

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the SOUTHEND CHURCH HALL, SOUTHEND
on THURSDAY, 24 MARCH 2011**

Present: Councillor Daniel Kelly (Chair)

Councillor David Kinniburgh	Councillor Alex McNaughton
Councillor Alister MacAlister	Councillor James McQueen
Councillor Neil Mackay	Councillor Al Reay
Councillor Donald MacMillan	
Councillor Roderick McCuish	

Attending: Charles Reppke, Head of Governance and Law
Richard Kerr, Principal Planning Officer
Peter Bain, Area Team Leader
Arlene Knox, Senior Planning Officer
Sarah Dooley, Wind Prospect Developments Ltd, for Applicant
Dr Steve Percival, Ecology Consulting, for Applicant
Stan Phillips, SNH, Consultee
John Bakes, Southend Community Council, Consultee
Susan Patterson, Supporter
Robert Kidd, Objector
Anthony Davies, Objector
Heather McKinlay, Objector
Donald MacLean, Objector
Jane Taylor, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chalmers, Colville, Currie, Dance, Devon and Marshall.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. KILCHATTAN WIND FARM LIMITED: ERECTION OF 16 WINDTURBINES (81 METRES TO BLADE TIP), FORMATION OF ACCESS TRACKS, ERECTION OF WIND MONITORING MAST, CONSTRUCTION OF SWITCH GEAR BUILDING AND TEMPORARY CONSTRUCTION COMPOUND: KILCHATTAN, LAND AT TODD HILL, SOUTHEND, BY CAMPBELTOWN (REF: 08/00138/DET)

The Chair welcomed everyone present to the meeting and invited the Committee to introduce themselves.

Mr Reppke advised the Chair that a late representation had been received by the Planning Section the previous day from Mr Donald MacLean who wished to speak at the meeting. He advised that under normal procedures, for a person to be allowed to speak at a discretionary hearing, their representation must be

received before the meeting of the PPSL Committee when the application is first discussed. He advised that it would be at the Committees discretion to allow Mr MacLean to speak at the meeting. The Committee agreed that they wished to hear Mr MacLean speak.

Mr Reppke outlined the procedure that would be followed during the meeting and invited those who wished to address the Committee to identify themselves.

Planning Authority

Richard Kerr, Principal Planning Officer advised that the application before the Committee was for a commercial wind farm consisting of the erection of 16 wind turbines (81 metres blade to tip), formation of access tracks, erection of wind monitoring mast, construction of switch gear building and temporary construction compound on an area of land at Todd Hill, Southend and that the access to the site would be from the B842. Mr Kerr referred the Committee to Supplementary Report 1 and advised that since this report had been issued a further representation had been received from argyllwindfarms.com containing 368 signatures of support. He advised that the applicant had provided a visual document containing views of the site from prominent places and advised that the Committee had undertaken a short tour of these places prior to the Hearing. Mr Kerr advised that the site was within an area of panoramic quality and national scenic area and that the visibility of turbine hub height had originally been assessed by looking at the site from 13 representative viewpoints. This had been increased to 23 due to the exposed nature of the site. He added that other commercial wind farm sites in the area were hidden by topography and that this site would not be. Mr Kerr continued by saying that the wind farm would assume importance the landscape due to the low landscape and minimal topography. He showed slide visuals of the landscape with predicted views of the wind farm and a number of photographs of current views of the site from different angles. Mr Kerr advised that the application was inconsistent with Planning Policies LP ENV10, LP DC 6, STRAT DC4, STRAT DC5 and LP REN 1 amongst others. He advised that the full list of compliant/conflicting policies was contained in appendix A, section P of the original report. With regard to consultees he advised that objections had been received from SNH and RSPB and that Southend Community Council were in support of the application. He reported that a late representation had been received from Mr Kidd advising that the Community Council response claiming that the wind farm would only be visible from the sea was factorially incorrect as the wind farm would be clearly visible from Southend. He advised that a total of 515 representations had been received, 293 in support and 225 against plus the 368 signatures that had been recently received from argyllwindfarms.com. Mr Kerr advised that the planning section were recommending refusal of the application and gave a summary of the reasons for refusal contained within the report. To conclude he reiterated that the two main grounds for refusal were landscape and visual; and insufficient information to assess the cumulative impact.

