



**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Customer Services*  
*Executive Director: Douglas Hendry*

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15 May 2019

**NOTICE OF MEETING**

A meeting of the **PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE** will be held in the **COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD** on **WEDNESDAY, 22 MAY 2019** at **11:00 AM**, which you are requested to attend.

Douglas Hendry  
Executive Director of Customer Services

**BUSINESS**

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

**3. MINUTES**

- (a) Planning, Protective Services and Licensing Committee 17 April 2019 at 10.30 am  
(Pages 5 - 10)
- (b) Planning, Protective Services and Licensing Committee 17 April 2019 at 2.00 pm  
(Pages 11 - 14)
- (c) Planning, Protective Services and Licensing Committee 17 April 2019 at 2.20 pm  
(Pages 15 - 18)
- (d) Planning, Protective Services and Licensing Committee 17 April 2019 at 2.40 pm  
(Pages 19 - 20)
- (e) Planning, Protective Services and Licensing Committee 17 April 2019 at 3.20 pm  
(Pages 21 - 22)

4. **ARGYLL HOLIDAYS: USE OF LAND FOR THE SITING OF 40 NO. HOLIDAY CARAVAN PITCHES, FORMATION OF ACCESSES AND ASSOCIATED INFRASTRUCTURE WORKS: HUNTERS QUAY HOLIDAY VILLAGE, HUNTERS QUAY, DUNOON (REF: 18/02596/PP)** (Pages 23 - 72)  
Report by Head of Planning, Housing and Regulatory Services
5. **THE SCOTTISH GOVERNMENT ON BEHALF OF LUC: SECTION 36 CONSULTATION FOR PROPOSED WIND FARM: AIRIGH WIND FARM, SOUTH WEST OF TARBERT (REF: 17/02484/S36)** (Pages 73 - 114)  
Report by Head of Planning, Housing and Regulatory Services
6. **CREAG DHUBH RENEWABLES LLP: PROPOSAL OF APPLICATION NOTICE FOR PROPOSED WIND FARM AND ASSOCIATED INFRASTRUCTURE, WITH OVERALL GENERATING CAPACITY EXCEEDING 20MW: UPPER SUCCOTH, STRACHUR, PA27 8DW (REF: 19/00599/PAN)** (Pages 115 - 120)  
Report by Head of Planning, Housing and Regulatory Services
7. **MINISTRY OF DEFENCE: PROPOSAL OF APPLICATION NOTICE FOR MULTI STOREY CAR PARK: LAND WEST OF THE GUARD BUILDING, H M NAVAL BASE CLYDE, FASLANE (REF: 19/00707/PAN)** (Pages 121 - 126)  
Report by Head of Planning, Housing and Regulatory Services
- E1 8. **ADVERTISEMENT & SIGNAGE POLICY TECHNICAL WORKING NOTE - UPDATE** (Pages 127 - 136)  
Report by Executive Director – Development and Infrastructure Services
- E1 9. **ENFORCEMENT REPORT - REFERENCE 16/00076/ENAMEN** (Pages 137 - 142)  
Report by Head of Planning, Housing and Regulatory Services
- E1 10. **ENFORCEMENT REPORT - REFERENCE 18/00016/ENFMON** (Pages 143 - 150)  
Report by Head of Planning, Housing and Regulatory Services
- E1 11. **ENFORCEMENT REPORT - REFERENCE 11/00292/ENOTH2** (Pages 151 - 162)  
Report by Head of Planning, Housing and Regulatory Services

The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an “E” on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraph is:-

- E1 Paragraph 13** Information which, if disclosed to the public, would reveal that the authority proposes-
- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.

## **Planning, Protective Services and Licensing Committee**

Councillor Gordon Blair  
Councillor Robin Currie  
Councillor Lorna Douglas  
Councillor George Freeman  
Councillor David Kinniburgh (Chair)  
Councillor Roderick McCuish  
Councillor Alastair Redman  
Councillor Richard Trail

Councillor Rory Colville (Vice-Chair)  
Councillor Mary-Jean Devon  
Councillor Audrey Forrest  
Councillor Graham Hardie  
Councillor Donald MacMillan  
Councillor Jean Moffat  
Councillor Sandy Taylor

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**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING  
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 17 APRIL 2019**

**Present:** Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor Roderick McCuish
Councillor Mary-Jean Devon	Councillor Jean Moffat
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Audrey Forrest	Councillor Sandy Taylor
Councillor George Freeman	Councillor Richard Trail

**Attending:** Charles Reppke, Head of Governance and Law  
Angus Gilmour, Head of Planning, Housing and Regulatory Services  
Peter Bain, Development Manager  
Sandra Davies, Major Applications Team Leader  
Alan Morrison, Regulatory Services Manager  
Sybil Johnson, Senior Planning and Strategies Officer  
Andrew Barrie, Planning Officer

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gordon Blair and Graham Archibald Hardie.

**2. DECLARATIONS OF INTEREST**

Councillors Roderick McCuish and Donald MacMillan both declared a non-financial interest in Proposal of Application Notice (PAN) reference 19/00306/PAN as they were Board Members of Argyll Community Housing Association (ACHA). They left the room and took no part in the consideration of this PAN which was dealt with at item 8 of this Minute.

**3. MINUTES**

- a) The Minute of the Planning, Protective Services and Licensing Committee held on 20 March 2019 at 11.00 am was approved as a correct record.
- b) The Minute of the Planning, Protective Services and Licensing Committee held on 20 March 2019 at 2.00 pm was approved as a correct record.
- c) The Minute of the Planning, Protective Services and Licensing Committee held on 20 March 2019 at 2.20 pm was approved as a correct record subject to the inclusion of PC Simpson, Police Scotland, in the list of those attending.
- d) The Minute of the Planning, Protective Services and Licensing Committee held on 20 March 2019 at 2.40 pm was approved as a correct record.
- e) The Minute of the Planning, Protective Services and Licensing Committee held on 26 March 2019 was approved as a correct record.

**4. EDF ENERGY RENEWABLES LTD (VIA SCOTTISH GOVERNMENT CONSENTS UNIT): ELECTRICITY ACT SECTION 36 CONSULTATION RELATIVE TO AIRIGH WIND FARM: LAND SOUTH-WEST OF TARBERT, ARGYLL (REF: 17/02484/S36)**

The Major Applications Team Leader spoke to the terms of the report. Before commencing her presentation she referred to the details of a late objection received from David Wilson of Kilberry which should have been directed to the Energy Consents Unit as they were the decision making body for Section 36 Applications. She confirmed that the objector was advised of this and that he subsequently forwarded his objection to the Consents Unit for consideration. In August 2017, EDF Energy Renewables submitted an application to the Scottish Government Energy Consents Unit (ECU) for Section 36 consent under the Electricity Act 1989 to construct and operate a wind farm development known as Airigh Wind Farm in Argyll and Bute Council administrative area. Since the application was submitted, and since the recommendation of the Council to object to this proposal, the Applicant has taken the decision to make slight amendments to the location of some onsite infrastructure components, the effects of which need to be reassessed. There have also been information requests from various consultees during the consultation period, which the ECU formally requested from the Applicant under Regulation 19 of the EIA Regulations. The Applicant has prepared and submitted Supplementary Environmental Information (SEI) and this is intended to supplement the original Environmental Impact Assessment (EIA) Report (2017). The submission of the SEI has triggered a further round of consultation on the application. In conclusion, whilst the SEI addresses some of the outstanding technical concerns, introduces further information on shared ownership proposals, provides an additional viewpoint and additional visualisations, it is not considered that it presents any additional information to alter the Council's view on the significant adverse landscape and visual impact (including cumulative) of this proposal. There is no change to the recommendation to object to the proposal, however, following the advice of the Council's Landscape Consultant it is recommended that the reasons for objection are amended from those detailed in the main report dated 22 December 2017 to reflect the advice which has been provided.

**Motion**

To agree to object to this proposal for the reasons detailed in the report.

Moved by Councillor David Kinniburgh, seconded by Councillor Alastair Redman

**Amendment**

To agree to continue this application to give Members time to seek advice on the terms of a competent Motion to justify not raising objections to this proposal.

Moved by Councillor George Freeman, seconded by Councillor Lorna Douglas

The Amendment was carried by 8 votes to 5 and the Committee ruled accordingly.

### **Decision**

The Committee agreed to continue consideration of this Application to a future meeting of the Committee to give Members' time to seek advice on the terms of a competent Motion to justify not raising objections to this proposal.

(Reference: Supplementary Report Number 2 dated 4 April 2019, submitted)

**5. MR R MUNN: ERECTION OF DWELLINGHOUSE, FORMATION OF ACCESS AND INSTALLATION OF SEPTIC TANK AND SOAKAWAY: LAND APPROX 82M SOUTH-EAST OF 13 KILMALUAIG, ISLE OF TIREE (REF: 17/02909/PP)**

This application was presented to Members on 20 March 2019 with a recommendation of refusal. The Committee resolved to continue the application to this meeting to allow additional time for the Applicant to submit reasons why he considered that the proposed alternative sites were not suitable. The Planning Officer advised that further to supplementary report number 1 prepared for this meeting, further information was received from the Applicant on 15 April 2019 in support of his application. The additional information comprises of a croft boundary plan, supporting statement with photographs and a croft management plan. As this additional information raises new material planning considerations which will require careful and detailed assessment as well as consultation with the Crofting Commission a request was made to continue consideration of this application to a future meeting of the Committee.

### **Decision**

The Committee agreed to continue consideration of this application to a future meeting of the Committee.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 4 March 2019 and supplementary report number 1 dated 8 April 2019 and supplementary report number 2 dated 16 April 2019, submitted)

**6. GLAISTERS FARMS LTD: ERECTION OF 3 DWELLINGHOUSE:, LAND NORTH-WEST OF ARIZONA, TOBERONOCHY, ISLE OF LUING (REF: 18/01526/PP)**

The Development Manager drew Members' attention to supplementary report number 1 which sought a continuation of this application to a future meeting of the Committee as new information had come to light. Since the original report of handling was prepared, the Planning Service has, for the first time, obtained full unrestricted access into the development site and has identified a deficiency in the information submitted with the application to allow a competent decision to be made.

### **Decision**

The Committee agreed to continue consideration of this application to a future meeting of the Committee.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 1 April 2019 and supplementary report number 1 dated 16 April 2019, submitted)

**7. TSL LTD: SITE FOR PROPOSED RESIDENTIAL DEVELOPMENT: SITE AT LONAN DRIVE, OBAN (REF: 18/02720/PPP)**

The Development Manager spoke to the terms of the report and to supplementary report number 1 which advised of two additional objections received from third parties that had previously objected. Planning permission in principle (PPP) is sought for a residential development on an area of land at Lonan Drive, Oban. As this is an application for PPP it is only seeking approval for the residential development of the land subject of this planning application and not for any specified number, layout or form of dwellings. The proposal has elicited 60 objections, 1 representation and an objection from Oban Community Council. Given the significant interest in the application, with many from local addresses, it is considered that there would be benefit in the matter being addressed by means of a discretionary local hearing.

**Decision**

The Committee agreed to hold a discretionary pre-determination hearing at the earliest opportunity.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 1 April 2019 and supplementary report number 1 dated 16 April 2019, submitted)

Having previously declared an interest in the following item, Councillors Roderick McCuish and Donald MacMillan left the meeting at this point.

**8. ARGYLL COMMUNITY HOUSING ASSOCIATION (ACHA): PROPOSAL OF APPLICATION NOTICE FOR MASTERPLAN AND RESIDENTIAL DEVELOPMENT, INFRASTRUCTURE AND LANDSCAPING ON 2.32 HA OF GROUND: LAND NORTH-WEST OF GLENCRUITTEN RISE, OBAN (REF: 19/00306/PAN)**

The Development Manager spoke to the terms of the report. A Proposal of Application Notice (PAN) seeks to notify the Planning Authority of a proposed application for housing within the settlement zone of Oban. He pointed out a typographical error in the Applicant's submission which should have stated "23.2 ha" of ground and not "2.32 ha" of ground. The site is situated to the rear of the established Glencruitten Rise development on the periphery of the main town centre. The proposed development site(s) which form part of the application boundary are located within Strategic Masterplan Area under MAST 1/11 – Oban, for Education, Housing, commercial including retail, business and industry and more particularly are identified as Potential Development Areas (PDA) 5/3, 5/6 and 5/7. Parts of the identified site also sit within land protected for the future Oban Link Road safeguarding as identified in the Local Development Plan under DRA 5/6. A section of the western boundary of PDA 5/6 is protected under Tree Preservation Order (TPO) 02/99 Ardconnel Hill. No details on the number or location of the proposed housing within the application site has been provided. The report summarises the policy considerations against which any future planning applications will be considered, as well as potential material considerations and key issues based upon the information received to date. It is recommended that Members consider the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the Applicant in finalising any future planning application submission.



### **Decision**

The Committee agreed that the following issue should be taken into consideration by the Applicant in finalising any future planning application submission:

The current infrastructure of the road and access to the proposal development.

(Reference: Report by Head of Planning, Housing and Regulatory Services, submitted)

Councillors McCuish and MacMillan returned to the meeting.

## **9. HOUSES IN MULTIPLE OCCUPATION: TECHNICAL GUIDANCE**

A House in Multiple Occupation (HMO) in terms of planning is where over 5 unrelated people live together in a house or where 3 or more unrelated people from 3 or more families live together in a flat. Consideration was given to a report recommending that a Technical Note, which has been subject to public consultation, be adopted as non-statutory planning guidance. This Technical Note will provide clarity and certainty on what issues will be considered when assessing planning applications for HMO across Argyll and Bute.

### **Decision**

The Committee agreed to:

1. note the content of the report; and
2. approve "Technical Note 3: Houses in Multiple Occupation", as set out in Appendix 1 for use as non-statutory Planning Guidance.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 1 April 2019 and Technical Note 3: Houses in Multiple Occupation dated April 2019, submitted)

## **10. PLANNING PERFORMANCE FRAMEWORK 2017/18**

A report containing feedback from the Scottish Government in relation to Planning Services 7<sup>th</sup> Annual Planning Performance Framework (PPF) was considered.

### **Decision**

The Committee agreed to note and publicise the positive feedback from the independent review.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 14 March 2019, submitted)

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COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 17 APRIL 2019**

**Present:** Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Roderick McCuish
Councillor Robin Currie	Councillor Jean Moffat
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Audrey Forrest	Councillor Sandy Taylor
Councillor George Freeman	Councillor Richard Trail
Councillor Donald MacMillan	

**Attending:** Charles Reppke, Head of Governance and Law  
Graeme McMillan, Solicitor  
Lukasz Belina, Applicant.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gordon Blair, Mary-Jean Devon and Graham Archibald Hardie.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI OPERATOR LICENCE (L BELINA, BOWMORE, ISLAY)**

The Chair welcomed everyone to the meeting and introductions were made. He then outlined the procedure that would be followed and invited the Applicant to speak in support of his application.

**APPLICANT**

Mr Belina explained that he was applying for this licence for a mini bus as he would like to expand his business. He advised that he had already taken bookings that required a mini bus in case his application was approved. He indicated that the vehicle could accommodate up to 8 people including the driver. He referred to his previous hearing for his other operator licence when he produced facts and figures in support of his application. He said that last Friday there were no taxis available at all and that his driver had taken 5 or 6 calls as everyone was so busy. He advised that there was an additional scheduled flight between Edinburgh and Islay and that starting from the summer there would be a third flight between Glasgow and Islay. He indicated that the majority of their calls were to the airport and ferry terminals and that was why he was asking for his application to be approved.

## MEMBERS' QUESTIONS

Councillor Redman referred to a huge industrial growth on Islay and sought and received confirmation from Mr Belina that it was safe to say that there was ample demand for his service.

Councillor Colville referred to Mr Belina already having two vehicles and asked why he could not just swap one of these for this larger vehicle or did he have another driver in mind for this additional vehicle. He also commented that if this licence was granted this would permit Mr Belina to operate throughout the Mid Argyll, Kintyre and the Islands area. He asked Mr Belina if it was his intention to restrict his operations to Islay. Mr Belina advised that he was based on Islay and that he sometimes organised transport over to Jura. He also advised that he had 3 additional drivers that worked on a roster 4 days on and 4 days off. He said that he has had to turn jobs down due to not having enough vehicles. He advised that some of his bookings were made to hire a taxi all day.

Councillor Colville referred to Mr Belina being a fireman and asked for his assurance that he would not work at night as a taxi driver after a full day's work as a fireman. He indicated that the job of a taxi driver was very important and that people were putting their lives in a taxi driver's hands. Mr Belina advised that when he worked as a fireman someone else was doing the driving. He said that they operated 24 hours per day in order to give people the opportunity to travel between Bowmore and Islay. He said that if he is working as a fireman during the day he would not be doing the night time runs. He advised that quite often in his role as a fireman he was on call so could not commit himself to do long taxi runs. He said that he would do the local runs and apart from that there was someone else who could drive.

Councillor Kinniburgh referred to Mr Belina already having bookings for this vehicle and asked if a private hire operator licence would be more appropriate. Mr Belina said that a private hire operator licence would be sufficient but it would now allow him to send a vehicle to sit at the taxi ranks or at the airport. He referred to people having to wait 20 to 40 minutes for a taxi to arrive. He advised of staff at the airport/ferry terminals giving people lifts for free as there were not enough taxis and that was why he was applying for a taxi operator licence.

Councillor Kinniburgh referred to Mr Belina establishing a need for taxis at the airport at the last hearing and asked him to expand on that. Mr Belina referred to doing observations before applying for the licence. He advised that during the quiet months of September, October and November, every second day there was no taxi and people were hanging about. He advised that the taxi companies were well advertised for people to call themselves.

Councillor Kinniburgh asked if it was the norm that people phoned for taxis to come and get them or did they approach taxis on the rank. Mr Belina said that quite often taxis would be waiting for people to get off the plane or they would be sitting on the stance. He advised that it can be quite busy in the summer when there are no vehicles as they are committed to full day hires. He advised that as there were now 4 flights a day working at the airport can be a full time job.

Councillor Kinniburgh asked Mr Belina if he got a lot of requests for full day hires. Mr Belina advised that so far he has had 5 and that he had another 6 or 8 booked. He said that he has also had quite a few requests for prices so was anticipating more

bookings. He advised that the tours involved picking up customers from the airport and taking them around the distilleries and waiting for them while they toured the distilleries. He advised that the customers hired the taxi for the day and were charged per hour.

Councillor Currie said to Mr Belina that he has always been impressed by his presentations and asked him if he would agree that having a taxi rank at the airport would be a good thing. He commented that 36,000 visitors came through the airport per year and pointed out that Stornoway always had rows of taxis waiting there. He also said that a lot of people arrived on the island and did not think about organising taxis in advance. Mr Belina agreed with Councillor Currie's observations.

### **SUMMING UP**

Mr Belina asked if his application could be positively accepted as he felt it was important for his business to expand. He said that he wanted to honour the 6 bookings he had already made and that he hoped that more people would want to hire the bus for full day hires.

Mr Belina confirmed that he had received a fair hearing.

### **DEBATE**

Councillor Redman indicated that he was a Councillor who lived on Islay and that he had witnessed huge economic growth on the island. He advised of recently attending the opening of a new distillery and commented on the island benefiting from flights between Edinburgh and Islay. He said that this was very much a growing economy and that it was his opinion there was a huge demand for taxis. He advised that Mr Belina was clearly an honourable man who knew his business inside out. He said that Mr Belina should be encouraged and that he recommended that the application be granted. Councillor Moffat seconded Councillor Redman's Motion.

### **DECISION**

The Committee unanimously agreed to grant a Taxi Operator's Licence to Mr Belina.

(Reference: Report by Head of Governance and Law, submitted)

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**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING  
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 17 APRIL 2019**

**Present:** Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Roderick McCuish
Councillor Robin Currie	Councillor Jean Moffat
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Audrey Forrest	Councillor Sandy Taylor
Councillor George Freeman	Councillor Richard Trail
Councillor Donald MacMillan	

**Attending:** Charles Reppke, Head of Governance and Law  
Graeme McMillan, Solicitor  
Peter Clark, Applicant  
Sgt Iain MacNicol, Police Scotland

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gordon Blair, Mary-Jean Devon and Graham Archibald Hardie.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI DRIVER LICENCE (P CLARK, OBAN)**

The Chair welcomed everyone to the meeting and introductions were made. He then outlined the procedure that would be followed and invited the Applicant to speak in support of his application.

**APPLICANT**

Mr Clark advised that Mr Carmichael, who owned Argyll Taxis, Oban, had asked him to do relief work when he retired. He said that at that time he had penalty points on his driving licence so sought advice from Council staff. He said that he had been advised that because of these points there could be objections to his application. He advised that because of this he had waited until the points were no longer on his licence before applying. He advised that as the points were now off his licence he did not realise he still needed to declare them on his application form.

**POLICE SCOTLAND**

Sgt MacNicol referred to a letter of representation submitted by the Chief Constable which advised of the circumstances surrounding a conviction as a result of an incident which took place on 24 February 2016 which led to the Applicant being fined and having his licence endorsed.

## **MEMBERS' QUESTIONS**

Councillor Currie referred to the Chief Constable's letter advising that the speed limit at Kilmelford was 30 mph. He commented that he thought the speed limit had been 40 mph up until 2018 and that it had not been 30 mph in 2016. Sgt MacNicol advised that he was sure Councillor Currie was mistaken.

Councillor Currie asked if it was after 3 years that points came off your driving licence. Sgt MacNicol explained that penalty points for a charge of speeding were valid for 3 years for counting up purposes but still remained on the licence for 4 years. He advised that if someone accrued 12 points within a 3 year period then people were liable to lose their licence and get banned through the courts. He said these points were valid for counting up purposes but still remained on the licence for a period of 4 years so that a history of a driver's convictions could be seen.

Councillor Trail asked Mr Clark if, after 32 years of driving, he only had one speeding conviction. Mr Clark advised that he had actually been driving for 42 years and that during this time he has had 2 speeding offences.

Councillor Colville sought and received confirmation from Mr Clark that he was caught speeding as he was slowing down coming into the village.

Councillor Kinniburgh referred to a recent meeting of the Helensburgh and Lomond Area Committee when a presentation was given by Police Scotland. He said that they had been told that if a person was caught speeding between 30 and 39 mph they would be issued with a caution, between 40 and 49 mph they would receive a fixed penalty and anything above would go to court. He commented that this seemed to have been what happened in this case. Sgt MacNicol confirmed that guidelines were issued by the Advocate and that speeding was dealt with on a graduating case.

Councillor Kinniburgh sought and received confirmation from Mr Clark that he was caught speeding coming into a 30mph zone.

## **SUMMING UP**

### **Police Scotland**

Sgt MacNicol advised that this was a representation to let the Committee know of the fact that the Applicant had been convicted of speeding in 2016. He confirmed that the points were no longer valid on his driving licence but he wanted to let the Members know that an offence had occurred. He pointed out that Mr Clark, by his own admission, had not declared this conviction on his application form.

### **Applicant**

Mr Clark said that he had assumed that as his points were off his licence he did not need to declare them on this application form and that this had been an oversight on his part.

When asked, both parties confirmed that they had received a fair hearing.



## **DEBATE**

Councillor McCuish advised that he was comfortable with this application that it should be granted. He said that he had noted Mr Clark's reason for not declaring his conviction on his application form and that he was happy to see that Mr Clark had waited until his points had come off his driving licence before applying. He advised that he understood Police concerns about speeding and commented that 2 speeding convictions after 42 years of driving was quite good in his opinion.

Councillor Trail stated that speeding was one of things people always came and complained to Members about on a regular basis. He said that he would never make light of speeding offences and he hoped that Mr Clark would take this on board. He advised that he had no objection to granting this application.

Councillor Freeman said that he concurred with Councillor Trail and advised that he certainly did not condone speeding at 60 mph in a 30mph zone which, he said, was excessive in his opinion. He advised that speeding was brought to Members' attention time and time again at Community Council meetings. He said that given this offence was 3 years ago now he was happy to go along with the Applicant. He commented that if this had been an existing taxi driver that had been caught speeding there would have been every chance that the Police would have highlighted this to the Committee and recommended the withdrawal of the licence. He advised that the Applicant should take note of that.

Councillor Kinniburgh said that speeding was a very serious offence especially at a speed which resulted in going to court. He said that given that this offence was 3 years ago and, due to the Applicant's long driving history and number of convictions had during that time, he moved that the licence be granted. Councillor Redman seconded Councillor Kinniburgh's Motion.

## **DECISION**

The Committee unanimously agreed to grant a Taxi Driver's Licence to Mr Clark.

(Reference: Report by Head of Governance and Law, submitted)

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COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
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**Present:** Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Roderick McCuish
Councillor Robin Currie	Councillor Jean Moffat
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Audrey Forrest	Councillor Sandy Taylor
Councillor George Freeman	Councillor Richard Trail
Councillor Donald MacMillan	

**Attending:** Charles Reppke, Head of Governance and Law  
Graeme McMillan, Solicitor

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gordon Blair, Mary-Jean Devon and Graham Archibald Hardie.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: REQUEST FOR SUSPENSION OF TAXI DRIVER LICENCE (H MACINTYRE, DUNOON)**

A suspension hearing in respect of this application was adjourned on 20 March 2019 until the outcome of a court case was known. The Head of Governance and Law advised that an update from Police Scotland in respect of the court case had still to be received. He also advised that the Licence Holder had been admitted to hospital over the weekend and his Solicitor was seeking a further adjournment of this hearing in these circumstances.

**DECISION**

The Committee agreed to adjourn this hearing to another day.

(Reference: Report by Head of Governance and Law, submitted)

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**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING  
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 17 APRIL 2019**

**Present:** Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Roderick McCuish
Councillor Robin Currie	Councillor Jean Moffat
Councillor Audrey Forrest	Councillor Alastair Redman
Councillor Donald MacMillan	

**Attending:** Charles Reppke, Head of Governance and Law  
Graeme McMillan, Solicitor  
Jane MacLeod, Licence Holder's Solicitor

**1. APOLOGIES FOR ABSENCE**

Apologies for Absence were intimated on behalf of Councillors Gordon Blair, Mary-Jean Devon, Lorna Douglas, Graham Archibald Hardie, Richard Trail, Sandy Taylor and George Freeman.

