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E-Mail Enquiry

Class:	LDP	<input type="button" value="Change Class"/>
To:	ldp@aberdeenshire.gov.uk	
CC:		
From:	David.Morris@coriolis-energy.com	
Date:	15/09/2014 10:08:25	
Subject:	[ACE/604417] Aberdeenshire Main Issues Report Addendum 2014 - Coriolis Energy comments	
Status:	New Enquiry	<input type="button" value="Change Status"/>
Owner:	No Owner Assigned	<input type="button" value="Change Owner"/>
<i>(Individual dealing with the Enquiry.)</i>		
Age:	0	
<i>(in work days)</i>		
Attachments:	140912 ABC Coriolis Energy Rep on the MIR Addendum.docx	
Comments:		<input type="button" value="Edit Comment"/>

Enquiry Text

Dear Policy Team,

Please find attached our comments on the LDP Main Issues Report Addendum 2014.

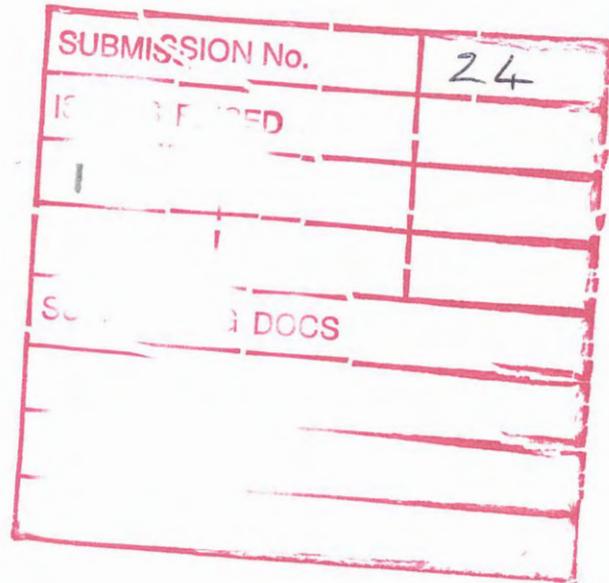
Please confirm receipt by way of reply.

Regards,

David.

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- 140912 ABC Coriolis Energy Rep on the MIR Addendum.docx

History

15/09/2014 10:08 Enquiry (Current Document)
15/09/2014 10:09 Automatic Reply

Introduction

This representation on the Addendum Document, forming part of the Aberdeenshire Council Local Development Plan (LDP) 2013 Main Issues Report, is submitted by Coriolis Energy Ltd.

Coriolis welcomes the opportunity to comment on the revisited policy for Wind Energy Development as proposed by Aberdeenshire Council. Our additional comments refer specifically to the revised Spatial Framework detailed in the Addendum Document.

Aberdeenshire Council has, in line with the June 2014 Scottish Planning Policy (SPP), identified much less of Aberdeenshire spatially as an area of 'significant protection'. While this reduction in the area of significant protection is welcomed the revised spatial framework for onshore wind requires further modification to comply fully with SPP. This will ensure the framework examined by Ministers and thereafter adopted is both functional and consistent with national policy.

SPP has identified national wildlife and landscape designations, areas of wild land, carbon rich/peat soils and peatland habitat, and areas not exceeding 2km from settlements as "Areas of Significant Protection". Wildlife and landscape designations, areas of wild land and 2km buffers from settlements can be appropriately mapped spatially as they are based on either; statutory land designations in the case of national wildlife and landscape designations; recent SNH analysis in the case of wild land; and defined distances from urban boundaries in the case of settlements.

Importantly, SPP details that [in areas of significant protection] wind farms may be appropriate in some circumstances subject to demonstrating that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. This statement should be explicitly repeated for the avoidance of doubt in the narrative for your spatial policy.

Our comments on the Revised Spatial Framework relate in the main to the Council's proposal to identify carbon rich/peat soils as part of mapping 'Areas of Significant Protection'. This is explained in more detail below.

Question 1

Do you have any comments on the Revised Spatial Framework for Wind Energy Development, or the proposal to require the development industry to assess the "visual envelope" of settlements through the planning application process?

The Council's proposal to require applicants to assess the 'visual envelope' of settlements is in line with current best practice for medium to large scale wind farm applications. This analysis is carried out as part of the Landscape and Visual Impact Assessment that forms part of the Environmental Statement. In the case of smaller, single turbine applications where this type of assessment may be missing the Council should clearly detail what scale and type of assessment is required as part of a planning application.

The Addendum introduction details, *'the (consultation on the 2013 Main Issues Report) confirmed to us the level of concern that households in Aberdeenshire had regarding the impact of wind turbines on residential amenity.'*

The revised policy position for settlement impact/effects and the revised spatial framework in reference to this point should be based on objective measures. In line with planning policy guidance the loss of a view and the perceived negative effect on the value of properties are not material considerations. Overlooking/loss of privacy, loss of light or overshadowing, noise, effects on listed buildings and conservation areas should be the key drivers in determining whether a wind energy proposal has a material impact on a property or settlement.