Applicant

Ms Sarah Dooley, Senior Development Manager of Wind Prospect Developments Ltd introduced herself to the Committee. She gave some background to the application. She said that the original planning application had been submitted in January 2008 with further information being submitted in

June 2010. The application had been before the Planning Protective Services and Licensing Committee in February 2011 and she advised that a further addendum report had been circulated amongst Members addressing inaccuracies contained within the report by the Planning Authority which had stemmed from inaccuracies contained within the responses by SNH and the RSPB. Ms Dooley gave some information on Government Policy and Targets with regard to emission reductions and renewable energy in the UK and in Scotland. She gave an overview of the environmental benefits from the Kilchattan windfarm should it be approved. She advised that in terms of material considerations no objections had been received in terms of historical environment, archaeology, hydrology and water quality, road safety and maintenance, noise and disturbance, health and safety, telecommunications and military and civil aviation. She advised that objections had been received with regard to landscape and visuals and ornithology and that the recommendation for refusal by the Planning Authority had been based on these objections by SNH and the RSPB. She advised that Wind Prospect refuted these objections and the recommendation by the Planning Authority. With respect to landscape and visual impact Ms Dooley told the Committee that the proposal was not to be located within an area that has a landscape designation. She advised that the site was in an area of panoramic quality but that the policy did not preclude development of wind farms. She provided some APQ statistics stating that the windfarm would have 12.5% visibility from the land whilst the remainder of visibility would be from the sea. With regard to the pattern of development she advised that the site was located within the upland forest moor mosaic landscape character type which had been the same as others that had been consented in the surrounding area and therefore it followed the established pattern of wind farm development in landscape character terms. She advised that the scale of the project had been deliberately designed small and that the turbines to be used were between 25% and 35% smaller than others in the surrounding area. In connection with the claims made that the cumulative assessment had not been carried out properly, Sarah confirmed that all neighbouring sites had been included in the assessment and that she was happy that this had been completed satisfactorily. She advised that with regard to sequential effects, the main one would be visibility but refuted this as a reason for refusal. She highlighted to the Committee that the time the site would be visible over an 18 minute journey on the minor b road at a speed of approximately 30mph.

Dr Steve Percival of Ecology Consulting introduced himself. He told the committee that he had written the environmental statement and that in terms of ornithology there was a single species that was at risk from the wind farm, which was the hen harrier. He advised that the two risks to hen harriers were the risk of collision with turbines and the risk of loss of foraging habitat through displacement. Dr Percival advised that the key question was the importance of the site to hen harriers and told the Committee that this had been assessed through 272 hours of field studies over 2 years. He advised that from the studies undertaken in 2005 and 2006 results showed low use of the site by Hen Harriers and that they had been found more to the east of the site. From studies between 2008 and 2009 results had shown that hen harriers had been found more to the east of the site. He advised that they were attracted by the heather and that in conclusion the studies had shown low use of the site by the birds. He added that no nests had been recorded within 500m of the site. The studies had also concluded a collision risk of 0.02 per year, 1 per 50 years which he advised was

not a significant number. Dr Percival then told the Committee that should the application be approved a habitat enhancement scheme would be put in place which would provide gain to nature in the area. This scheme would enhance the areas surrounding the site to make them more attractive to hen harriers, reduce predators, control bracken and enhance wet flushes. He advised that funding would be provided towards a local hen harrier conservation management programme and that a steering group would be put in place to take this forward. Dr Percival advised that SNH and RSPB had expressed concern over the competence of the surveyor carrying out the studies, he confirmed that the surveyor had over 25 years of hen harrier experience, was the Chair of the Cumbria Bird Club and had 9 years wind farm experience and that he had carried out all the studies. Dr Percival advised that a population survey had been carried out by SNH which had found 9 pairs of hen harriers in the Dalbuie Forest area which was out with the site of the windfarm. He confirmed that assessment methodology had been carried out using SNH guidance which had recently been changed in December 2010. He advised that this had also been carried out using the new guidance issued in December 2010 and it had produced no difference to the conclusions. Dr Percival concluded his presentation by highlighting that Hen Harriers were the only species at risk in the area, that there was a negligible collision risk, a negligible risk of displacement and that should the application be approved an enhancement scheme would be put in place. He demonstrated a collision risk comparison of other SNH approved sites to the proposed site and highlighted that they had a higher collision risk to that of Kilchattan.

