the 9th December but do not appear on the Council's Web site. Whilst this is very 'technical' in its review of the Planning/Landscape Officer's concerns, talking the language of the Landscape Architect, I would specifically direct the LRB to the specific viewpoint comment. The LRB may find these helpful when viewing the montages or in the field should they undertake a site inspection in this case.

### 3.4 TAYSIDE LANDSCAPE CHARACTER ASSESSMENT 1999 (TLCA)

Refusal reason 2 also contends that the proposal would *contravene* the recommendations contained within the TLCA as a consequence of one of the turbines breaching a skyline from this single viewpoint. The Refusal reason implies that the development would therefore be contrary to Planning Policy as a consequence.

The Land Use Consultants 1999 Tayside Landscape Character Assessment: SNH Review No 122 was prepared for SNH as a guide to the management of development and land use change in the part of Perth & Kinross which includes the application site. It considers the likely pressures and opportunities for change in the landscape, assesses the sensitivity of the landscape to change and includes guidelines indicating how landscape character may be conserved, enhanced or restructured as appropriate.

Although the pre-dates the growth of wind energy proposals in this part of Scotland it still contains useful guidance in relation to the appraisal and accommodation within the landscape of tall structures. The applicants Landscape Consultant draws heavily on this guidance in his LVIA.

Pages 76 – 85 specifically refer to windfarm developments. The attractiveness of the area to wind development and its potential contribution towards meeting wider sustainability objectives and National Government aspirations is highlighted.

The importance of managing the visual effects of wind farm developments is identified and one of many design considerations highlighted is the desirability of avoiding skyline locations in favour of sites where the natural landform can provide a backdrop for the turbines. (Para 4.67). It is this design advice which the Planning Officer's Refusal Reason 2 suggests has been *contravened* by the proposal.

However, the LRB is asked to note that the paragraph also makes clear that undulating landforms are likely to provide better screening for turbines whilst existing landcover (notably woodland and forestry) will assist with any screening provided by the landform. Furthermore it indicates that coniferous forests already present a modified upland landscape (man-made influence) and this can offer scope for the successful siting of wind turbines (para 4.68). In such cases it is advised that account should be taken of forestry management plans to ensure that the benefits of woodland screening are sustained.

By reference to the photomontage (Vol2 Fig8 VP4 Black Rock Drummond Hill) the LRB can note the position of the turbines on the hillside set down below the ridge, the undulating nature of the ridge line; the rising ground which provides a backdrop to the turbines; the extent of woodland cover both young and mature; the new foreground planting which will ensure that woodland screening is sustained; and, from this single viewpoint, the limited extent to which the turbines would breach the skyline.

The applicant would contend that if a more holistic approach is taken to the consideration of the LVIA and in particular to the TLCA Guidelines, it can be reasonably be concluded that this small scale wind turbine proposal would not *contravene* the recommendations set out in the Guidance and accordingly would not conflict with the Planning Policies referred to in Refusal Reason 2.

## 4.0 CONCLUSION

The LRB is invited to note the significant number of detailed matters which are required to be satisfied with any wind turbine proposal at any site before a planning consent can be granted. This will include consideration of detailed technical issues such as: telecommunications; air safety; shadow flicker; noise; ecology; hydrology; transportation; cultural heritage; residential amenity; landscape and visual impacts, and cumulative impacts.

There will be cases however where all issues cannot be ideally satisfied but still a balanced overview of a proposal will nevertheless need to be taken and can mean that a planning permission can be delivered.

It is the appellant's position that in this case the small scale wind turbine at Bolfracks Estate would satisfy all important material planning considerations and represents a good opportunity to deliver sustainable economic development based on renewable energy. However the Planning Officer finds the landscape and visual impacts to be unacceptable because of impacts from a single viewpoint and a perception that this part of the Highland Summits & Plateau Landscape Character Type does not have the capacity to effectively absorb this scale of development. He concludes that these concerns would override all other considerations.