**2. DECLARATIONS OF INTEREST**

Prior to the meeting Councillor George Freeman declared a non-financial interest in item 3 as he had raised an objection to the application. Having submitted his apologies he was not present at the meeting.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR AMENDMENT OF A STREET TRADER LICENCE (R SERAPIGLIA, LARBERT)**

The Chair welcomed everyone to the meeting and introductions were made. He then outlined the procedure that would be followed and invited the Applicant's Solicitor to speak in support of their client's application.

**APPLICANT'S SOLICITOR**

Jane MacLeod informed the Committee that she had received instruction from her client to request that the application in relation to Pier Road at Tarbet is withdrawn as the Loch Lomond and Trossachs National Park is listed as an objector.

Regarding the application in relation to the location at Pier Road, Luss; Mrs MacLeod requested that the Committee adjourn for one month to enable her client to explore alternative locations with the Roads and Planning Department. She also made the Committee aware that the Chief Executive of Luss Estates has received her client's contact details and agreed to hold discussions with her client to see if they can improve on the amendments to the application.

**DECISION**

The Committee agreed to continue deliberation of this request for an amendment of a street trader licence until the next month.

(Reference: Report by Head of Governance and Law, submitted)

**Argyll and Bute Council  
Development and Infrastructure Services**

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 18/02596/PP

**Planning Hierarchy:** Major

**Applicant:** Argyll Holidays

**Proposal:** Use of land for the siting of 40 no. holiday caravan pitches, formation of accesses and associated infrastructure works.

**Site Address:** Hunters Quay Holiday Village, Hunters Quay, Dunoon, Argyll.

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## **DECISION ROUTE**

### **(i) Local Government Scotland Act 1973**

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#### **(A) THE APPLICATION**

##### **(i) Development Requiring Express Planning Permission**

- Use of land for the siting of 40 no. holiday caravan pitches, formation of accesses and associated infrastructure works;
- Removal of 88 trees.

##### **(ii) Other specified operations**

- Tree planting scheme providing 400 no. mixed species;
  - Connection to public sewer and public water supply;
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#### **(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations it is recommended that, subject to a discretionary hearing taking place, Members approve the associated Area Capacity Evaluation (ACE) and subsequently that planning permission be granted subject to the conditions, reasons and advisory notes set out below.

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#### **(C) HISTORY:**

There is a substantial planning history to this site with the most relevant applications detailed below.

Outline planning permission (ref. 118/81) was granted on 10<sup>th</sup> June 1981 for the siting of 150 holiday chalets close to Hafton House.

Reserved matters (ref. 118/81) for the erection of 63 timber lodges, 4 dwellinghouses with associated roads and services, related recreational facilities and outline landscape proposals was granted to Eurecosse Business Agencies Ltd on 14<sup>th</sup> April 1982.

A detailed 'Masterplan' application (ref. 04/02439/DET) was refused on 5<sup>th</sup> September 2006 due to visual impact and serious adverse impact on the integrity and appearance of the woodland habitats and species including Pipistrelle Bats and Red Squirrel.

Planning permission (ref. 07/00373/DET) for the retention of 31 static caravans (amended 'as-built' layouts previously approved under 00/01899/DET), temporary caravan transit parking; and the erection of 8 chalet lodges, installation of new water storage tank and septic tank was granted on 10 July 2007.

Planning permission (ref. 07/00379/DET) for the formation of three 'holiday villages' comprising 66 static caravans, formation of vehicular accesses, earth works/remodelling and tree planting/landscaping was granted on 29<sup>th</sup> June 2007 and implemented.

A planning application (ref. 15/03186/PP) for a change of use of land for the formation of 8 holiday caravan pitches (Beechcroft) and associated works, granted 23<sup>rd</sup> June 2016.

Planning permission (ref. 15/03503/PP) to vary condition 9 relative to planning permission ref. 07/00379/DET to allow static caravans to be occupied for holiday use for 12 months of the year, granted 14<sup>th</sup> June 2016.

17/01653/PAN Change of use of land for the formation of holiday caravan pitches and associated works, closed 23<sup>rd</sup> June 2017.

17/01985/SCREEN Screening opinion for the change of use of land for formation of holiday caravan pitches and associated works issued 18<sup>th</sup> September 2017.

There have been numerous Tree Preservation Order requests to fell, lop or prune trees that were affecting caravans or chalets. The vast majority of these requests have been approved but the applicant has been advised that the siting of caravans close to tree canopies and root systems will inevitably result in further TPO requests.

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**(D) CONSULTATIONS:**

**Roads Bute and Cowal** (response dated 15<sup>th</sup> January 2019): No objections subject to condition requiring 2 parking spaces to be provided adjacent to each caravan which is covered by an appropriate condition. The development is served by an acceptable internal private access.

**Scottish Water** (response dated 4<sup>th</sup> January 2019): No objection in principle. Sufficient capacity in Loch Eck Water Treatment Works. Proposed development will be serviced by Dunoon Waste Water Treatment Works but SW unable to confirm capacity. Comments regarding surface water and general advice.

**Local Biodiversity Officer** (response dated 24<sup>th</sup> January 2019): Confirms involvement with the pre-application process and has advised the applicant on a range of biodiversity and ecological issues. In summary, the proposed development site is listed on the Ancient Woodland Inventory with the woodland protected under a Tree Preservation Order. The site is also under a Woodland Management Plan which has been implemented in part for the removal of *Rhododendron ponticum* (an invasive non-native species which by its very nature compromises biodiversity by excluding any natural regeneration or habitat expansion associated with this type of woodland) and trees which were either dead or pose a safety issue for the public who can access the site. The woodland management works has presented the applicant with an opportunity to restock as per the proposed planting scheme, protection of existing trees and the retention and use of the reed bed as



part of the SUDs allied with the creation of a pond as an additional habitat, these are considered a net gain allied with the advisory note for bird and bat boxes. In terms of the application, the current management of the woodland has provided an opportunity to increase their established holiday accommodation business.

Recommends that the applicant provides bird and bat boxes and that the information submitted provides a supporting base for a CEMP.

**Loch Lomond and The Trossachs National Park** (response dated 15<sup>th</sup> March 2019) : No objections. Suggest that the entrance to the extension is protected by suitable screening to protect views from Strone which lies within the National Park.

**Forestry Commission Scotland** (response dated 21<sup>st</sup> March 2019): Concern regarding loss of woodland cover. Recommend a condition requiring suitable compensatory planting to offset the permanent woodland loss due to the proposal.

**The Woodland Trust** (response dated 23<sup>rd</sup> January 2019): Objects to the application in question on account of the potential for this development to impact on an area of 2b LEPO (Long-Established of Plantation Origin) known as Camas Rainich Wood, designated on Scottish Natural Heritage's Ancient Woodland Inventory (AWI).

**Scottish Natural Heritage** (response dated 17<sup>th</sup> January 2019): No comments to make.

**Hunters Quay Community Council** (email dated 7<sup>th</sup> January 2019): Concerned about this development and its many subsequent impingements, etc. on and further disruptions to our community and environment. Not least its additional traffic problems on our narrow, ancient main roads through our residential and many tourist accommodation. This will lead to more unsafe driving and road blocking due to even more queuing on Marine Parade by Western Ferries at times of change at the Holiday Park.

The community council has canvassed residents and we have received much verbal adverse comment from them that, as we councillors also do, strongly object to this application.

There has been extreme difficulty in downloading this application. This is exacerbated by the volume of material. It is felt that there is now little time to consider properly and fully the proposal. As such we request an extension (granted). The e-mail from Hunters Quay Community Council is dated 6<sup>th</sup> January 2019. Additional views awaited.

**Sandbank Community Council** (expiry date 24<sup>th</sup> January 2019): No response.

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**(E) PUBLICITY:**

The application was advertised under Regulation 20(1) Advert Statement (publication date 18<sup>th</sup> January 2019, expiry date 8<sup>th</sup> February 2019). Neighbour notification expired on 22<sup>nd</sup> January 2019.

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**(F) REPRESENTATIONS:**

There have been a total of 62 representations with 39 objections and 23 in support of the proposals. The names and addresses are contained in the Appendix.

The concerns and issues raised by the objectors are summarised below:

- *Cammesreinach woodland is classified as Long Established of Plantation Origin (LEPO) under the Natural Capital Committee's (NCC) 1986 Ancient Semi-Natural Woodland (ASNW) assessment. The woodland is mature and consists in the main of a mosaic of mature Scots Pine/Birch, Oak and Larch. Previous silvicultural management of the woodland has led to a natural woodland appearance with a woodland structure of several age classes of trees and a shrub layer. The woodland structure provides a high amenity value for walkers and visitors, makes a significant contribution to the wider landscape and provides a valuable habitat for fauna such as red squirrel and very importantly, Pipistrelle bats which are classed as European protected species and receive full protection under the Conservation (Natural Habitats and Conservation) Regulations 1994 (as amended).*

Comment: See assessment under Sections C & D.

- *Cammesreinach woods also support over 100 species of Vascular plants with 50 plus mosses and liverworts, all essential to the biodiversity and ecosystem of these woods and the whole area.*

Comment: See assessment under Section C

- *Recreation: the local community currently heavily use the woodlands for informal recreation and as such it is surprising and very disappointing the neighbouring householders (namely Eccles Road and Victoria Road) have not been sent 'Neighbourhood Notifications' regarding the likely loss of this amenity. In addition the exclusion of members of the public from a recognised recreational resource may have implications under Part 1 of the Land Reform (Scotland) Act 2003. It is a widely held view that woodlands and natural spaces such as these benefit the mental health and well-being of the community as a whole.*

Comment: Neighbour Notification was carried out as per the regulations. The application was also advertised. This is a holiday village which is accessible to the public. The well-being of the public in relation to the recreational use of Camas Rainach Woods is a minor material consideration in the assessment of this application. It is not considered that the development will have any significant impact on the recreational use of these woods or on well-being.

- *Landscape and Visual Assessment: Cammesreinach woodland is very prominent in the landscape and the proposed development as it stands will result in significant changes to the contribution that the woodland makes to the character and quality of the wider landscape. This area is visible not only from Gourock but Kilmun, Strone and indeed Cove and Kilcreggan. The woodland backdrop to Hunters Quay, when viewed from the Clyde always fills visitors with awe, a vista which is so typical of Scotland's beautiful and iconic landscape that should not be compromised.*

Comment: See assessment under Section D.

- *This area of woodland has also been protected by Tree Preservation Orders (TPOs). National Planning Policy Guidelines (NPPG) 14: Natural Heritage states that "planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands have the greatest value for nature conservation". Though not a specific natural heritage designation, ancient and semi-natural woodland interests are covered under other designations such as Sites of Special Scientific Interest (SSSIs). NPPG 14 also indicates that development plans should "provide for the conservation of biodiversity and the protection and enhancement of the natural heritage out with designated areas".*

Comment: See assessment under Sections C & D.

- *As residents of Eccles Road we have already seen the impact of the continuing expansion of Hunters Quay Holiday Park, an increase in the number of pedestrians who come through the woods at the North end of Eccles Road, through the ground of Renfield House thinking it is a short cut to Western Ferries and Dunoon. We have also noticed an increase in the level of noise from the existing caravans and chalets. Should you grant this application, this inconvenience to local residents and the intrusion into private properties would greatly increase, notwithstanding the huge impact on the wildlife flora and fauna with which Cammesreinach woods are so rich.*

Comment: See assessment under Sections B, D & J.

- *Hunters Quay Holiday Park is a bad neighbourhood development. I have been an adjoining neighbour of this development for the past 20 years and during this period all issues arising from this developer including flooding due to non-maintenance of drainage ditches and trees fallen into my garden from their land have been completely ignored. There are trees that have fallen into neighbouring gardens from 5 years ago that have still been left lying and have destroyed private fencing without any action been taken.*

Comment: See assessment under Section F, G & J.

- *Previous planning consent that has been awarded to this development had included a woodland management program condition that to my knowledge has not been adhered to.*

Comment: See assessment under Section C & D.

- *Previous Planning consent for this additional village has already been refused by Argyll and Bute Planning Dept.*

Comment: This point is noted. Each application is judged on its merits against development plan policy and other material considerations. See also the assessment.

- *The visual impact of this holiday park is already quite alarming and I would suggest that its appearance resembles more in common of a military barracks than any holiday village that I have seen, the tranquil woodland setting that this developer promotes is far from reality with almost all of the original woodland having been destroyed.*

Comment: See assessment under Section B.

- *The privacy impact of this development would grossly intrude on my property and indeed several other properties within Cammesreinach Crescent, with overlooking caravans straight into the bedroom windows of these properties and holidaymakers taking shortcuts through our gardens as is already happening.*

Comment: See assessment under Section B.

- *The noise impact of this development would be unacceptable, as already stated, bedrooms within all properties at Cammesreinach Crescent are to the rear and would be directly facing this new proposed village. Due to the constant thinning out of the woodland and felling of trees within, the noise levels that already exists from regular weekend events at the main buildings is extreme and this along with regular fireworks being set off late into the night has not been addressed by the owners of the Park who seem to have no consideration for those living nearby.*

Comment: See assessment under Section J.

- *The nuisance of light pollution emitting from street lighting and from car headlights at the proposed 96 car spaces would shine directly and glare through all our bedroom windows during the evening, adversely affecting the quality of our living.*

Comment: See assessment under Section J.

- *Environmental impact of any further development at this site would be catastrophic, there has already been a steady decline of the protected and natural wildlife within the woodland due to the already over-development and destruction of this natural woodland. Trees and shrubbery have been cut down needlessly and proper woodland management has been unheeded.*

Comment: See assessment under Sections B, C & D.

- *I consider this development could present a major fire hazard as its location within the park being so remote may prevent any emergency services reaching the area quickly enough to prevent a major disaster thus any ensuring fire could spread rapidly within reach of properties at Cammesreinach Crescent and also Victoria Road.*

Comment: There is access for emergency vehicles.

- *Scottish Water have failed to provide my property and also neighbouring properties with the minimum guaranteed standard of 1 bar water pressure during the past 3 years despite many complaints from myself and my neighbours to resolve the problem along with communications by Councillor Alan Reid. I consider that any further demand on the current water supply to this area would only exasperate the current situation.*

Comment: Scottish Water has advised no objections in terms of water supply with Loch Eck having sufficient capacity. The issue of water pressure is a civil matter between residents and Scottish Water.

- *Infrastructure – I consider that current infrastructure with regards to Western Ferries is already inadequate at certain peak times in relation to the volume of holidaymakers at this Park departing on mass at the same time, causing major traffic congestion on Marine Parade waiting to enter the inadequate marshalling area at the ferry. These spikes not only cause traffic congestion but also cause severe delay to local residents that live in this area and commute daily to their work. While a delay of an hour or so would have very little impact on any holidaymaker it would however have severe consequences on daily commuters arriving 2 hours late for work on a regular basis. In my opinion local residents do contribute more to our local economy than peak time holidaymakers and should therefore be given important consideration. Any further expansion of this holiday village would only cause further disruption.*

Comment: The Area Roads Manager has indicated no objections.

- *Camas Rainach Woods are a source of recreation for many in Hunters Quay and environs. Such well known recreation spaces are necessary for the health and wellbeing of the public;*

Comment: See assessment under Sections C & D. The well-being of the public in relation to the recreational use of Camas Rainach Woods is a minor material consideration in the assessment of this application. It is not considered that the development will have any significant impact on the recreational use of these woods or on well-being.

- *Camas Rainach woods are protected by Tree Preservation Orders therefore to remove these trees would contravene regulations.*

Comment: See assessment under Sections C & D.

- *15 residents / owners in Manor Park consider that this is a very quiet residential area where the majority of the residents are elderly, 15 residents / owners in Manor Park consider that if approved, will increase the amount of traffic both motor and pedestrian to the area and also increase noise levels and the risk of nuisance behaviour in this currently peaceful area.*

Comment: The Area Roads manager has indicated no objections. See also the assessment under Section J.

- *I strongly feel that the number of caravan pitches, caravans, lodges, etc., on this applicants Hunters Quay Holiday Village Site is currently, even without further development, completely out of proportion to the actual original village of Hunters Quay with its current population totalling approx. only 900 residents, its narrow "twisting" road network, its number of existing hotels, holiday accommodation, absence of any shops, and its mainly retired community, etc..*

Comment: See assessment under Sections A & B.

- *From the response to a FOI to the A&B Planning Department dated 13/02/2012 there were 17 licensed such sites in Cowal alone, licensed for 1893 "caravans". Of these Hunter Quay Holiday Village were the largest, then licensed for 686 "caravans". This excluded the number of holiday "chalets" also on this site. I am aware that now the number of "caravans" on site is well in excess of 850 plus chalets.*

*The following figures are interesting and relevant:-*

*If 2 people occupied each "van" total for Cowal would be 3786 and for HQHV 1372.*

*If 3 people occupied each "van" total for Cowal would be 5679 and for HQHV 2058.*

*If 4 people occupied each "van" total for Cowal would be 7572 and for HQHV 2744.*

*If 5 people occupied each "van" total for Cowal would be 9465 and for HQHV 3430.*

*I am aware that these figures are out of date and now the number of "vans" (plus chalets) on the HQ Site are many more than a total of 686 and that many of these "van" can and do at busy times have more than 5 occupants.*

*An increase of 45 "vans" if this application is approved would add considerably to the above figures which would as already stated seem totally inappropriate to this semi-rural relatively low populated area, and will add further to congestion on its narrow road network, increase pollution from increased transport requirements, further weaken the already declining Hotel and tourist accommodation facilities in the Hunters Quay area, further reduce the property values and residential attractiveness of the area to new residents which has reduced considerably in recent years and would and may be more appropriately added elsewhere in Cowal or Argyll which has much more need, even on one of the applicants many other "sites" .*

Comment: Each application is assessed on its merits against development plan policy and other material considerations. See also the assessment under Sections B, C, E & K.

- *If this proposed development is allowed to proceed it will give easy exit from, or entrance to, the HQ Holiday Village, onto existing residents' back gardens, which it will overlook, and though existing pathways, etc., onto Victoria Road at many places. These could then become an uncontrolled and non-monitored major foot exit / entrance which surely is undesirable to both the Holiday Village owners and their security personnel, as well as currently generating fear among many HQ residents in these areas. The Police are already no strangers to the Caravan Park, this would only make it more difficult for them to deal with some of the more undesirable "holiday makers".*

Comment: It is not clear if the comments are a reference to possible anti-social and criminal behaviour. This is a matter for the Police and the Park owners.

- *The Holiday Village has to date done nothing to improve the life of, or been of benefit to, residents of the Hunters Quay area.*

Comment: It is considered that the Holiday Village has a positive economic benefit to the area.

- *Road traffic and congestion has drastically increased to the extent that residents cannot at times drive from or to their property and traffic regularly uses the narrow pavements as a road extension. Atmospheric pollution has increased. Litter on the roads, on the shore, into adjacent gardens and entrances has vastly increased.*

Comment: The Area Roads Manager has indicated no objections.

- *The pavements are inadequate for the now current foot traffic with families, baggage, pushchairs and animals etc. who of necessity use the roadway causing potential danger to themselves and the passing traffic. Any increase, as proposed, will therefore make life for local residents even more untenable.*

Comment: The Area Roads Manager has indicated no objections.

- *The water pressure from the mains adjacent to the proposed development is at times currently inadequate to the extent that local residents cannot use washing machines and the main street fire hydrants do not work. Even if the HQ Village can provide its own water supply and sewage drainage to the proposed development, which it would have to, surely a working at all times, adjacent fire hydrant would be beneficial?*

Comment: Scottish Water has advised no objections in terms of water supply with Loch Eck having sufficient capacity. The issue of water pressure is a civil matter between residents and Scottish Water. The issue of a fire hydrant is a matter for the owners to consider.

- *The water runoff from the slopes behind through the property of the residents of Hunters Quay due to the earth works and deforestation within the Holiday Village to date has drastically increased as far down as Marine Parade. Currently it is now totally unacceptable and has totally overcome the traditional land drainage systems originally installed to the extent the residents have had to cut channels round their properties and keep them clear and draining down their drives onto the roads whose drains can then not cope, block and cause road flooding.*

Comment: See the assessment under Sections B, F & G.

- *Any more such earth works and deforestation, reduction of natural drainage there through will only aggravate this problem.*

Comment: Compensatory planting of 400 trees is proposed. See also the assessment under Sections F & G.

- *There appears to be many inaccuracies in this application and its accompanying many page reports some of which are actually 3 years old!!*

Comment: It is considered there is sufficient information to formally assess the application.

- *In relation to wildlife, only 3 specific species are mentioned and all others disregarded. This is surely wrong and could be considered somewhat biased.*

Comment: See assessment under Section D

- *Their proposed access road at 5.5 meters wide is actually wider than some of our existing main roads. If this is required surely our main roads could be considered inadequate and FIRSTLY should be widened before such a development as this is approved??*

Comment: The Area Roads Manager has indicated no objections.

- *Within their justification statement they refer to a need for good quality accommodation. Personally I feel if closely packed caravans as seen in the Holiday Village can be so classed when compared to the many local hotels in Cowal, some long established, some of which are still up for sale or already closed down due to lack of business, etc..*

Comment: See the assessment under Section C.

- *Resident of Hunters Grove next to Hafton site, where exactly is the land situated? More specifics would be helpful.*

Comment: The plans submitted include a location and site plan.

The reasons for support are summarised below:

- *Having looked through all of the supporting information feel that the proposal is a positive move for the local community and the surrounding area;*
- *Area of woodland in question has long needed maintenance to enhance the biodiversity of the area. Such work is unlikely to take place unless the project goes ahead;*
- *The Park and the visitors it brings to the area contribute significantly to the local economy;*
- *A positive proposal which fits in with the natural assets and encourage business development;*
- *Economic benefits to the Cowal Peninsula and wider Argyll and Bute area are significant and should be taken into proper consideration;*
- *Positive enhancement to the landscape for wildlife within the application site;*
- *Positive benefit in providing additional accommodation to visitors to Cowal;*
- *Provision of holiday homes sensitively placed within a unique woodland environment would be an asset to Cowal and to attract visitors to the area;*

- *I have always been impressed with the well-kept grounds when using the facilities at the park. I note that this application will increase the number of trees on the site which would be in an area currently infested with rhododendron. The site is an important source of local employment and brings tourists to our area who also spend money with other local businesses when they visit.*
- *Left as it is, the woodland will suffer from invasion of non-native / invasive species such as Rhododendron ponticum and Japanese Knotweed. Proposed development will reverse that process with replanting and control of ponticum to allow natural regeneration to take place;*
- *This is fantastic in terms of woodland management and raising the biodiversity in that part of the woodland. I understand that a lot of planning and careful thought has gone into this proposed development which will enhance the woodland while developing the holiday park;*
- *Very happy to see this planned development which will bring much needed revenue to the area and with a high level of conservation included will also be great for local wildlife;*
- *The planning application can only be applauded. The detail which has gone into this application is evident as it strives to balance the development of the woodland while maintaining the ecology of the existing woodland. Great care has gone into protecting the biodiversity while developing the business opportunities for the holiday park. It is refreshing to see the level of understanding which has been applied to acquire this balance.*

*I have been watching the application with interest and see that there are a number of objections. I am writing in order to take the opportunity to balance the opinion of the application and show support. Dunoon is, and has been for some time, suffering from a lack of investment and I understand BID23 are trying to entice visitors back to the area in order to enhance the economy. The latest news is that the McGills bus from Dunoon to Glasgow will cease to operate in March which is yet another blow to a town trying to build up visitor numbers. With this in mind, I feel that the proposals are fulfilling that very aim. We need investment, it's as simple as that;*

- *Managing Director of Western Ferries comments that Hunters Quay Holiday Village has over its long existence, been very important to the local economy with regards to employment, tourism and associated direct spend of these visitors in local businesses. The improvements to their onsite facilities has attracted more visitors and this application is surely correlated to prior reinvestment and diversification, their successes in relation to attracting guests and marketing the local area as well as their ambitions for their future. The owners of the Holiday Village own a number of sites within Argyll and Bute and concern that is expansion is not permitted on this site , their ambitions for investment and expansion will be focused on developing other sites to the detriment of the wider Dunoon community re local jobs and visitor spend. Moreover, with the availability of visitor accommodation in Dunoon on the wane, any investment to increase this number should be encouraged.*

*Lastly, these are challenging times for all retail business and in no way is Dunoon isolated from these market forces, as such these proposals, which will bring additional tourists to Dunoon and the associated increase in visitor spend should be supported by all those who have a sincere interest in Dunoon's long-term economic well-being.*

The above comments in support are noted. Refer to report below (Appendix A) for a full assessment.

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**(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) Environmental Statement: No**
- (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: No**
- (iii) A design or design/access statement: Yes**

A Design and Access Statement by Peter Drummond Architects dated November 2018 has been submitted in support of the application.