Sarah Dooley then spoke about the potential economic benefits of the wind farm advising that turbine supply would be sourced locally where possible and that haulage and construction would be tendered locally. She advised that a trust fund of £2,000 per MW produced would be put in place and that there would be opportunities for local investment in the farm. With regard to the local road network she advised that a maintenance programme would be put in place during construction of the wind farm and that once construction was complete the road network would be upgraded. Ms Dooley then spoke of public opinion and representation that had been received. She advised that 82% of people in Scotland were in support of wind farms and 94% of people that live near wind farms are in favour of them. She advised that there had been substantial local support for the wind farm, 59% of representations had been in support and 78% of these had been from those in the local area. She displayed a graph showing geographical distribution of representations. Ms Dooley told the Committee that should the application be approved a viable grid connection had been agreed for 2015. Ms Dooley concluded by saying that the proposal was consistent with planning policy and referred the Committee to appendix 2 of the addendum report which listed the policies. She highlighted that an appropriate land and visual assessment had been carried out. She advised that there were no significant bird effects and that nature would benefit from the habitat management scheme that would be put in place. She highlighted the economic benefits and the substantial levels of support and asked that the Committee approve the application.

Consultees

Stan Phillips of SNH introduced himself and gave an introduction to SNH and their involvement in wind farm applications. He advised that SNH had been in

support of 70% of wind farm applications and had opposed 30%. He advised that SNH were objecting to this application due to the significant adverse landscape and visual impact, an inadequate cumulative impact assessment, the inadequate assessment on the impact on hen harriers and the lack of information with regard to peat depth and stability. Should the application be approved he recommended that appropriate legal agreements be put in place with regard to a habitat management plan and with regard to black grouse and habitats. He also recommended that conditions be put in place to mitigate possible impacts on European protected species and small pearl bordered fritillary and that an Ecological Clerk of Works be employed during construction. With regard to adverse landscape and visual impact he advised that the proposal would undermine the distinctive character of the area and would have an adverse impact on the panoramic quality of the area. He advised that other wind farms in the area were well sited, largely hidden on the spine of Kintyre and did not have an adverse impact on views; that this proposal would erode this pattern and would impinge on the coastal views in the area. He suggested that any development should be contained within the Kintyre spine. He advised that the impact would be over a large area, that the site would dominate the landscape due to its close proximity and that the turbines were of poor landscape fit. He showed a number of photographs of views in the area describing the effects the wind farm would have on each one. Views included those from the Kintyre Way start and finish, the coast, beaches, golf course, Sanda Island and Beinn Ghuilean. He added that he had concerns over impact on the recreational use of the land and noted that this area was valued for its panoramic views. The wind farm would interrupt views to and from these areas and would be a dominant feature in the land. With regards to ornithology he highlighted that SNH were not objecting on the basis of this but because there had been insufficient information available to give an assessment on the impact on hen harriers. Mr Phillips highlighted that between the months of July and October 2008 there had been a substantial gap in data collection, he added that this was a crucial time in the life cycle of hen harriers and that with the missing information he could not give a confident assessment on the impact the site would have on them. Mr Phillips advised that a further study carried out had revealed 9 pairs of hen harriers in the surrounding area and that 4 pairs had been within 4km of the site. Finally he said that a peat survey had been carried out and that SNH had concerns over the wet heath. To conclude Mr Phillips reiterated that SNH were opposed to the application due to inadequate assessments being carried out and should the application was approved then he would recommend that appropriate legal agreements are put in place with regards to a habitat management programme and grouse and habitats. He also recommended that an ecological clerk of works be employed during construction.