It is the opinion of the applicant that a holistic and balanced approach to the assessment of landscape impacts should be applied in this instance, in accordance with published best practice guidance. In this way an objective rather than subjective opinion can be safely arrived at and a more 'rounded' appraisal of likely landscape impacts will result. Such an approach to assessment forms the basis of the applicants LVIA. The LVIA is professionally prepared and has a credibility which arrives from its adherence to SNH and other best practice guidance.

The submitted LVIA and the comments submitted by Atmos consulting in response to the specific concerns of the Planning Officer, acknowledge that although a new focal feature would be introduced, this would not be visually dominant in the wider landscape; would not materially harm the appearance, character, setting and understanding of key landscape features and would not detract from the landscape character type within which it is set. In this way the proposal can be seen to be consistent with the objectives of the wind policies of the Development Plan and National Planning guidance.

The applicant has demonstrated that this proposal would meet the aspirations set out in National and Local Planning Guidance in terms of increasing the production of renewable energy; extending local ownership of energy production; being within an area acknowledged by the Council's own wind guidance as having the capacity to accommodate wind turbines of the scale proposed; and delivering a positive diversification project.

These are all important material planning considerations which can and should, in this case, be weighed against the single viewpoint concern held by the Planning Officer.

A balanced approach to the assessment of this proposal weighing all material planning considerations has been applied by the applicant. In these circumstances it is respectfully requested that the Local Review Body upholds this Review request and grants planning permission.

## APPENDIX 1

### Atmos response to Planning Officer Comments - 09.12.2013

#### **Bolfracks LVIA Response P&K Comments**

With regard to landscape and visual matters, the planning officer's (email of date 18 November) concerns for the Bolfracks scheme appear to focus on cumulative landscape and visual effects, rather than more specific concerns on the landscape and visual resource. These concerns also appear to be based on a review of the photomontages alone, with no discussion about geographical extent of visibility and the somewhat restricted nature of it, from the majority of key landscape and visual receptors.

To help form a balanced view of the L&V impacts of the proposal it is, therefore, important to recognise where effects occur and who will experience them. On this point, the LVIA concluded that, in reality the Bolfracks turbines would have a limited effect on the key aspects of the landscape, which are valued for both landscape character and visual amenity. These include the setting of important and recognised landscape features, policy landscapes, the wilder, undeveloped landscapes with higher aesthetic value and the number of people likely to experience any significant effect.

This response will seek to add clarity to the existing landscape and cumulative context. In doing so it will reference the landscape guidance in the Tayside Landscape Character Assessment (TLCA) and give specific regard to the Craigvinean Forest range section of Highland Summits and Plateau LCT. It will discuss the existing physical influences in this LCT and the defined forces for change for tall structures and wind turbines. This should help to better understand the potential for effect and inform a balanced view.

#### **Cumulative Landscape Effect**

Firstly, I would strongly dispute the view that two additional sub 50m turbines at Bolfracks would add any "shrinkage" to a significant degree, within the host landscape, given the large scale pattern of characteristics and the existing context of 80 operational turbines. In this context it is understood that "shrinkage" would suggest a loss or reduction in the underlying balance of natural and built characteristics which would clearly not be the case given the nature and geographical extent of these elements. More specifically, these operational turbines cover a large section of the LCT between 4km and 18km to the east and are all twice the height of the proposed turbines and, therefore, provide a considerable mass of wind turbines in this section of the LCT. Two proposed turbines at half the height of these would only constitute a minor addition and would not "significantly" influence the wider landscape character of this section of the LCT.

This host section of the Highland Summits and Plateau LCT is, therefore, heavily influenced by a range of notable existing built influences. This also includes the new and old Beaully to Denny overhead power lines which adds a further layer of built infrastructure, which traverses a large section of the LCT from north to south, also to the east. It is accepted that the 'old' line will be removed in the next year or two.

