

MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the TAYINLOAN VILLAGE HALL, TAYINLOAN
on MONDAY, 28 JANUARY 2013

Present: Councillor Sandy Taylor (Chair)

Councillor Gordon Blair	Councillor Alistair MacDougall
Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor Alex McNaughton
Councillor Fred Hall	Councillor James McQueen

Attending: Charles Reppke, Head of Governance and Law
Richard Kerr, Principal Planning Officer
Arlene Knox, Senior Planning Officer
Nicholas Gubbins, Applicants Agent
Paul Sloan, Applicant
Zofia Sloan, Applicant
Hugh MacBrayne, West of Scotland Archaeology Service
Robert McPhail, Supporter
Audrey Dickie, Supporter
Alan Hobbet, Supporter
Robin Nolan, Objector
Edward Tyler, Objector
Katie Pendreigh, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mary Jean Devon, George Freeman, David Kinniburgh, Robert G MacIntyre and Richard Trail.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. NORTH BEACHMORE LLP: ERECTION OF AN 84M HIGH (TO BLADE TIP) WIND TURBINE AND ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS TRACKS, CONTROL BUILDING AND ELECTRICITY INFRASTRUCTURE, CONSTRUCTION COMPOUND, LAYDOWN AREAS AND CRANE PAD: LAND SOUTH/SOUTH EAST OF NORTH BEACHMORE, MUASDALE (REF: 11/02521/PP)

The Chair welcomed everyone to the meeting and introductions were made. Charles Reppke, Head of Governance and Law outlined the procedure that would be followed during the meeting and invited any parties who wished to speak at the meeting to make themselves known; advising that only parties who had previously submitted a representation to the Planning Authority would be entitled to speak.

Planning

Arlene Knox, Senior Planning Officer advised of the location of the site and that there was already a 50m anemometer mast present on the site. She advised that the application was for an 84m high wind turbine, formation of access track, upgrading of existing track, formation of a crane hard standing area at the base of the turbine to facilitate installation, the erection of a control building and a temporary construction compound. Ms Knox advised of the dimensions of the turbine and the layout of the substation. She told the Committee that there had been a total of 137 representations received, 64 in support and 73 against, which included a petition with 11 signatures. She gave an overview of the comments received in support of the application and of the issues raised in the representations made in objection to the proposal. The Committee were advised of an extensive consultation exercise that had been undertaken in respect of the proposal and an overview was given of parties who had been consulted and the comments that had been made in response. Ms Knox advised that the proposal was consistent with Development Plan Policy in terms of ecological impact, ornithological impact, hydrological and hydrogeological impact, management of peat, noise, shadow flicker, television reception, aircraft safety, aerodromes and technical sites, electromagnetic interference with telecommunications systems, road traffic impact, infrastructure; and decommissioning, which could be controlled by a condition and a Section 75 agreement where appropriate. Members were advised that the issues with the proposal were that of effects of the development on landscape character, visual impact, cumulative impact; and built heritage and archaeological impact. Each of these issues were explained in detail and Members were shown a number of slides containing images of viewpoints and photo montages to assist with this. In conclusion Ms Knox advised that overall the proposal was inconsistent with the provision of the Development Plan. She advised that the material considerations in support of the application did not overcome the significant adverse impact and the consequences of the scale and location of the development upon landscape character, visual, cumulative and built heritage and archaeology impact which could not be mitigated by conditions or by way of a legal agreement. She advised that there was no justifiable reason for a departure from the Development Plan. She strongly recommended that planning permission was refused in accordance with the reasons for refusal specified by the Head of Planning and Regulatory Services in his report.

Applicant

Nicholas Gubbins introduced himself as Chief Executive of Community Energy Scotland (CES) and advised that he would be speaking on behalf of the applicants. He advised that Zofia Sloan, Applicant would first provide the Committee with their reasoning for pursuing the project.