Mr Bakes of Southend Community Council introduced himself and advised that the Community Council were in support of the application due to the long term benefits of the wind farm. He advised that this had been a difficult decision for the Community Council to make due to mixed opinions in the community. Mr Bakes referred the Committee to paragraph W within the report by the Planning Authority and commented on the fact that an assessment of the economic benefits to the community had not been carried out. He highlighted that the community would benefit from opportunities for work, the increased use of hotels and shops during the construction period and an upgrade to the road network. Mr Bakes advised that many other communities in the surrounding area had benefited from wind farms and that the £27,000 per annum that the community

would receive from the wind farm could be used for the maintenance of tourist attractions and play parks and for recreational clubs. He added that these would be significant benefits to the community. Mr Bakes highlighted that turbine manufacture was one of the largest employers in the area, that local industry should be supported and a good example of this was to build wind farms locally using locally manufactured products. He added that there was a need for power everywhere and that the way forward was renewable energy. With regard to visual impact Mr Bakes advised that a large percentage of views of the wind farm would be from the sea and that people come to the area to view seascapes, not hills and in this case the wind farm would be behind them. He said that the visual impact had been blown out of proportion, that the view of the area 30 years previous was very different to that of present. He made reference to the planting of forests in the last 30 years and noted that as time passes these things become less noticeable. Mr Bakes refuted the claim that approving the wind farm would open the door for other farms to be built in the area as each application would be looked at separately. Mr Bakes concluded by saying that the financial benefits would be tremendous and that tourism would benefit from the wind farm rather than take away from it. He agreed that there were visual impacts but added that they were outweighed by the financial benefits.

Supporters

Susan Patterson introduced herself and advised that she had stayed in Southend for 51 years and in that time had seen many changes. She added that change was a part of life and that the community needed to adjust to change. She expressed her view that the impact on visual amenity was opinions based and the house that had been previously mentioned as being in close proximity to the site were actually in favour of the application. Ms Patterson advised that she had spoken to people on the Kintyre Way and at the golf course regarding the impact of the proposed wind farm and they had not expressed any objection. She gave an example of how Machrihanish Golf Course had not been affected by Tangy wind farm which was clearly visible from the course. Ms Patterson told the Committee that wind farms were global and asked if they were not wanted why there were so many of them. She advised that many had incorporated visitor centres. She added that the proposed wind farm was a lot smaller than those in the surrounding area and that other developments could be seen from other areas in Kintyre. Ms Patterson referred to the community bought turbines on Gigha and how successful they had been, she highlighted the financial gain to the community. In response to the objection by SNH that the wind farm would be dominant in the landscape she advised that Southend was not an area that had stopped in time, that the landscape and buildings are changing constantly and that the turbines would not change the cultural heritage, they would show progress in time. Ms Patterson made reference to the views of the turbines from the sea and advised that turbines could be seen on other sites from the sea, that tourists passing on liners from Greenock do so at night and that the sea views would not be interrupted as the turbines would be to a persons back. With regard to hen harriers she advised that she was not an expert but the surveys done had found the birds to be in the areas surrounding the site, not on the site. She added that programmes had been put in place on other wind farms to benefit birds. Ms Patterson spoke of the benefits the wind farm would bring to the community, that it would create jobs in the area, bring money to the local economy and road improvements would be done which wouldn't happen without the wind farm. She added that the £27,000 received by the community could be

used to improve the culture. Ms Patterson concluded by saying that she loved Southend, that the community had fought together against the school closure and that the wind farm was supported by the majority of the community, that it would bring many benefits to the community. She advised that the project would improve Southend and there was beauty in it knowing that the wind farm would be contributing both locally and nationally through the production of energy.