As noted in the Guidelines for Landscape and Visual Impact Assessment (GLVIA), to fully assess the potential for cumulative landscape effect, consideration should be given to the *"impact on either physical fabric or the character of the landscape, or any special values attached to it"*.

This is discussed further in the forces for change in the TLCA. Here TLCA notes that *“a critical influence on the scale and nature of wind farms' visual impact is the nature of the landscape in which they are developed. Thus, in a large-scale landscape (e.g. an exposed upland area) the visual impact of turbines may be comparatively small”*. TLCA then goes on to note that *“a further factor is the degree of existing development. Impacts are likely to be greater in unsettled landscapes and least where the landscape has already been affected by masts, pylons and other structures. A further influence on wind farms' landscape impact is their prominence. Thus, turbines sited on the skyline are likely to be far more noticeable than those located a little further down the hillslope. Topography and landcover may further influence these impacts, providing screening or backclothing for all or part of the wind turbines. It is useful to consider the landscape impacts in terms of the development's viewshed. Where can the wind farm be seen from? Who can see it? How does it appear, against a backdrop or on the skyline? Local residents, farmers, tourists, visitors, and walkers (for example) are all likely to have different perceptions of a given wind farm.*

As this guidance indicates, some LCTs are better suited to wind farm development than others. This is clearly the case for the host LCT. As TLCA notes in the physical descriptions for the LCT, this LCT is “Large” in scale, “exposed”, with a “simple to uniform” variety of landscape features, which are largely “managed” in the Craigvinean Forest section of the LCT. These also include extensive coniferous plantations which provide strong elements of expansive landcover, character and land use. Since publication the host section also has been substantially modified and the level of naturalness should now range from “undisturbed to managed” to disturbed.

The important consideration for this modified section of the LCT should, therefore, be to consider the relative attributes of the landscape character and/or view and the existing pattern of development, in line with the forces for change. This should include, relating turbines to broad, open spaces and *“where the landscape has already been affected by masts, pylons and other structures”*. As a result the size of the proposed turbines would appear inferior in scale, while avoiding more distinctive, variable and undeveloped areas where the sense of remoteness and natural character is more apparent or creating focal points where none existed before. As the LVIA concluded, the Bolfracks turbines would seldom provide a new defined element into the landscape resource and, in reality, the Urlar scheme would extend the influence on more remote sections of the LCT, being more physically remote, detached and creating a separate focal point, where none existed before. It would also sit at a closer point in relation to several areas of landscape valued for natural character and scenic quality, to the northwest and south west. In addition, Urlar would also be visible from wider key stretches of the glen areas, particularly across Loch Tay.

The assessment of cumulative effects must also be guided by the same principles as the approach to the initial assessment. These embrace the combination of parameters noted in GLVIA. They include the relative focus and orientation of views, the quality or importance of the “particular view”, the proportion of the view affected and the ability of the view to accommodate the type of development. These parameters should also note the potential for the development to attract the eye or to become a “significant” focal point in the view/landscape, to the detraction/benefit of competing visual elements and the presence/absence of other comparable features such as existing wind turbines.

On this matter the applicants LVIA concludes that the proposed turbines would clearly relate to an existing section of the landscape / view defined by extensive wind turbine influences and would only form a *minor* addition, with no extensive visible overlap or complexity in developments from the vast majority of the surrounding landscape. In most key views, from elevated points to the north, the eye would typically be drawn over the principal landscape features, defined by key changes in landform, along Loch Tay to the highland summits. The eye would then quickly move to other larger scale aspects, including the considerable mass of operational turbines, before then moving to other smaller aspects, such as the two proposed turbines. Arguably from such points of distance, elevation and separation, they would move on to the more separate, visually remote focal points such as the consented Urlar turbines, before moving to other more related elements. The two proposed turbines would also be of a smaller scale and at a sufficient distance

from the nearest turbines at Calliachar so as not to significantly change or alter the underlying balance of elements in the landscape and visual resource.