Mrs Sloan advised that her husband had lived in Kintyre all his life, she had lived there for 20 years and gave some background to their business. She advised that the proposal was intended to contribute to sustainable living in Kintyre. She advised that their intentions were to use the power from the wind turbine to fuel a mini mill which would process alpaca wool and she added that they had hoped to also create a business selling highland cattle meat. Mrs Sloan highlighted that the proposal was a joint venture with CES to set up a sustainable business in Kintyre which would create jobs and make the most of the opportunities available

in a rural area.

Mr Gubbins advised that Community Energy Scotland (CES) currently supported 300 community groups in Scotland, 30 of which were in Argyll and Bute and he also gave a background to his own employment history. Mr Gubbins advised that in his opinion insufficient weight had been given to the benefits that would come from the proposal and that the adverse visual effects of the proposal had been over exaggerated. Mr Gubbins advised that CES had a long track record of sustainability in Argyll and Bute and that the project was vital to the sustainability of CES in the area through the sale of the turbine. He told the Committee that the cost of maintaining CES' presence in Argyll and Bute was approximately £60K per annum. He advised that CES had put £1.8M into Argyll and Bute through direct funding of projects and currently there were 24 live projects in the area. Mr Gubbins then addressed each of the Planning Officers reasons for refusal. He advised that the applicants had done their best to minimise environmental impact by moving the turbine as far up the hill and as close to the forest as possible. He advised that in his opinion the Landscape Capacity Study was there to assist judgement not used as statutory guidance and had been used as a red card to prevent projects. He added that the impact on the landscape would be very modest and that he felt the impact had been over exaggerated in the Study as the proposal was not to be sited on a small or complex hill. In terms of visual impact he advised that most folk when passing the site would be appreciating the sea views rather than the hills and the effect on the rocky mosaic landscape would be minimal. In terms of the zone of theoretical visibility he advised the proposal would only be visible to 15% of the surrounding area which was a very small proportion and would mostly be seen set against the coniferous landscape. Mr Gubbins advised that views from the A83 had been assessed as slight to moderate while views from the B8024 had been assessed as slight to negligible. He contested that the proposal was not in accordance with Scottish Planning Guidance and advised that the site was not in an area of panoramic quality and that SNH had only advised that this could have an effect on the nearby APQ, not that it was definite. In terms of the access track he advised that this was largely hidden and could not be seen from any of the surrounding view points. In terms of cumulative impact he advised that there was no cumulative impact and that SNH had stated that this proposal was not associated with any of the existing developments and therefore he could not see why there could be any cumulative impact. He advised that in terms of sequential cumulative impact, the same applied. In terms of built heritage impact Mr Gubbins told the Committee that Historic Scotland had advised that there was nothing to say that any effect the turbine would have on existing buildings could not be minimised and that they had not objected to the proposal. He added that he felt that the advice from SNH had been over exaggerated and the advice from Historic Scotland glossed over. Mr Gubbins advised that the view from the West of Scotland Archaeological Service was incorrect. He advised that those who had viewed the site would have noticed that the land surrounding the site had already been modified to an extent to accommodate modern man. Mr Gubbins concluded by saying that the basis for refusal by the Planning Authority could be questioned and that he was concerned over the impact a refusal may have on CES' presence in Argyll and Bute and the Sloan's business. He finished by reading the Council Leader's Christmas quote.

Consultees

Hugh McBrien, West of Scotland Archaeology Service

Mr McBrien advised that an error had been made in the original response which had stated that there had been no consultation with the applicant. He advised that the applicant had contacted the Service for downloads but had not given any detail or purpose and had not asked any questions thereafter. Mr McBrien advised that he intended to present illustrative material and to give advice regarding the area in archaeological terms. He began by showing Members an Ordnance Survey map containing a number of differently coloured symbols and explained what each of the symbols meant. He advised that of all the archaeological sites in Scotland, only 3% of them were designated. He advised that 2 of the sites within range of the proposal which were potential sites at the time the survey was done were now designated sites. Mr McBrien showed Members a number of slides showing images from the various designated and undesignated archaeological sites in the area that surrounded the proposal site and which showed the view towards the proposal/visibility of the proposal. Mr McBrien advised that all the sites showed varying visibility but the point of contention was the lack of consultation from the applicant. He advised that the Service was there to advise on the mitigation of effects of development on archaeological sites and to manage development, not to fossilise the landscape. Mr McBrien then showed some slides showing some cup and ring marks which were currently undesignated advising that this was the second of two concentrated areas in Argyll and Bute for those markings. He advised that the proposal would have a visual impact on these sites.