Objectors

Robert Kidd advised that he had been in the area for 11 years and that he stayed in one of the 72 properties within 2km of the wind farm. Mr Kidd refuted the claim by the Community Council that the site would only be seen from the sea as it would be clearly seen from the village of Southend. He advised that concern had been expressed over the application over the previous 3 years and that the community had been split over the proposal. He advised that Wind Prospect had offered £13,000 per annum at the point of application which had now been increased to over double at £27,000 per annum. He advised that the Council recommended a minimum community benefit of £2,000 per mega watt per annum and asked why the applicant was not offering more than the minimum. He highlighted that Gigha Community Trust earned £100,000 a year from their 3 turbines which was 75% more than what Southend would earn. He added that on the developers website the site was described as being on the Island of Argyll which suggested they were not familiar with the area. Mr Kidd also advised that the second partner was part of EDF which was a massive French company and therefore Kilchattan would be a very small insignificant project to them. Mr Kidd expressed his concern over the effects on tourism and advised that other wind farms were sited on the spine of Kintyre where as this one was not. He referred to the proposed site being on the road to the famous Mull of Kintyre and Dunaverty Golf Club and refuted claims the developers had made that improvements to the road network would benefit these areas. He further advised that the developers had dismissed important tourist sites such as the Mull of Kintyre, Golf Courses, Kintyre Way and beaches, only mentioning Glenbarr Abbey in their presentation. He expressed concern over the seascapes and landscapes being destroyed by the prominently placed wind farm. Mr Kidd told the Committee that it was proposed that 4 of the turbines were to have red lights on the top which would interrupt the views of those interested in star gazing. Mr Kidd asked that Members respect the expertise of the planners and refuse the application.

Anthony Davies introduced himself to the Committee and advised that he lived on a farm less than one mile from the site. The farm had been in existence from the 1700s and Mr Davies advised that he had never been approached by the developers for his opinion on the proposal. He highlighted that at 81m high the turbines would be twice the height of the Statue of Liberty. Mr Davies advised that he had done some research into wind farms and informed the Committee that turbines are turned off when there is no wind and turned off when there is too much wind and that they work on a maximum efficiency of 30%. He asked what other piece of equipment would be bought with an efficiency of 30% and told Members that this was the wrong type of product in the wrong place. He said that he endorsed the opinions over visual impact on a small community. Mr Davies told the Committee that on 18 July 2007 he and his wife had begun a survey of wildlife in the two acres of land surrounding his property and he had found 46 different species of wildlife which was considerably more types of

species than just hen harriers. He advised that there were 4 confirmed sightings of hen harriers to the south of the site, that the applicant's survey had been done to the north of the site and it would be likely that they would fly across the site. Migratory Swans and Geese had also been sighted and would also be at risk of flying across the site. He advised that he had also seen otters and bats. He questioned how many nocturnal animals would be affected and advised that the turbines affected bats lungs.

The Committee adjourned for lunch at 1.00pm and reconvened at 1.45pm.

Heather McKinlay told the Committee that she was deeply rooted in Kintyre. She spoke of the benefits to the economy and advised that the local factory manufactured 300 turbines a year and that the 16 turbines to be used for this proposal was not a significant number compared to the number that are produced annually. With regard to the National Grid connection mentioned by the applicant she advised that she had checked the internet and the only proposed connection was a 10kw connection in Carradale in 2019, she questioned if this was the same application. She questioned if the projected CO² savings had taken account of the effects of construction. Ms McKinlay said that wind energy operates at under 30% efficiency and was unreliable, that there was always a need for back up energy. She advised that this was a highly subsidised project which prevents developers looking at other methods of energy production, that it was about profit and not the environment and that wind farms do not need to be approved in inappropriate areas as the Government would still reach their targets without the Kilchattan site. Ms McKinlay made reference to the 368 representations that had been made by people out with Argyll and Bute and advised that these representations had been made by people who knew and visited the area regularly. With respect to visual impact she advised that from her own calculations the site would be visible from 80km² of panoramic quality areas and would be a dramatic loss to the landscape. She told the Committee that the Keil Hotel was a prominent landmark in Southend, she produced a picture of the Keil Hotel as it would look if it were 81m high and asked the Committee to visualise the impact if it really was that height.