## **Response to specific comments on viewpoints**

### VP 1 Schiehallion

Given the parameters defined in TLCA and noted above, for steering development to areas “*already affected by masts, pylons and other structures*” and away from more sensitive sections of the LCT where the “*undeveloped character*” is more prevalent, the proposed Bolfracks turbines would not be out of place in the context of the host landscape and the views towards it. Although they would sit closer to the operational sites than Urlar, they would still be seen as a minor element in the context of the view with sufficient separation from these developments, which allows the underlying balance of characteristics to remain prominent. Crucially they also lie away from prominent skyline points and would appear inferior to the overriding scale. This is in line with TLCA guidance. Importantly, the Bolfracks turbines also sit away from more notable distinctive landform elements that are connected with the higher valued areas to the southwest and west, where it could be argued that in fact the consented Urlar scheme would sit more remotely and clearly extending the proportion of wind turbine influences into another aspect of the view, where the undeveloped character and setting of valued landscape features is stronger.

### VP 2 Ben Lawers

From this distance, elevation and orientation the particular aspects of wind farm layouts would only be faintly observed and the important consideration should be about relating turbines to areas already affected by development, without significant overlap, scale contrast and complexity in the pattern of development. Two further turbines in the context of 68 turbines at Griffin and 14 turbines at Calliachar at this distance cannot be seen to form a “shrinking” of the host landscape to a “significant” degree, or notably alter the proportion, spread and balance of turbines in the landscape and in “particular” views to it. As noted above, being located at a slightly lower point would also provide a positive fit with the design guidelines and forces for change noted in TLCA, specifically in relation to potential skylining and backclothing. It could also be argued that sitting slightly further south the consented Urlar scheme could have greater potential for encroachment into views to more valued aspects of the landscape/view to the southwest.

### VP 4 Drummond Hill

Although the proposed turbines introduce a development into view where they don’t currently exist, it would not be to a “significant” or “unacceptable” level. They would sit at a clearly separate point to the rear of the more valued glen area at Kenmore and would not notably affect the balance and scale of elements in the wider view. They would also not be out of place in terms of their function given the location within a section of the landscape which is defined by large scale commercial forestry and a managed landuse used for harvesting natural resources.

### VP 7 Rob Roy Way

The information submitted for vp7 Rob Roy Way was only a wireframe and existing panorama and has not been presented as a montage with cleared woodland. This was noted in the LVIA and clarified during pre-application discussion with the Council’s Landscape Officer.

### VP 9 Meall Greigh

The officer’s comments here seem contradictory to earlier statements made regarding the acceptability of “visually remote” turbines at Urlar, particularly from Schiehallion. I would argue that the Bolfracks turbines are “disassociated” from the operational development to a degree, and this is a positive note to make given the reduced potential for overlap and effects on skylining. However, the important thing to note is the extent of separation in line with TLCA guidance. In this context it is clear that the proposed turbines would still be seen in the context of the host landscape across the Craigvinean Forest range section of Highland

Summits and Plateau LCT and “*where the landscape has already been affected by masts, pylons and other structures*”. It is again clear from this point, that in reality, the Urlar scheme would be more visually remote and further disassociated from this context. This again would have a greater degree of encroachment into other more valued aspects of the landscape and view and the undeveloped landscapes to the south side of Loch Tay and the Upper Almond CAWL.

## Conclusion

For the reasons noted above, it is considered that the proposed turbines would not be out of character with the nature of their setting and would comply with all relevant policy and guidance for development in this location. In particular the proposed turbines are consistent with guidance and forces for change in TLCA and are in accordance with Policy 11 of the Highland area local plan being a development which would not give rise to an unacceptable intrusion into the landscape character of the area. Furthermore the proposal would meet with the landscape objectives set out in Policy ER6 of the Proposed Local Development Plan as it would not erode local distinctiveness, the visual and scenic quality of the landscape or the quality of the landscape experience.