Supporters

Alan Hobbet

Mr Hobbet of Gigha Renewable Energy Ltd introduced himself to the Committee and gave some personal background. Mr Hobbet advised that he had been involved in the Gigha wind farm project as development manager. He advised that as Development Manager he remembered the consultation undertaken with Historic Scotland and that they had raised no objection to that proposal either. Mr Hobbet advised that he would be speaking in support of the proposal and on behalf of the Director who had been unable to attend as the ferry had not been running due to bad weather. Mr Hobbet advised that the proposal was in keeping with the landscape character and would be a benefit to the local area in both social and economic terms. Mr Hobbet advised that 11 years previously Gigha had a great rate of decline and due to the introduction of the turbines there had been a 60% increase in population and the trust had been pushed into financial sustainability. He advised the CES had been behind the Gigha turbine project and their advice had enabled the project to be delivered. He added that there were a number of communities currently receiving assistance from CES in Argyll, but CES was very vulnerable and needed funding from new projects to continue. Mr Hobbet advised that the income from the project would be ring fenced to support other communities in Argyll and Bute and that the turbine would generate income for 20 years. Mr Hobbet showed the Committee 3 before/after photo montages of where the visual impact of the turbines was considered substantial and added that the Gigha turbines had had no effect on tourism. After showing the photo montages he reiterated that the impact of the turbine

would be slight and that it would not impact on the landscape character.

Audrey Dickie

Ms Dickie advised that she would be speaking on behalf of William McSporrán and read out a statement from him which advised that he was in support of the application. It advised that he could remember the time before there had been tree plantations on the hillside and that changes to the landscape happen over time. At the time the tree plantations had brought jobs to the area, and the turbine would do the same. He had advised that Paul Sloan had worked as a farm hand on Gigha and had worked hard; he had created a construction/building business which had flourished in Kintyre and had employed people. Mr Sloan's business had been one of the three businesses contracted to improve 29 homes on Gigha that were below tolerable standard and to build new homes on the island. Mr Sloan had embraced the project. The suggestion that that the turbines would have an effect on tourism was not true and the biggest change on Gigha following the introduction of turbines had been the change in enterprise and the strength of diversity had been essential. The turbine would diversify the Sloan's business and the income from it be used to fund a mini mill for alpaca wool and the sale of highland cattle meat products. The application was similar to that of Gigha as it would be used for local, social and economic benefit. Mr McSporrán had written that there would be little impact on the landscape character and no effect on tourism as he had seen this from the project on Gigha. He also made reference to the Council Leader's Christmas quote.

Robert McPhail

Mr McPhail advised that he agreed with the other supporters of the proposal and disagreed with the weak reasons for refusal by Planning department. He advised that the economic future or employment could not be sustained in the area and this was an application by a family to assist their business in achieving this. He advised that a refusal would be a vote against enterprise and economic benefit.

Objectors

Robin Nolan

Mr Nolan advised that he had lived in Kintyre for 5/6 years. He advised that the Committee had heard that proposal would have financial benefits to CES and the Sloan's. He advised that planning decisions should be taken on material considerations and not on financial gain to businesses. He advised that the Committee had also heard a lot about the benefits the wind farm on Gigha had had to the community and highlighted that the proposal site was not on Gigha and that the situation on Gigha was completely different. Mr Nolan advised that the Tayinloan and Muasdale community was not in support of the application and that he had calculated that out of the representations of support only 6% of them actually lived in the community and that 75% of the representations of objection lived in the area. Mr Nolan highlighted that CES had threatened the Council in their presentation by saying that if the application was refused then CES would cease to exist in the area. He reiterated that this was not a material

consideration. Mr Nolan advised that he strongly supported the views of Planning which were very clear and that there was no community support for the proposal. He concluded by saying that the wind capacity study clearly showed an area for wind turbines and the proposed site was one that should be resisted.

