



By email: econsentsadmin@gov.scot

Christopher Park
Energy Consents Unit
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300027181
Your ref: ECU00000735

07 March 2019

Dear Mr Park

The Electricity Works (Environmental impact Assessment) (Scotland) Regulations 2017
Electricity Act 1989 Section 36 and Schedule 8:
Application for the proposed Shepherds' Rig Wind Farm, near Carsphairn

Thank you for your consultation, which we received on 18 December 2018. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations and for our historic environment remit. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

You should also seek advice from Dumfries and Galloway Council's archaeology and conservation advisors for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We are content that the EIA Report provides sufficient information to come to a view on the planning application.

We **object** to the application because of its potential to have an adverse impact on the integrity of setting of two scheduled monuments:

- Craigengillan, cairn ([SM 2238](#))
- Stroanfreggan Craig, fort, Smittens Bridge ([SM 1095](#))

The impacts raise issues in the national interest. We have set out our assessment of these impacts, and potential mitigation for them, in the attached annex.

We would be happy to meet you and the applicant to discuss our concerns and potential solutions.



Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Ruth Cameron, who can be contacted by phone on 0131 668 8657 or by email on Ruth.Cameron@hes.scot.

Yours sincerely

Historic Environment Scotland



ANNEX

BACKGROUND

The proposed development consists of 19 wind turbines, 17 with height to tip of 149.9, 2 with height to tip of 125m (numbers 1 and 3). It is located to the east of Carsphairn, in Dumfries and Galloway.

We have previously offered advice on the scope of assessment for this development. At this point, it consisted of up to 30 wind turbines with a maximum height to tip of 149.5m. In our letter, dated 4 April 2018, we raised concerns that the proposals would have a significant adverse effect on the setting of a number of scheduled monuments. We strongly recommended that the developer engaged in further pre-application consultation with us.

We have not had an opportunity to provide further advice or assessment of impacts for this development prior to design freeze and application submission. We recognise that some design alterations are in line with our previous advice – specifically in relation to the removal of turbines from the southwestern section of the development boundary and we welcome this. However, these alterations have not been enough to mitigate the impacts we previously highlighted sufficient to address our concerns.

EIA REPORT

We are content that EIA Report provides sufficient information to come to a view on the application. We are broadly content with the methodology used to assess impacts on our interests. However, we have some concerns over the criteria used in the assessment. We note that paragraph 11.3.12 identifies setting impacts as temporary and reversible. We do not consider these factors relevant in the context of a windfarm development with a consent period of a minimum of 25 years. In addition, this does not accord with the policy principle set out in paragraph 170 of SPP, which states that, ‘areas identified for wind farms should be suitable for use in perpetuity.’

The setting assessment also makes repeated reference to whether or not sites are visited by the public. In line with our Managing Change guidance note on setting, we consider that ‘whether or not a site is visited does not change its inherent value, or its sensitivity to alterations in its setting.’ It is not clear from the assessment whether or not this is factor that has been taken account of in conclusions.

We note that a number of references given appear to be out of date, or use terminology from other planning systems. While this has not affected the conclusions reached in the assessment, it may be helpful to update these in any further environmental information produced. In particular, inaccurate references to paragraphs of SPP may lead to confusion.

Finally, it is not clear why there are repeated references to English Heritage wind farm guidance from 2005. This appears to have been withdrawn, and is certainly likely to be out of date. It also does not apply in this instance, where Scottish policy and guidance should be the key documents.

OUR INTERESTS

In this instance, the focus of our interest in the case is the potential impacts on scheduled monuments in the vicinity. We have reviewed the information provided, and have focussed our comments on those heritage assets where we consider there may be a significant impact. These are as follows:

- Craigengillan, cairn ([SM 2238](#))
- Stroanfreggan Craig, fort, Smittens Bridge ([SM 1095](#))

We have also provided comments on potential impact on the scheduled monument Stroanfreggan Bridge, cairn ([SM 1043](#)), which we identified for further assessment in our scoping advice.

Our interest in this case relates specifically to potential impacts on the setting of these monuments.

We have therefore assessed these impacts against national policy as set out in Scottish Planning Policy (SPP), paragraph 145. This states that, ‘where there is potential for a proposed development to have an adverse effect on a scheduled monument or on the integrity of its setting, permission should only be granted where there are exceptional circumstances.’