The important consideration for this landscape as noted in TLCA guidance is about relating new developments to areas “*already affected by development*” without “*significant*” complexity, overlap or scale contrast in developments. This will allow the more remote, undeveloped landscapes of higher scenic value to remain more intact. Consideration should also be given to key principles for design and location and for limiting the effect on skylining and encroachment into the setting of more distinctive features and landscapes. This will also be limited given the accepted pattern of development to the south of the Loch Tay area, with the Urlar scheme arguably standing more remote from a number of key points and providing a comparable but often, clearer, separate focus in the landscape and extending the influence of wind turbines across a greater proportion of the landscape and views to it.

The proposed Bolfracks turbines would mostly be viewed in the context of large operational wind farms, though the separation of about 4km ensures visual confusion is avoided. As such the proposal is particularly well aligned with TLCA guidance and policy to contain effects in areas already affected by development and of suitable landscape character.

Andy Jones, Landscape Consultant

Atmos Consulting Ltd

09.12.2013

# PERTH AND KINROSS COUNCIL

Bolfracks Estate  
c/o Realise Renewables  
FA0 Garry Dimeck  
8 Atholl Crescent  
Perth  
PH1 5NG

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 5th February 2014

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **13/01905/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 11th October 2013 for permission for **Erection of two wind turbines Land 1300 Metres South East Of Tombuie Cottage Bolfracks Amulree** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. Due to the siting, size of turbines, prominence and visual association with existing and approved windfarms/turbines within the locality the proposals would have a major adverse cumulative impact on existing landscape character and visual amenity. The Council is not satisfied that the social and economic benefits of the proposed turbines would outweigh the significant adverse effects on local environmental quality. Accordingly the proposal is contrary to Policy 6 of the Tayplan 2012 as well as policies 1, 2, 3 and 11 of the Highland Area Local Plan 2000 and policies PM1A, ER1A and ER6 of the Proposed Local Development Plan. The proposal is also contrary to Scottish Government Guidance in the form of Scottish Planning Policy 2010.
2. The proposed scale of the turbines cannot be absorbed by the existing landscape framework surrounding the site. The proposal will result in the upper hub and blades breaching the skyline from key viewpoints including the Drummond Hill which would contravene the recommendations contained within the Tayside Landscape Character Assessment 1999 (TLCA). This would result in an adverse landscape impact which cannot be economically or socially justified. Accordingly the proposal is contrary to Policy 6 of the Tayplan 2012 as well as policies 1, 2, 3 and 11 of the Highland Area Local Plan 2000 and policies PM1A, ER1A and ER6 of the Proposed Local Development Plan. The proposal is also contrary to Scottish Government Guidance in the form of Scottish Planning Policy 2010.

## **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

## **Notes**

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page

## **Plan Reference**

13/01905/1

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To help form a balanced view of the L&V impacts of the proposal it is, therefore, important to recognise where effects occur and who will experience them. On this point, the LVIA concluded that, in reality the Bolfracks turbines would have a limited effect on the key aspects of the landscape, which are valued for both landscape character and visual amenity. These include the setting of important and recognised landscape features, policy landscapes, the wilder, undeveloped landscapes with higher aesthetic value and the number of people likely to experience any significant effect.

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### **Cumulative Landscape Effect**

Firstly, I would strongly dispute the view that two additional sub 50m turbines at Bolfracks would add any "shrinkage" to a significant degree, within the host landscape, given the large scale pattern of characteristics and the existing context of 80 operational turbines. In this context it is understood that "shrinkage" would suggest a loss or reduction in the underlying balance of natural and built characteristics which would clearly not be the case given the nature and geographical extent of these elements. More specifically, these operational turbines cover a large section of the LCT between 4km and 18km to the east and are all twice the height of the proposed turbines and, therefore, provide a considerable mass of wind turbines in this section of the LCT. Two proposed turbines at half the height of these would only constitute a minor addition and would not "significantly" influence the wider landscape character of this section of the LCT.