Edward Tyler

Mr Tyler advised that there was a resident just 620m from the proposed turbine and that there had been no photo montages presented which showed the effects of the turbine on residents. He advised that there was a small community on the impact line of the turbine, less than 2km distance from the site and quoted from guidance that 2km is the minimum distance a turbine should be sited from residential properties. Mr Tyler told the Committee that this was not a community project but was a private land owner, who lived 15km from the site, entering into a joint business venture. He advised that this could not be compared with the project on Gigha as the residents own the island and receive the full direct benefits from the wind turbines, this would not be the case for North Beachmore. Mr Tyler referred to the presentation by West of Scotland Archaeology Service, adding that he himself was an amateur archaeologist, had found new sites himself in the surrounding area and that this area of Kintyre had the same concentration of sites as Kilmartin. He concluded by saying that the proposed turbine would be set in the context of irregular hills and this type of landscape would be affected by the development.

Katie Pendreigh

Ms Pendreigh advised that she was in agreement with the other objectors. She advised that she lived in Tayinloan directly opposite Gigha and that the visual impact of the turbines varied depending on weather conditions. There were times where they were clearly visible and other times where they were barely visible. In terms of the statement made about there being no flicker effect from the turbine she advised that if the sun was to shine onto the proposed turbine from the east it would almost certainly draw your eye from the A83. Finally she advised the work to create the new access road would result in a steep sided valley which had not been properly surveyed.

The Committee adjourned for lunch at 12.50pm and reconvened at 1.20pm.

Questions

Councillor Hall asked Planning that in terms of visual impact, were the comments made in their report objective or could they be subjective. Mr Kerr advised that comments were as objective as they possibly could be but conclusions were reached with the use of maps, zones of theoretical visibility, photo montages and experience from visiting locations. Ms Knox added that the wireline diagrams did not take into account physical features such as trees or buildings which may lessen the impact of a development. Councillor Hall asked Planning if they considered that everything would have some sort of visual impact to which Mr Kerr replied yes, but they need to consider the degree of visual impact something may have and its context.

Councillor Colville asked Planning how they quantify the height of a turbine against a hill. Mr Kerr advised that the Wind Energy Capacity Study assessed the capability of the landscape to accommodate turbines of different scales. He added that it would depend on the elevation of the land and the features of the landscape and generally lower level landscapes would not have capacity accommodate larger scale turbines. Councillor Colville asked what height the turbines on Gigha were to which Mr Hobbet replied that they were between 30m and 54m. Councillor Colville commented that they were almost half the height of the proposal.

Councillor Taylor asked Planning for a definition of cumulative sequential impact. Ms Knox advised that it was the visibility of turbines down a route and the order in which they appear visible. Mr Kerr added that cumulative impact used to be measured in terms of the number of turbines capable of being seen from a given location but as developments had multiplied it is now usual to focus upon how many may be seen by travelling along a certain route.

Councillor Hall referred to a comment Mr McBrien had made about Planning being colleagues. He asked for clarification on the West of Scotland Archaeological Services relationship with the Council. Mr McBrien replied that the Service had a service level agreement in place with Councils in Scotland to provide the best quality advice to them, they were not a statutory consultee and it was the Councils decision whether to seek their advice or not. Councillor Hall asked if Mr McBrien considered that anywhere humans had settled was an area of archaeological interest to which he replied yes but not all areas have structures remaining on them. Councillor Hall asked Mr McBrien if these structures had been built to sustain man at that time and if he considered that the proposal was modern man trying to sustain himself in the present time. Mr McBrien said that he agreed but it was about managing the landscape around a development and mitigating the effects a development may have on the landscape.