*“The applicant has been considering the development of Camas Rainich Glade as a woodland village within the wider holiday park. Discussions on the development proposals have been ongoing with the Local Authority since 2015. In 2017 the site context and approach to developing Camas Rainich Glade went through an evolution. The potential site envelope being enlarged and moved to the west. Importantly the layout and design approach for the revised proposals were to be led by the landscape setting and design.*

*The current proposals are set out to maximize the retention of the existing trees and optimize the landscape design, with all of the units designed around a landscape corridor and natural water feature. The proposed red line application site, which extends to some 4.2 Hectares, is predominately former woodland plantation, dominated by Rhododendron Ponticum that has recently been cleared. It sits to the east of the main centre building, and extends some 480m to the south and 120 to the east. The easternmost boundary of the site is defined by an existing forestry track, and is the northern boundary. To the south and east the site extent is noted by the existing tree belt and an understory of dense Rhododendron Ponticum.*

*There is a significant level change running north south on the eastern boundary. This level change provides the opportunity to fragment the layout of the stances and in doing so work towards minimising visual impact of the proposals against the landscape setting. In addition, the levels with the proposed development site act as a natural screen for external receptors.*

*The proposed development of Camas Rainich Glade is a village sensitively immersed within the natural woodland setting. The proposals for this village offer a significant change in style and layout, with landscape-led design approach.*

*Critical in the development of the proposals was to maximise the retention of the existing trees and landscape character, and setting the stances within this context, with the early proposals and layout being significantly reworked to prioritise the retention of trees and enhance the biodiversity of the woodland.*

*The current proposals are for provision of 45 stances including associated infrastructure. The caravans are circa 12.5x4m. Provision is made for each stance to have a private amenity deck and car parking within close proximity for ease of access.*

*The current proposals have been developed with consideration of the landscape context as a principle driver to the layout of the stances. The concept design is to integrate with the landscape to give those using and visiting the holiday homes the experience of immersion within the natural environment. A key driver of the design was the retention of the vast majority of the existing trees and existing biodiversity whilst integrating the proposed development into the natural landscape. In addition to this the stream that runs from south to north through the site has been retained*

*and developed as part of an open space landscape feature including an informal pond that the holiday homes look over.*

In summary, the agents “consider that the proposals are of merit for the following reasons:

- a) The proposal takes a landscape led approach to ensure the development respects and enhances the setting, and*
- b) The vehicular and pedestrian access has been set to allow ease of access to the development whilst minimising its impact on the landscape, and*
- c) The layout has been set to encourage pedestrian and cycle movement and usage over that of the private motor car, and*
- d) The siting and orientation of the stances respects the natural topography of the site and blends with the landscape character of the surrounding countryside to minimise any visual impact; and*
- e) The existing site wide services and infrastructure have the capacity for a further 45no stances, and*
- f) The layout of the development will have no impact on the amenity or aspect for existing stances in Hunters Quay, and*
- g) The proposals enhance the existing footpath network and wider connectivity through the Holiday Park; and*
- h) The landscape proposals provide and enhance the existing habitat and improve the bio-diversity of the site; and*

*The proposals are consistent with the Local Development Plan and we submit that the Local Authority should seek to approve the planning permission as submitted”.*

**(iv) A report on the impact of the proposed development e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: Yes**

Pre-Application Consultation Report by Montagu Evans dated November 2018;  
Tree and Ecological Survey by Craig McBurney Cert Arb RFS dated 24<sup>th</sup> May 2017;  
Proposed Planting Scheme;  
Indicative image of typical caravan types in a woodland setting.  
Woodland Management Plan by Craig McBurney Cert Arb RFS dated 31<sup>st</sup> May 2018  
Visual Impact Statement by Jackie McBurney dated 6<sup>th</sup> November 2018

Landscape and Visual Impact Assessment by Hirst Landscape Architects dated September 2018

*LVIA comments that, “With the dispersed layout of the proposed development; the retention and protection of over 89% of the tree cover on site (including a significant proportion of evergreen trees), the use of muted tones, colours and non-reflective surfaces for the proposed caravan units; the proposed methodology for minimising disturbance to existing peat and protected species; and the proposed new planting and habitat creation, the impact on the immediate site and landscape resource is considered to be moderate in the initial instance, becoming minor over time. Within the wider landscape context, the impact is considered to be negligible. Visual impact will largely be limited to receptors in close proximity to the development site, using the existing forestry/woodland access road and viewing the existing caravan show area adjacent to the Leisure/Reception Centre. The sensitivity of the majority of these receptors is considered to be low and the significance of the change in visual effect is medium in the short-term and minor over time, as new planting takes effect. Consideration of distant views has demonstrated that the development site is unlikely to be visible and therefore any change to the wider landscape scene perceived by a variety of receptors in the surrounding landscape will be negligible. In terms of the overall context of the site and the prevailing landscape character, the*

*receiving landscape has the capacity to accommodate the proposed development, which is therefore considered to be appropriate in nature and scale.*

Method Statement: Construction and Reinstatement of Camas Rainich Glade by Argyll Holidays

Peat Depth Analysis by Jackie McBurney 2018 Including Peat Depth Analysis Map  
*"The survey was carried out in March 2018. A total of 64 points were surveyed and mapped and shown on a backdrop topographic survey by GM Geomatics."*

Peat Management Plan by Jackie McBurney 2018  
*"This Management Plan provides details of the predicted volumes of proposed peat excavation on the site, the characteristics of the peat excavated, and methodology for storage and re-use.  
The plan also details quantities and thicknesses of peat to be excavated and re-used.*

*During construction of the development, all measures, as reasonably practicable, would be taken to avoid or minimise excavations and minimise disturbance to peat and peatland habitats.*

- *For the construction of roads, it is proposed to float roads and tracks where peat is greater than 1m in depth and to cut/excavate tracks where peat is less than 0.30m in depth;*
- *Formation of cut track would involve the removal and temporary storage of turves, as appropriate, followed by excavation down to formation level;*
- *Ground disturbance areas around excavations would be kept to a minimum and would be clearly defined on site. Access to working areas during construction would be restricted to specified routes;*
- *All peat excavated would be reused on site for specific restoration activities, including the reinstatement of road edges and landscaping of site;*
- *Bog mats would also be used, if required, for working within the designated areas*

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**(H) PLANNING OBLIGATIONS**

**(i) Is a Section 75 obligation required: No.**

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**(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No**

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**(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

**(i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

**(i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

**Argyll and Bute Local Development Plan (26<sup>th</sup> March 2015)**

LDP STRAT 1 Sustainable Development;  
LDP DM1 Development within the Development Management Zones;  
LDP 3 Supporting the Protection, Conservation and Enhancement of our Environment;  
LDP 5 Supporting the Sustainable Growth of our Economy;  
LDP 9 Development Setting, Layout and Design.

**Argyll and Bute Supplementary Guidance (approved March 2016)**

SG LDP ENV 1 Development Impact on Habitats, Species and our Biodiversity (i.e. biological diversity);  
SG LDP ENV 6 Development Impact on Trees / Woodland;  
SG LDP TOUR 1 Tourist Facilities and Accommodation including Static and Touring Caravans;  
SG LDP ENV 14 Landscape;  
SG LDP ENV 16(a) Development Impact on Listed Buildings;  
SG LDP SERV 1 Private Sewage Treatment Plants and Wastewater Systems;  
SG LDP SERV 2 Incorporation of Natural Features/Sustainable Drainage Systems (SuDS);  
SG LDP SERV 6 Private Water Supplies and Water Conservation;  
SG LDP TRAN 1 Public Access and Rights of Way;  
SG LDP TRAN 4 New and Existing Public Roads and Private Access Regimes;  
SG LDP TRAN 6 Vehicle Parking Provision including Appendix C Access and Car Parking Standards.  
SG LDP BAD 1 Bad Neighbour Development  
SG2 Sustainable Siting and Design Principles.

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

National Planning Framework NPF 3 (June 2014)  
Scottish Planning Policy SPP, (June 2014);  
Consultee responses;  
Planning history;  
Third party representations on legitimate planning concerns;  
Tree Preservation Order status.

- 
- (K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: Yes**

A screening opinion (ref. 17/01985/SCREEN) was sought on the requirement for an Environmental Impact Assessment / Environmental Statement for this proposal. It was confirmed by the Council on 18<sup>th</sup> September 2017 that an EIA was not required on the basis that issues of environmental concern can be addressed by way of appropriate information supporting the planning application, outwith the environmental assessment process. A number of supplementary reports were however requested (together with consultation with Argyll and Bute Council's Local Biodiversity Officer and Scottish Natural Heritage), and these now form the basis of the planning application submission.

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- (L) Has the application been the subject of statutory pre-application consultation (PAC): Yes**

A Proposal of Application Notice (ref. 17/01653/PAN) was lodged with the Council on the 19th June 2017. A pre-application consultation event took place on the 30th June 2017 at the Main Building, Hunters Quay Holiday Village. The event was attended by 65 people with a large number of these being residents from the surrounding area.

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**(M) Has a sustainability check list been submitted: No**

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**(N) Does the Council have an interest in the site: No.**

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**(O) Requirement for a hearing: Yes**

As this proposal has attracted a substantial body of representation both for and against and given the material considerations associated with this application, it is recommended that a discretionary local hearing be held prior to the determination of the application.

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**(P) Assessment and summary of determining issues and material considerations**

The proposed development has been the subject of a formal pre-application enquiry with the Planning Department since April 2016. From that time, planning officers and the Council's Local Biodiversity Officer have been involved in numerous meetings and on-site discussions to advise on the evolving options to create a new caravan village within Camas Rainich Wood. These meetings and technical advice has resulted in continuous improvement to the original design concept which is, together with the accompanying supporting information, the subject of this application.

The principle of developing this part of the Holiday Village site was discussed around 2004 when a detailed 'Masterplan' application (ref. 04/02439/DET) was submitted. While some parts of the Masterplan proposals were considered unacceptable, other proposals had potential and the current application site was regarded as a possible development area for future caravan development, given its secluded nature and that extensive *Rhododendron ponticum* was preventing natural regeneration of this part of the woodland.

The proposal for 40 new static caravan stances within the Camas Rainich Wood is considered to be acceptable due to the particular layout and replanting scheme which will safeguard the woodland compartment it is located within. If left unmanaged the *Rhododendron ponticum* will re-establish and the current condition of the woodland would only deteriorate. The design concept is considered to be a more environmentally sensitive approach from the applicants and their consultants where the department have been working very closely to ensure that any proposed development treats the immediate and surrounding woodland as a priority concern. The application is a result of extensive supporting documentation which has been requested by the Council's Local Biodiversity Officer.

The proposed development of 40 new caravan stances proposal will involve 'medium-scale' tourist development within the Countryside Zone as identified within the Argyll and Bute Local Development Plan. Policy SG LDP TOUR 1 of the LDP states a presumption in favour of new or improved tourist facilities and accommodation provided development is of a form and scale consistent with Policy LDP DM1 and that they respect the landscape character and amenity of the area. The exceptional case for the proposed development is made on the basis of delivering tourism and other economic development benefits in addition to the positive regeneration of a degraded portion of Camas Rainich Wood.

The proposed development of 40 new caravan stances proposal will involve 'medium-scale' tourist development within the Countryside Zone as identified within the Argyll and Bute Local Development Plan and this will require an Area Capacity Evaluation to be carried out to justify the proposed development within the larger holiday park site. The proposed application requires an Area Capacity Evaluation (ACE) to justify development of the site for the number of caravans proposed. The ACE is contained within the appendix as a separate supporting document but confirms that the Hunters Quay Holiday Village site can readily accommodate the proposed development which brings added value in terms of additional tree planting, tree retention, improved drainage and general improvements to the woodland compartment. The ACE concludes that the development site is suitable given it is within a natural hollow in the landscape in a heavily wooded area screened from long distance views. The proposal is being key holed into the wooded area after management works cleared rhododendrons, dead and dangerous trees. On this basis, the department consider that the proposed development is consistent with policies contained in the Development Plan.

There have been a total of 38 objectors and 23 supporters to the proposed development. Opinion would tend to be divided between those who consider that the development will have a negative impact on the protected woodlands, ecology and the surrounding areas while the supporters consider that the development will create much needed tourist facilities and boost the local economy in addition to offering improvements to the existing woodland.

A significant portion of Camas Rainich Woods will be untouched by this development and will continue to provide a natural visual and privacy buffer between the Holiday Village and residential properties in Victoria Road and Cammesreinach Crescent. Indeed, the application site (with the recent removal of five stances at the northern part close to the existing sales area), will be largely hidden from view by topography, existing tree cover or proposed tree planting. The application site cannot be seen from the north bank of the Holy Loch, or even from the main entrance on the A815. Safeguarding planning conditions are proposed to ensure that the development is carried out sympathetically with minimal impact on the surrounding woodland and mitigation to ensure that new planting is implemented as part of the development.

Additionally, the department intends to investigate the potential to designate the remaining parts of the woodland within the holiday village site as an Open Space Protection Area via the emerging new Local Development Plan (LDP2). This would assist in ensuring prevention of encroachment and erosion of this important woodland setting by unfortunate cumulative and incremental development.

The proposal represents a new approach for the applicants by 'key-holing' caravan stances within the woodland environment. Lessons learned from the layout of earlier caravan villages have been taken on board to produce a caravan village that intends to have minimal low-impact on the surrounding environment to not only create improved tourist facilities but to protect woodland habitats and ecology.

Given all of the above, the application is considered to be consistent with policies contained in National Planning Policy Guidance, the Argyll and Bute Structure Plan, the adopted Argyll and Bute Local Plan and the emerging Argyll and Bute Council Local Development Plan and there are no reasonable grounds to recommend refusal.

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**(Q) Is the proposal consistent with the Development Plan: Yes**

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**(R) Reasons why Planning Permission should be granted**

The application site has been identified (by virtue of an accompanying ACE evaluation) as having capacity to accommodate a maximum of 40 new holiday caravan stances. The impact on surrounding woodland, habitats and species have all been carefully assessed and considered to be acceptable and in accordance with policies contained in the Argyll and Bute Local Development Plan. The development of these proposals would result in the positive regeneration of this portion of Camas Rainich Wood, as well as delivering tourism and other economic development benefits. The proposals accord with all other relevant development plan policies and it is therefore appropriate that planning permission be granted in line with development plan policy, subject to recommended safeguarding conditions.

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**(S) Reasoned justification for a departure from the provisions of the Development Plan**

*n/a*

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**(T) Need for notification to Scottish Ministers: No.**

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**Author of Report: Brian Close**

**Date: 10<sup>th</sup> April 2019**

**Reviewing Officer: Howard Young**

**Date: 9<sup>th</sup> May 2019**

**Angus Gilmour  
Head of Planning & Regulatory Services**

**CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 18/02596/PP**

1. The development shall be implemented in accordance with the details specified on the application form dated 4<sup>th</sup> December 2019 and the approved drawing reference numbers: L002 RevS, GJ564/DCL/22 RevA, L003 RevE, L004 RevC, L005 RevB, L006 RevB, unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

**Reason:** *For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

2. Caravans sited on the caravan stance(s) hereby approved shall be used for holiday occupancy only and shall not be used as a principal or main dwelling. The applicant shall maintain a register of occupancy to be made available to the planning authority upon request.

**Reason:** *In order to define the permitted occupancy having regard to the existing lawful use of the site, and in order to comply with the provisions of policies LDP SG HOU 4 and SG LDP TOUR 1 of the Argyll and Bute Local Development Plan.*

3. For the avoidance of any doubt, the 40 caravan stances hereby approved shall be set out with the footprints shown on the approved drawings. No caravan stances, associated decking areas or parking areas shall be located in alternative positions, unless otherwise agreed in writing by the Planning Authority.

**Reason:** *In the interests of visual amenity, the overall integrity and setting of the development within the area and to ensure that no damage is caused to trees or their root systems.*

4. Notwithstanding the submitted details, all caravans to be located on the stances approved shall be a dark recessive colour, to be agreed in writing by the Planning Authority.

**Reason:** *In the interests of visual amenity, the overall integrity and setting of the development within the area*

5. Notwithstanding the approved drawings, no works shall commence until full details of surface water drainage (which shall be designed in accordance with CIRIA C753 and Sewers for Scotland) have been submitted to and approved in writing by the Planning Authority. Any remedial works required as may be detailed in the approved surface water drainage system(s) shall be fully implemented prior to the occupation of the first caravan, or other timescale as may be agreed in writing with the Planning Authority. Such details shall also include further details on the proposal to use SUDs in conjunction with the existing Reed bed and proposed pond feature.

**Reason:** *To clarify surface water drainage arrangements and ensure that there is no potential for flooding at the site.*

6. Notwithstanding the supporting information (Proposed Planting Scheme and Woodland Management Plan), no works, including any works to trees, shall commence until a detailed scheme of native tree planting and native shrub planting for the application site and fringes has been submitted to and approved in writing by the Planning Authority. The planting scheme, as may be approved shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and shall ensure:

- (a) Completion of the scheme during the planting season next following the completion of the stances or such other date as may be agreed in writing with the Planning Authority.



- (b) The maintenance of the landscaped areas for a period of ten years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

**Reason:** *To ensure the implementation of a satisfactory scheme of tree planting and landscaping to successfully integrate the proposed development within the immediate woodland surroundings and wider area.*

7. No works shall commence until full details of tree protection for the existing trees in close proximity to the site of the caravan stances and associated accesses have been submitted to and approved in writing by the Planning Authority. All trees which are to be retained within or adjacent to the approved caravan stances and associated infrastructure, shall be protected by fences or chestnut palings or steel scaffolding not less than 1.0 metre in height. The fences shall be placed at the edge of the crown of the trees, unless otherwise agreed in writing. No materials shall be stored within such areas and all fences shall be retained until completion of the development on adjoining land. No material, spoil or fires shall be placed within such protected areas during any construction works and such measures shall be put in place for the visual inspection and the written approval by the Planning Authority before any construction/land engineering works begin at the approved development site.

**Reason:** *In the interests of visual amenity, the overall integrity and setting of the development within the area and to ensure that no damage is caused to trees or their root systems during development operations.*

8. No development (including any land engineering works or any associated operations) shall commence until a full site specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority in consultation with the Council's Local Biodiversity Officer. The CEMP shall specifically include full details of :

- *Surface water management;*
- *Site waste management;*
- *Watercourse engineering;*
- *Peat management;*
- *Borrow pits (if appropriate);*
- *The appointment of an Ecological Clerk of Works to ensure that the mitigation is implemented carry out toolbox talks which should be detailed in the CEMP;*
- *Mitigation measures for Protected Species and habitats - The working area should be minimised as much as possible to reduce the requirement for felling mature trees.*
- *Working areas should be limited as far as possible and all works should adhere to pollution prevention guidance provided by SEPA;*
- *Temporary construction areas should be restored by using turves set aside from ground clearance work or using a suitable acid grassland seed mix to establish open habitats. Details of the required mitigation measures including those set out above should be detailed in the CEMP of pre-construction ecological surveys,*
- *Excavation should separate turf and subsoil and replace these in the correct sequence with no loss of material from the site.*
- *The route should be micro-sited to avoid felling trees with dreys, or bat roost potential (where necessary surveys may be required);*
- *A tree protection plan should be written to ensure mature non-plantation trees and woodland are protected where these are located within 50m of the proposed development area.*

In addition to all of the above requirements, good practice in construction should be carried out during the construction phase of this development. All works shall be carried out in accordance with the approved CEMP and any supporting documentation.

**Reason:** *In order to minimise the impacts of necessary demolition/construction works on the environment.*

9. No works shall commence until a detailed phasing plan for the proposed 'holiday village' has been submitted for the prior written approval of the Planning Authority.

**Reason:** *In order to consider the phasing impacts on the surrounding environment.*

10. Notwithstanding the submitted information, no works shall commence until a detailed specification of the proposed access tracks, footpaths and hardstandings have been submitted for the prior written approval of the Planning Authority. All vehicular accesses, footpaths and hardstandings shall be constructed as per engineer's specification, or as otherwise agreed in writing with the Planning Authority.

**Reason:** *In the interest of visual amenity and to help integrate the proposal into its surroundings.*

12. Prior to the occupancy of the caravans hereby approved, the applicant shall submit a parking plan detailing a minimum of two vehicles for each caravan. This plan shall detail how and where these parking spaces shall be provided and seek to minimise impact on existing trees. This plan shall be approved in writing by the planning authority with the development undertaken as per the approve details unless otherwise agreed in writing.

**Reason:** *To comply with car parking standards contained in Policy SG LDP TRAN 6 of the Argyll and Bute Local Development Plan.*

13. No development shall commence (including works in relation to trees) until such time as details of the provision of a number of bird boxes and bat boxes within the application site (including the design and location of the bat boxes and bird boxes) and a management regime for the maintenance of this accommodation have been submitted to and approved in writing by the planning authority in consultation with the Council's Local Biodiversity Officer, unless otherwise agreed in writing by the planning authority.

**Reason:** *In the interests of nature conservation and to ensure that there are sufficient alternative bat roosts and bird nesting opportunities within the development.*

14. Prior to work starting on site, full details of any external lighting to be used within the site or its access point shall be submitted to and approved in writing by the Planning Authority. Such details shall include details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any glare or light spillage outwith the site boundary. All lighting shall comply with the Institute of Lighting Engineers Guidance Notes for the Reduction of Light Pollution.

**Reason:** *In order to avoid the potential of light pollution infringing on surrounding land uses/properties*

15. Pursuant to Condition 1 – no development shall commence until details of agreement with Scottish Water for the connection to the public sewerage network for the means of foul drainage to serve the development have been submitted to and approved by the Planning Authority.

**Reason:** *To ensure that an adequate means of foul drainage is available to serve the development.*

**ADVISORY NOTES TO APPLICANT**

3. This planning permission will last only for **three years** from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
4. In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
5. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
6. The attention of the applicant / developer is drawn to comment made by Scottish Water in their response dated 4<sup>th</sup> January 2019 and comments regarding connection to public water supply, foul drainage arrangements, surface water drainage and general advice. The applicant/developer is advised to contact Scottish Water directly concerning connection to public water supply - Planning and Development Services, The Bridge, Buchanan Gate Business Park, Cumbernauld Road, Stepps, Glasgow G33 6FB; Development Operations, Tel. 0800 3890379 or at [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk) quoting ref. 771237.
7. Public Protection advises that the applicant will require to apply to this Service for an amendment to the existing Caravan Site Licence to take into account the extended season for use as a holiday site.

Public Protection also advises that in order to comply with Caravan Site Licence conditions for Holiday purposes (i.e. not for permanent residential use) the units must be a minimum of 6 metres apart if timber clad and 5 metres apart if metal clad.

The applicant is advised to contact Jo Rains, Environmental Health Manager – East Team, tel. 01546 605519 extension 7124, directly on these licensing matters.

8. The applicant/developer is generally advised by Scottish Natural Heritage (SNH) that all bats and their roosts are legally protected in Scotland by the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) - "the Habitats Regulations" (for details of this protection, see Protected mammals - Bats and Regulations 39-41 and 44-46 of the Habitats Regulations).

If bats are found to be roosting in any trees to be removed as part of this proposed development, under the Habitats Regulations the developer will need to apply to the Scottish Government for a licence to disturb/destroy bat roost(s) before works can commence. Any licence would need to be in place prior to any works affecting the roosts taking place. SNH can provide further advice as necessary.

**APPENDIX A – RELATIVE TO APPLICATION NUMBER: 18/02596/PP**

**PLANNING LAND USE AND POLICY ASSESSMENT**

**A. Settlement Strategy**

In the Argyll and Bute Local Development Plan (March 2015), the application site is located within Hunters Quay Holiday Village which is not specifically designated, but located within the Countryside Zone. The Countryside Zone includes other land and uses which create a buffer between the identified settlement zones of Hunters Quay and Kirn to the south-east and Sandbank and Ardnadam to the north-west. Hunters Quay Holiday Village is covered by an extensive Tree Preservation Order (ref. TPO 8/91) which protects the majority of woodland within the park.

In the LDP, Policy LDP DM1 states that encouragement will be given to sustainable small-scale forms of development on appropriate infill, rounding-off and redevelopment sites within the Countryside Zone. In exceptional cases development in the open countryside up to and including large scale may be supported on appropriate sites if this accords with an ACE.

Policy SG LDP TOUR 1 of the LDP states a presumption in favour of new or improved tourist facilities and accommodation provided development is of a form and scale consistent with Policy LDP DM1 and that they respect the landscape character and amenity of the area.

In the Argyll and Bute Local Development Plan, Policies LDP 5 and SG LDP TOUR 1 set out a general presumption in favour of new or improved tourist facilities and accommodation provided:

- (A) The development is of a form, location and scale, consistent with policy LDP DM1;
- (B) They respect the landscape / townscape character and amenity of the surrounding area;
- (C) They are reasonably accessible by public transport where available, cycling and on foot;
- (D) They are well related to the existing built form of settlements; and,
- (E) The proposal is consistent with other policies and SG contained in the LDP.

The proposed development of 40 new caravan stances proposal will involve 'medium-scale' tourist development within the Countryside Zone as identified within the Argyll and Bute Local Development Plan. The exceptional case for the proposed development is made on the basis of delivering tourism and other economic development benefits in addition to the positive regeneration of a degraded portion of Camas Rainich Wood.

**Accordingly, and subject to an Area Capacity Evaluation (contained in the Appendix), the new caravan stances and associated infrastructure would be consistent with the settlement strategy and policies LDP DM1, LDP 5 and SG LDP TOUR1 of the Argyll and Bute Local Development Plan.**

**B. Location, Nature and Design of Proposed Development**

**(a) Location**

The application site is located within Hunter Quay Holiday Village within Camas Rainich Wood which lies to the east and south of the main reception and leisure building. The long and narrow application site (approx. 500 metres long by 100 metres wide) is bounded by Islay Holiday Village to the north, an existing vehicular access track and eastern portion of Camas Rainich Wood to the east, Cowal Golf Course to the south, western portion of Camas Rainich Wood and Tiree Holiday Village to the west.

Hunters Quay Holiday Village is characterised by a mixture of static caravans and chalets with associated facilities at the Leisure Centre, office and stores building and shop, in both a parkland and mature woodland setting. The Holiday Village is located within what were once the policy woodlands and parkland for Hafton House, a Category-B listed building. The estate was sold in the 1980s as a leisure estate with planning permission for the chalet development. In 1989, the land and the majority of the chalet development was bought by Cowal Leisure and incorporated into the current Holiday Park of static caravans.

Hunters Quay Holiday Village site rises from the Holy Loch southwards towards higher and elevated wooded areas mainly along the eastern escarpment, central knoll and southern plateau. The mature woodland comprises primarily Scots Pine, Birch, Oak, Beech and Larch. The woodland structure provides a high amenity for visitors and walkers while making a significant contribution to the immediate and wider landscape with dense area of woodland primarily along the eastern and southern portions of the site. Camas Rainich woodland is classified as Long Established of Plantation Origin and a Tree Preservation Order (TPO 8/91) covers the majority of the application site and the adjacent Kennel Woods on the western boundary.

The built areas comprise a timber chalet site in the north-western side of the park with two areas of caravans to the east (Iona and Burnside Villages) and to the south-west, the Town Village. In the centre of the park is Jura Village with Tiree Village to the south wrapped around the wooded knoll. Islay Village is situated to the north east of the main leisure and office building. Recent permissions in 2007 allowed further expansion in the south-west corner of the park with the creation of two new villages (Gigha and Colonsay) and within a former quarry area (Bute). The former office building at the lower part of the main entrance to the site is now used as staff offices and stores and caravans have been sited in this area as an extension to Islay Village. Within the chalet park, several caravans have been recently sited amongst the timber lodges.