This host section of the Highland Summits and Plateau LCT is, therefore, heavily influenced by a range of notable existing built influences. This also includes the new and old Beaully to Denny overhead power lines which adds a further layer of built infrastructure, which traverses a large section of the LCT from north to south, also to the east. It is accepted that the 'old' line will be removed in the next year or two.

As noted in the Guidelines for Landscape and Visual Impact Assessment (GLVIA), to fully assess the potential for cumulative landscape effect, consideration should be given to the *"impact on either physical fabric or the character of the landscape, or any special values attached to it"*.

This is discussed further in the forces for change in the TLCA. Here TLCA notes that *"a critical influence on the scale and nature of wind farms' visual impact is the nature of the landscape in which they are developed. Thus, in a large-scale landscape (e.g. an exposed upland area) the visual impact of turbines may be comparatively small"*. TLCA then goes on to note that *"a further factor is the degree of existing development. Impacts are likely to be greater in unsettled landscapes and least where the landscape has already been affected by masts, pylons and other structures. A further influence on wind farms' landscape impact is their prominence. Thus, turbines*

*sited on the skyline are likely to be far more noticeable than those located a little further down the hillslope. Topography and landcover may further influence these impacts, providing screening or backclothing for all or part of the wind turbines. It is useful to consider the landscape impacts in terms of the development's viewshed. Where can the wind farm be seen from? Who can see it? How does it appear, against a backdrop or on the skyline? Local residents, farmers, tourists, visitors, and walkers (for example) are all likely to have different perceptions of a given wind farm.*

As this guidance indicates, some LCTs are better suited to wind farm development than others. This is clearly the case for the host LCT. As TLCA notes in the physical descriptions for the LCT, this LCT is “Large” in scale, “exposed”, with a “simple to uniform” variety of landscape features, which are largely “managed” in the Craigvinean Forest section of the LCT. These also include extensive coniferous plantations which provide strong elements of expansive landcover, character and land use. Since publication the host section also has been substantially modified and the level of naturalness should now range from “undisturbed to managed” to disturbed.

The important consideration for this modified section of the LCT should, therefore, be to consider the relative attributes of the landscape character and/or view and the existing pattern of development, in line with the forces for change. This should include, relating turbines to broad, open spaces and “*where the landscape has already been affected by masts, pylons and other structures*”. As a result the size of the proposed turbines would appear inferior in scale, while avoiding more distinctive, variable and undeveloped areas where the sense of remoteness and natural character is more apparent or creating focal points where none existed before. As the LVIA concluded, the Bolfracks turbines would seldom provide a new defined element into the landscape resource and, in reality, the Urlar scheme would extend the influence on more remote sections of the LCT, being more physically remote, detached and creating a separate focal point, where none existed before. It would also sit at a closer point in relation to several areas of landscape valued for natural character and scenic quality, to the northwest and south west. In addition, Urlar would also be visible from wider key stretches of the glen areas, particularly across Loch Tay.

The assessment of cumulative effects must also be guided by the same principles as the approach to the initial assessment. These embrace the combination of parameters noted in GLVIA. They include the relative focus and orientation of views, the quality or importance of the “particular view”, the proportion of the view affected and the ability of the view to accommodate the type of development. These parameters should also note the potential for the development to attract the eye or to become a “significant” focal point in the view/landscape, to the detracting/benefit of competing visual elements and the presence/absence of other comparable features such as existing wind turbines

On this matter, The LVIA concluded that the proposed turbines would clearly relate to an existing section of the landscape / view defined by extensive wind turbine influences and would only form a minor addition, with no extensive visible overlap or complexity in developments from the vast majority of the surrounding landscape. In most key views, from elevated points to the north, the eye would typically be drawn over the principal landscape features, defined by key changes in landform, along Loch Tay to the highland summits. The eye would then quickly move to other larger scale aspects, including the considerable mass of operational turbines, before then moving to other smaller aspects, such as the two proposed turbines. Arguably from such points of distance, elevation and separation, they would move on to the more separate, visually remote focal points such as the consented Urlar turbines, before moving to other more related elements. The two proposed turbines would also be of a smaller scale and at a sufficient distance from the nearest turbines at Calliachar so as not to significantly change or alter the underlying balance of elements in the landscape and visual resource.