Donald MacLean introduced himself as a local resident who had moved to Southend 25 years ago. He apologised for his late representation and advised that he had found it hard to speak out and had hoped the application would have gone away. He advised that the claims made by the Community Council that the locals were in support of the application were not true. Mr MacLean told the Committee that he had been surprised to see the montage of the Keil Hotel that Ms McKinlay had produced and advised that he had recently bought the Keil Hotel with a view to developing it into an attraction for visitors, to create jobs and support the economy. Mr MacLean expressed his love for Southend as it was an outstandingly beautiful area and urged members to take the views of the planning department and consultees and refuse the application.

Jane Taylor introduced herself as a resident on a nearby farm. She told the Committee that the Community Council had not accurately expressed the views of local people and that they were only interested in the financial benefits from the wind farm. She advised that Kintyre has its fair share of windfarms in its "back garden" but this proposal was for one in the "front garden". She urged refusal of the application.

Question Time

Councillor McCuish asked Mr Kerr why the Roads Section had changed their objection on 22 July 2010 to approval on 22 February 2011. Mr Kerr advised that Mr Weston of the Roads Section had advised that the roads improvements were practical in physical terms if the applicant could acquire the land needed to do this but he did not see this as a viable option due to the cost. Councillor McCuish then asked the applicant if they had looked into acquiring the land. Ms Dooley advised that analysis had been carried out into road improvements and that discussions had taken place with land owners regarding acquisition.

Councillor Reay asked Dr Percival if an assessment would be carried out on hen harriers during construction. Dr Percival advised that SNH guidance states that surveys are to be carried out before, during and after construction and that no construction works can take place during the breeding season and that this would also be taken into account. Councillor Reay asked him what the expected construction time was and Dr Percival replied that it would be approximately 9 months. Councillor Reay then asked the applicant why the original offer of £1,000 per mega watt had been increased to £2,000 per mega watt and Ms Dooley advised that this was to bring it in line with the Council's minimum recommendation. Councillor Reay asked the applicant what the maximum predicted output from the wind farm was and Ms Dooley replied that she did not have the figures available at the meeting.

With regard to turbine density Councillor McKay asked Mr Kerr if 16 turbines was a high number to be placed on a site the size of Kilchattan. Mr Kerr informed him that the separation distance between the turbines is determined by their height, that normally a developer will fit as many turbines on a piece of land as possible and therefore the number of turbines was typical for a site the size of Kilchattan. Councillor McKay asked Mr Kerr why the switch building was sited half way up the hill and how the height of the building relates to the size of the turbines. He also asked if the Planning Section would be happy to approve a building that size on the top of a hill. Mr Kerr advised that the control building was to be sited down the hill from the turbines and would be absorbed in the landscape, that it was a height of 4.5m and siting it on a crest of a hill would not be considered.

Councillor McKay asked Dr Percival if the 272 hours of observation on hen harriers had been carried out by himself for the applicant to which he replied yes.

Councillor Kelly stated that he was surprised to see a proposal for turbines on top of a hill and asked Ms Dooley if they had submitted any similar applications to this one. Ms Dooley advised that they had submitted similar applications on similar hilltop sites and that a conscious decision had been made to choose smaller turbines. Councillor Kelly asked if any consideration had been given to hiding the turbines and Ms Dooley replied that the scale of the windfarm was suitable to the hillside site.

Councillor Kelly then asked Mr Kerr if he had dealt with any similar applications on hilltop sites. Mr Kerr informed him that other wind farms were sited on the Kintyre spine and were hidden by landform. He advised that the site in question was very different, did not benefit from landscape mitigation and was not hidden by topography.

Councillor Kinniburgh asked Dr Percival if it was normal to miss out months of data collection during a survey. Dr Percival replied that the months of July to October had been omitted due to the breeding season, that he had confidence in the results of the survey due to the low levels of activity during the months surveyed. He advised that the activity levels during the missed months would have needed to increase significantly to have any effect on the overall conclusions.

Councillor McCuish asked Ms Dooley if the land owners had agreed to the acquisition of the land for road improvements. Ms Dooley confirmed that they had agreed in principal. Councillor McCuish then asked Ms Dooley if there were smaller turbines available and if smaller ones were used would they reduce the impact on the size. Ms Dooley advised that there were smaller ones available but in limited supply and confirmed that smaller turbines would reduce impact on the site.