The application site would stretch approximately 500m from the existing access track around Islay Caravan Village in the north to an existing 'hammerhead' clearing some 50m north of Cowal Golf Course to the south. The application site is linear in nature with approximate width of 90m at its widest point. The application site is located a minimum distance of approximately 110m away from housing in Cammesreinach Crescent in the south and further away from residential properties in Victoria Road. These residential properties are screened from the application site by mature woodland which is a key landscape feature. To the south of the application site lies a buffer of mature trees to screen Cowal Golf Course. Dense mixed woodland is located on the western side of the application site where Tiree Caravan Village is located some 140metres to the west. At the northern end of the application site close to Islay Village and the caravan sales area, an area of reedbeds also forms an important habitat feature. It is proposed to create a new vehicular access close to this reedbed area.

The application site slopes from east to west as the site falls westwards from the access track. The ground is generally boggy with poor drainage and there is evidence of dead tree species in the central portion. The woodland to the west of the application comprising mainly conifers is dense and requires to be protected as an important landscape feature and natural buffer.

The application site is generally well contained within the wider Holiday Village with no views from the housing development to the east or from longer views across the Holy Loch to the north.

The woodland within the holiday park site is included in the Ancient Woodland Inventory as Long-Established of Plantation Origin which provides habitats for a number of species including Bats (European Protected Species) and Red Squirrel. The application site relates to a degraded part of the woodland but is supported by ecological surveys, tree survey,

landscaping and planting plan and peat survey. The application site is not subject to any landscape or historic environment designation.

The proposed development follows the pattern of clusters of caravan villages separated by woodland blocks as natural buffers. The proposed development would be suitably screened from wider views by retaining woodland blocks on the fringes of the application site with significant tree planting (400 no. mixed species) within the application site.

### **(b) Nature and Design of Proposed Development**

The proposal relates to an area of woodland (3.8 hectares) within Camas Rainich Wood within Hunters Quay Holiday Village, Dunoon, Argyll. The site for development is located to the rear and south-east of the main holiday complex buildings and runs from the caravan sales in the north towards Cowal Golf Course to the south. The site currently comprises areas of mixed woodland with open areas within the central portion where peat is evident following recent *Rhododendron ponticum* clearance in this area. The site is bounded by an access track which runs along the eastern side of the site linking the holiday village to Cowal Golf Course. The majority of the woodland areas within Hunters Quay Holiday Village are covered by a blanket Tree Preservation Order ref. 08/91.

The purpose of the development is to create a new holiday village comprising a range of caravan stances which will offer a more secluded location and different woodland experience than some of the existing caravan villages with more open locations and more regimented siting.

It is proposed to create a new holiday village comprising a maximum of 40 new caravan stances which is classed as 'medium-scale' tourist development in the Argyll and Bute Local Development Plan (policies, LDP DM1, LDP5 and SG LDP TOUR 1). The layout of the new village has been the subject of pre-application discussions where the scheme has undergone many changes since its inception. The caravans have been randomly sited or 'key-holed' in pre-agreed areas to avoid sensitive locations or cluttered groupings. The access layout has also been amended and improved to avoid creating vehicular access routes through the site where truncated accesses also avoid unnecessary through-routes and encourage a variety of footpath links. The main entrance to the new village will be created with the formation of a new vehicular access located south of the entrance to Islay Village and curving round to the east of the existing sales area. The existing private access down the eastern side of the site has been retained to create the principle access route with a variety of cul-de-sacs located off this access.

The dispersed layout comprises six stances south-east of the leisure building and sales area off the existing service track, ten stances served off the existing track towards the golf course and the remainder scattered and accessed from within the wooded site. It should be noted that five caravan stances in the northern portion off the existing track have been deleted in order to retain the area between the "punch-through" and Islay Village as a distinct woodland compartment.

A typical caravan would comprise a two-piece unit with horizontal cladding for the walls and a steel pantile pitched roof although no specific materials or colours have been specified at this stage. All caravan stances are shown as typical layouts which would have a general footprint of 12.5 x 4m with additional provision for private amenity decking (typically running 1 metre along the main entrance elevation with a 2 metre projection from the main lounge window, and car parking spaces within close proximity for ease of access. Following discussions not all caravan stances have car parking spaces immediately adjacent and some are located closer to the access tracks to avoid additional impact on the woodland and to preserve the landscape settings. The stance positions are set to work with the landscape and existing trees. By positioning the access private access to the outside it allows stances to look into a linear landscape feature running north south through the site. In addition it allows the design to retain

the existing water course and facilitate the addition of an informal pond at the south end of the site to enhance the biodiversity of the area. The stances are laid out to achieve a minimum of 6m between the caravans.

The private access to the application site connects into the existing road network at the Main Centre Building. Adjustments have been made to this connection point to improve the road geometry and prioritise the traffic flow at this junction. The access will be 5.5m wide to allow 2 way flow of traffic. Once the access passes the junction serving the existing village to the north (Islay Village) it narrows to 4.5m. This throttling of the access network also acts to further control traffic speed recognising movement from the 'main' access network serving the holiday park into internal village roads, where the priority is shifted from vehicles towards pedestrians. The initial section of 4.5m wide access into the proposed development site is designed with a geometry to reduce car speed. The main access through the development site is constructed on the line of the existing forestry track to the eastern boundary. There is a feeder road through the site, using existing levels and topography to traverse the site, to a secondary access road on the western boundary. The stances being either directly off or by way of short cul-de-sacs. This access layout has allowed the majority of trees to be retained and also the stances to sit within a larger landscape setting facing away from vehicular traffic. The layout also incorporates a footpath loop for pedestrians and cyclists. The geometry of the access and footpaths are set to work around, where practicable, the existing trees. Generally the private access road will be 4.5m wide with a gravel finished to assist with controlling surface water run-off. The parking spaces will also be finished in gravel. Footpaths are generally finished with woodchip / forestry bark.

The caravan stances will be connected to the existing gravity fed foul water system that services the wider site. Scottish Water has advised that the developer should contact them directly to discuss connection to their infrastructure and a planning condition is proposed to ensure any such agreement is provided to the planning authority prior to the commencement of works.

The surface water will be fed into a SUDs system utilising the gravel access to attenuate flow into the watercourses within the application site. These are connected into a small reed bed / pond at the north end of the site and flow into a larger reed bed and pond at the south end of the site that attenuate the flow of water into the wider surface water network.

The specific siting of caravan stances and sensitive access arrangements area considered to be acceptable in terms of siting, scale and design. Conditions are recommended in respect of acceptable caravan types, access construction details and occupancy and footprint safeguards.

**Accordingly, the proposal would be consistent with policies LDP STRAT 1, LDP DM1, LDP 3, LDP 5, LDP 9, SG LDP ENV 6, SG LDP TOUR, SG LDP TRAN 1, SG LDP TRAN 4 and SG2 Sustainable Siting and Design Principles of the Argyll and Bute Local Development Plan.**

### **C. Natural Environment and Biodiversity**

#### Habitats

The supporting documents comment that the proposed development site is dominated to the west of the southern compartment by a Scots pine plantation on varying depths of peat, with an open area recently cleared of *Rhododendron ponticum* running the length of this section of the site. A typical conifer plantation with no shrub layer and an impoverished ground layer is largely dominated by patches of heather and blaeberry, which has started to colonise the newly open areas. There is a watercourse running through the central spine of the site again, newly cleared of *Rhododendron Ponticum*. The lower part of the site adjacent to the private

access has been subject to a Japanese knotweed eradication programme. There is a ditch and wetland area on the upper part of the site.

Flanked by the open ground and the eastern path is the higher elevated section of the site, which has a mixed canopy of Scots Pine, Alder, Birch, Norway Spruce, Beech, Larch and a number of poorer specimens of Oak and Rowan. Although deer are ubiquitous throughout the woodland, in most places regeneration is evident. The north end of the site has been cleared of *Rhododendron ponticum* and is now largely an open area dominated on the west by a reed bed flanked by two water courses. This area of the site is edged on the east and north by a dominant canopy of mature Beech, Larch and Oak. To the west a number of Alder have also seeded along the ditch. There are signs of regeneration throughout the newly cleared areas.

A reed bed, a Local Biodiversity Action Plan habitat, is situated to the north of the site and the applicant has indicated that this habitat is to be included in the proposal for a SUDs (Sustainable Urban Drainage scheme).

The Council's Local Biodiversity Officer (LBO) notes that some natural re-generation has commenced as a result of the clearance of the *Rhododendron ponticum*. The landscape proposal for re-stocking planting is in keeping with the Woodland Management Plan and suitable tree selection for both the wet area and on higher ground. Pre-application discussions agreed with the proposal to create a pond (upper part of the site adjacent to the man-made ditch) and bund. Noted that this has been accepted and included as an additional feature which will provide for additional pond related invertebrate species, frogs, toads, pond skaters, damsel and dragon flies. LBO welcomes the retention of the Reed bed which will be used in conjunction with the proposed SUDs system.

### Peat Management

The peat on site has also been surveyed, a Peat Depth Analysis undertaken, and a Peat Management Plan has been prepared and submitted. This outlines the approach that will be taken to minimise excavation and disturbance to deeper areas of peat, together with construction methodology for creating localised, platforms, paths, private accesses and reinstatement, to ensure that distributed peat and peat turves are successfully reused. The approach described generally follows current guidance for developments on peat; groundworks generally are expected to be carefully controlled and limited to immediate plot areas and private accesses, through the implementation of a Construction Management Plan acceptable to the Local Authority. The impact of the development on the peat resource is therefore considered to be moderate.

### Species

The survey for protected fauna on site appended to the Tree Survey and undertaken in May 2017, suggests that whilst bats and red squirrel are known to be present within the Holiday Village and the surrounding area, no signs of protected fauna species were observed on the development site itself. Further surveys will be required prior to any construction work commencing and it is assumed that this will be undertaken by qualified individuals and the appropriate steps for licensing and management implemented, should protected species be encountered. The retention of significant tree cover in the planning of the proposed layout will help to maintain aerial linkages within the tree canopy which will provide continued connectivity for red squirrels, in particular, to move freely within the wider area. Other than disturbance through construction operations to deliver the proposed development, the magnitude of the impact of the development itself is considered to be negligible and is therefore unlikely to cause any long-term or significant problems, or loss of potential habitat, for these species.

Bird species amount to 44 species in total – 10 of which are assumed based on suitable habitat. There are 5 species on the Red List and 4 Local Biodiversity Action Plan species.



With respect to mammals survey work showed evidence of Red Squirrel in the Holiday Village with holiday makers providing food for them, the development site boasts a drey on the site edge. Deer have been noted as a regular visitor to the area. Bats are known to be in the area but no roosts were found in the development site. Otter and Badger were surveyed for but not found.

The LBO suggests that the applicant should include some bird and bat boxes which has been included as a condition to the proposed permission.

In summary, the LBO comments that the proposed development site is listed on the Ancient Woodland Inventory with the woodland protected under a Tree Preservation Order. However, the site is under a Woodland Management Plan which has been implemented in part for the removal of *Rhododendron ponticum*. This is an invasive non-native species which by its very nature compromises biodiversity by excluding any natural regeneration or habitat expansion associated with this type of woodland. The management also includes the management of trees which were either dead or pose a safety issue for the public who can access the site.

The woodland management work has presented the applicant with an opportunity to restock as per the proposed planting scheme, protection of existing trees and the retention and use of the reed bed as part of SUDs allied with the creation of a pond as an additional habitat. These are considered a net gain allied with the required bird and bat boxes.

In terms of the application, the current management of the woodland has provided an opportunity to increase their established holiday accommodation business. It is noted that the applicant has supplied a variety of supporting documents which the LBO has commented on however a request is made for further details on the proposal to use SUDs in conjunction with the existing Reed bed.

In terms of the implementation of the plan (assuming that planning permission is granted), the applicant has provided Method Statements and mentioned Toolbox talks for contractors and these will form the basis for a Construction Environment Management Plan overseen by an ecological clerk of works.

Appropriate suspensive conditions and advisory notes are attached.

**Accordingly, the proposal would be consistent with policies LDP 3, LDP 9, SG LDP ENV 1, SG LDP ENV 6 and SG2 Sustainable Siting and Design Principles of the Argyll and Bute Local Development Plan.**

#### **D. Impact on Woodland / Landscape Character**

The Tree Survey identified 860 individual trees on site, consisting of a mixture of plantation Scots Pine, Birch, Alder, Oak, Beech, Larch and Spruce, mostly mature and of variable condition. A handful of "veteran" trees are identified with some natural regeneration evident following the recent removal of *Rhododendron ponticum* from the understorey. The removal of *Rhododendron ponticum* in the autumn of 2016 was undertaken as part of an ongoing Management Plan for the Holiday Village estate woodland. This has recently been reviewed and updated and the Woodland Management plan for 2018- 23 has also been submitted with the supporting information. This document provides a further detailed description for the woodland resource in general and of the site in particular, which falls within the eastern side of Compartment B. This is described as predominantly Scots Pine plantation within wet, scrubby woodland south of Islay Village and does not form the principal part of Camas Rainich Wood. The effect of the *Rhododendron* removal has been to physically open up the site considerably, creating large open glades. Evidence of root plate failure of some trees was noted due to the underlying wet conditions

The proposed development seeks to exploit the new openings and areas of more open ground, in order to retain and incorporate the majority of the existing trees on the site within the overall layout. A landscape led approach to the design of the development has led to the tree numbers affected being kept to a minimum at approximately 10 % of the proposed development area. That being said, 7% of this number are within the categories of 'poor' or 'fair' and 3% only lying within the 'good' category of which 1.98% are under a Diameter at Breast Height (DBH) of 400mm. The proposed development will involve the removal of 88 trees in total, 27 of which are classified as "good", 32 "fair" and 29 "poor". Of the 88 trees to be removed, 54 are coniferous evergreen trees (46 of which are plantation Scots Pine where 31 are under DBH of 400mm). In the context of the recorded tree cover, the proposed felling represents 10.2% of the total number of trees on the development site, (of which 61% are coniferous/evergreen). The proposed felling is dispersed throughout the site and more than 89% of the current tree cover will be retained.

The Woodland Trust objects on the basis of the potential for this development to impact on an area of 2b LEPO (Long-Established of Plantation Origin) known as Camas Rainich Wood. Forestry Commission Scotland has raised concerns regarding loss of woodland cover. They recommend a condition requiring suitable compensatory planting to offset the permanent woodland loss due to the proposal.

The area of long established woodland in Camas Rainich Wood referred to by The Woodland Trust above would be relatively untouched by the proposed development. The development relates largely to land on the western side of the existing access track with no works proposed east of this track or south of the existing hammerhead. The Council's Local Biodiversity Officer has no objections to the proposed development subject to compensatory planting and safeguarding planning conditions.

It is proposed to replant 400 mixed species trees in keeping with current ground conditions. This will enhance the woodland and associated biodiversity by 46%. Should the proposal be approved, micro-siting in conjunction with the Construction and Environmental Management Plan and any further post permission inspections may indeed reduce the number of trees affected further (*ref: Tree and Ecological Survey, McBurney.C*).

Retained trees will be protected in accordance with BS5837:2012, during operations on site. The available survey information, together with a joint site visit undertaken with Argyll and Bute Council Planning Officers during April 2018, has been used to inform, develop and refine the proposed site layout, to minimise groundworks and to ensure the retention of significant groups of trees and tree cover within the overall site plan. With this approach, it is considered that the site can accommodate the proposed development without a significant impact on the immediate woodland resource.

The scheme also includes substantial new planting of native woodland to fill gaps and reinforce the caravan layout proposed. Combined with the applicants' on-going commitment to the positive management of the woodland resource across the whole estate, these proposals will help to ensure the long-term succession of the woodland resource, as well as improving age structure and species diversity. In addition, the proposals have sought to retain and develop areas of existing wetland vegetation, to protect the edges of cleared drainage ditches and to create an informal pond area to further enhance the habitat potential and biodiversity of the site. The impact of the development is therefore likely to be beneficial in the medium term, following completion of works on site.

The entire Holiday Village, including the site, is also covered by a Green Network designation, overlapping with the majority of the Countryside Zone in the Local Plan. Supplementary Planning Guidance SG LDP ENV8 – "Protection and Enhancement of Green Networks" provides further information. The aim of the policy is to ensure that development proposals safeguard the integrity of the Green Networks and that they are enhanced and developed to provide a range of environmental benefits for the adjacent local communities.

In consideration of the nature and detail of the proposed development in this instance, it is considered that any impact would be minor, as the existing forestry access will be retained in use and continue as part of the advertised path network within the Holiday Village. In terms of the Green Network, the situation will arguably be much improved, with additional path links and access into the existing woodland where the caravans will be located, providing some additional connectivity. These path links, together with the proposed succession planting and general landscape improvements proposed, would meet the wider aims of the policy in terms of safeguarding and enhancing the functionality and environmental integrity of the area in terms of the Green Network.

Additionally, the department intends to investigate the potential to designate the remaining parts of the woodland within the holiday village site as an Open Space Protection Area via the emerging new Local Development Plan (LDP2). This would assist in ensuring prevention of encroachment and erosion of this important woodland setting by unfortunate cumulative and incremental development.

The LBO is satisfied with the proposals in respect of impact on woodland (refer to comments above in section (C)).

**Accordingly, the proposal would be consistent with policies LDP 3, LDP 9, SG LDP ENV 1, SG LDP ENV 6 and SG2 Sustainable Siting and Design Principles of the Argyll and Bute Local Development Plan.**

#### **E. Road Network, Parking and Associated Transport Matters**

Roads and Amenity Services comment that this proposed development is accessed from A815 Shore Road at Hafton within a 30mph speed restriction. The proposed units are within an existing holiday park which has an acceptable internal private access network. The access layout is suitable for both servicing the site and emergency vehicles. Parking for two vehicles is to be provided per caravan. An appropriate condition is attached.

**Given the above, the proposal is considered to be consistent with Policies LDP 11, SG LDP TRAN 4 and SG LDP TRAN 6 of the Argyll and Bute Local Development Plan.**

#### **F. Flooding**

The application site is located within a high level hollow away from any potential flooding concerns. Whilst the application site currently suffers from poor drainage the proposals include methods of improving site drainage.

#### **G. Surface Water Drainage**

No specific surface water drainage details have been submitted albeit an indicative drainage strategy is included within the Design Statement. Whilst the application site is currently free draining, surface water drainage details will be requested by planning condition.

**On the basis of an indicative surface water drainage strategy and the imposition of a suspensive planning condition, the proposed development would be consistent with Policy SG LDP SERV 2 of the Argyll and Bute Local Development Plan.**

#### **H. Public Water Supply**

Scottish Water has confirmed that they would have no objections in principle and Loch Eck Water Treatment Works currently has capacity to service this proposed development. Advisory notes included.

**On this basis the proposed development would be consistent with Policy SG LDP SERV 6 of the Argyll and Bute Local Development Plan.**

**I. Foul Water Arrangements**

Scottish Water has confirmed that the proposed development will be serviced by Dunoon Wastewater Treatment Works but are unable to confirm capacity at this time. This can be covered by an appropriate suspensive condition. Applicant to submit a Pre-Development Enquiry Form.

**In terms of Policy SG LDP SERV 1 of the Argyll and Bute Local Development Plan, the in-principle agreement to connect to the public sewer system is considered to be acceptable at this stage.**

**J. Environmental Issues**

Objections have been received concerning potential noise impact and impact from lighting. Given the secluded nature of the site and screening by mature tree cover, it is unlikely that there would be significant nuisance as a result of noise. Public Protection however have their own legislative powers to deal with any potential noise related issues, should they arise. As such it is not considered that this development constitutes a bad neighbour.

In terms of lighting and illumination, the development site cannot be readily viewed from outwith the holiday park. Retained tree cover and additional planting will help to screen the site from wider views. A suspensive condition is however attached requiring full details of any lighting units to be submitted for approval prior to their installation on site.

**K. Economic Considerations**

Economic impact is a material planning consideration and in this regard SPP 2014 states that *“the planning system should promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets.”*

In the supporting Planning Statement, it is noted that, *“there is a need to balance the proposal against the policy context and fully consider the benefits against any perceived negative impact. In this case, the requirement is to balance the protection of the rural environment with the stimulation of economic development and the expansion of a highly successful existing tourism enterprise. Tourism is recognised as being a traditional and vital element in the economy of Argyll and Bute, and in particular the Cowal Peninsula, as acknowledged within the Local Development Plan. National Planning Policy also acknowledges the positive contribution that tourism can make to the economy of an area and Scotland in particular. The application relates to the carefully planned addition to an established business which has operated at this location for over 23 years. In addition the predominant landscape character of this site will not be compromised as the proposal has developed from a landscape first approach to the design. Natural heritage interests such as visual impact, landscape, flora and fauna in this area of Argyll and Bute will be respected and mitigated as evidenced by the accompanying Landscape Design Proposals and Environmental Statement. It is worthy of note that recent trends for tourist accommodation indicate a move towards high quality, self-catering family accommodation in secluded rural areas such as that proposed for the development within Hunters Quay Holiday Village. It is therefore desirable to extend this type of provision to support and underpin the tourist industry. The proposed development is closely aligned to the terms of the economic development aims stated in the Local Plan, a key aim of which is the retention and creation of employment. There is also a desire to maintain and increase the level of economic activity in the Cowal Peninsula. This proposal will achieve a positive contribution to this stated aim in the important tourism sector.”*

*It should also be noted that the positive economic benefits of this proposal are not confined to this site. By increasing the provision of self-catering accommodation and encouraging more tourists into Argyll & Bute, wider benefits will accrue to other tourism based enterprises and the local economy. The proposed development is an extension to an established business. The proposed development will facilitate the specific need for a woodland style holiday village that allows families to reconnect with the natural environment. This type of facility is required at this location to enhance the existing offering of visitors to the Holiday Park and the Cowal Peninsula”.*

The applicant’s agent has confirmed that the proposed development will result in the employment of five full-time people for construction over one year and three full-time posts thereafter.

**This also accords with Policy LDP 5 which seeks to support the development of new industry and business which helps to deliver sustainable economic growth throughout our area with a greater focus on our potential main growth sectors including tourism which is an area of comparative advantage for Argyll and Bute.**

#### **L. Other Scottish Government Advice**

National Planning Framework NPF 3 (June 2014) comments that there are opportunities to develop the existing strengths of many of our coastal and island areas, for example in tourism.....there is potential to revive and re-invent the tourism tradition on the Clyde coast, to support regeneration and provide new opportunities for coastal and island communities by building on the area's assets and rich cultural heritage.

Scottish Planning Policy (SPP) (June 2014) directs the planning system to support places that are economically, environmentally and socially sustainable by facilitating development that balances the costs and benefits of a proposal over the longer term. SPP introduces a presumption in favour of sustainable economic development and specifies decisions should be guided by principles which favour good design, making efficient use of existing capabilities of land and giving due weight to economic benefit.

SPP notes that ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development. Tree Preservation Orders can be used to protect individual trees and groups of trees considered important for amenity or their cultural or historic interest. Where appropriate, planning authorities should seek opportunities to create new woodland and plant native trees in association with development. If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network. The Scottish Government’s Control of Woodland Removal Policy includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting. The criteria for determining the acceptability of woodland removal and further information on the implementation of the policy is explained in the Control of Woodland Removal Policy, and this should be taken into account when preparing development plans and determining planning.

Given the above, it is considered that this proposal satisfies a number of the imperatives behind the government’s drive for sustainable economic growth, namely the expansion of an existing tourist asset with associated improvements and replanting to an existing woodland.

**It is considered that the proposal is consistent with the elements of NPF3 and SPP in that it will support the sustainable expansion of an existing tourist business whilst facilitating the wider regeneration of an area of protected woodland.**

**Appendix B – Relative to Application Number: 18/02596/PP**

**Area Capacity Evaluation**

**A. Purpose and Requirement for the ACE**

In the Argyll and Bute Local Development Plan (2015), Policy LDP DM1 states that encouragement will be given to sustainable small-scale forms of development on appropriate infill, rounding-off and redevelopment sites within the Countryside Zone. Policy SG LDP TOUR 1 of the LDP states a presumption in favour of new or improved tourist facilities and accommodation provided development is of a form and scale consistent with policy LDP DM1 and that they respect the landscape character and amenity of the area.

The application site lies within the Countryside Zone as defined within the adopted LDP maps. Policy LDP DM1 and Supplementary Guidance policy SG LDP ACE 1 of the LDP identifies those circumstances where an Area Capacity Evaluation (ACE) will be required to accompany the assessment of a planning application. In such situations where there is a proposal seeking support with a clear exceptional case, these require to be the subject of an ACE.

The proposed development of 40 new caravan stances proposal is classified as ‘medium-scale’ tourist development within the Countryside Zone which will require an Area Capacity Evaluation to be carried out to justify the proposed development within the larger holiday park site, and wider area.

The purpose of the ACE is to establish the capacity of the wider countryside containing the application site to successfully absorb the scale of development proposed, in response to a locational need or other exceptional circumstances. It, therefore, involves an assessment of landscape sensitivity to the type and scale of development being proposed. The outcome of the ACE assessment will be a material consideration in decision-making.

The approach to the ACE process is based on current best practice guidance for a systematic approach to landscape and visual impact assessment developed by the Landscape Institute and the Institute of Environmental Management and Assessment with support from SNH.

**B. Area of Common Landscape Character / ACE Compartment**

The application site and its immediate surroundings form part of a ‘*steep ridgeland and mountains*’ landscape character type (LCT) as defined in the SNH Landscape Character Assessment Argyll and the Clyde 1996. However, the SNH document also defines broader Landscape Character Areas and the site is identified as within ‘*Cowal Ridges*’. This broader area is considered to be of greater relevance in relation to the current application. The key issues affecting the ‘*Cowal Ridges*’ insofar as they relate to tourism developments are noted as follows:

- The development of larger caravan parks, particularly in sensitive loch-head locations
- Pressures from tourism related vehicular traffic; and
- Built development associated with towns on narrow scenic coastlines.

Specific Landscape Guidelines advise conserving and extending all broadleaved woodland; reinforcing the distinctive and varied woodland character of burns and lower slopes; and giving priority to the continued protection and management of semi-natural woodland. It also advises to plant trees to help screen and integrate existing built development particularly where it forms a continuous line at the foot of steep slopes. New built development should always be set within a framework of woodland designed to integrate the settlement with the wider landscape.

