



THE MOUNTAINEERING COUNCIL OF SCOTLAND

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Dear Mr Turvey

SNH Consultation on Assessing Cumulative Effect of Onshore Wind Energy Developments – MCoFS Response

The Mountaineering Council of Scotland (MCoFS) is the representative body for hill walkers, climbers and ski-tourers. As the only national representative body of the sport of mountaineering in Scotland, we have 10,500 members, and are recognised by the Scottish Government as representing the interests of all mountaineers.

The MCoFS welcomes this guidance and commends the attention to complex detail. We hope to see this actively promoted to developers and planners; many of both who still have an imprecise understanding of the complexities of cumulative impact. This is a rapidly growing issue due to the filling in of gaps between existing and consented wind farms, and therefore pressure on more and more marginally appropriate areas and danger of moving towards a mono-culture of wind farm landscapes. It is hoped that this guidance may go some way towards proactive addressing of this issue. The MCoFS still has grave concerns over the apparent reduced commitment in SNH Area Offices to seriously engage with individual planning applications beyond designated area concerns, and the apparent veering away from making definite statements. SNH has an important role to play at the local as well as central level.

INTRODUCTION

- Paragraph 1 reads as if there is an assumption that tracks and grid connections do not have a significant effect visually. Individually, and cumulatively, the effects of these can be significant, but currently are not addressed in Environmental Statements (ES) for the relevant wind farm, which seems illogical as they are integral elements of windfarms. Genuine cumulative effects of a wind farm can never be fully assessed until these elements are all considered together and this guidance should do this by including the tracks and grid connections. Almost all current ZVTs and photomontages neglect to include tracks and grid connections. This guidance should attempt to change this trend such that they reflect the actual effects of the developments and permit a full assessment.
- SNH needs to be proactive with respect to on / offshore cumulative effects. Developers will look to SNH to provide guidance on this new issue, hence this guidance must be produced in advance of the issue arising rather than as a rearguard action. The content should be consulted upon at the very earliest opportunity.

PART 1 – Approach to Cumulative Effects

- The purpose of the reference to cumulative effect as being increasingly recognised as a material consideration in paragraph 11 is unclear. This guidance should give a clear steer that cumulative effects are a material consideration.

- Paragraph 14 omits provision of guidance for areas of “high sensitivity.” This needs to be added. If the SNH policy does not state anything about these areas, that needs to be corrected also and guidance added accordingly.
- The MCofS is concerned about a lack of genuine capacity studies which paragraph 18 suggests exist. A genuine capacity study would assess a landscape at a baseline level and objectively assess the limits of acceptable change in advance of any application rather retrospectively. Such studies do not exist, so I suggest explaining the type of study referred to and avoiding the term “capacity study.”
- Paragraph 23 should clearly encourage consideration of scoping stage concurrent applications whether or not it is at the discretion of the developer and / or determining authority. This would circumvent the problem that it is the “hotspot” scenarios stated in 27 in which it is most important to include scoping stage applications. These will also be the same areas that provide the least motivation for developers to take this precautionary approach. They must, at the very least, be encouraged to do so through guidance.
- It would be useful to clarify the connection between the paragraph 24 “footprint map” and the GIS mapping referred to in paragraph 25.
- The sequential cumulative impact referred to in paragraph 29 is an excellent concept but must not be seen as the only non-intervisibility concept. Areas of wild land are spatial resources rather than linear and not dependent upon a “route” existing through it, or indeed anyone to witness its existence. It is a difficult concept to explain concisely, but important to do so. Wild land is often rarely visited which is partially why it has remained wild land often.
- Paragraph 30 presents a circular argument. SNH only seeks cumulative effects assessment where it is thought that it could result in significant cumulative effects. It is impossible to objectively consider cumulative effects, let alone the level of resulting significance, if an assessment is not done in the first place. Guidance should always encourage cumulative effects assessment where another development is built, consented or under scoping within the study area (usually 35km).
- Clarification is needed in paragraph 35 as to what “sensitive natural heritage interests” includes. Without explanation, this will be assumed to be designated sites. This would mean the wildness is not considered.
- Clarification is vital in paragraph 36 in order to define the meaning of “minor,” where changes would not require resubmission.
- The MCofS agrees with paragraph 37 that there should be no cut off dates, however this does not happen in practice. The message needs to be promoted to determining authorities regularly applications do not include known developments.
- The paragraph 40 reference to “if we have formulated one” is very confusing. If SNH has not formulated its view of cumulative effects as advisers to Government, how can it provide guidance on this issue?
- Scenario b in paragraph 41 essentially requires assessment of the capacity of the landscape if there is to be an objection on grounds of cumulative impact. It is not explained how SNH actually reaches this value judgment. As previously stated, this type of objective assessment is not currently undertaken.
- Paragraph 41 scenario d assumes that if A was consented, then necessarily SNH would object to B. In this case it would only be fair to inform developer of B at the earliest opportunity and make this clear to the determining authority for B.
- MCofS would support concurrent determination as a sensible approach in scenario e in paragraph 41.

PART 2 – Cumulative Landscape and Visual Effects

- Paragraph 2 wrongly presents wildness is only an aspect of visual amenity. It is a resource irrespective of anyone seeing it. This is a subtle, but important distinction.
- Paragraph 3 should specify that cumulative impact is not restricted to the interactions between wind farms. Cumulative impact can also occur between wind farms and other developments such as hydro schemes, tracks unconnected with renewables, etc.
- The “special value” referred to in paragraph 4 needs to be clarified, else will be interpreted as purely statutorily designated. Search Areas for Wild Land (SAWL) are regularly treated by developers as pseudo-designations, but this is not what they were designed for. It may be worth discussing this

with Simon Brooks who is looking at reviewing SAWL imminently. Any possible interpretation of SAWL as being synonymous with the total wild land resource must be avoided. The text must clearly avoid any potential for interpretation that consideration of wild land has been acquitted through consideration of SAWL alone. This was not the intention of SAWL when they were originated.