Councillor Currie asked Planning for clarification on the use of Policy REN 1 and asked if REN 2 should have been used instead and if some sort of wording should be included to link turbines to agricultural businesses. Councillor Currie asked whether different consideration would be given if the structure had been considered nice to look at. He commented that from the wireline diagram the proposed site was not that far from the wind farm at Tangy and also that it would have been helpful to see some photo montages showing the effect on residents. He also asked for confirmation over whether Scottish Planning Guidance was used as guidance only or was something Councils had to comply with. Mr Kerr advised that Policy REN 1 applied to wind farms that are commercial in effect and which are designed to feed into the grid and that Policy REN 2 applied to turbines where 75% of that output was to be consumed by premises on the same site. He therefore confirmed that Policy REN 1 was the correct Policy as the turbine, although single, was the same size as a commercial turbine and because its output was not intended to be consumed locally. He advised that consideration ought not be given to how attractive a structure was to look at, as that depended upon the subjectivity of the viewer, but rather in terms of how well a large scale structure with a rotating component fitted in against the landscape on which it was proposed. Mr Kerr advised that consideration could not be given to linking the benefits of turbine to an agricultural enterprise as Planning had no control over how any income from a turbine should be used. Councillor Currie

asked if this had been a house, could Planning place a condition which connected it to the turbine and Mr Kerr gave an example of how a condition could be used to exert some control such as the owner of the turbine having to live in the house. Ms Knox then advised that from wireframe diagrams it appears that turbines are visible but in reality some are hidden by features such as trees. Mr Kerr advised that it would have been advantageous to have photo montages available which had shown the effects of the turbine on residents and that they had been requested and not supplied. He added that it was advantageous that there was already an anemometer mast on the site which could give those that had visited the site an idea of the effects on the surrounding area. Mr Kerr confirmed that Scottish Government Planning Policy was a document that all Councils were expected to comply with.

Councillor McNaughton referred to the applicant's offer to reduce the height of the turbine and asked if any pre-application discussions had taken place regarding the height which may have resulted in an application for a more appropriate scale of turbine. Mr Kerr advised that pre-application discussions had taken place, but advised that normally he found that developers had made a commitment to a scale of turbine before consulting planning which made it very unlikely that an applicant would significantly change the scale of a proposal. Councillor McNaughton asked the applicant why only a 5m reduction had been offered to which Mr Gubbins replied that an application for a turbine considerably smaller than the one would mean a totally different project, a much smaller turbine would not be viable for the project.

Councillor MacMillan asked Planning if this proposal would have less of a visible impact than the three turbines that had been approved at Kilkenzie. Mr Kerr advised that the turbines at Kilkenzie had been approved as they related to farm holdings and were of much smaller scale than the one proposed. He added that the landscape at the proposal site was more sensitive than the landscape at Kilkenzie. Councillor MacMillan asked if the excess power produced by the turbines was fed into the grid, to which Mr Kerr replied yes. Councillor MacMillan asked Mr McBrien how the cup and ring marks would be affected by the proposal to which he replied that they would be affected indirectly as the proposal could be viewed from the cup and ring site. Councillor MacMillan asked Mr Gubbins what the profit from the turbine would be used for and he replied that CES put all funds back into projects in Argyll and Bute.

Councillor MacDougall asked if anemometers gave different readings at different levels on a hillside. Mr Gubbins advised that there was a significant difference between the wind speeds at the top of a hill side and the wind speeds half way down. He added that a turbine half way down a hill side would give a much lower output than one at the top of a hill.

Councillor Colville advised that most access roads to wind farms were existing forestry tracks that had been upgraded. He asked the applicant to explain how the cost of creating a new road could be justified given the income that would come from the turbine. Mr Gubbins advised that the cost of the road was included in the financial forecast and was viable. He added that the road had been designed to take the weight of the machinery required to construct the turbine and that the road would be barely visible as the intended route followed a natural gorge which would be barely visible to surrounding houses. He advised that the bellmouth at the access would need to be increased slightly but was

achievable. Councillor Colville also raised the fact that there were no photo montages available showing viewpoints from the A83 and was advised that there would be no visibility from the A83. Councillor Colville advised that from the site visit earlier he had been able to see the site from a variety of points along the A83.