The ACE landscape compartment that has been identified is essentially the entire Holiday Village complex, which lies on the eastern side of the Cowal Peninsula by the Firth of Clyde. It is set within an area of mature wood and parkland, being part of the former grounds and policies of Hafton House. The complex is situated on land which rises gently southwards and westwards from the shore of Holy Loch and the settlement of Hunter’s Quay to the north and west. The grounds and policies of the

Holiday Village are actively managed and maintained to a high standard, commensurate with the site's status as a principal tourist and leisure destination for the area. The woodland cover of Camas Rainich Wood to the south and east, Kennel Wood, Lochan Wood and Target Wood to the west and south on higher ground, together with individual specimens and mature tree cover within the Holiday Village itself, generally serve to reduce its apparent scale and to visually integrate it into the wider landscape.

### **C. Key Environmental Features/Constraints**

The Key Environmental Features of the ACE Compartment (i.e. Hunters Quay Holiday Village) are as follows:

- The site rises from the Holy Loch southwards towards higher and elevated wooded areas mainly along the eastern escarpment, central knoll and southern plateau. The mature woodland comprises primarily Scots Pine, Birch, Oak, Beech and Larch. The woodland structure provides a high amenity for visitors and walkers while making a significant contribution to the immediate and wider landscape with dense area of woodland primarily along the eastern and southern portions of the site. Camas Rainich woodland is classified as Long Established of Plantation Origin and a Tree Preservation Order (TPO 8/91) covers the majority of the application site and the adjacent Kennel Woods on the western boundary.

Comment – The Tree Preservation Order largely constrains future development as the majority of the remaining unbuilt parts of the holiday park are regarded as key environmental and landscape features.

- The approach to the Holiday Village from the north east is very undeveloped in nature and characterised by open grass with isolated mature trees. The internal access road curves and rises through this parkland setting up towards the accommodation and leisure facilities.

Comment – the frontage of the holiday park presents an open parkland setting to the Holy Loch. This front area is highly visible from the A815 and communities on the north side of the Holy Loch. Any development on this area would be highly visible from wider viewpoints.

- The built areas comprise a timber chalet site in the north-western side of the park with two areas of caravans to the east (Iona and Burnside Villages) and to the south-west, the Town Village. In the centre of the park is Jura Village with Tiree Village to the south wrapped around the wooded knoll. Islay Village is situated to the north east of the main leisure and office building. Recent permissions in 2007 allowed further expansion in the south-west corner of the park with the creation of two new villages (Gigha and Colonsay) and within a former quarry area (Bute). The former office building at the lower part of the main entrance to the site is now used as staff offices and stores and caravans have been sited in this area as an extension to Islay Village. Within the chalet park, several caravans have been recently sited amongst the timber lodges.

Comment – the holiday park has evolved with varying clusters of caravan (and chalet) development with clearly identified 'villages'. These 'villages' have individual character which is reinforced by blocks of woodland acting as natural buffers of open space which create separation and identity. There are no obvious undeveloped spaces that would not involve encroaching into adjacent caravan villages.

### **D. Opportunities**

The application site is 3.8Ha in area, consisting of a long narrow strip of land extending approximately 500m southwards along the western edge of an existing wide access and approximately 90m wide at its broadest point.

The site currently comprises stands and individuals of mixed mature trees, a large proportion of which are plantation Scots Pine, with significant open areas within the central and western portions. Peat



and its associated vegetation is evident following the recent clearance of *Rhododendron ponticum* throughout the area (in the autumn of 2016, undertaken as part of an established Woodland Management Plan).

To the south of the application site is a buffer of mature trees and woodland screening the Cowal Golf Course. To the west, the site is flanked by a dense stand of plantation pine, part of a broader area of mixed woodland approximately 150m wide, separating it from the adjacent Tiree Caravan Village. To the east, there is a further area of mature woodland occupying a ridge of slightly higher ground which screens the application site from residential properties on the lower slopes in Hunter's Quay, on Cammesreinach Crescent and Victoria Road some 110-130m to the east. Residential properties further north on Eccles Road are some 200m distant.

The application site itself varies in elevation from 39m AOD to 54m AOD. Along its length, the site generally falls from east to west from the forestry road on the higher ground. The site is nominally divided by an existing drainage ditch and watercourse with the area to the west generally being flatter. The ground is boggy and uneven with poor drainage, underlying peat and associated flora. The principal feature of the compartment is of clearings within existing mature mixed woodland with reinstated ground cover due to recent clearance of *Rhododendron ponticum*.

The application site identifies an opportunity to sensitively develop an existing degraded part of the Cams Rainich Woodland, The site lies within a hollow which is screened by surrounding mixed tree cover and topography. The site is not readily visible from outwith the ACE compartment.

The proposed scheme also includes substantial new planting of native woodland to fill gaps and reinforce the caravan layout proposed. Combined with the applicant's on-going commitment to the positive management of the woodland resource across the whole estate, these proposals will help to ensure the long-term succession of the woodland resource, as well as improving age structure and species diversity.

### **E. Landscape Character Assessment**

In this instance, the proposed development relates to an existing, long-established tourist destination which is already well integrated within the wider landscape. The proposed expansion would represent a circa 5% increase in overall capacity in terms of unit numbers for the Holiday Village. This will be dispersed within existing cleared areas of woodland and in small groups, in contrast to the older style massed ranks of caravans that the original guidance was most concerned with. It is therefore considered that the scale and nature of the proposal would respect and not exacerbate the key issues identified.

Furthermore, the proposal responds to the generic guidelines provided for 'Built Development', in particular with regard to; consideration to fitting development into the existing landscape, limiting disturbance of landform, retention of trees and planting native species, scale of buildings and consideration of the impact of light reflective materials and surfaces. In relation to 'Tourism Development', the current proposal, through its nature and design, complies with the guidance to ensure caravan parks are kept in scale with their surroundings and use mass planting to provide partial screens.

In relation to the specific Landscape Character Type guidelines outlined, these are less directly relevant being very broad scale however, the proposals fit with general guidance in terms of conserving broadleaf woodland, planting of native trees and in particular avoiding prominent or visually exposed locations. In the latter regard, the location of the site within the body of a much broader expanse of woodland and the retention of significant tree cover means that the tree-line horizon will remain unbroken. More recent landscape assessment and capacity studies undertaken for Argyll and Bute Council in 2010 by Gillespies are primarily concerned with capacity for windfarm and other shoreline development, identifying areas of panoramic quality. These studies do not cover Dunoon or the shoreline around the Clyde or the Holy Loch, being more concerned with remoter and wilder locations.

The Landscape/Seascape Assessment of the Firth of Clyde (published by Marine Scotland in 2013) covers the shoreline of Dunoon as part of the Inner Firth of Clyde. In terms of the experience of the landscape from the sea, the study highlights the importance of the wooded hills and slopes behind the town and their high visibility in wider views. The submitted visual assessment accompanying the planning application demonstrates that the proposed development will have no visual impact from the Holy Loch or Firth of Clyde. It is therefore considered that due to the limited extent of the development site, and the nature of the proposed development itself, there will be no impact on the wider landscape and seascape character.

### **F. Landscape Capacity**

Argyll and Bute Council's Supplementary Planning Guidance outlines a methodology for the Local Authority to undertake an Area Capacity Evaluation (ACE). This method broadly follows current practice for Landscape Character Assessment and Landscape Capacity Assessment. It relies upon an assessment of the current landscape resource in terms of physical features, aspects of experience of the landscape and inter-visibility, to establish a baseline. This is followed by an assessment of the likely degree of physical change and visual intrusion of a development in the wider landscape to assess the capacity of the landscape, to accommodate the proposed development. Whilst this is not a formal Landscape Capacity Study, the process of undertaking a Landscape and Visual Impact Assessment (LVIA) is similar, particularly with regard to establishing a baseline for the existing landscape and making judgements regarding the nature and magnitude of impact on the landscape resource and visual intrusion of the proposed development. It follows therefore that reasonable conclusions can begin to be drawn from an LVIA regarding the capacity of the landscape to accommodate the proposed development.

In this instance, the LVIA undertaken suggests that the site itself has the capacity to accommodate the proposed development in the context of physical and visual impact on and around the immediate locale. This is where the change to the current baseline situation will be most apparent to the majority of receptors. The proposed design and its implementation is considered to have a moderate landscape and visual impact in the short-term, with that impact becoming low and beneficial over time, as the various mitigation measures in terms of new planting and vegetation take effect. Of significance in this instance, is the retention of over 89% of the existing tree cover within which the development is set, limited and controlled groundworks and a dispersed layout pattern.

In the context of the wider landscape, the LVIA demonstrates that the development proposal will have a negligible landscape and visual impact. In this context, and by extension, the wider landscape resource clearly has the capacity to accommodate the proposed development with little or no effect to the current baseline condition. Significant additional tree planting (400 new mixed species proposed ) will augment the existing degraded woodland compartment further with positive visual impact both from within the development site area and from wider parts of the park, but negligible from wider viewpoints.

### **G. Additional Landscape Factors**

Consideration has been given to seasonal differences in effect arising from the degree of screening for tree cover and/or the filtering of views that will apply in summer and winter. The presence of a large body of Pine on site, retained and integrated into the development footprint is a significant factor here. The assessment has considered this and seasonal variations in coming to the conclusions noted.

At night, the existing Holiday Village roads are illuminated, and this will be visible albeit, this has to be set into the context and proximity of the settlement of Hunter's Quay and streetlighting along the shoreline settlement in general. The proposed development site will also be lit for safety reasons however, the proposed lighting will be in the form of low-level bollards, capped to reduce light spillage. Given this, the location and orientation of the site and the proximity of intervening deciduous and evergreen tree cover, it is considered that the sensitivity of the wider landscape in this context is low and the magnitude of change likely to be perceived at night is negligible. The impact of any additional lighting within the wider landscape context is therefore considered to be negligible.

As is demonstrably the case in general, the impact of the night time lighting will be experienced most in close proximity to the development site. Here the magnitude of change will be greater, but the impact will primarily be experienced by Holiday Village users and visitors. Impact of the proposed low-level lighting will be mitigated by the natural landform of the site, the retention of existing tree cover and in the longer term, by new tree planting, which will help to further contain and filter light spillage into the wider landscape.

In general, any adverse visual impact of the new development will be greater during the short-term construction period however, this will also be experienced from close proximity viewpoints described above and will be temporary, being mitigated by new planting and re-vegetation combining with the retained tree cover.

### **H. Conclusion**

The proposed development broadly follows the original design concept of discreet caravan villages or clusters separated by distinctive blocks of native woodland. The application site comprises currently degraded woodland which does not contribute positively to the immediate surrounding landscape. The development compartment cannot however be viewed readily from outwith the holiday park site and its location with a partially hidden glade represents an opportunity to improve the woodland compartment with retention and significant additional tree planting.

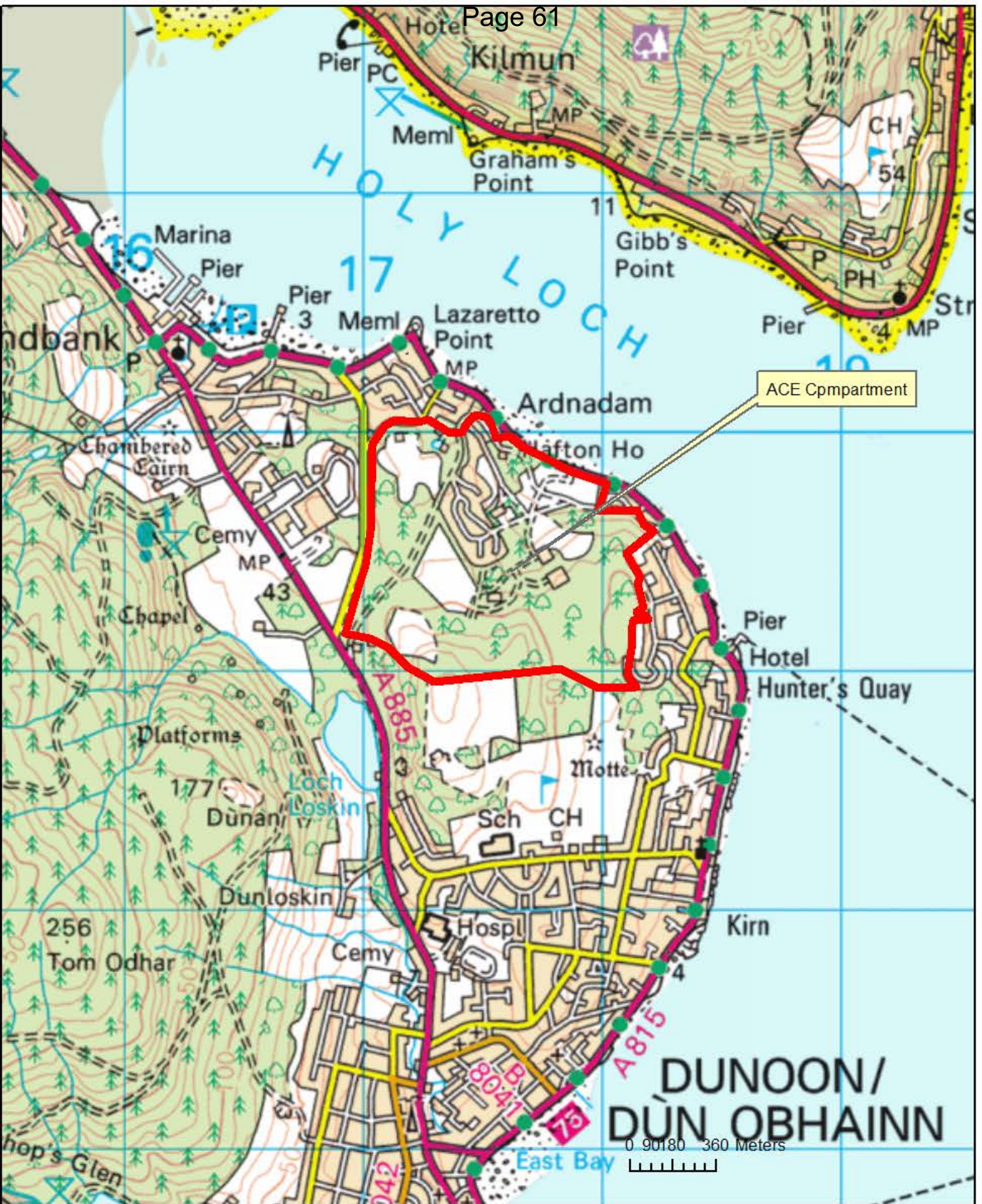
Taking into consideration all of the points described above, it can be seen that the significance of any impact by the proposed development on the existing wider landscape is negligible, with impacts being focused on and around the immediate development site itself. Here, the sensitivity of the landscape resource is considered to be medium in relation to the nature and type of the proposed development, as it seeks to utilise the existing landscape and its key features as a major element of the overall proposal. The desire to work with and enhance the existing landscape resource, and to sensitively integrate the new caravan units and their proposed infrastructure within an existing degraded woodland glade is reflected in the overall design proposals, and the consultation process undertaken to date with the Council to refine the detailed layout and unit siting. In addition, the various supporting surveys and studies have provided factual information on the landscape resource which has been used to inform the design and direct the proposed construction methodology, particularly in relation to minimising peat disturbance, the removal of existing trees and ensuring reinstatement of vegetation.

With the dispersed layout of the proposed development; the retention and protection of over 89% of the tree cover on site (including a significant proportion of evergreen trees), the use of muted tones, colours and non-reflective surfaces for the proposed caravan units; the proposed methodology for minimising disturbance to existing peat and protected species; and the proposed new planting (a total of 400 new mixed species trees to be planted) and habitat creation, the impact on the immediate site and landscape resource is considered to be moderate in the initial instance, becoming minor over time. Within the wider landscape context, the impact is considered to be negligible.

Visual impact will largely be limited to receptors in close proximity to the development site, using the existing forestry/woodland access road and viewing the existing caravan show area adjacent to the Leisure/Reception Centre. The sensitivity of the majority of these receptors is considered to be low and the significance of the change in visual effect is medium in the short-term and minor over time, as new planting takes effect.

Consideration of distant views has demonstrated that the development site is unlikely to be visible and therefore any change to the wider landscape scene perceived by a variety of receptors in the surrounding landscape will be negligible. In terms of the overall context of the site and the prevailing landscape character, the receiving landscape has the capacity to accommodate the proposed development, which is therefore considered to be appropriate in nature and scale

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**18/02596/PP - ACE Compartment**



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**18/02596/PP - ACE Compartment and Application Site**



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ACE Compartment

Application Site

0 3060 120 Meters



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



### 18/02596/PP - ACE Compartment Aerial View



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### 18/02596/PP - ACE Compartment and Application Site



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## Appendix C

### Objectors

Letters and emails of objection have been received from the following:

1. Mrs Ruhi Thallon Prospecthill 33 Eccles Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
2. Mr Paul Thallon Prospecthill 33 Eccles Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
3. Mrs Shireen Saxena Prospecthill 33 Eccles Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
4. Mr Alex Stichler 18 Hunters Grove Hunters Quay (letter dated 15<sup>th</sup> January and email dated 21<sup>st</sup> January 2019);
5. Mr Alec McKechnie 11 Manor Park Victoria Road Hunters Quay (email dated 21<sup>st</sup> January 2019);
6. Roland M Zielinski 51 Cammesreinach Crescent Hunters Quay (letter dated 20<sup>th</sup> January 2019);
7. Katharine J Zielinski 51 Cammesreinach Crescent Hunters Quay (letter dated 20<sup>th</sup> January 2019);
8. Joelle Zielinski 41 Cammesreinach Crescent Hunters Quay (letter dated 20<sup>th</sup> January 2019);
9. Adam Zielinski 51 Cammesreinach Crescent Hunters Quay (letter dated 20<sup>th</sup> January 2019);
10. Karen Wheatley 10 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
11. K Wheatley 10 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
12. Paul Gildfind 22 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
13. Eleanor Gildfind 22 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
14. Susan McInnes 265 Marine Parade Hunters Quay (email dated 21<sup>st</sup> January 2019);
15. Fulton RN McInnes 265 Marine Parade Hunters Quay (email dated 20<sup>th</sup> January 2019);
16. S Donaldson Callanish 20 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
17. Margaret McMurtrie 24 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
18. Margaret Turner Garden Flat 19 Eccles Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
19. B Hosie Kings Hut 23 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
20. Martin Harvey 10 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
21. Susan Harvey 10 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
22. J S McLean 7 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
23. T S McLean 7 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
24. M H McHutchison 1 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
25. Jeanette Catterson 3 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
26. Robert Porter 5 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
27. James Burns 12 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
28. May Burns 12 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);

29. Margaret Porchetta 13 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
30. Del Porchetta 13 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
31. Mr Alec McKechnie 11 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
32. Anne Conway 6 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
33. Margaret Morrison 9 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
34. Calum Rae 9 Manor Park Victoria Road Hunters Quay (email dated 15<sup>th</sup> January 2019);
35. David Ellmore Cedar Bank 8 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
36. Bonita Ellmore Cedar Bank 8 Victoria Road Hunters Quay (letter dated 20<sup>th</sup> January 2019);
37. Juliette Gill, 16 Victoria Road, Hunters Quay (email dated 13<sup>th</sup> February 2019);
38. Ivan Gill, 16 Victoria Road, Hunters Quay (email dated 13<sup>th</sup> February 2019).

### **Supporters**


Letters and emails of support have been received from the following:

1. Craig S McBurney 32 Broxwood Place Sandbank (letter dated 26<sup>th</sup> January 2019);
2. Elizabeth Hall 89 Alexandra Parade Dunoon (email dated 26<sup>th</sup> January 2019);
3. Arthur Hall 89 Alexandra Parade Dunoon (email dated 26<sup>th</sup> January 2019);
4. Jackie McBurney 32 Broxwood Place Sandbank (letter dated 26<sup>th</sup> January 2019);
5. Nigel Rycroft 4 Broxwood Place Sandbank (email dated 27<sup>th</sup> January 2019);
6. Deborah Rycroft 27 Marine Parade Kilmorie (email dated 26<sup>th</sup> January 2019);
7. Stewart G Shaw (Jnr), Cowal Building and Plumbing Supplies, 10 Jane Street Dunoon (email dated 27<sup>th</sup> January 2019);
8. Ross Petro, Argyll Forestry (email dated 27<sup>th</sup> January 2019);
9. Mr. and Mrs. M Halligan, (email dated 25<sup>th</sup> January 2019);
10. Mr. Alan and Mrs. Fiona Hughes, 7 Gareloch Brae, Shandon, Helensburgh (email dated 5<sup>th</sup> February 2019);
11. Mr. I McGregor, Dunmore, George Street, Hunters Quay (letter dated 29<sup>th</sup> January 2019);
12. Martin Clayton, Managing Director, GTI Direct, 17 Sandbank Business Park (email dated 5<sup>th</sup> February 2019);
13. Miss Maria Dyer, 2 Tigh-Na-Claddach, Dunoon (email dated 30<sup>th</sup> January 2019);
14. Mr. Mark Pellicci, 2 Tigh-Na-Claddach, Dunoon (email dated 30<sup>th</sup> January 2019);
15. Mr. Gordon Ross, Western Ferries, 18 Marine Parade, Hunters Quay (email dated 30<sup>th</sup> January 2019);
16. Mrs. Jane McLean, 95 Langside Terrace, Port Glasgow (email dated 29<sup>th</sup> January 2019).
17. James Hibbert and Partner, 16 Broxwood Place, Sandbank (email dated 29<sup>th</sup> January 2019);
18. Mr Alasdair Marshall Rose Cottage Hafton (email dated 29<sup>th</sup> January 2019);
19. Mr Steven Shaw 37 Kilbride Road Dunoon (email dated 28<sup>th</sup> January 2019);
20. William Tucker (email dated 28<sup>th</sup> January 2019);
21. Margaret Scott (email dated 25<sup>th</sup> January 2019);
22. Alistair Scott-Stewart (email dated 28<sup>th</sup> January 2019);
23. Ms Fiona Watson, 30 Broxwood Place, Sandbank (email dated 16<sup>th</sup> February 2019);



**Argyll & Bute COUNCIL**

**Location Plan Relative to planning application: 18/02596/PP**

  
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**Argyll and Bute Council**  
**Planning and Regulatory Services**  
**Development and Infrastructure Services**

This report is a recommended response to the Scottish Government's Energy Consents and Deployment Unit (ECDU) Section 36 consultation regarding the proposed Airigh wind farm, on Land south-west of Tarbert, Argyll and Bute

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**Reference No:** 17/02484/S36

**Planning Hierarchy:** Major

**Applicant:** EDF Energy Renewables Ltd (via Scottish Government Consents Unit)

**Proposal:** Electricity Act Section 36 consultation relative to Airigh Wind Farm

**Site Address:** Land south-west of Tarbert, Argyll and Bute

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**SUPPLEMENTARY REPORT NO. 2**

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**1.0 ADDITIONAL ENVIRONMENTAL INFORMATION (AEI)**

- 1.1 In August 2017, EDF Energy Renewables ('the Applicant') submitted an application to the Scottish Government Energy Consents Unit (ECU) for Section 36 consent under the Electricity Act 1989 ('the Act'), to construct and operate a wind farm development known as Airigh wind farm ('the Development') in Argyll and Bute Council administrative area. A request was also made by the Applicant that planning permission is deemed to be granted under Section 57 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 1.2 Since the application was submitted, and since the recommendation of the Council to object to the proposal, the applicant has taken the decision to make slight amendments to the location of some onsite infrastructure components, the effects of which need to be reassessed. There have also been information requests from consultees (Scottish Natural Heritage (SNH), Forestry Commission Scotland (FCS), AM Geomorphology (on behalf of Scottish Ministers) and the Royal Society for the Protection of Birds (RSPB) Scotland) during the application consultation period, which the ECU formally requested from the applicant on the 16<sup>th</sup> January 2018 under Regulation 19 of the EIA Regulations.
- 1.3 The Applicant has therefore prepared and submitted Supplementary Environmental Information (SEI) under Regulation 19 to respond to the information requests, and to provide an assessment of the changes proposed to the development. Where relevant, the applicant has also taken the opportunity to present new information to inform the original assessments of the EIA Report (2017). The SEI is intended to supplement the EIA Report, and unless otherwise stated, the EIA Report content remains unchanged.
- 1.4 In summary, the SEI is intended to:

- (i) Describe and assess two minor changes to the onsite infrastructure. These relate to increased size and altered shape of the most northerly construction compound (near to the site entrance) and a new location of the onsite substation and control building.
- (ii) Describe some minor amendments to the Forest Design Plan (in response to FCS request) associated with the development, including extension of the redline application boundary to the south to incorporate land under control, which is proposed for long-term tree management purposes.
- (iii) Provide an additional viewpoint visualisation and assessment from the northern end of the Isle of Gigha (in response to SNH comments).
- (iv) Provide additional visualisations for existing viewpoints showing darker coloured turbines.
- (v) Provide additional information to support Appendix 7.2: Peat Stability Assessment of the EIA Report (in response to Geomorphology request).
- (vi) Provide an update to Appendix 14.1: Carbon Report (in response to RSPB comments).
- (vii) Provide details of peat depths at key locations requested by RSPB
- (viii) Provide an updated cumulative ornithology assessment at the Natural Heritage Zone (NHZ) level (in response to SNH request).
- (ix) Provide details of the proposed new construction traffic access arrangements and highway amendments, and associated traffic and transport and noise assessment updates.
- (x) Provide copies of Memorandum of Understanding (MoUs) signed by Tarbert and Skipness Development Trust and Ardrishaig Community Trust, in respect of shared ownership offer to local communities.
- (xi) Provide an assessment of effects of the Development on climate change, major accidents and disasters and human health as introduced in the 2017 EIA Regulations, given the length of time that the new Regulations have now been in force (SEI Chapter 15).
- (xii) Provide details of the revised application description following amendments to the forestry plan and highway works required.

1.5 The submission of the SEI triggered a further round of consultation on the application. A copy of the SEI is also available to view on the Scottish Government Energy Consents Unit website.