We note that the assessment has not identified any exceptional circumstances. We have not identified any exceptional circumstances in this case. We therefore have not referred to the second part of this policy in our assessment.

We have also referred to our Managing Change guidance series, which SPP identifies as a key document. The most relevant document in the series in this case is [our guidance on Setting](#). In line with this guidance, we have set out our consideration of the potential impacts in a three-step process:

- Stage 1: identify the historic assets
- Stage 2: define and analyse the setting
- Stage 3: evaluate the potential impact of the proposed changes

Our assessment of impacts is set out below. Where relevant, we have also set out where our conclusion differs from that presented in the EIA Report.



Craigengillan Cairn

Identifying the asset

This Neolithic or Bronze Age burial cairn is located on a southeast facing slope, below a ridge to the north, on the western side of the Ken Valley. It is a large, dramatic and well-preserved monument, surmounted by a three-armed sheep shelter wall, largely constructed of stone taken from the edges of the cairn.

Analysing its setting

The cairn was deliberately placed in the landscape. It would have been highly visible, and its location would allow it to dominate approaches up and views towards this area of the valley. It would have had open views down the valley to the south and east, overlooking the agriculturally valuable south-facing slope, the opposite slope of the valley, and the route of the river along the valley floor.

Commercial forestry currently surrounds the cairn. This impacts on key relationships with the areas to the south and east. It also means that the dominant nature of the cairn cannot currently be appreciated from the valley floor.

The Long Term Forest Plan for this area includes a commitment to leave open ground around this monument. This includes a 20m clear zone around the scheduled area, and an open area to the south east, extending approximately an additional 30m. This is as set out in Map 5 in Craigengillan North Forest Plan. It is due to be implemented in the next three years.

We therefore consider the Long Term Forest Plan to be key in identifying the long term setting of the monument. We have assessed the development proposals on this basis.

Views to the southeast of the cairn will remain open after forestry restocking. The key elements of the cairn's setting will remain constrained to some degree, as wider views directly south and east are not likely to be available. However, views to the southeast will give clear visibility of the river valley and its sides.

Equally, in views from the southeast towards the cairn, it will become a more prominent feature. The cairn will form an important component of views from the valley and surrounding area, as was likely intended when it was built. Opening these views will allow an understanding and appreciation of these key characteristics of the cairn and its setting.

Evaluating the impact

The currently proposed layout would encircle the cairn with wind turbines on all sides. These would have impacts on views both of and from the cairn.



Turbines to the north and west, particularly turbines 3 and 5, would affect important views of the cairn as seen from the valley. When views from the southeast are opened up by changes to the forestry in the area, they will make an important contribution to how the cairn's relationship with the surrounding landscape can be appreciated. The cairn would have been a defining element of these views in the past. Its apparent scale and dominance would be altered by the appearance of turbines above and behind the cairn, reducing its prominence.

All of the turbines in the northern section of the development would potentially affect how it is experienced today. They would distract from the relationships the cairn still has with the adjacent slopes and valley. In effect, they would place the cairn within a wind farm, and this would become the defining element of its setting.

The elements of the scheme that are extremely close to the cairn would also have a significant effect on its setting. Turbine 7 is 126m from the scheduled area. As the turbine would be 149.9m tall, the monument is within the topple distance of the turbine. No screening would remove the visual and auditory impact of this turbine. It would become the single defining feature of the setting of the cairn.

The access road for the turbine runs 60m to the west of the cairn, with the working area and hardstanding around the base of the turbine wrapping round the cairn to the north. This would effectively sever the immediate surroundings of the cairn from the wider valley side on which it sits, altering this relationship.

Turbines to the south of the cairn, particularly 9 and 11, would affect views out from the monument over the valley, which runs north-south. It is not entirely clear to what extent these views would be available after felling and re-stocking in the area. It is possible that open views to and from the south will not be available even after this.

However, the turbines may still have a significant effect in removing the focus of views to and from the southeast. Turbines appearing on the edge of views towards the cairn would distract from it as a defining feature in the landscape. Turbine 9, which is less than 500m from the cairn, is also likely to contribute to the impacts set out above, in terms of visual and auditory dominance.