Councillor Currie commented that the cost of the track was not a material consideration and asked for confirmation that agricultural tracks could be built without planning permission. He was advised by Mr Kerr that certain things could be constructed for agricultural purposes without planning permission but only on the basis that they were required for agricultural and no other purposes.

Sum Up

The Chair invited parties still present to sum up.

Planning

Mr Kerr advised that in terms of the Landscape Wind Energy Capacity Study the application was for a large scale turbine. He advised that these large scale turbines were more suited to remote upland areas rather than the lower hills along the coastal route in Kintyre. He advised that the proposal also lay outwith the established pattern of approved turbines, would contribute disproportionately to cumulative impact and therefore reduce capacity for more appropriately located turbines of the same scale. Mr Kerr highlighted the effect the turbine would have on the large concentration of archaeological assets in the area. Mr Kerr advised that applications for larger scale turbines generally are dictated by the availability of land with little consideration given to the capability of the landscape to absorb development satisfactorily. He advised that applications for larger scale single turbines, usually proposed for economic reasons, tend to be in less remote locations where they would have more influence over places where people live, travel through or visit, as they seek to avoid the need for long access tracks or grid connections. Mr Kerr advised that at 84m high the turbine would be out of scale with the lower hills and more sensitive landscape as highlighted in the Capacity Study. Mr Kerr concluded by saying that despite the demand for renewable energy capacity, development in unsuitable locations did not satisfy development plan Policy REN1 or Scottish Government Guidance or the Wind Energy Capacity Study and therefore the application had been recommended for refusal for the reasons as detailed within the report.

Applicant

Mr Gubbins advised that he had not wished to threaten the Council with his earlier comments over the sustainability of CES. He advised that the project was however vital to sustain CES' presence in Argyll and Bute and also to sustain the Sloan's business and not enough weight had been put on this. He advised that in terms of visual impact, there was no impact; that the sequential cumulative impact was slight to moderate along parts of the A83. He advised that the zone of theoretical visibility had only shown visibility of 15% and would actually be less than that when land features were taken into account. Mr Gubbins highlighted that it should be noted that there had been no objection to the proposal from SNH or Historic Scotland. He referred to the offer to lower the height of the turbine to 79m and advised that this would take the turbine into the lower zone of

impact within the capacity study. In terms of community benefit he advised that he had received expressions of interest from 2 other community groups for assistance. In terms of archaeological impact he advised that there was no direct impact and any finds during construction would be dealt with accordingly. Mr Gubbins concluded by saying that approval was vital for the joint venture.

Hugh McBrien

Mr McBrien advised that he had removed a slide from his presentation which had shown the changeable effects on turbines by weather that Katie Pendreigh had referred to and that he now regretted it. He advised that renewable energy was not incompatible with historical considerations but there had not been early enough consultation regarding the proposals to ensure that the correct site had been chosen. He advised that there were sites as close as 500m to the turbine and that the impact on the range of sites had not been taken into consideration in this case. He advised that the proposal was the wrong size in the wrong surroundings and possibly a smaller turbine would have been more suitable.

Allan Hobbet

Mr Hobbett highlighted that the Landscape Capacity Study had been referred to as an important document a number of times. He referred to the offer of reduction in size of the turbine by 5m and pointed out that turbines under 80m were considered as medium scale within the landscape in question and would be seen to have medium or low sensitivity to the area. He advised that in terms of reality of impact the proposal was in accordance with Policy and with the Landscape Capacity Study as it had been shown to have minimal impact. He highlighted that all income to CES would be put back into community projects in Argyll and Bute.