## **2.0 CONSULTEE ADVICE IN RESPONSE TO SEI**

## **INTERNAL CONSULTEE RESPONSES TO SEI**

**Council's Landscape Consultant, (Carol Anderson Landscape Associates) (25<sup>th</sup> March 2019)** – following submission of the SEI the Council employed Carol Anderson to review the landscape and visual reasons for objection, as detailed in the main report, of December 2017. Carol Anderson's advice concludes that: on the positive side, this proposal would not significantly affect the Knapdale NSA and it would also not have a significant effect on views from the A83. The location of the proposed wind farm within a depression provides partial screening with the full height of the turbines often not seen in key views (it would be far more prominent if sited on the ridge of high open hills). Significant landscape and visual effects would be unlikely to be widespread being largely focused in the area of West Loch Tarbert. Despite this, key landscape and visual concerns are: Effects on the Knapdale APQ particularly appreciated from parts of West Loch Tarbert in views from the Islay Ferry and Dun Skeig, parts of the north-west Kintyre coast; Strategic cumulative effects – introducing large wind turbines to this part of Knapdale where the screening provided by the high ridge between Stob Odhar and Meall Reamhar prevents views of Srondoire and Allt Dearg wind farms in the West Loch Tarbert area and where this seemingly little developed area of south Knapdale contrasts with the increasingly intensive array of wind farm developments located on the Kintyre peninsula; and the layout of turbines at variable levels leads to an unsatisfactory 'jumbled' appearance evident in views from the south-west and the proliferation of access tracks in these uplands (>14km of new access track will be constructed) is also a concern. The proposal is contrary to some of the guidance in the ABLWECS although it is important to note that this study also identified some potential scope for large turbines in this area (LCT 6b). A consent for this development could open up the Knapdale area to a new wave of wind farm applications and it is an added concern that this applicant is proposing 30km of road access (upgraded and new) to service just 14 turbines. Although I appreciate that the potential for future developments cannot be considered in a planning decision, it would not be surprising if extensions are proposed to this development soon after any consent.

**Council's Roads Engineer (5<sup>th</sup> March 2019)** – no objection subject to conditions

**Council's Local Biodiversity Officer (5<sup>th</sup> March 2019)** – no further comment.

**Council's Environmental Health Officer (26<sup>th</sup> February 2019)** – no objection or further comments.

**Council's Archaeological Advisors, the West of Scotland Archaeologist Service**  
– no response at time of writing.

**Council's Access Officer** – no response at time of writing.

**Council's Flood Risk Assessor** – no response at time of writing.

**Council's Development Policy Team** – no response at time of writing.

## **CONSULTEE RESPONSES TO ENERGY CONSENTS UNIT ON SEI**

**Scottish Natural Heritage (4<sup>th</sup> March 2019)** – In relation to their remit, SNH have provided advice on the following topics covered by the SEI: Additional viewpoint from northern Gigha; Updated cumulative ornithology assessment at NHZ14 level; and proposed new construction traffic access arrangements. In summary – SNH's advice remains that the nature and scale of the proposal cannot be accommodated in this location without significant adverse landscape and visual effects as outline in their previous response dated 10<sup>th</sup> November 2017.

**Scottish Water (12<sup>th</sup> February 2019)** – no objection

**Ministry of Defence (MOD) (27<sup>th</sup> February 2019)** – no objection subject to conditions to secure aviation safety lighting.

**Glasgow Prestwick Airport (21<sup>st</sup> February 2019)** - no objection.

**National Air Traffic Services (NATS) (19<sup>th</sup> February 2019)** – no objection.

**VisitScotland (14<sup>th</sup> February 2019)** – no additional comments to make, previously advised they have no objection.

**Scotways (5<sup>th</sup> March 2019)** - no comment.

**BT (13<sup>th</sup> February 2019)** - no objection.

**Joint Radio Company (12<sup>th</sup> & 14<sup>th</sup> February 2019)** - proposal is cleared with respect to radio link infrastructure operated by: The Local Electricity Utility and Scotia Gas Networks.

**The Coal Authority (12<sup>th</sup> February 2019)** – no comments or observations.

**Peat Landslide Hazard and Risk Assessments Checking Report Prepared for Energy Consents Unit by AM Geomorphology (26<sup>th</sup> March 2019)** – confirms that the additional work undertaken for the 2019 PLHRA satisfactorily addresses the shortcomings identified in the 2017 PLHRA. No further revisions are required and no conditions specific to peat instability are recommended.

**Royal Society for the Protection of Birds (15<sup>th</sup> March 2019)** – RSPB's concerns expressed in their original response (October 2017) (they did not object) were that many of the impacts from this proposal have been under-estimated and impacts on birds of conservation concern and peatland needed more consideration / mitigation. This response should be considered alongside their initial one. RSPB provide further advice on Ornithology; black and red-throated diver; golden eagle; black grouse; and peatland considerations

**Forestry Commission Scotland/Scottish Forestry (14<sup>th</sup> March 2019)** - The SEI has addressed the majority of concerns raised in FCS consultation response of 9<sup>th</sup> November 2017. As a result, FCS do not object to the proposal, assuming that a

condition is applied to any consent to ensure compensatory planting (CP) and a full forest plan is completed.

**Historic Environment Scotland** (14<sup>th</sup> March 2019) – no objection, have no additional comments to add to their previous response dated 4<sup>th</sup> October 2017.

**Marine Scotland Science** (13<sup>th</sup> March 2019) - reiterates its advice that the developer establishes a robust water quality monitoring programme incorporating MSS guidelines. This monitoring programme could be secured by a suitably worded condition, should consent be granted for this development.

**Transport Scotland** (13<sup>th</sup> March 2019) - no objection subject to conditions.

**South Knapdale Community Council** (28<sup>th</sup> March 2019) - confirms that its' original representation, dated 18<sup>th</sup> October 2017, remains valid and is not altered by the SEI. It is noted that further to the original submission of the Airigh Wind Farm planning application submitted by EDF Energy Renewables Ltd (EDF), a significant amount of additional work has been undertaken by EDF's agent Force 9 Energy Partners LLP (F9) to refine the planning application. SKCC has carefully considered the information contained in the SEI and as a consequence, has formulated some questions and related observations; SKCC ask the ECU to put these questions to the applicants and deliberate on the answers when reaching its' conclusions: 1. Should the project proceed, what demonstrable employment opportunities - short term during construction and long term with the ongoing operation - will there be for local people, contractors and businesses? 2. What are the tangible economic and enriching benefits to the Community of South Knapdale that are likely to flow from the project – especially over the anticipated 20 or more years that the wind farm will operate? 3. The SEI describes how F9 has signed Memoranda of Understanding (MoU) with two communities. SKCC has not accepted the currently presented terms of the MoU as they fall short of Government directions and guidelines on the arrangements that should be offered to affected communities. SKCC does wish to reach an agreement with the operators but on terms that are tangible, fair to the Community, and provide security into the long-term future. Negotiations continue. 4. There is considerable dialogue in the SEI around the effect of the proposed construction on the natural environment. In general, the submission addresses the measures that will be taken to avoid disturbing wildlife, in particular areas defined as sensitive and rare and protected species. It, however, is noted as measures are offered to deal with disruptions to such areas and species, that disturbance and in some cases destruction will occur. How much disturbance and/or destruction is legally allowable and how much is reasonably acceptable? 5. A similar situation to 4. above arises from the effect the development will have on the local scenery and views. The proposed site is in the centre of a Local Authority-defined 'Area of Panoramic Quality'. What, if any, development of this kind is allowable or acceptable within such a defined zone?

The above represents a summary of the issues raised. Full details of the consultation responses are available on the Council's Public Access System and the Energy Consents website by clicking on the following links: <http://www.argyll->

[bute.gov.uk/content/planning/publicaccess/https://www.energyconsents.scot/ApplicationDetails.aspx](http://bute.gov.uk/content/planning/publicaccess/https://www.energyconsents.scot/ApplicationDetails.aspx)

### **3.0 REPRESENTATIONS IN RESPONSE TO AEI**

- 3.1 As this is not a planning application the Energy Consent Department's web page is where the full and formal record of representations must be recorded and not the Council's public access system. All representations can be found on the Scottish Government Webpage related to this application which provides the up-to-date listing of third party representations and other submissions relating to this S36 application. No further letters of representation have been forwarded to Officer's from the Energy Consents Unit in response to the SEI, they therefore remain as detailed in the previous committee report (15<sup>th</sup> December 2017) and Supplementary Report (22<sup>nd</sup> January 2018).

### **4.0 UPDATED POLICY ASSESSMENT**

- 4.1 The previous committee report was dated 15<sup>th</sup> December 2017 and Supplementary Report 1 was dated 22<sup>nd</sup> January 2018. In light of the time which has lapsed since the proposal was first considered, and the further consultation exercise which has been undertaken, it is deemed prudent to do an updated policy assessment. This can be viewed at Appendix A to this report. Key Policies, Supplementary Policies and all other relevant material considerations which have been taken into account are detailed below.
- 4.2 List of all Development Plan Policy Considerations taken into account in assessment of the application.

#### Argyll & Bute Local Development Plan (2015)

LDP STRAT 1 – Sustainable Development

LDP DM 1 – Development within the Development Management Zones

LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment

LDP 4 – Supporting the Sustainable Development of our Coastal Zone

LDP 5 – Supporting the Sustainable Growth of our Economy

LDP 6 – Supporting the Sustainable Growth of Renewables

LDP 8 – Supporting the Strength of Our Communities

LDP 9 – Development, Setting, Layout and Design

LDP 10 – Maximising our Resources and Reducing our Consumption

LDP 11 – Improving our Connectivity and Infrastructure

#### Supplementary Guidance in the Argyll and Bute Local Plan

SG LDP ENV 1 – Development Impact on Habitats, Species and our Biodiversity

SG LDP ENV 2 – Development Impact on European Sites

SG LDP ENV 4 – Impact on Sites of Special Scientific Interest (SSSIs) and National Nature Reserves

SG LDP ENV 5 – Development Impact on Local Nature Conservation Sites (LNCS)  
SG LDP ENV 6 – Development Impact on Trees/Woodland  
SG LDP ENV 7 – Water Quality and the Environment  
SG LDP ENV 9 – Development Impact on Areas of Wild Land  
SG LDP ENV 10 – Geodiversity  
SG LDP ENV 11 – Protection of Soil and Peat Resources  
SG LDP ENV 12 – Development Impact on National Scenic Areas (NSA's)  
SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs)  
SG LDP ENV 14 – Landscape  
SG LDP ENV 15 – Development Impact on Historic Gardens and Designed Landscapes  
SG LDP ENV 16(a) – Development Impact on Listed Buildings  
SG LDP ENV 19 – Development Impact on Scheduled Ancient Monuments (SAMs)  
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance  
SG LDP Sustainable – Sustainable Siting and Design Principles  
SG LDP SERV 2 – Incorporation of Natural Features/Sustainable Drainage Systems (SuDS)  
SG LDP SERV 3 – Drainage Impact Assessment (DIA)  
SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities within New Development  
SG LDP SERV 6 – Private Water Supplies and Water/Waste Conservation  
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development  
SG LDP TRAN 1 – Access to the Outdoors  
SG LDP TRAN 2 – Development and Public Transport Accessibility  
SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes  
SG LDP TRAN 5 – Off-site Highway Improvements  
SG LDP TRAN 6 – Vehicle Parking Provision  
SG LDP TRAN 7 – Safeguarding of Airports  
SG LDP REC/COM – Safeguarding and Promotion of Sport, Leisure, Recreation, Open Space and Key Rural Services  
Supplementary Guidance 2 (December 2016)  
Supplementary Guidance 2 – Wind farm map 1  
Supplementary Guidance 2 – Wind farm map 2

Note: The above supplementary guidance has been approved by the Scottish Government. It therefore constitutes adopted policy. The Full Policies are available to view on the Council's Web Site at [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

4.3 Updated list of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A

- National Planning Policy Framework 3 (NPF3), Scottish Government (June 2014)
- Scottish Planning Policy (SPP), Scottish Government (June 2014)
- The future of energy in Scotland: Scottish Energy Strategy, Scottish Government (December 2017)
- Onshore wind policy statement, Scottish Government (December 2017)
- Argyll and the Firth of Clyde Landscape Character Assessment, SNH (1996)

- Siting and Designing Wind Farms in the Landscape Guidance, SNH (August 2017)
- Argyll and Bute Landscape Wind Energy Capacity Study, SNH & A&BC (2017)
- Control of Woodland Removal Policy, FCS (2009)
- Scottish Historic Environment Policy, HES (June 2016)
- Shared Ownership of Renewable Energy Developments, consultation, Scottish Government, November 2018
- Views of statutory and other consultees
- Legitimate public concern or support expressed on relevant planning matters.

## **5.0 CONCLUSION**

- 5.1** The contents of the SEI relates to minor amendments to the location of some on site infrastructure components and additional information requested by consultees including Scottish Natural Heritage, Forestry Commission Scotland, AM Geomorphology and the Royal Society for the Protection of Birds Scotland.
- 5.2** It is acknowledged that the detail provided in the SEI addresses some of the requests for additional information/further clarification from Scottish Natural Heritage, Forestry Commission Scotland, AM Geomorphology and the Royal Society for the Protection of Birds. Albeit it is noted that the RSPB have not objected but still have concerns which should be addressed by the Energy Consents Unit prior to reaching a decision on the proposal.
- 5.3** It is further acknowledged that the additional detail provided in the SEI, in the form of the additional viewpoint from Gigha, visualisations showing darker turbines, and amendment to the Forestry Plan to try and address SNH and the Council's concern in respect to the landscape and visual impact of the proposal have been considered. It is noted that SNH continue to have the same landscape and visual concerns regarding this proposal, despite submission of the SEI. Additional consultation was undertaken with the Council's Landscape consultant on the SEI and a review was requested of the recommended reasons for objection in the original main report (given the time which has lapsed since the original report). This has resulted in a recommended amendment to the original reasons for objection which are detailed below.
- 5.4** As part of the SEI the applicant has also put forward details of a Shared Ownership proposal, including signed copies of Memorandums of understanding (MoU). This additional information has been considered in the determination of the proposal. The Scottish Government consultation draft on shared ownership of renewable energy developments - good practice principles (November 2018) has also been considered.
- 5.4** In conclusion, whilst, the SEI addresses some of the outstanding technical concerns, introduces further information on shared ownership proposals, provides an additional viewpoint and additional visualisations (showing darker turbines), it is not considered that it presents any additional information to alter the Council's view on the significant adverse landscape and visual impact (including cumulative) of this proposal (revised following advice of the Council's Landscape Consultant).



## 6.0 RECOMMENDATION

6.1 There is no change to the recommendation to object to the proposal, however, following the advice of the Council's Landscape Consultant it is recommended that the reasons for objection are amended from those detailed in the main report (dated 22<sup>nd</sup> December 2017) to reflect the advice which has been provided. For ease of comparison the original reasons for refusal can be viewed at Appendix B and the amended reasons are as follows:

### 6.3 REVISED REASONS FOR OBJECTION TO REFLECT ADVICE OF THE COUNCIL'S LANDSCAPE CONSULTANT

#### 1. Significant Adverse Effects on the appreciation of South Knapdale Area of Panoramic Quality (APQ)

Argyll and Bute Council will resist any development in, or affecting, Areas of Panoramic Quality where its scale, location or design will have a significant adverse impact on the character of the landscape unless it is adequately demonstrated that any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, economic or environmental benefits of community wide importance. Argyll and Bute Council will also resist renewable energy developments where these are not consistent with the principles of sustainable development and it has not been adequately demonstrated that there would be no unacceptable significant adverse landscape and visual impacts, whether individual or cumulative.

The proposed wind farm would be located within the Knapdale Area of Panoramic Quality (APQ). There is no detailed assessment of the special qualities of the APQ in the Environmental Statement. The Environmental Statement presumes that the APQ is '*designated for its outwards looking views*'. Despite the applicant's rebuttal stressing the strategic nature of the Argyll and Bute Landscape Wind Energy Capacity Study, their landscape consultants appear to rely on the information provided in this study rather than providing a detailed assessment of the special qualities of the APQ. This is contrary to the guidance on local landscape designations set out in Scottish Planning Policy and the Guidelines for Landscape and Visual Impact Assessment, third edition. There is no citation for this designated landscape although its key qualities are likely to comprise:

- Fragmented rocky coasts and a varied seascape which includes the narrow confined West Loch Tarbert as well as the more open sea basin bounded by Knapdale, Gigha, Islay and Jura
- The diversity of landscapes including knolly coastal fringes richly patterned with woodland, pockets of farmland, wetland and largely traditional buildings and backed by undulating forested slopes and open well-defined hills. The landscape has a secluded timeless quality, accessed only by a single-track road and sparsely settled, contributing to the specialness of this APQ.
- Dramatic views west from the APQ over the sea focussing on Jura and Islay but also views to the APQ particularly from the south where the intricate coastal fringes, forested middle ground and open high hills, including the shapely Meall Reamhar, are seen scenically juxtaposed with West Loch Tarbert and the sea.

- The wider setting this scenic landscape provides to the Knapdale National Scenic Area (NSA)

The proposal would be visible from west Kintyre, the northern part of Gigha (additional Viewpoint 15) and (extensively) offshore. Views from these areas tend to focus on the arresting profile of Jura but south Knapdale forms part of an extensive scenic panorama of little developed coast, settled fringes, forested and open uplands. It is considered that the proposal would be likely to incur significant adverse impacts on the appreciation of the Area of Panoramic Quality in views from parts of North West Kintyre, from West Loch Tarbert and other offshore areas (principally from the Islay ferry but also from recreational sailing craft).

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including local economic benefits and the achievement of climate change related commitments.

**Having due regard to the above it is considered that the proposal will have significant adverse impacts on the Knapdale Area of Panoramic Quality contrary to the provisions of SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; Supplementary Guidance 2: Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zones; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; and LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan; Scottish Planning Policy (2014); The future of energy in Scotland: Scottish Energy Strategy (December 2017); Onshore wind policy statement (January 2017); SNH Siting and Designing Wind Farms in the Landscape Guidance (August 2017); and Argyll and Bute Landscape Wind Energy Capacity Study, SNH and Argyll and Bute Council (2017).**

## 2. Significant Adverse Strategic Cumulative Landscape Impact

The Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse landscape and visual impacts, whether individual or cumulative.

The Srondoire and Allt Dearg wind farms are located within the *Knapdale Upland Forest Moor Mosaic* LCT. While these developments are prominent in views from the north and east in the Lochgilphead/Loch Fyne area, they are barely visible from the south-west. The proposal would introduce wind turbines into a scenic landscape (Knapdale) where there are currently no wind farms unlike the Kintyre peninsula which is also seen in the view.

The south Knapdale area between the high ridge of Stob Odhar to Meall Reamhar and West Loch Tarbert and west to the Kilberry area (and abutting the NSA) has a distinctive and scenic character which is unaffected by large scale development. While the richly scenic diverse coastal fringe of South Knapdale would not be dominated by

this proposal (due to distance and partial/intermittent screening), the sense of this area being undeveloped and remote (principally appreciated in views across West Loch Tarbert, the NW Kintyre coast and the sea) would be significantly diminished. The expansive and highly scenic panorama of the south/west Knapdale area and the islands of Islay/Jura contrast with the nearby Kintyre peninsula where wind farm development is a key characteristic. While wind farms could potentially be accommodated in this part of Knapdale without widespread significant landscape and visual impacts arising (due to the sparse settlement and less complex landform and vegetation cover of hill slopes) it is also important to keep the most scenic parts of Argyll and Bute free from development given the extent of wind farm development accommodated elsewhere. The scenic quality of the area is recognised by the APQ designation.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including local economic benefits and the achievement of climate change related commitments.

**Having due regard to the above it is considered that the proposal would have a significant adverse strategic landscape impact contrary to the provisions of SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; Supplementary Guidance 2: Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zones; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; and LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan; Scottish Planning Policy (2014); The future of energy in Scotland: Scottish Energy Strategy (December 2017); Onshore wind policy statement (January 2017); SNH Siting and Designing Wind Farms in the Landscape Guidance (August 2017); and Argyll and Bute Landscape Wind Energy Capacity Study, SNH and Argyll and Bute Council (2017).**

### 3. Layout

Argyll and Bute Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse landscape and visual impacts, whether individual or cumulative. Argyll and Bute Council will resist development with poor quality or inappropriate layouts.

It is considered that the layout of turbines at variable levels leads to an unsatisfactory 'jumbled' appearance evident in views from the south-west. In particular, from Viewpoint 15: Gigha North End, the layout of the wind farm is unsatisfactory with turbines appearing muddled, which contributes to an adverse impact despite the viewpoint lying some 14km away.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development

of this scale would make, including local economic benefits and the achievement of climate change related commitments.

**Having due regard to the above it is considered that the layout of the turbines is unacceptable contrary to the provisions of SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; Supplementary Guidance 2: Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zones; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 – Supporting the Sustainable Growth of Renewables and LDP 9 – Development Setting, Layout and Design of the Argyll and Bute Local Development Plan; Scottish Planning Policy (2014); The future of energy in Scotland: Scottish Energy Strategy (December 2017); Onshore wind policy statement (January 2017); SNH Siting and Designing Wind Farms in the Landscape Guidance (August 2017); and Argyll and Bute Landscape Wind Energy Capacity Study, SNH and Argyll and Bute Council (2017).**

**Report:** Arlene Knox  
**Reviewing Officer:** Sandra Davies

**Date:** 4<sup>th</sup> April 2019  
**Date:** 4<sup>th</sup> April 2019

**Angus Gilmour**  
**Head of Planning, Housing and Regulatory Services**

## **APPENDIX A: UPDATED PLANNING LAND USE AND POLICY ASSESSMENT**

### **A. THE SECTION 36 CONSENTING REGIME**

In Scotland, any application to construct or operate an onshore power generating station with an installed capacity **of over 50 megawatts (MW)** requires the consent of Scottish Ministers under Section 36 of the Electricity Act 1989. Any ministerial authorisation would include a 'deemed planning permission' and in these circumstances there is no requirement for a planning application to be made to the Council as Planning Authority. The Council's role in this process is one of a consultee along with various other consultation bodies. It is open to the Council to either support or object to the proposal, and to recommend conditions it would wish to see imposed in the event that authorisation is given by the Scottish Government. In the event of an objection being raised by the Council, the Scottish Ministers are obliged to convene a Public Local Inquiry (PLI) if they are minded to approve the proposal. They can also choose to hold a PLI in other circumstances at their own discretion. Such an Inquiry would be conducted by a Reporter(s) appointed by the Directorate for Planning and Environmental Appeals.

In the event that consent is given, either where there has been no objection from the Council, or where objections have been overruled following PLI, the Council as Planning Authority would become responsible for the agreement of matters pursuant to conditions, and for the ongoing monitoring and enforcement of such conditions. This report reviews the policy considerations which are applicable to this proposal and the planning merits of the development, the views of the bodies consulted by the Scottish Government along with other consultations undertaken by the Council, and third party opinion expressed to the Scottish Government following publicity of the application by them. It recommends views to be conveyed to the Scottish Government on behalf of the Council before a final decision is taken in the matter.

The conclusion of this report is to recommend that objection be raised to this proposal on the grounds of significantly adverse landscape, visual and cumulative impacts. It is not necessary at this point in the process to recommend conditions in the event that the project is authorised by Scottish Ministers, for if they are minded to approve the project regardless of an objection by the Planning Authority, there would be opportunity to suggest appropriate conditions as part of the Public Local Inquiry which would require to be convened in such circumstances.

### **B. SETTLEMENT STRATEGY**

The proposed wind farm and access is located within a 'Rural Opportunity Area', 'Countryside Zone', and 'Very Sensitive Countryside' as defined by the 'Argyll and Bute Local Development Plan'. Within Rural Opportunity Areas and the Countryside Zone Policy LDP DM 1 – Development within the Development Management Zones, only supports development up to 'small scale' on appropriate sites including the open countryside as well as small scale infill, rounding-off, redevelopment and change of use of existing buildings. Only in exceptional cases, will up to and including large scale development be supported if it accords with an Area Capacity Evaluation (ACE). The policy does not however require an Area Capacity Evaluation (ACE) for renewable energy related developments which are the subject of Environmental Impact Assessment. Within Very Sensitive Countryside, encouragement is only given to specific categories of development on appropriate sites, which does include renewable energy related development. Policy LDP 6 – Supporting the Sustainable Growth of Renewables supports renewable energy developments where they are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects, whether individual or cumulative, including on local

communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses. For the reasons detailed below in this report, having taken the Supplementary Environmental Information into account, it is considered that this proposal does not satisfy Local Development Plan policy, and Scottish Government policy and advice in respect of wind farm development.

**Having due regard to the above it is considered that the proposal is contrary to the provisions of LDP DM1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; Scottish Planning Policy (2014); and National Planning Framework 3**

**C. SUPPORTING THE SUSTAINABLE GROWTH OF RENEWABLES**

Argyll and Bute Council is keen to ensure that Argyll and Bute continues to make a positive contribution to meeting the Scottish Government's targets for renewable energy generation. These targets are important given the compelling need to reduce our carbon footprint and reduce our reliance on fossil fuels. The Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects.

**D. LOCATION, NATURE AND DESIGN OF PROPOSED DEVELOPMENT**

The Supplementary Environmental Information describes and assesses two minor changes to the onsite infrastructure. These relate to increased size and altered shape of the most northerly construction compound (near to the site entrance) and a new location of the onsite substation and control building; and provides details of the revised application description following amendments to the forestry plan and highway works required.

It is proposed to amend the location of the onsite control building and substation compound from its previously proposed position to directly north of Turbine 7. Whilst the control building and substation compound will have a slightly different orientation, its dimensions will remain as 100m x 60m. This amendment will place the control building and substation more centrally within the site, thus resulting in less cabling and electrical loss across the site. It is also proposed to increase in the size and shape of the northern construction compound to accommodate a number of car parking spaces to enable site workers to be transported from here south-west by bus into the main site during the construction programme, effectively creating a park and ride system. The compound remains within an area of existing hardstanding used during the construction of Allt Dearg Wind Farm.

A change is also proposed to the construction traffic route to completely avoid construction traffic passing through Tarbert, and this will effectively act as a by-pass to the town. Construction traffic will turn off the A83 south-west of Tarbert onto an unclassified road before joining the existing timber haul route (B8024). Vehicles will continue travelling north-east before re-joining the A83 north of Tarbert. Minor alterations to the public road network will be required to enable abnormal load vehicles to join and travel along the unclassified road from the A83, to travel safely along the B8024 and to route safely back onto the A83. Main road amendment required at the junction of the B8024 with the A83.

