

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD on WEDNESDAY, 23 JANUARY 2013**

**Present:** Councillor Mary Jean Devon (Chair)  
Councillor Robin Currie Councillor Richard Trail

**Attending:** Iain Jackson, Governance Officer (Adviser)  
Hazel MacInnes, Committee Services Officer (Minute Taker)  
Mr and Mrs Campbell, Strathclyde Cottage, Objectors

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CONSIDER NOTICE OF REVIEW REQUEST: ARDYNE FARM, TOWARD, DUNOON PA23 7UB**

The Chair welcomed everyone to the meeting and introductions were made. She advised that the only parties who would be permitted to speak would be Members of the Panel and Mr Jackson who would provide procedural advice, if required.

The Chair asked the Panel if they felt that they had sufficient information before them to come to a decision on the Request for Review.

Councillor Currie advised that the information available had been presented very well and that there was a lot of information available but he felt that there would be merit in viewing the site to make a judgement on its suitability.

Councillor Trail advised that although he felt there would be merit in a site visit it would not be essential due to his own feelings regarding the application.

Councillor Devon advised that the application was not compliant with the terms of the Councils Wind Capacity Study. She then asked if Members felt if they could come to a decision on the review. Councillor Trail advised that he had enough information before him to come to a decision on the review.

Councillor Devon advised that the proposal was 170m from a habitable dwelling house which suggested a bad neighbour. She added that the proposal was not conforming with too many Council policies and that she was minded to go with the recommendation of the Planners. Councillor Trail agreed.

Mr Jackson advised that Members appeared minded to refuse the appeal,

and if that was the case then that was a decision that they could reach today and that decision did not have to be unanimous. If they were otherwise minded then they would require to decide on whether it was necessary to have a site visit or obtain further information from any of the parties.

Councillor Currie advised that he had felt minded to look at approval of the application but could not do this without a site visit. He made reference to an approval of a wind turbine on Islay that was 200m from a house.

Councillor Devon referred to page 85 of the agenda pack which stated that the siting, scale and proximity of the turbine to Strathclyde Cottage represented a bad neighbour. She added that she failed to see why a site visit would help.

## **Decision**

The Argyll and Bute Local Review Body agreed to refuse the application for the following reasons -

- 1 For the purposes of the document titled 'Argyll and Bute Landscape Wind Energy Capacity Study, March 2012, the application site is located within "*Rolling Farmland with Estates*". This particular character type lies in a prominent location on the edge of the Firth of Clyde and characterised by the presence of a designed landscape with wooded policies, strongly enclosed pastures and a number of landmark historic and archaeological features.

In this particular case, the proposed wind turbine would be located in a sky-line location on a prominent knoll that would not have rising ground as a backdrop when viewed from the closest receptor Strathclyde Cottage, from paths leading to the Chinese Lakes or from the C10 north of Blairanboich. From these collective viewpoints, the proposed wind turbine would have a significant visual impact that would be to the detriment of the landscape character of the surrounding area.

On the basis of the foregoing, it is considered that the proposal would have an adverse impact upon the Area of Panoramic Quality and would be contrary to the policies. On this basis, it is considered that the proposal would be contrary to Argyll and Bute Structure Plan policies STRAT DC 5, STRAT DC 8, STRAT DC 9, STRAT RE 1; and to Argyll and Bute Local Plan policies LP ENV 1, LP ENV 10, LP ENV 11, LP ENV 19, and LP REN 1 (including *Argyll and Bute Landscape Wind Energy Capacity Study(2012)*).

2. It is considered that the siting, scale and close proximity of the wind turbine to Strathclyde Cottage and the presence of a such a large slow moving object within full view of habitable rooms within this dwelling and from its immediate curtilage, would represent a 'bad neighbour' development with unacceptable adverse effects on the

amenity of the occupants of Strathclyde Cottage.  
Accordingly, it is considered that the proposal would be contrary to Argyll and Bute Structure Plan policy STRAT RE 1 and to Argyll and Bute Local Plan policies LP BAD 1 and LP REN 1.

[Councillor Currie having moved an amendment which failed to find a seconder requested that his dissent be recorded from the foregoing decision]