- The MCofS counsels against using terms like “popular paths,” as in paragraph 5. This is too subjective and open to interpretation without further clarification. Possibly a better term would be “routes,” as effects are not limited to paths.
- The MCofS welcomes the recognition in paragraph 6 of the issue of sensitivity of receptors. Regularly ESs do not address this issue. It would be beneficial to explicitly clarify the importance of sensitivity as well as number of receptors and that an interaction of these results in the potential for very high impact.
- Paragraph 15 needs clarified. Landscape character is a descriptive system, not a value judgment. This means in order to use it to judge “significance” of impact on landscape character then an objective for a landscape category would need to be defined in advance against which the landscape character change could be compared. To my knowledge this has not been done. A landscape architect may be able to illuminate further.
- It is unclear in paragraph 18 what is meant by “identify the sensitivity of the landscape and amenity resource and the predicted magnitude of cumulative change.” Magnitude is a quantitative measurement, but there is no scale to assess cumulative change. Qualitative assessments require value judgments. This raises similar issues as in the comments on paragraph 15.
- The potential interpretations of the reference to “particularly sensitive locations” in paragraph 28 needs consideration. This could be interpreted as based on number of receptors, sensitivity to change of receptors or other possible definitions. It could be taken to mean anything from the top 1% of sensitive locations to the top 49% for example. Possibly either explaining more clearly what this means or using a different term would be a solution e.g. “viewpoint.”
- Paragraph 39 suggests that landscape type rarity should be taken into consideration. This assumes that there is data on relative commonness / rarity of different LCA type, and desirability, and that it is freely available. For this consideration to be taken, it is necessary to provide an indication of where to find that data as the MCofS is unaware that this is generally known. Also for special consideration to be given where there are few examples of a certain type, not only must the national LCA data be freely available, but also the proportions of each category (un)affected by wind farms. There is a serious difficulty in relying on numbers of areas as for some LCAs the extent is part of what makes a high quality of a certain type, particularly open expansive LCAs which are often the location for wind farm applications. This paragraph seems to assume that there is an acceptable minimum number. The situation is more complex than this; involving number of areas, extent of these areas and quality. The MCofS strongly supports the attempt to integrate the concept of the need to retain diversity and core LCA areas, but extent and quality must be taken into consideration as well as number of areas.
- It would be worth reiterating in paragraph 39 that SAWL does not represent the extent of wildness, as SNH never meant it to be taken as this, but developers, and often planners unfortunately have taken it to mean this. SAWLs are only the best examples, but the planning system does not seem to be able to deal with the more perceptual subtleties, and therefore currently the system does not take into consideration the sense of wildness unless an area is in a SAWL, and even then if only the periphery this is discounted as not affecting the core of the area, or because the area is large and could afford to be shrunk and still exist.
- Paragraph 43 tackles the vital concept of “limiting threshold.” The MCofS supports the assertion that effects should be judged for each windfarm on the pre-windfarm state rather than the current state i.e. an objective threshold, rather than the oft-used argument that there has already been an impact consented, therefore more impact is not an issue. The concept of a threshold avoids the problem of writing off an area as not worth consideration in landscape terms because it has already been affected. The difficulty is delivering this in practice due to the lack of a national evidence-based strategy that sets these thresholds. Until this is done, a threshold assessment will be subjective. SNH needs to prioritise an objective threshold study across Scotland as a baseline that will provide an objective strategic approach to windfarms into the future.

PART 3 – Cumulative Assessment of Impacts on Birds

- The section titles should be made uniform. Either using the word “impacts” (preferred) or “effects” as otherwise there is the danger that a message is sent that one type of impact is more damaging than another.
- Birds have a huge weight of advocacy behind them. That is not a reason to elevate birds above other biodiversity. This guidance is lacking in any guidance on non-bird EU priority species. It is unclear if the paragraphs after paragraph 8 are not necessarily bird-specific, although are under the bird section. Non-bird species of equivalent conservation interest should be treated equally in the guidance as bird species, irrespective of weight of advocacy, and this must be made clear through section headings. Examples of species that can be seriously impacted by wind farm development include, but are not restricted to, otter, pine marten, lepidoptera, water voles.
- Paragraph 37 is correct in observing at any one time there is likely to be strongholds and gaps in a species distribution within a habitat. This paragraph may fit with discrete populations of a species, but those that operate as meta-populations (possibly does not include birds) may function as a number of small colonies and it will be the number of colonies and migration capabilities and intervening habitats within the meta-population that secures the population as a whole as any could be a sink or a source at any one time depending on conditions. Examples of species that function in this way are many Lepidoptera and water voles. There is not a one-size-fits-all answer to ensuring security of a population of all species, and this must be taken into consideration in cumulative effects.
- As paragraph 39.2 states, “collision risk and displacement are mutually exclusive.” However, this only applies within a single windfarm. Disturbance due to one windfarm may still increase collision in another nearby windfarm. This needs to be taken into account.

Please do not hesitate to contact me to discuss these issues further.

Yours sincerely

Hebe Carus
Access & Conservation Officer