Amendments to the forestry plan include: reducing the amount of proposed felling from 160 hectares (ha) to 104ha through consultation with FCS. This has been achieved through restructuring the forestry operations to be undertaken across the site between 2019 and 2048. The Applicant also proposes to retain ridgeline planting within the West Carse landownership area to provide long term screening of the site from the south-west and east. Compensatory

planting proposals to replace forestry that will be lost to the wind farm infrastructure remains unchanged. A revised forestry plan is included at **SEI**

As a result of the required road amendments and change to the forestry plan, it has been necessary to update the Section 36 application description as registered with the ECU.

The off-site road works and changes to the forestry plan both necessitate an amendment to the redline application boundary and therefore an amendment to the application description.

The current application description for consent (Reference: ECU00000471) is:

*“Construction and operation of wind farm approximately 8.4km south-west of Tarbert, Argyll and Bute, comprising 14 wind turbines (including external transformers) of up to 149.5m in height (to blade tip) – turbines currently under consideration will have a capacity of between 3.6MW and 4.2MW giving a total maximum rated capacity range for the project of between 50.4MW and 58.8MW; crane hardstandings; onsite underground electrical cables; a control building; site signage; vehicle turning circles; approximately 30.4km of access tracks (16km is existing track which will be upgraded where necessary and 14.4km is new and includes the new site access); and replanting of 129.4ha of forestry”.*

This has been changed to the following:

*“Construction and operation of wind farm approximately 8.4km south-west of Tarbert, Argyll and Bute, comprising 14 wind turbines (including external transformers) of up to 149.5m in height (to blade tip) – turbines currently under consideration will have a capacity of between 3.6MW and 4.2MW giving a total maximum rated capacity range for the project in excess of 50MW; crane hardstandings; onsite underground electrical cables; a control building; site signage; vehicle turning circles; approximately 30.4km of access tracks (16km is existing track which will be upgraded where necessary and 14.4km is new and includes the new site access); replanting of **77ha of forestry; and off site road works to facilitate transportation of abnormal loads”.***

## **E. SPATIAL FRAMEWORK FOR WIND FARMS**

Supplementary Guidance has been prepared in accordance with SPP which provides a Spatial Framework for wind farms and wind turbine developments over 50 metres high, which identifies: Group 1 - Areas where wind farms will not be acceptable (National Parks and National Scenic Areas); Group 2 - Areas of significant protection (National and International designations, other nationally important mapped environment interests including areas of wild land) and community separation distances for consideration of visual impact); and Group 3 - Areas which may have potential for wind farm development.

The area of the site encompassing the wind turbines is situated entirely within a Group 3 area. Approximately 3km of the access track to the site passes through a corner of the Knapdale National Scenic Area, a Group 1 area. It is clear when reading the detail of the SPP that the spatial frameworks referred to, are intended to apply to the wind turbine element of any proposed development and not necessarily the access tracks. Mitigating the effects of the development on the National Scenic Area by design, to limit the visibility of turbines within this area has been a key design consideration.

The same principles have been applied to the access track, which largely follows the route of existing track infrastructure already situated within the National Scenic Area. Whilst this means that a small portion of the overall Development falls within the National Scenic Area, this is not considered contrary to the spatial framework. As SPP and the resulting spatial framework focus specifically upon the wind turbine components (and tip height) the access track is not

considered to conflict with the aims of the spatial framework or SPP. Any effect on the National Scenic Area by the access track has been mitigated by routing and design.

**F. NET ECONOMIC IMPACT, INCLUDING LOCAL AND COMMUNITY SOCIO-ECONOMIC BENEFITS SUCH AS EMPLOYMENT, ASSOCIATED BUSINESS AND SUPPLY CHAIN OPPORTUNITIES**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewables and Scottish Planning Policy require applications for wind turbine developments to be assessed against net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

The Supplementary Environmental Information provides copies of a Memorandum of Understanding (MoUs) signed by Tarbert and Skipness Development Trust and Ardrishaig Community Trust, in respect of shared ownership offer to local communities.

Economic benefit is a material planning consideration and arises from procurement construction, employment and indirect benefits associated with the supply chain, accordingly economic benefit should be regarded as a factor weighing in favour of the development in the planning balance. Opportunities for job creation through the construction phase is estimated to generate 1.5 - 6 FTE (Full-Time-Equivalent) jobs will be created, with a further 2 FTE jobs during the operational phase. There will also be potential supply chain benefits during the construction phase with workers making use of local accommodation and other facilities. The estimated additional indirect employment generated by construction of the Development is therefore 3.15 to 12.6 FTEs resulting in a temporary minor (positive) effect. Once operational, the Development will require a small team of personnel to service maintain and operate it. It is predicted that 1 FTE job will be created during the lifetime of the Development (30 years). It is likely that there will be some local employment generated as an indirect result of the operation of the Development, and this will be associated with induced employment effects resulting from increased household expenditure among those individuals who have gained employment both directly and indirectly as a result of operation of the Development. In total, 5.5 FTEs are considered possible.

Community Shared Ownership - The proposed development is now being brought forward with the opportunity for community shared ownership. The preferred model for shared ownership in the project is through revenue (profit) sharing. The applicant has offered shared ownership to representative community groups within the host and adjacent Community Council areas. The shared ownership opportunity is in the form of a revenue (profit) sharing offer. Communities have been invited collectively to invest up to 10% of the development and capital costs of the wind farm (which will include turbines, civil, electrical and grid costs). In return the communities will receive the equivalent percentage of net profit from the project. A memorandum of understanding (MoU) has been developed to explain the proposed terms for the shared ownership opportunity. The MoU has been explained to community groups who have expressed an interest in the offer. Interested community groups have been asked to sign the MoU as a precursor to a more detailed agreement with a grouping of interested communities, likely to be post consent, but pre construction of the development. Local Energy Scotland has been providing independent advice and support to communities interested in the shared ownership opportunity. A copy of the MoU signed by both representative community organisations in Ardrishaig and Tarbert and Skipness are included in the SEI. To convey the shared ownership offer, the developers, on behalf of the applicant has: Attended by invite meetings of individual community councils within the Community of Interest and maintained regular contact with those communities; and Directed communities to the support and advice available to them through Local Energy Scotland (LES).



Proposed Community Benefit - In addition to the shared ownership opportunity, should the proposed development gain consent, a Community Benefit Fund would be made available to the community of interest. This is offered on the basis of a payment per MW of installed capacity at the Scottish Government recommended rate at the time of commissioning the proposed windfarm. At present the recommended rate is £5,000 per MW equivalent. At this rate the community benefit fund would equate to an annual payment of between £252,000 at the lower end of the expected installed capacity and £294,000 at the upper end of the expected installed capacity of the proposed development for up to 30 years.

Community Benefit is not considered to be a 'material planning consideration' in the determination of planning applications. In the event that permission were to be granted, the negotiation of any community benefit, either directly with the local community or under the auspices of the Council, would take place outside the application process.

Consideration has been given to the Scottish Government on Shared ownership of renewable energy developments - good practice principles: consultation (November 2018) and the guidance which it provides at section 4.2 – Decision making. The key paragraph, relevant to the consideration of this case being: "A development should be essentially capable of achieving planning permission without the benefits accruing from a shared ownership offer. A poorly designed scheme in an unsuitable location where the impacts cannot be appropriately resolved cannot be made acceptable by matters which are not material to the consideration of the application". Taking this into account, it has been concluded that whilst the potential for shared ownership is positive, the fact that the proposal will have significant adverse landscape and visual impact (including cumulative) should be the primary consideration.

Furthermore this document states that: "A planning authority could not guarantee that a shared ownership option will ultimately be established as this is an arrangement between a renewable energy business and a community. Similarly, the planning process should not be used as an opportunity to seek to compel communities to take-up a shared ownership offer when in the end it is not right for their community and aspirations".

**Having due regard to the above the proposals net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities has been assessed and it is concluded that the proposal is consistent with the provisions of Supplementary Guidance 2 (December 2016); LDP DM1 – Development within the Development Management Zones; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; Scottish Planning Policy (June 2014) and the Onshore wind Policy Statement (January 2017) in this regard.**

#### **G. THE SCALE OF CONTRIBUTION TO RENEWABLE ENERGY GENERATION TARGETS**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against the scale of contribution to renewable energy generation targets. The proposed development could generate between approximately 51 and 58 MW of renewable energy to the grid which is a substantial contribution to Scotland's targets. The lowest estimate of installed capacity, of 50.4MW, is estimated to produce 117,683 MWh which is enough electricity to supply the equivalent of approximately 27,035 households for a year.

**Having due regard to the above the proposals scale of contribution to renewable energy generation targets has been assessed and it is concluded that the proposal is consistent with the provisions of SG 2; Supplementary LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone;**

**LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; Scottish Planning Policy (2014); and the Onshore wind Policy Statement (2017) in this regard.**

#### **H. EFFECT ON GREENHOUSE GAS EMISSIONS**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against their effect on greenhouse gas emissions.

The Supplementary Environmental Information provides an assessment of effects of the Development on climate change, major accidents and disasters and human health as introduced in the 2017 EIA Regulations, given the length of time that the new Regulations have now been in force (SEI Chapter 15).

The development provides a low carbon option for energy generation and reduces the requirement to rely upon fossil fuels. The lowest estimate of installed capacity, of 50.4MW, is estimated to produce 117,683 MWh which is enough electricity to supply the equivalent of approximately 27,035 households for a year. This will potentially displace the equivalent of up to approximately 72,728 tonnes of CO<sub>2</sub> emissions per year from conventional forms of electricity generation.

**Having due regard to the above the proposals effect on greenhouse gas emissions has been assessed and it is concluded that the proposal is therefore consistent with the provisions of SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; Scottish Planning Policy (2014) and the Onshore wind Policy Statement (January 2017) in this regard.**

#### **I. IMPACTS ON COMMUNITIES AND INDIVIDUAL DWELLINGS, INCLUDING VISUAL IMPACT, RESIDENTIAL AMENITY, NOISE AND SHADOW FLICKER (INCLUDING CUMULATIVE IMPACTS).**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.

The Environment Protection Officer - The main issues of concern in terms of possible amenity effects are operational noise, construction noise, air pollution (such as dust during the construction phase), lighting during the construction phase and effects upon private water supplies. The Council's Environmental Health Officer has considered the SEI and has confirmed that they have no objection or further comments subject to the originally recommended conditions relating to noise; air quality; construction environmental management plan; and private water supplies or further comments, that there is no additional supplementary information that would warrant any additional comments to Environmental Health's original response as detailed in the Main Report

Shadow Flicker - Government guidance advises that if separation (10 x rotor diameters) is provided between turbines and nearby dwellings 'shadow flicker' should not generally result in adverse effects. Under accepted good practice and guidance, this will ensure that shadow flicker will not present a problem. At the proposed development, there are no residential properties within 130 degrees of north and within ten rotor diameters (i.e. 1148 m) of the

proposed turbine locations. Shadow Flicker is therefore not a matter of concern. The Environmental Protection Officer has not raised any concerns in this regard and has no further comments to make in light of the submission of the Additional Environmental Information.

Visual Impact is addressed in the Landscape and Visual Impact section of this report below.

**Having due regard to the above it is concluded that the proposal will not have any adverse impacts on communities and individual dwellings, including, residential amenity, noise and shadow flicker and is therefore consistent with the provisions of SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; Scottish Planning Policy (SPP), (2014); and the Onshore Wind Policy Statement (2017) in this regard.**

## **J. LANDSCAPE AND VISUAL IMPACTS, INCLUDING EFFECTS ON WILD LAND (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any landscape and visual impacts including wild land.

Supplementary Environmental Information – The Supplementary Environmental Information provides an additional viewpoint visualisation and assessment from the northern end of Gigha (in response to SNH comments); and provides additional visualisations for existing viewpoints showing darker coloured turbines.

Scottish Natural Heritage's response to SEI - SNH note that the SEI relates to a number of changes as detailed in the cover letter accompanying the SEI (dated 7<sup>th</sup> February 2019). SNH understand that there are no major changes proposed to the location, height or MW capacity input of the proposed wind farm. Two minor changes are proposed to onsite infrastructure which relate to an increased size and altered shape of the most northerly construction compound and a new location of the onsite substation and control building. SNH's advice remains that the nature and scale of the proposal cannot be accommodated in this location without significant adverse landscape and visual effects as outlined in their previous response dated 10<sup>th</sup> November 2017.

Landscape and Visual – as part of the SEI, an additional viewpoint visualisation and assessment has been undertaken from northern Gigha (VP15) as well as the production of visualisations showing darker turbines from a few selected viewpoints (VP1, VP6, VP9, F2 and VP15). A full colour study and assessment would be required should a different colour of turbine be proposed. SNH understand it is not currently proposed to change the turbine colour. The EIA text for VP12, Gigha ferry terminal states: "Receptors therefore include ferry passengers, but similar views can be seen from other parts of the island nearby", and the visual effect is not significant. In SNH's response (November 2017) to the EIA Report they advised: "*The visualisation (VP12, Gigha ferry terminal) provided to represent views from the Isle of Gigha is screened by landform (contrary to SNH guidance). This makes it difficult to draw conclusions regarding the overall effects from Gigha. SNH consider views from northern Gigha could potentially be significant.*" SNH therefore welcome the submission of an additional viewpoint from northern Gigha, which confirms that some views from Gigha (as opposed to the ferry terminal) will be significant. While the text does not indicate the effect of the proposal from further south, it is worth noting that from some locations, e.g. East Tarbert Bay, the eye is drawn to the distinctive, higher, open ridge that backdrops the proposal, with

the proposal distracting from this key feature in views across the water. SNH concur that the proposed amendments to the development and updated cumulative effects do not change the findings of their appraisal of the original assessment in the EIA Report as detailed in their response (10<sup>th</sup> November 2017). SNH agree that views from northern Gigha (VP15) are likely to be significant. SNH would also take this opportunity to highlight their original comments regarding the potential impacts of the access track and recommend the determining authority request track reinstatement and amelioration options, to minimise visual impacts and to protect the qualities of the Knapdale NSA, in the event of any consent.

Following submission of the SEI, the Council employed Carol Anderson Landscape Associates to review the landscape and visual reasons for objection, as detailed in the main report of December 2017.

Council's Landscape Consultant – following submission of the SEI the Council requested that the Council's Landscape Consultant review the SEI and the landscape and visual reasons for objection, as detailed in the main report, of December 2017. The appraisal also considers all the visual material in the Environmental Statement, Scottish Natural Heritage's consultation response (November 2017), the rebuttal to SNH's response submitted by the applicant (January 2017<sup>i</sup>), the Council's Report of Handling (December 2017) and the Council's Supplementary Report 1 (January 2018).

The proposed wind farm comprises 14 turbines ranging in size from 131m to 149.5m. There would be approximately 30km of new and upgraded access track and other ancillary development. The proposed wind farm would be located within an Area of Panoramic Quality (APQ).

The Council's reasons for objection - The Council's Report of Handling (December 2017) outlines the following key reasons for recommending objection to the proposal:

- The proposal is contrary to the guidance set out in the Argyll and Bute Landscape Wind Energy Capacity Study (ABLWECS 2017)
- Significant adverse landscape effects on parts of the *Knapdale Upland Forest Moor Mosaic* (6b) and the small scale settled '*Rocky Mosaic*' (20) Landscape Character Types (LCT) and associated seascape;
- Significant adverse visual effects in the appreciation of South Knapdale from frequented coastal locations in west Kintyre and from the Isle of Gigha where sensitive receptors in terms of transport routes, settlement and tourism/recreational assets are concentrated, and in views of South Knapdale from locations offshore;
- Significant adverse strategic cumulative landscape impact resulting from the spread of the effects of wind farm development from the Kintyre peninsula, where development is currently concentrated, across West Loch Tarbert into South Knapdale;
- Significant adverse cumulative landscape and visual effects upon the experience of Knapdale and Kintyre, particularly having regard to the combined effect with Freasdail Wind Farm which would lead to a presence of wind farm development on both sides of West Loch Tarbert.

SNH's response - The Council have been influenced in their decision on this proposal by SNH's consultation response 10<sup>th</sup> November 2017 which provides appraisal of landscape and visual effects by a specialist from their landscape team. SNH did not object but advised that the proposal could not be accommodated in this area without significant landscape and visual effects arising. SNH's key concerns can be summarised as significant adverse effects on:

- The *Knapdale Upland Forest Moor Mosaic* and the *Rocky Mosaic* LCTs.
- The regionally distinctive landscape of West Loch Tarbert.
- Views from the coast and sea
- Cumulative effects with other wind farms affecting views
- Strategic cumulative effects likely to affect experience of Knapdale and Kintyre.

SNH also advise that the proposal would be contrary to the guidance set out in ABLWECS 2017. They consider that the turbines of the proposal would be too large in relation to the distinct ridge between Stob Odhar and Meall Reachar and that the proposal would compromise the scenic setting to West Loch Tarbert. SNH further comment that there is no detailed assessment of the special qualities of the APQ in the Environmental Statement.

Review of the Council's reasons for objection – Carol Anderson's review set out below considers each of the Council's key reasons for objection set out in the Report of Handling (December 2017).

*Contrary to the guidance set out in the ABLWECS* - The proposed development would lie within the *Knapdale Upland Forest Moor Mosaic* (6b) identified in the 2017 ABLWECS. The *Knapdale Upland Forest Moor Mosaic* LCT already accommodates the operational Allt Dearg and Sronoire wind farms. The ABLWECS considers that opportunities may exist to locate large wind turbines in areas of lower, less complex landform set back from sensitive coastal edges and from the higher more defined ridges and pronounced summits. The sparsely settled nature of this LCT and the relatively limited visibility of parts of the interior of these uplands from surrounding settled coastal fringes reduces sensitivity.

The ABLWECS identifies a number of key landscape and visual constraints (including cumulative issues) to development associated with this LCT and these are set out in the table below with comment on the effects of the proposal

This proposal is clearly contrary to some of the guidance set out in ABLWECS. However, while this document is generally acknowledged to be a material consideration for wind farm proposals, it does not form part of Supplementary Guidance and is strategic in nature. More detailed LVIA of specific proposals also need to be considered by consultees/the determining authority when coming to a decision on acceptability.

*Significant effects on landscape character* - The wind farm would be sited within the *Knapdale Upland Forest Moor Mosaic* LCT. It would have significant adverse effects on this LCT. Most wind farms will incur significant adverse effects on the LCT within which they are sited so this alone would not be a reason for objection.

There will be visibility of the proposal from parts of the *Rocky Mosaic* LCT (occurring on the coastal fringes of South Knapdale, on the southern shores of West Loch Tarbert and on the west coast of Kintyre). The proposal would be seen at distances of around 4km to 10km from this LCT. ES viewpoints 3, 9, 10, 11 are located within this LCT. While there would be significant adverse visual impacts from some of these viewpoints, the character of the *Rocky Mosaic* (its small-scale character and diversity) will be less affected by the development due to it being sited within apparently simple forested hill slopes set back from the coastal fringes. The perceptual qualities associated with the *Rocky Mosaic* LCT in the Knapdale area could, however, be significantly affected as the proposal introduced large scale infrastructure in the backdrop to a landscape which is little developed and has a strong sense of seclusion. These effects are linked with effects on the special qualities of the APQ (see below).

*Significant adverse effects on the appreciation of South Knapdale in views from west Kintyre, Gigha and from offshore* - The proposal would be visible from west Kintyre, the northern part of Gigha (additional Viewpoint 15) and (extensively) offshore. Views from these areas tend to focus on the arresting profile of Jura but south Knapdale forms part of an extensive scenic panorama of little developed coast, settled fringes, forested and open uplands. The proposal would be located in an APQ. It is noted that the Report of Handling does not address the APQ in detail but it is assumed that the reasons for objection set out under point 2 are essentially about effects on the appreciation of the Knapdale APQ. SNH's response calls this a *regionally distinctive landscape of West Loch Tarbert area* and it is noted as being one of their key concerns. There is no citation for this designated landscape although its key qualities are likely to comprise:

- Fragmented rocky coasts and a varied seascape which includes the narrow confined West Loch Tarbert as well as the more open sea basin bounded by Knapdale, Gigha, Islay and Jura
- The diversity of landscapes including knolly coastal fringes richly patterned with woodland, pockets of farmland, wetland and largely traditional buildings and backed by undulating forested slopes and open well-defined hills. The landscape has a secluded timeless quality, accessed only by a single-track road and sparsely settled, contributing to the specialness of this APQ.
- Dramatic views west from the APQ over the sea focussing on Jura and Islay but also views to the APQ particularly from the south where the intricate coastal fringes, forested middle ground and open high hills, including the shapely Meall Reamhar, are seen scenically juxtaposed with West Loch Tarbert and the sea.
- The wider setting this scenic landscape provides to the Knapdale National Scenic Area (NSA)

The proposal would not significantly affect the character of the diverse coast and settled fringes (due to distance and relatively limited visibility from these parts of the APQ). It would also not affect views to Jura and Islay from the APQ. It would however be likely to incur significant adverse impacts on the appreciation of the APQ in views from parts of North West Kintyre, from West Loch Tarbert and other offshore areas (principally from the Islay ferry but also from recreational sailing craft). I consider that while effects on views from Gigha (Viewpoint 15) will be adverse, the proposal will lie >14km away and effects would be unlikely to be significant.

It should be noted that the ABLWECS provides only a cursory appraisal of the likely special qualities of the APQ (in the tables in Volume II). Paragraph 6.119 in the Environmental Statement presumes that the APQ is '*designated for its outwards looking views*'. Despite the applicant's rebuttal stressing the strategic nature of the ABLWECS, their landscape consultants appear to rely on the information provided in this study rather than providing a detailed assessment of the special qualities of the APQ. This is contrary to the guidance on local landscape designations set out in Scottish Planning Policy and the Guidelines for Landscape and Visual Impact Assessment, third edition.

*Significant adverse strategic cumulative landscape impact* - The Srondoire and Allt Dearg wind farms are located within the *Knapdale Upland Forest Moor Mosaic* LCT. While these developments are prominent in views from the north and east in the Lochgilphead/Loch Fyne area, they are barely visible from the south-west.

The south Knapdale area between the high ridge of Stob Odhar to Meall Reamhar and West Loch Tarbert and west to the Kilberry area (and abutting the NSA) has a distinctive and scenic character which is unaffected by large scale development. While the richly scenic diverse coastal fringe of South Knapdale would not be dominated by this proposal (due to distance and partial/intermittent screening), the sense of this area being undeveloped and remote (principally appreciated in views across West Loch Tarbert, the NW Kintyre coast and the sea) would be significantly diminished. The expansive and highly scenic panorama of the south/west Knapdale area and the islands of Islay/Jura contrast with the nearby Kintyre peninsula where wind farm development is a key characteristic. While wind farm could potentially be accommodated in this part of Knapdale without widespread significant landscape and visual impacts arising (due to the sparse settlement and less complex landform and vegetation cover of hill slopes) it is also important to keep the most scenic parts of Argyll and Bute free from development given the extent of wind farm development accommodated elsewhere. The scenic quality of the area is recognised by the APQ designation.

*Significant cumulative landscape and visual effects* - There would be significant cumulative impacts with the operational Freasdail wind farm in views from West Loch Tarbert. This would particularly affect views from the Islay Ferry and views from Dun Skeig. This proposal would not make a major contribution to cumulative sequential effects experienced from the A83. The screening provided by the high ridge between Stob Odhar to Meall Reamhar limits cumulative effects arising between this proposal and the operational Srondoire and Allt Dearg wind farms.

Landscape and visual effects of changes to the proposal - The Supplementary Environmental Information (SEI) report issued in February 2019 considers the following principal changes to the proposed development: the use of darker coloured turbines and the retention of woodland on the ridgeline between Cruach an t-Seallich to Cruach a Bhaillidh. An additional viewpoint from the north end of Gigha is also assessed in the SEI.

The SEI concludes that while the retention of woodland on the ridge would be beneficial in providing some screening of turbines it would not be sufficient to alter effects from key viewpoints 1,2, 6, 9 and 15 (effects from these viewpoints were all considered to be minor in the ES and this would not change). Similarly, it is concluded in the SEI that the use of darker turbines would reduce visibility from some views but the level of significance gauged in the ES would not change.

The Council's landscape consultant considers that the changes proposed to the scheme would not provide any noticeable improvement in terms of screening or reducing visibility. It is difficult to discern differences in turbine colour from the visualisations and because only selected viewpoints have been considered in the SEI it would be important to also consider whether any increases in visibility may occur in views where turbines were seen against the sky.

Viewpoint 15 Gigha North End. This viewpoint lies some 14km from the proposed wind farm. Although Sronnaire and Allt Dearg are theoretically visible from this viewpoint, they are barely seen. The proposal would appear to introduce wind turbines into a scenic landscape (Knapdale) where there are currently no wind farms unlike the Kintyre peninsula which is also seen in the view. The layout of the wind farm is unsatisfactory with turbines appearing muddled in this view and this contributes to an adverse impact despite the viewpoint lying some 14km away. It is however less prominent than if the turbines were sited on the very sensitive high ridge and the combination of being set down below the skyline and distance would result in impacts not being significant.

Conclusion - On the positive side, this proposal would not significantly affect the Knapdale NSA and it would also not have a significant effect on views from the A83. The location of the

proposed wind farm within a depression provides partial screening with the full height of the turbines often not seen in key views (it would be far more prominent if sited on the ridge of high open hills). Significant landscape and visual effects would be unlikely to be widespread being largely focused in the area of West Loch Tarbert. Despite this, key landscape and visual concerns are:

- Effects on the Knapdale APQ particularly appreciated from parts of West Loch Tarbert in views from the Islay Ferry and Dun Skeig, parts of the north-west Kintyre coast.
- Strategic cumulative effects – introducing large wind turbines to this part of Knapdale where the screening provided by the high ridge between Stob Odhar and Meall Reamhar prevents views of Sronoire and Allt Dearg wind farms in the West Loch Tarbert area and where this seemingly little developed area of south Knapdale contrasts with the increasingly intensive array of wind farm developments located on the Kintyre peninsula
- The layout of turbines at variable levels leads to an unsatisfactory ‘jumbled’ appearance evident in views from the south-west and the proliferation of access tracks in these uplands (>14km of new access track will be constructed) is also a concern.

The proposal is contrary to some of the guidance in the ABLWECS although it is important to note that this study also identified some potential scope for large turbines in this area (LCT 6b).