Councillor Reay asked Mr Kerr for details on the size of the foundations, borrow pits and environmental impact. Mr Kerr advised that the borrow pits are dealt with by a separate minerals application after planning permission is approved as the precise requirements of the pit are not known until more surveys are done. He advised that the foundations would be 16m x 16m and that the depth depended on the site. Councillor Reay asked Ms Dooley the same questions. Ms Dooley informed him that the foundations would be 250m² per turbine and that potential sites had been identified as borrow pits and that surveys would be carried out should the application be approved.

Councillor Kelly asked Mr Kidd if there would be a significant impact on tourism and if surveys had been carried out to measure this. Mr Kidd advised that surveys on tourism had ceased to be carried out on the effects of wind farms on tourism which suggested to him that there is a significant impact. He further advised that visitor centres would not be suitable in the Kintyre area as visitors come for the views in the area.

Councillor McKay questioned Ms Dooley over her claim that the wind farm was consistent with planning policy. He advised that 33 policies had been listed in the report by Planning and a considerable amount were not consistent with policy. Ms Dooley replied that many of the policies relate to visual and ornithology impacts and stated that she did not believe that consideration had been given to the responses to these contained within the addendum report.

Councillor McKay asked Mr Kerr why no reference had been made to coastal policies in the report. Mr Kerr informed him that there were so many policies against the proposal he did not see merit in including coastal policies and added that the site was not on the coastal strip.

Councillor McKay asked Mr Kidd if there had been any consultations carried out by the Community Council. He advised that there had been a public meeting and presentation but no further discussions had taken place and no questionnaires issued.

Councillor McCuish asked Ms Dooley where turbines were usually purchased from. She advised that purchase of turbines normally went out to tender and

was dependant on factors such as timescales, cost, availability and haulage costs. Councillor McCuish asked for some examples of companies they had used in the past to which she replied Vestas and Re-Power. Councillor McCuish then asked which countries she usually bought from to which she replied Germany and Denmark. Councillor McCuish asked if she would be able to guarantee that the turbines would be sourced locally for the wind farm to which she replied no, that it was dependant on the factors she had listed before.

Councillor Kelly asked Mr Kerr if the community benefit was a material planning consideration to which he replied no, it could not be assured as part of planning consideration.

Councillor MacAlister asked Ms Dooley if a wind research survey had been carried out and if so what was the percentage output achieved from the site. Ms Dooley advised that a mast had been erected on site in 2007 and was presently showing efficiency of 36% and a speed of 8.3m per second. Councillor MacAlister commented that the most successful wind farm in Scotland, in Ardrossan, operates at 28% efficiency. Ms Dooley advised that it was not unusual to obtain high readings from masts.

Councillor McKay made reference to the Renewable Energy Action Plan and asked Mr Kerr if tourism was an included factor to which he replied yes.

Councillor Kelly questioned the figures that Ms Dooley had quoted during her presentation regarding the support for wind farms in Scotland and the opinions of those living near them. She advised that 82% of people in Scotland were in favour of wind farms and that 92% of people living near wind farms were in favour of them.

Summing Up

Planning Authority

Mr Kerr advised that the Planning Section try hard to support renewable energy projects and that he had seen companies select sites in Argyll and Bute with a range of sizes of turbines. He advised that they had achieved a lot in Kintyre without ruining landscapes with the siting of the existing farms on the Kintyre spine which are well hidden. He advised that this application was not on the spine, would impinge and be dominant on the landscape. He advised that the Community Council report under-represented the community benefit, asked that members noted that this was not a material planning consideration and that they should not base any decision on this. He asked that Members also note that the sourcing of turbines locally was not a material planning consideration and that Members should not base any decision on it. He advised that the community had been split over the proposal. Mr Kerr highlighted that there was insufficient information available to assess the cumulative impact and ornithology impact and advised that they were recommending refusal on the basis of visual and landscape and inability to assess cumulative impact. Mr Kerr commented that although financial benefit was not a material planning consideration, community farms were much more beneficial than commercial farms.