Robin Nolan

Mr Nolan advised that it was vital that development took place in the appropriate place and this proposal was not appropriate for the reasons listed in the report by Planning. He referred to a recent application that had been refused and advised that this proposal had no merits over that proposal. He advised that the suggestion of reduction in height of the turbine would only result in a move from the lower end of the large scale to the higher end of the medium scale in terms of the Landscape Capacity Study. He advised that he felt that if this large scale development was approved it would set a precedent for larger scale developments in the area. He highlighted the lack of community support and that fact that the community would not benefit from the income of the turbine. He added that the financial benefits of the developers were not a material consideration. Mr Nolan advised that the turbine had been very hard to see on the photo montages and that it was hard to judge the impact. He added that it was good that the site visit had taken place as the anemometer mast had been very visible in the rain and wind that morning and would have given a good idea of visual impact of the turbine. Mr Nolan concluded by reiterating his comments that only 3% of supporters had been from the community of North Beachmore and Muasdale; and that 75% of objectors had been from the community.

Edward Tyler

Mr Tyler advised that a number of the letters of support for the proposal had been from companies who had benefited from CES in the past. He advised that CES had two methods of operation; first as a support to communities in the creation of developments and secondly as a business. Mr Nolan advised that in this case CES were operating as a business and that this was very different to the Gigha Heritage Project. He advised that the development at Kilkenzie was low scale in comparison to the proposal. He made reference to the recent refusal of a proposal in North Kintyre of similar size.

The Chair asked all parties if they considered that they had received a fair hearing to which they confirmed that they had received a fair hearing. He invited the Committee to debate the application.

Debate

Councillor Colville advised that he had found this application hard to come to a decision on due to the effects on local business and economy but as this was not a material consideration it could not influence his decision. He advised that as local Councillor he felt from the site visit that the size of the turbine was inappropriate as would be the effect of the turbine on A'Chleit Church. He advised that he felt the turbine would fill the skyline and would stick out and therefore advised that he supported the recommendation by the Planning Department.

Councillor Hall advised that he had the opposite view to Councillor Colville. He advised that his decision was based on the strength of the cases made on the day. Councillor Hall advised that he felt the Planners case was more subjective than objective and not based on fact but theoretical views. He added that everything has a visual impact and that he felt that the visual impact of the proposal was no more significant of other turbines in the area. Councillor Hall advised that he did not agree with the case made by the West of Scotland Archaeology Service and did not find it convincing. He concluded by saying that he did not think the visual impact would be substantial enough to merit a refusal.

Resulting from earlier discussion; Councillor Taylor pointed out that the application was for an 84m turbine and no consideration should be given to a 79m turbine as this would require a new application to be made.

Councillor Currie advised that he had found his decision difficult to come to and that he had found it hard to understand the comment made by planners that this turbine was divorced from the rest of the turbines in Kintyre as this proposal appeared to be in the middle of a group of turbines. He referred to the comments made regarding the economic benefit of the turbines and advised that there was no other reason they would be built for. He advised that he was undecided on the proposal.

Councillor McNaughton advised that he was saddened that pre-application discussions could not have taken place resulting in an agreement over the height of the turbine. He advised that he felt it had a large effect on the community and that he agreed with the recommendation by the Planners.

Councillor MacDougall advised that he agreed with Councillor Currie and that it was a difficult decision to make. He advised that he needed more time to come to a decision and suggested that determination be deferred to a future date.

Councillor Blair advised that he felt the photo montages showed no major issues but he had an issue over the height of the turbine. He advised that he supported the Planner's recommendation.

Councillor MacMillan advised that he did have an issue with the height of the turbine but that folk would get used to this. He advised he supported the proposal.

Councillor Taylor advised that his decision had been swayed by the visual impact and the need to protect some, but not all of the historical sites and artefacts. He advised that he supported the recommendation made by the Planners.

Motion

That the application be refused for the reasons as detailed in the report by the Head of Planning and Regulatory Services.

Moved Councillor Colville, seconded Councillor Blair.

Amendment

That determination be deferred to a future meeting of the Planning Protective Services and Licensing Committee to allow for the formulation of a competent Motion/Amendment in support of the proposal.

Moved Councillor Hall, seconded Councillor MacMillan.

Decision

Following a show of hands vote, the Motion was carried by 5 votes to 4 and the Committee resolved accordingly.

(Reference: Report by Head of Planning and Regulatory Services dated 12 December 2012; and Supplementary Report 1 by Head of Planning and Regulatory Services dated 23 January 2013, submitted)