## **Response to specific comments on viewpoints**

### VP 1 Schiehallion

Given the parameters defined in TLCA and noted above, for steering development to areas *“already affected by masts, pylons and other structures”* and away from more sensitive sections of the LCT where the *“undeveloped character”* is more prevalent, the proposed Bolfracks turbines would not be out of place in the context of the host landscape and the views towards it. Although they would sit closer to the operational sites than Urlar, they would still be seen as a minor element in the context of the view with sufficient separation from these developments, which allows the underlying balance of characteristics to remain prominent. Crucially they also lie away from prominent skyline points and would appear inferior to the overriding scale. This is in line with TLCA guidance. Importantly, the Bolfracks turbines also sit away from more notable distinctive landform elements that are connected with the higher valued areas to the southwest and west, where it could be argued that in fact the consented Urlar scheme would sit more remotely and clearly extending the proportion of wind turbine influences into another aspect of the view, where the undeveloped character and setting of valued landscape features is stronger.

### VP 2 Ben Lawers

From this distance, elevation and orientation the particular aspects of wind farm layouts would only be faintly observed and the important consideration should be about relating turbines to areas already affected by development, without significant overlap, scale contrast and complexity in the pattern of development. Two further turbines in the context of 68 turbines at Griffin and 14 turbines at Calliachar at this distance cannot be seen to form a *“shrinking”* of the host landscape to a *“significant”* degree, or notably alter the proportion, spread and balance of turbines in the landscape and in *“particular”* views to it. As noted above, being located at a slightly lower point would also provide a positive fit with the design guidelines and forces for change noted in TLCA, specifically in relation to potential skylining and backclothing. It could also be argued that sitting slightly further south the consented Urlar scheme could have greater potential for encroachment into views to more valued aspects of the landscape/view to the southwest.

### VP 4 Drummond Hill

Although the proposed turbines introduce a development into view where they don't currently exist, it would not be to a *“significant”* or *“unacceptable”* level. They would sit at a clearly separate point to the rear of the more valued glen area at Kenmore and would not notably affect the balance and scale of elements in the wider view. They would also not be out of place in terms of their function given the location within a section of the landscape which is defined by large scale commercial forestry and a managed landuse used for harvesting natural resources.

### VP 7 Rob Roy Way

The information submitted for vp7 Rob Roy Way was only a wireframe and existing panorama and has not been presented as a montage with cleared woodland. This was noted in the LVIA and clarified during pre-application discussion with the Council's Landscape Officer.

### VP 9 Meall Greigh

The officer's comments here seem contradictory to earlier statements made regarding the acceptability of *“visually remote”* turbines at Urlar, particularly from Schiehallion. I would argue that the Bolfracks turbines are *“disassociated”* from the operational development to a degree, and this is a positive note to make given the reduced potential for overlap and effects on

skylining. However, the important thing to note is the extent of separation in line with TLCA guidance. In this context it is clear that the proposed turbines would still be seen in the context of the host landscape across the Craigvinean Forest range section of Highland Summits and Plateau LCT and *“where the landscape has already been affected by masts, pylons and other structures”*. It is again clear from this point, that in reality, the Urlar scheme would be more visually remote and further disassociated from this context. This again would have a greater degree of encroachment into other more valued aspects of the landscape and view and the undeveloped landscapes to the south side of Loch Tay and the Upper Almond CAWL.