Applicant

Ms Dooley highlighted that the Kilchattan site was suitable for development, that the proposal would not impinge or dominate the landscape and was scaled to fit in with the landscape. She advised that approval of the site would not be a precedent for further farms as each application is looked at separately. With regard to the comments made on turbine lighting she advised that this was for aviation purposes only and could only be seen from the air. With regard to tourism she said that there was nothing to suggest any adverse effects on this and apologised for omitting areas such as the Mull of Kintyre from her presentation. She advised that Glenbarr Abbey had been used as an example as it was the only paid tourist attraction in the area. With regard to the grid connection she confirmed that a grid connection of 13.6MW capacity with a date of 2015 had been agreed with the National Grid and Hydro Electric and that this had been increased from 10MW and brought forward from 2019. Ms Dooley advised that should the application be approved that every effort would be made to source turbines locally but this could not be guaranteed.

Consultees

Stan Phillips of SNH reiterated that SNH were objecting on the basis of the inability to assess ornithological effects due to missing information.

Objectors

Mr Kidd summed up by saying that the representation made by the Community Council had been poor and that they supported the application purely for the financial gain. He highlighted that tourism would be damaged by the windfarm and asked for support of the planners recommendation.

Mr Davies summed up by saying that wind farms were inefficient as 30% was about the right mark for all of them. He advised that he had learnt a lot about wind farms recently and that they need back up power. He advised that this was the wrong product in the wrong place. He highlighted that the wind farm would dominate and overwhelm the area and would be exposed. Mr Davies commented that on a clear day he could see people and cars on Ireland with the naked eye which would mean that they would see the windfarm. He concluded by saying that he hoped the community would not be split over the application after determination.

Ms McKinlay summed up by questioning if Members would not approve an 81m high Keil Hotel why they would approve the wind farm.

Mr MacLean summed up by saying that he was in favour of suitably sited wind farms and asked that Members remember the sites and panorama they had seen that day in Kintyre when determining the application.

Ms Taylor summed up by saying that this wind farm, if approved would be in the "front garden" and not the "back garden".

Councillor Kelly asked all parties if they considered that they had received a fair hearing to which they confirmed was the case.

Debate

Councillor McCuish advised that he supported refusal of the application, that it was not in keeping with the local landscape and would be detrimental to it. He advised that £27,000 benefits would not make up for the losses to the landscape.

Councillor Reay advised that Members had a responsibility to protect landscapes within Argyll and Bute, that the application would cause significant damage to the landscape. He advised that the application was by a large company and the benefit to the community would be small in comparison to what they would earn from the wind farm. He advised that he supported refusal of the application, that there was no firm decision over the roads, no firm decision over the borrow pits and that the site was in the wrong place.

Councillor McNaughton commented that the benefits would be significantly out done by the impact on landscape and visual and advised that he supported the recommendation by the planners.

Councillor McQueen advised that he supported the planner's recommendation due to the impact on landscape and visual amenity.

Councillor Kinniburgh advised that the application was not designed to be in keeping with the landscape, that the area was one of natural beauty and that he supported the recommendation by planners.

Councillor MacAlister advised that the site was in an area of panoramic quality and scenic beauty and the application would have a significant visual impact on the land. He advised that he supported the planner's recommendation.

Councillor MacMillan advised that of all the areas they had visited that morning the site had been very prominent from each one. He advised that the wind farm would have a visual impact and that he supported the planner's recommendation.

Councillor McKay advised that he supported renewable energy, that it was the main driver of the economy in the Kintyre area but there was a need to also consider tourism. He commented that the Mull of Kintyre was internationally renowned. He advised that the position of the wind farm would have a dominant presence and that it was in the wrong place, that there were acknowledged areas for wind farms on the spine of Kintyre. He advised that he supported the recommendation by the planners.

Decision

The Committee agreed to refuse the application for the reasons specified in the Planning Officer's report.

(Reference: Report by Head of Planning and Regulatory Services dated 28 January 2011, Supplementary Report 1 dated 16 March 2011 by the Head of Planning and Regulatory Services, Visual Document supplied by the Applicant, submitted)