Taken together, turbines 3, 5, 7, 9 and 11 would have the potential to effect all of the key characteristics of the setting of the cairn as set out above. These impacts therefore affect the integrity of its setting.

The assessment provided

The EIA Report states that the magnitude of effect upon the setting of the cairn is high. This results in an overall impact of major significance (para. 11.6.13). We agree with this conclusion.



The EIA Report proposes mitigation for this significant impact (para. 11.6.14). The proposals include replanting around the cairn with native species. This is intended to block the view of most of the surrounding turbines.

We consider this ineffective for a number of reasons. Firstly, as application is for a 25-year consent in the first instance, it is unlikely that the planting would reach a level where it would effectively block views. Secondly, even fully grown, planting would be very unlikely to reduce the visual and audible impact of the wind turbines to a level where they are no longer significant.

Another key consideration is that the planting itself would also have an adverse impact on the setting of the cairn. We acknowledge that forestry currently surrounds the cairn. However, in the future (as set out above) the cairn will sit in a 20m clearing, with open views to the southeast. The mitigation proposals would have an adverse impact in closing this important view. They would therefore swap one undesirable setting (trees) for another (wind turbines). This cannot be seen as effective mitigation. These impacts should be mitigated by design.

We therefore consider that the mitigation proposals would not reduce the overall level of impact of the proposed development. Any limited screening effects would be negated by the removal of southeasterly views.

Conclusion

We do not agree with the assessment provided. We have identified a higher degree of impact on the setting of the monument when mitigation is taken into account. This impact affects key characteristics of the cairn, including its prominent position in the valley, and its relationship with the surrounding fertile land and route along the river on the valley floor.

The proposals would therefore have an impact on the integrity of the monument's setting, contrary to paragraph 145 of SPP. We consider this to raise issues in the national interest, which warrant our objection to the application.

Stroanfreggan Craig, fort, Smittens Bridge

Identifying the asset

This Iron Age or early medieval fort is located close to the southwestern end of a rocky ridge running down from Stroanfreggan Craig. The fort is constructed on a prominent rocky knoll surrounded by steep slopes and a sheer cliff edge. It is defined by the low stone ramparts of a central enclosure and four outer enclosures attached to the main rampart. No internal features are visible within the fort, although it is likely that there are settlement remains buried below the surface. A modern marker cairn constructed from rampart material is located at its highest point, and is a prominent landmark.



Analysing its setting

This Iron Age fort is located on a headland running northeast to southwest, shaped by the Water of Ken and Stroanfreggan Burn. It overlooks the valleys of both rivers. It has extensive views over the landscapes of both valleys, that of the Water of Ken extending north to south, and of Stroanfreggan Burn stretching east to west. The upland valley area that it overlooks would have provided important summer grazing in the past, and routes through the landscapes and over the hills. There is currently very little modern development in the vicinity aside from forestry.

Views from the fort towards these landscapes of valley floor, hill slope grazing and routeways contribute to our understanding and appreciation its function, both now and in the past.

The fort is prominent when viewed from the valleys in the immediate landscape. Its siting on the headland extending between the two valleys dominates the visual link between the valleys. It is placed to control the junction of the rivers, and the resources of the surrounding landscape.

The fort is located so that its occupant can see and therefore control the valuable and productive land around it. This is an expression of local power and control of the routes of movement that would have run through the valleys. People moving through, working and living in the landscape would have been aware of the fort on the high point of the valley junction.

Views towards the fort from the surrounding landscape would therefore have been important to understanding its function in the past. They remain important for understanding and appreciating the monument in the present.

Views from the lower lying ground around the junction of the two waterways and from the slopes of the valleys would have been key to establishing the authority and dominance of the local occupier of the fort. These views therefore help to demonstrate a key characteristic of the monument and its setting.

Evaluating the impact

The proposed development will affect two key elements of the setting of the fort. Firstly, views of the fort from the south when approached from the valley of the Stroanfreggan burn. Secondly, views from the fort towards the valley slopes of the Water of Ken.

As set out above, views of the fort from the south contribute to our understanding of the fort as an expression of power and dominance over the surrounding landscape. VP 5 (Figure 8.41) clearly demonstrates the impact on the view from Stroanfreggan Cairn towards Stroanfreggan Fort. While we do not consider the visual link between the two



monuments to be a significant factor in the setting of either monument, this visualisation is a useful representation of how the proposals would affect views from the south towards the fort.