SPP sets out that the onshore wind farm spatial framework should include a buffer of 2km from defined LDP settlements. The revised Spatial Framework for Aberdeenshire Council should explicitly set out in policy wording that this 2km buffer does not relate to single or small groups of properties within the countryside.

Peat/Carbon Rich Soils & Peatland Habitat

The Addendum details that there, *'can be no debate on the extent of the national designations or extent of carbon rich soils, and these topics all have their own protection through policy'*

We do not agree with this statement in relation to carbon rich soils.

The Addendum's Revised Spatial Framework maps areas of carbon rich/peat soils as 'Areas of Significant Protection'. It would seem, though it is not clear (as there is no justification or methodology included in the Addendum), that the Council is relying on data held by other agencies to map areas of carbon rich/peat soils. Our analysis leads us to believe that the areas mapped by Aberdeenshire Council correlate with the SNH "carbon richness" map, which is based on the Macaulay "Soil Map of Scotland" and the Macaulay "National Soils Inventory for Scotland".

The Macaulay 1:250,000 "Soil Map of Scotland" was published in 1982 and was based on soil coverage analysis of Scotland. The Soil Map was produced between 1978 and 1981 using 1:50,000 scale maps and aerial photography interpretation, limited fieldwork and utilised earlier soil surveys undertaken in the lowlands and foothills which were published at 1:63,360 or 1:50,000 scale. The "National Soils Inventory for Scotland" is based on 10km grid point-data from 1978-1988.

Taking into account these 40 year old data sets and the broad, regional wide analysis carried out to produce these maps – clearly without the inclusion of area specific analysis – we object to the use of these plans within the Council's Revised Spatial Framework.

A large number of operational and consented wind farm sites (both nationally and in Aberdeenshire) fall within the carbon rich/peat soils classification as detailed on the SNH carbon richness map. Analysis of these decisions and specifically comments by SNH and SEPA concludes that embedded design mitigation and compensatory peat habitat improvement resulted in proposals deemed acceptable in terms of the likely impact on carbon soils and peat.

The issue of peat and the development and construction of wind farm sites on upland areas in Scotland is already an important determining issue subject to detailed assessment as part of wind farm planning applications. In order to comply with specific SNH and SEPA policy requirements on carbon rich soils and peat a number of tools and processes are in place to help consenting authorities determine the acceptability, or not, of proposals within peatland habitats.

In addition to design mitigation and complementary habitat improvement consenting authorities require Peat Management Plans, carbon calculators and site specific Construction and Environmental Management Plans to help assess issues surrounding peat and carbon rich soils where present on proposed sites. Paragraph 169 of SPP sets out that, at the development management level, the impact on carbon rich soils should be assessed using the carbon calculator.

We caution against the Council's reliance on historical and nonspecific Macaulay data within the Revised Spatial Framework. The Council's use of tools developed in conjunction with the Macaulay Institute to identify the 2009 Local Plan 'broad areas of search for 20MW+ wind farm development' was flawed. The 2009 search areas were found to be ineffective over time and the Reporter at the previous LDP Examination concluded the Council had failed to identify broad areas of search in accordance with national planning policy.

The treatment of individual sites on a case by case basis should remain the key development management driver as directed by SPP (paragraph 163). In reference to peat/carbon rich soils the carbon calculator is a key tool at the development management level as an indicator of impact and/or effect. Broad brush mapping using large scale indicators cannot be taken as a substitute for on the ground assessment and existing development management tools.

As it stands the Council's existing and proposed wind energy policy – 'SG Rural Development2: Wind turbines' does not touch upon either carbon rich/peat soils or the use of the carbon calculator. While it infers proposals may be acceptable within areas of significant protection in line with the criteria set out within SPP it limits this to turbines below 15m in height. This specific policy criteria has no justification in reference to the June 2014 SPP and reference to this height limitation should therefore be removed. Paragraph 163 of SPP sets out, '*the approach to spatial framework preparation, set out in the SPP, should be followed in order to deliver consistency nationally and additional constraints should not be applied at this stage.*'

Summary

We **object** to the identification of 'Areas of Significant Protection' where these relate to non-site specific carbon rich/peat soil assumptions using Macaulay Institute data from the 1980s. The Spatial Framework should remove these areas from the Spatial Framework maps. The Proposed Plan should instead manage carbon rich/peat soils and the assessment of these areas in terms of impact within policy wording. The Council's policy should be changed to detail that areas found to be sensitive in terms of peat through site specific assessment will need to be determined in the context of the heightened level of protection afforded to this type of habitat within SPP.

We **object** to the height limitation of turbines above 15m within areas of significant protection as currently proposed in the Spatial Framework. This needs to be removed to ensure compliance with SPP.