## **Conclusions**

For the reasons noted above, it is considered that the proposed turbines would not be out of character with the nature of their setting and would comply with all relevant policy and guidance for development in this location. In particular the proposed turbines are consistent with guidance and forces for change in TLCA and are in accordance with Policy 11 of the Highland area local plan being a development which would not give rise to an unacceptable intrusion into the landscape character of the area. Furthermore the proposal would meet with the landscape objectives set out in Policy ER6 of the Proposed Local Development Plan as it would not erode local distinctiveness, the visual and scenic quality of the landscape or the quality of the landscape experience.

The important consideration for this landscape as noted in TLCA guidance is about relating new developments to areas *“already affected by development”* without “significant” complexity, overlap or scale contrast in developments. This will allow the more remote, undeveloped landscapes of higher scenic value to remain more intact. Consideration should also be given to key principles for design and location and for limiting the effect on skylining and encroachment into the setting of more distinctive features and landscapes. This will also be limited given the accepted pattern of development to the south of the Loch Tay area, with the Urlar scheme arguably standing more remote from a number of key points and providing a comparable but often, clearer, separate focus in the landscape and extending the influence of wind turbines across a greater proportion of the landscape and views to it.

The proposed Bolfracks turbines would mostly be viewed in the context of large operational wind farms, though the separation of about 4km ensures visual confusion is avoided. As such the proposal is particularly well aligned with TLCA guidance and policy to contain effects in areas already affected by development and of suitable landscape character.

Andy Jones, Landscape Consultant

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09.12.2013

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<p><b>Table 6: Uses and limitations of viewpoints</b> (numbers in brackets refer to paragraphs in text)</p>	
USES OF VIEWPOINTS	LIMITATIONS
<ul style="list-style-type: none"> <li>• Carefully chosen viewpoints enable representation of a diverse number of views within a study area.</li> <li>• Carefully chosen viewpoints enable representation of a diverse number of viewers who experience the landscape in different ways (90,98, Table 7).</li> <li>• Viewpoints enable consultees to assess specific views from important viewpoints for example tourist attractions, mountain tops and settlements (91, 101).</li> <li>• By considering a range of views at different viewpoints, the designer can consider how the windfarm image varies in appearance, informing design development (100).</li> <li>• Views from numerous viewpoints can be assessed to determine sequential effects that occur as one moves through the landscape.</li> <li>• By assessing viewpoints in combination with ZTV maps, it is possible to consider the potential pattern of visibility for a windfarm in 3 dimensions.</li> </ul>	<ul style="list-style-type: none"> <li>• Whilst the choice of viewpoints is very important, it must be remembered that VIA should also be based on other aspects. An over-heavy emphasis on viewpoint selection and assessment may create the erroneous assumption that this is the only aspect of VIA (89).</li> <li>• There may be a tendency to focus on the particular characteristics of specific viewpoints, rather than considering these as being just broadly representative of a wider area. Consequently, it is usually inappropriate to make design modifications to change the visual effects of the proposed windfarm from a single viewpoint. This is because this may have negative 'knock-on' effects a small distance away or from other viewpoints. Rather, a more holistic approach should be adopted that considers the overall windfarm image from separate viewpoints in relation to the design objectives.</li> <li>• A point, and thus viewpoint, is by its very nature static whilst views tend to be experienced on the move as well as when stationary.</li> <li>• Some viewpoints may be difficult to access and require lengthy walks to reach them. As a result, some people might not be able to assess the viewpoint on site. They will therefore need to rely on the landscape architect or experienced specialist assessor's assessment and visualisations to indicate predicted visual effects.</li> <li>• On account of the limitations of DTM data, several provisionally identified viewpoints may need to be visited before finding a location that is suitable to be a VIA viewpoint.</li> <li>• Information on the exact location and conditions of individual viewpoints is required to be able to create accurate visualisations (111-112).</li> <li>• Some requested viewpoints might be judged inappropriate due to unacceptable health and safety risks (99).</li> </ul>