The photomontage shows that a cluster of the proposed turbines will be silhouetted against the skyline behind the fort. They will significantly distract from the fort in these views, reducing it to an element of the view, rather than a defining and dominant feature. Turbines 1, 2, 5 and 11 will all contribute to this impact.

Views outwards from the monument, towards the western and northern part of the Ken Valley, contribute to our understanding of the fort's function, as set out above. A number of the proposed turbines would occupy the slopes that were used in the past for seasonal grazing. Development in this area would alter our experience of what was once a key route of movement through the landscape. Areas that were once dominated by the fort would be dominated by the wind turbines.

The removal of the southwestern turbines shown in the scoping layout reduces the impact of the proposed development in views outwards from the monument to some degree. However, this impact is still significant, particularly in the impact it has on the fort's relationship with the surrounding grazing land.

The wind farm will dominate the landscape and will reduce the prominence of the fort. The local dominance of the fort is a key element of its current setting, which contributes to its cultural significance. These impacts therefore affect the integrity of its setting.

The assessment provided

In our scoping response, we requested a view towards the fort 'from the unnamed road leading eastwards from Smittons Bridge, looking north-westwards towards Stroanfreggan fort.' However, the view provided from this road (VP1, taken from Stroanfreggan Bridge) does not show the fort.

VP 5 (Figure 8.41) shows the fort as it appears in the view from Stroanfreggan Cairn, as set out above. The EIA Report does not consider the impact on the setting of the fort as demonstrated in this viewpoint. Overall, we do not consider that the impact on views of the fort from this area have been fully assessed and taken into account in the conclusions presented.

The EIA Report states that the change to the views from the monument will have a low magnitude of impact (para. 11.6.22). It does not consider the impact on the setting of the fort in views from the south, other than to consider a link to Stroanfreggan Cairn. The assessment therefore does not take this element of change into account. We therefore consider that it has been underestimated.



We also consider that the report underestimates the impact on views out from the fort. The report appears to conclude that because the turbines would not alter the 'availability of these views', they will not be significantly affected. We consider this change significant, as it would alter the focus and defining features of these views, and distract from key relationships as they are currently experienced. We have set out our view on this in the section above.

The assessment concludes that the overall impact on the setting of the monument is minor (para. 11.6.24). As set out above, we consider the level of impact to be significant. Mitigation options should therefore be considered.

Stroanfreggan Bridge, cairn

We have not identified any key characteristics of the cairn that the turbines will affect. We are therefore content to agree with the EIA Report's conclusion that the potential impacts on the monument are minor and not significant (para. 11.6.20). In light of this, we have no further comments to offer on the assessment as provided for this monument.

MITIGATION

We have identified significant impacts on two scheduled monuments. We therefore advise that mitigation options should be explored.

It is clear from the assessment set out above that turbine 7 will need to be relocated within, or deleted from, the scheme. It will not be possible to reduce the level of impact significantly through screening or altering the turbine height.

We recommend that any re-design process should look at the effects that turbines would have on both Stroanfreggan fort and Craigengillan cairn. It is likely that in some areas redesign will reduce impacts on both monuments – turbines 5 and 11, for example, are currently contributing to significant effects on both monuments.

Whilst we have identified a significant impacts on two scheduled monuments, we consider the scale of development proposed in this scheme may be possible without the level of impact we have identified. To achieve this it will be necessary to redesign the currently proposed layout. This process will need consider to the settings of both the fort and the cairn as key constraints. We be happy to provide advice on any further design iterations, which should aim to reduce the impacts set out above through the design and layout of the wind turbines and associate development.

SUMMARY

We are content that EIA report provides sufficient information to come to a view on the application. However, we do not agree with the assessment provided. We have identified a higher degree of impact on the setting of both Craigengillan cairn and Stroanfreggan fort. These impacts affect the key characteristics of both monuments.



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The proposals would therefore have an impact on the integrity of the setting of both monuments, contrary to paragraph 145 of SPP. We consider this to raise issues in the national interest, which warrant our objection the application.

We consider that it is likely that these impacts can be reduced by redesigning elements of the proposals. We would be happy to offer input and advice to this process.

Historic Environment Scotland
7 March 2019