A consent for this development could open up the Knapdale area to a new wave of wind farm applications and it is an added concern that this applicant is proposing 30km of road access (upgraded and new) to service just 14 turbines. Although it is appreciated that the potential for future developments cannot be considered in a planning decision, it would not be surprising if extensions are proposed to this development soon after any consent.

The additional consultation advice from the Council’s Landscape Consultant has been taken into account and it is recommended that the previous reasons for objection be amended to reflect this more recent advice that has been provided. These are detailed in the main body of Supplementary Report 2.

**Having due regard to the above it is concluded that the proposal will have adverse landscape and visual impacts (including cumulative) and is therefore contrary to the provisions of LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 –Landscape; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; of the Argyll & Bute Local Development Plan; Scottish Planning Policy (2014); Onshore wind policy statement, (2017); SNH Siting and Designing Wind Farms in the Landscape Guidance, (August 2017); and the ‘Argyll and Bute Landscape Wind Energy Capacity Study’ SNH and A&BC (2017)**

**K. EFFECTS ON NATURAL HERITAGE INCLUDING BIRDS (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on natural heritage including birds.



In the original main report it was noted that Forestry Commission Scotland, SNH and the RSPB required additional information and Officer's highlighted to the Energy Consent Unit that the Council would expect sufficient information to be supplied and agreed with these consultees prior to a decision being made on this application.

The Supplementary Environmental Information describes some minor amendments to the Forest Design Plan (in response to FCS request) associated with the development, including extension of the redline application boundary to the south to incorporate land under control, which is proposed for long-term tree management purposes; provides an updated cumulative ornithology assessment at the Natural Heritage Zone (NHZ) level (in response to SNH request); provides an update to Appendix 14.1: Carbon Report (in response to RSPB comments); and Provide details of peat depths at key locations requested by RSPB

### Ecology

SNH are content with the information presented in the SEI in relation to the ecological aspects of the proposal. It is noted that a new traffic access route which utilises an unnamed road to join the B8024 is required to facilitate construction works in order to bypass the town of Tarbert. Road upgrade works will be required out with the existing road boundary and pre-construction checks will be undertaken prior to the removal of vegetation. It should also be noted that Himalayan balsam and American skunk cabbage are known to occur immediately adjacent to the unnamed road between the A83 and the B8024. Both of these species can spread extensively via fragments or seeds and therefore the Construction Environment and Management Plan (CEMP) must include suitable bio-control measures to prevent the spread of these invasive plant species.

Marine Scotland Science reiterates its advice that the developer establishes a robust water quality monitoring programme incorporating MSS guidelines. This monitoring programme could be secured by a suitably worded condition, should consent be granted for this development.

The Council's Local Biodiversity Officer has no further comments to make as any issues raised in the past have been dealt with by statutory consultees.

### Birds

SNH - Ornithology – NHZ14 Cumulative Assessment – SNH are generally content with the updated cumulative assessment at NHZ14 level. SNH note that the Blarghour (application) and Upper Sonachan (appeal) wind farms are missing from the cumulative assessment however it is anticipated that the omission of these wind farms will not affect the overall outcome of the assessment. It is also noted that the Golden Eagle Population Model uses the previous NHZ estimate of 44 pairs of golden eagles as the starting point; however current knowledge estimates the numbers of pairs at around 54 and so the potential impacts will be slightly less than those predicted in the SEI.

SNH - Outline Conservation Management Plan – SNH are pleased that two rafts will be installed on suitable lochs for red-throated divers in addition to the black-throated diver raft which will be installed on Loch nan Torran, which forms part of the Knapdale Lochs Special Protection Area. In SNH's experience, management of Canada geese using the diver rafts may need to extend into late March/early April however care will need to be taken so as to minimise disturbance of divers that have returned to the lochs by this time. SNH are content with the other aspect detailed in the Outline Conservation Management Plan (SEI).

The Royal Society for the Protection of Birds concerns expressed in their original response (October 2017) (they did not object) were that many of the impacts from this proposal have been under-estimated and impacts on birds of conservation concern and peatland needed more consideration / mitigation. Having considered the SEI RSPB have provided the following advice:

Ornithology - Although RSPB would agree with the cumulative assessment, they still strongly advise that habitat management is required to mitigate for potential impacts. In light of this, it is good to see an Outline Conservation Management Plan (OCMP).

Black and red-throated diver – the proposal for rafts is positive, however still below the commitment RSPB sought. RSPB are disappointed that, given the SPA status, a more serious commitment to monitoring is not contained within the OCMP for the SPA – improvements in the access track are liable to result in an increase in casual visitor disturbance in the area with no way for either the landowner or SNH to improve monitoring / deal with this issue. Note – it is vital that rafts are checked and maintained pre-breeding season (ideally in March) on a yearly basis to ensure they are fit for purpose. It remains unclear from the OCMP if this will be applied. RSPB would like there to be a review of raft placement and success on a 5-year timescale to enable management changes if required throughout the lifetime of the windfarm.

Golden eagle - As previously stated, much of the site is commercial forestry of low importance for the species; breeding occurs at traditional sites and the mitigation as outlined in the SEI report to ensure no disturbance (BBPP and native scrub woodland creation) should be applied. RSPB still advise that a 3km buffer is applied to eyries with a minimum of 1km working in line of sight – however should road formation require blasting or other loud noises this should be increased. RSPB ask to be consulted in regard to the planned scrub-woodland creation within the area to the north of the wind farm for eagles and black grouse.

Black grouse - The site holds leks of regional importance. Timing of construction (to be outlined in the BBPP) should be restricted to avoid early morning and late evening works within 500m of any lek sites during the main lekking season (March-May). NB RSPB ask to be consulted in relation to any final CMP for this site.

Peatland Considerations - The fuller assessment of peat depth in regards to the proposed turbines, infrastructure and tracks is welcome. However, the overall increase in the carbon payback calculation (grid mix payback period is estimated at 3 years which is poor) **is disappointing and raises questions** as to whether this is a good site for such a proposal. RSPB advise that a condition should be attached to ensure that borrow pits are located within the forestry and therefore are limited to peat habitat that is already damaged due to planting. Ideally, they should be within areas where no peat habitat occurs, even shallow peat. RSPB recommend that consideration should be given to further micro-siting away from the deepest areas of peat, for both turbines and infrastructure, with any opportunities for peatland restoration being considered within this NHZ to reduce the carbon loss to gain ratio. It remains disappointing that more consideration has not been given to opportunities for the restoration of peatland within the site/existing forestry, in particular in areas where tree growth is restricted due to planting on sub-optimal peat habitat.

### Forestry

Forestry Commission Scotland soon to be renamed Scottish Forestry advise that the SEI has addressed the majority of concerns raised in their original consultation response (9<sup>th</sup> November 2017). As a result, they do not object to the proposal, assuming that a condition is applied to any consent to ensure compensatory planting (CP) and a full forest plan is completed.

It is recommended that the ongoing concerns of the RSPB are addressed by the Energy Consents Unit prior to reaching a decision on this application.

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on the natural heritage including birds and is therefore consistent with the provisions of SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (i.e. biological diversity); SG LDP ENV 6 – Development Impact on Trees / Woodland; SG LDP ENV 7 – Water Quality and the Environment; SG LDP ENV 11 – Protection of Soil and Peat Resources; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; Scottish Planning Policy; Onshore wind policy statement, Scottish Government (January 2017); The Scottish Government’s Policy on ‘Control of Woodland Removal’ (Forestry Commission Scotland 2009);

**K. IMPACTS ON CARBON RICH SOILS, USING THE CARBON CALCULATOR (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2 and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on carbon rich soils, using the carbon calculator

**In the original main report it was noted that AM Geomorphology required additional information and Officer’s highlighted to the Energy Consent Unit that the Council would expect sufficient information to be supplied and agreed with AM Geomorphology Ltd prior to a decision being made on this application.**

The Supplementary Environmental Information provides additional information to support Appendix 7.2: Peat Stability Assessment of the EIA Report (in response to Geomorphology request). AM Geomorphology has confirmed that the additional work undertaken for the 2019 Peat Landslide Hazard Risk Assessment satisfactorily addressed the shortcomings in the 2017 PLHRA. No further revisions are required and no conditions specific to peat stability are recommended.

The Coal Authority have considered the SEI and note that the proposed wind farm would be located outside the defined coalfield and has no comments or observations to make on this project.

**AM Geomorphology and the Coal Authority have been consulted on the changes proposed in the SEI and are satisfied with the additional information. In light of this it is recommended that the Council should not object to the proposal on the grounds of impacts on carbon rich soils, using the carbon calculator (including cumulative impacts)**

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on carbon rich soils, using the carbon calculator and is therefore consistent with the provisions of is therefore consistent with the provisions of SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (i.e. biological diversity); SG LDP ENV 11 – Protection of Soil and Peat Resources; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth

of Renewables of the Argyll & Bute Local Development Plan; Scottish Planning Policy; Onshore wind policy statement, (January 2017).

**L. PUBLIC ACCESS, INCLUDING IMPACT ON LONG DISTANCE WALKING AND CYCLING ROUTES AND THOSE SCENIC ROUTES IDENTIFIED IN THE NPF (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF.

**The Supplementary Environmental Information (SEI) – does not include any additional details which would have an impact on Officer’s original conclusion in terms of impacts on public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF (including cumulative impacts). This aside, Scotways have provided further consultation advice.**

Scotways have confirmed that they have no comment to make on this application at this time.

**Scotways have been consulted on the changes proposed in the SEI and have no comment to make on the proposal. In light of the fact that Scotways have not objected it is recommended that the Council should not object to the proposal on the grounds of impacts on public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF (including cumulative impacts)**

**Having due regard to the above it is concluded that the proposal will not have any adverse physical impacts on public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF and is therefore consistent with the provisions of SG 2 Renewable Energy, SG LDP TRAN 1 – Access to the Outdoors; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; Scottish Planning Policy; Onshore wind policy statement, (January 2017).**

**M. IMPACTS ON THE HISTORIC ENVIRONMENT, INCLUDING SCHEDULED MONUMENTS, LISTED BUILDINGS AND THEIR SETTINGS (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on the historic environment, including scheduled monuments, listed buildings and their settings.

**The Supplementary Environmental Information (SEI) – does not include any additional details which would have an impact on Officer’s original conclusion in terms of impacts on the historic environment, including scheduled monuments, listed buildings and their settings (including cumulative impacts). This aside, Historic Environment Scotland have provided the following further advice.**

Historic Environment Scotland have reviewed the SEI provided, as well as the original EIA Report, and does not object to the proposed development. They have no additional comments to add to their previous response dated 4<sup>th</sup> October 2017.

Historic Environment Scotland have been consulted on the changes proposed in the SEI and it is noted that they continue to have no objection to the proposal. In light of the fact that Historic Environment Scotland have not objected it is recommended that the Council should not object to the proposal on the grounds of impacts on the historic environment, including scheduled monuments, listed buildings and their settings (including cumulative impacts)

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on the historic environment, including scheduled monuments, listed buildings and their settings and is therefore consistent with the provisions of SG LDP ENV 15 – Development Impact on Historic Gardens and Designed Landscapes; SG LDP ENV 16(a) – Development Impact on Listed Buildings; SG LDP ENV 19 –Development Impact on Scheduled Ancient Monuments; SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan; Scottish Planning Policy; the Onshore Wind Policy Statement and Historic Environment Scotland Policy (2016) in this respect.

#### **N. IMPACTS ON TOURISM AND RECREATION (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on tourism and recreation.

**The Supplementary Environmental Information (SEI) – does not include any additional details which would have an impact on tourism and recreation (including cumulative impacts). This aside, VisitScotland were consulted on the SEI.**

VisitScotland has confirmed that, having considered the SEI they have no additional comments to make, They previously advised that they have no objection, their response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors and strongly recommend any potential detrimental impact of the proposal on tourism - whether visually, environmentally and economically - be identified and considered in full. VisitScotland strongly agrees with the advice of the Scottish Government – the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

**VisitScotland have been consulted on the changes proposed in the SEI and it is noted that they have no objection to the proposal. It is also noted that they highlight that a Tourism Impact Assessment should be undertaken. It is understood that the advice of VisitScotland in regard to the requirement for a Tourism Impact Assessment will be considered by the Energy Consents Unit. In light of the fact the VisitScotland have not objected it is recommended that the Council should not object to the proposal on the grounds of impacts on tourism and recreation (including cumulative impacts)**

Having due regard to the above, it is considered that the proposals impacts on tourism and recreation and is consistent with the provisions of: SG LDP TRAN 1 – Access to the Outdoors; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP ENV 12 – Development Impact on National

**Scenic Areas (NSAs); SG LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 –Landscape; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.**

**O. AVIATION, DEFENCE AND SEISMOLOGICAL RECORDING (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on Aviation, Defence and Seismological Recording.

**The Supplementary Environmental Information (SEI) – does not include any additional details which would have an impact on aviation, defence and seismological recording (including cumulative impacts). This aside, the Ministry of Defence, National Air Traffic Services, and Glasgow Prestwick Airport were consulted on the SEI.**

The Ministry of Defence has confirmed that it has no objection subject to conditions to secure aviation safety lighting. In the interest of aviation safety, the MOD requests that the perimeter turbines are fitted with MOD accredited 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point. National Air Traffic Services has confirmed that the proposal has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. Accordingly, NATS has no safeguarding objection to the proposal. Glasgow Prestwick Airport has advised that as there is no change to the proposed tip height they have no objection to the proposal.

**The Ministry of Defence, National Air Traffic Services and Glasgow Prestwick Airport have been consulted on the changes proposed in the SEI and have no objection subject to conditions. Providing these conditions are attached in the event that the proposal obtains planning permission it is recommended that the Council should not object to the proposal on the grounds of impacts on aviation, defence and seismological recording (including cumulative impacts)**

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on aviation and defence interests and seismological recording and is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables and SG LDP TRAN 7 –Safeguarding of Airports of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.

**P. IMPACTS ON TELECOMMUNICATIONS, BROADCASTING INSTALLATIONS AND TRANSMISSION LINKS (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on telecommunications, broadcasting installations and transmission links.

**The Supplementary Environmental Information (SEI) – does not include any additional details which would have an impact on telecommunications, broadcasting installations and transmission links (including cumulative). This aside BT and the Joint Radio Company were consulted on the SEI.**

BT have confirmed that their position remains unchanged to the amended proposals, they have no objection to the proposed wind farm development. The Joint Radio Company have confirmed that the proposal is cleared with respect to radio link infrastructure operated by: The Local Electricity Utility and Scotia Gas Networks.

**Both BT and the Joint Radio Company have been consulted on the changes proposed in the SEI and have no objection. It is recommended that the Council should not object to the proposal on the grounds of impacts on telecommunications, broadcasting installations and transmission links (including cumulative impacts)**

**Having due regard to the above it is concluded that the proposal will not have any adverse impacts on telecommunications, broadcasting installations and transmission links (including cumulative impacts) and is therefore consistent with the provisions of SG 2, Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.**

**Q. IMPACTS ON ROAD TRAFFIC AND ADJACENT TRUNK ROADS (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any impact they may have on road traffic and adjacent trunk roads.

**The Supplementary Environmental Information (SEI) – provides details of the proposed new construction traffic access arrangements and highway amendments, and associated traffic and transport and noise assessment updates.**

New Construction Traffic Route – The EIA Report assessed the potential effects of increased traffic volumes on the public road network likely to be used by both HGVs and abnormal loads during construction of the development. The assessment found that the town of Tarbert, given its status as a sensitive receptor, coupled with the predicted increase in traffic to be routed through the town, could be subject to significant effects in terms of severance, pedestrian delay and amenity and dust and dirt generation. However, the preparation and implementation of a Construction Traffic Management Plan (CTMP) to seek to reduce the number of construction vehicles as well as the effect of vehicles passing through Tarbert resulted in the significant effects being reduced to not significant.

The applicant acknowledges that there are concerns regarding the volume of HGVs and Abnormal Load Vehicles that were previously proposed to route through the village of Tarbert. As a result of these concerns, a suitable alternative route via the B8024 has been identified which would provide a bypass route of Tarbert, and remove the potential significant effect previously predicted on the road network and receptors in this area. In addition, changes to the Forestry Plan have been made which reduces the amount of timber to be removed from site which will in turn reduce the overall number of HGV movements during the construction phase.

Notwithstanding this, the Applicant has considered another route to completely avoid construction traffic passing through Tarbert, and this will effectively act as a by-pass to the town. Construction traffic will turn off the A83 south-west of Tarbert onto an unclassified road before joining the existing timber haul route (B8024). Vehicles will continue travelling north-east before re-joining the A83 north of Tarbert.

Minor alterations to the public road network will be required to enable abnormal load vehicles to join and travel along the unclassified road from the A83, to travel along the B8024, and to route safely back onto the A83 from the B8024, and these are described in the SEI. It should be noted that the application redline boundary has been amended to include these highway works, as shown in the SEI. The SEI also details the main road amendment required for vehicles re-joining the A83 from the B8024. Traffic management measures are also proposed to manage vehicles as they turn off the A83 onto the unclassified road and as they re-join the A83 from the B8024. It has been necessary, as part of this SEI, to assess the traffic and transport effects on receptors along the by-pass route and this is also presented in the SEI.

Both Transport Scotland and the Councils Area Roads Engineer have been consulted on the revised proposal and have provided the following comments:

Transport Scotland – advise that in considering the comments provided within their most recent response, their previous response dated 10 October 2017 should be referenced.

Trunk Road Access - Transport Scotland would highlight that the August 2017 revision of the Planning Statement advised the intention to route abnormal loads associated with the construction period for the proposed development from the Port of Campbeltown along the A83 (T) through Tarbert to the proposed site access track in the vicinity of Stronachullin Farm. Within the revised Planning Statement, dated February 2019, it is proposed that abnormal loads and HGVs will bypass Tarbert utilising the B8024. To achieve this, a number of amendments will need to be made to the existing A83 (T) junctions providing B8024 access either side of Tarbert. This included the proposal to provide “an off-line track which effectively removes the left turn at the existing junction and replaces this with a merge to the A83 for the abnormal loads vehicles”. Transport Scotland acknowledge that details of this proposal are illustrated in the SEI. The Planning Statement notes that “the off-line track will only be in use for abnormal loads and will be controlled by the escort vehicles and personnel during deliveries to ensure vehicles merge safely with the A83. The off-line road will be closed and gated when not in use”.

In consideration of this, Transport Scotland would advise that the information provided in support of the proposed A83 (T) access arrangements does not sufficiently detail the operation of the proposed amended junction layouts, or how existing traffic utilising these sections of the road network would be accommodated. While it is acknowledged that SEI has been provided to further illustrate the proposals, the level of detail provided within this figure is considered inadequate by Transport Scotland.

Transport Scotland welcome the proposal for abnormal loads and HGVs associated with the proposed development to bypass Tarbert and consider this advisable in the context of this application. However, to ensure that the safety and operation of the trunk road network is not undermined by the proposed measures, detailed junction layouts and sufficient supporting information is required to be submitted for approval by Transport Scotland prior to the commencement of the construction period. This requirement should be conditioned as part of any consent.

Transport Scotland does not object to the proposal subject to conditions to ensure that: the proposed trunk road accesses shall be constructed to a layout and type (and method) of construction to be approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, before the development is commenced. Reason: To minimise interference with the safety and free flow of the traffic on the trunk road; The proposed route for any abnormal loads on the trunk road network must be approved by the trunk roads authority prior to the movement of any abnormal load. Any accommodation



measures required including the removal of street furniture, junction widening, traffic management must similarly be approved. Reason: To maintain safety for both the trunk road traffic and the traffic moving to and from the development; Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the trunk road authority before delivery commences. Reason: To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network; A Construction Traffic Management Plan (CTMP) which considers cumulative impacts due to committed developments shall be prepared by the Applicant and approved by the Local Authority, in consultation with Transport Scotland, prior to the commencement of the construction period. Reason: To minimise interference with the safety and free flow of the traffic on the trunk road; There shall be no drainage connections to the trunk road drainage system. Reason: To ensure that the efficiency of the existing drainage network is not affected and that the standard of construction is commensurate with that required within the road boundary; All HGVs transporting material to and from the site shall be sheeted and required to pass through a wheel washing facility prior to exiting the site. Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety; and Prior to any decommissioning of the development a Decommissioning Plan shall be prepared and approved in writing by Transport Scotland as Trunk Road Authority. Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

The Council's Roads Engineer has considered the SEI and notes that the site is accessed from the A83 Tarbert –Campbeltown Trunk Road and advises that Transport Scotland should be notified. Furthermore that the applicant proposes to use a section of the B8024 Kilberry Road and C23 Glenakill Road for the transportation of abnormal loads. The Area Roads Engineer does not object to the proposal subject to conditions to ensure that: all construction traffic will access the site directly from the A83 Tarbet – Campbeltown Trunk Road; no work shall start until such time as the applicant has provided full details of the proposed alterations to the B8024 Kilberry Road and C23 Glenakill Road, for approval in writing by Roads & Amenity Services; the section of the B8024 Kilberry Road and C23 Glenakill Road will be used for the transportation of abnormal loads only; the applicant to provide a Traffic Management Plan for the transportation of abnormal loads over the section of the B8024 Kilberry Road and C23 Glenakill Road; no construction traffic will be permitted on the B8024 Kilberry Road, south of the junction with the C23 Glenakill Road without a written agreement with Argyll & Bute Council, Roads & Amenity Services; and a condition survey of the section of the B8024 Kilberry Road and C23 Glenakill Road being used for the transportation of abnormal loads to be carried out prior to the transportation of the first abnormal load - full details to be provided and agreed with Argyll & Bute Council, Roads & Amenity Services. The Area Roads Engineer also advises that a Road Opening Permit will be required and that no surface water will be allowed to discharge onto the public road.

**Both Transport Scotland and the Council's Area Roads Engineer have been consulted on the changes proposed in the SEI and have no objection subject to conditions. Providing these conditions are attached in the event that the proposal obtains planning permission it is recommended that the Council should not object to the proposal on the grounds of impacts on road traffic and adjacent trunk roads (including cumulative impacts).**

**Having due regard to the above it is concluded that the proposal will not have any adverse impacts on road traffic and adjacent trunk roads and is therefore consistent with the provisions of SG2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP TRAN 4 – New and Existing, Public Roads**

**and Private Access Regimes of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.**

**R. EFFECTS ON HYDROLOGY, THE WATER ENVIRONMENT AND FLOOD RISK (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against effects on hydrology, the water environment and flood risk. The effects on hydrology, the water environment and flood risk are considered within the EIA Report and SEI. Application of good practice measures within the development's design has aided the avoidance of significant effects related to the water environment. Cognisance of these features has allowed the design to incorporate drainage features and where infrastructure is likely to interact with such features, the necessary design and permits will be confirmed at the detailed design stage. At time of writing no response has been received from the Council's Flood Risk Assessor.

**Having due regard to the above it is concluded that effects on hydrology, the water environment and flood risk have been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.**

**S. THE NEED FOR CONDITIONS RELATING TO THE DECOMMISSIONING OF DEVELOPMENTS, INCLUDING ANCILLARY INFRASTRUCTURE, AND SITE RESTORATION (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.

Should Scottish Ministers be minded to support the proposal a requirement for decommissioning and site restoration should be included in any conditions recommended by the Council, which would be triggered by either the expiry of the permission, or if the project ceases to operate for a specific period. This would ensure that at the end of the proposal's operational life the turbines would be decommissioned and principal elements removed; the site would be restored to its former use leaving little if any visible trace of the turbines; the foundations, new tracks and hardstandings would be covered over with topsoil and reseeded; the cables would be de-energised and left in place, and any cables marker signs removed; and the electrical substation building would be demolished to ground level with the foundation covered with topsoil and reseeded. The applicant notes that, whilst this policy criteria has been considered, this is primarily directed toward decision makers and therefore conditions relating to the decommissioning of the wind farm are likely to be applied as relevant. The applicant is willing to discuss the provision of any conditions which are deemed necessary.

**Having due regard to the above it is concluded that the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration has been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.**

**T. OPPORTUNITIES FOR ENERGY STORAGE (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against any opportunities for energy storage which exist. The Planning Statement states that: “Whilst energy storage is not considered part of the current Development, EDF are actively involved in the development of energy storage proposals throughout the UK and may wish to discuss potential for future energy storage opportunities at a later stage.

**Having due regard to the above it is concluded that opportunities for energy storage have been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.**

**U. THE NEED FOR A ROBUST PLANNING OBLIGATION TO ENSURE THAT OPERATORS ACHIEVE SITE RESTORATION (INCLUDING CUMULATIVE IMPACTS)**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and Scottish Planning Policy require applications for wind turbine developments to be assessed against the need for a robust planning obligation to ensure that operators achieve site restoration. This matter can be covered by planning conditions or a legal agreement consistent with other projects across Argyll & Bute in the event that the proposed development obtains planning permission. The Applicant has confirmed that they have given consideration to the potential requirement for planning obligations to be arranged and expects that this will form part of the consent particulars for discussion.

**Having due regard to the above it is concluded that the need for a robust planning obligation to ensure that operators achieve site restoration (including cumulative impacts) have been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.**

**V. SCOTTISH PLANNING POLICY, THE SCOTTISH ENERGY STRATEGY & ONSHORE WIND POLICY STATEMENT 2017**

Scottish Planning Policy (2014) - SPP 2014 advises that wind farms should only be supported in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. Furthermore, that criteria for determining wind farm proposals varies depending on the scale of proposal and its relationship to the characteristics of the surrounding area, but usually includes: landscape and visual impact, effects on the natural heritage and historic environment, contribution of the development to renewable energy generation targets, effect on the local and national economy and tourism and recreation interests, benefits and disbenefits for communities, aviation and telecommunications, noise and shadow flicker, and cumulative impact. Finally, that the design and location of any wind farm should reflect the scale and character of the landscape and the location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised.

The Scottish Energy Strategy (SES) 2017 - The SES was published in December 2017 and sets out the Scottish Government’s strategy through to 2050, marking a ‘*major transition*’ over the next three decades in terms of energy management, demand reduction and generation. The SES sets two new targets for the Scottish energy system by 2030: The equivalent of 50% of the energy for Scotland’s heat, transport and electricity consumption to be supplied from

renewable sources; and, an increase by 30% in the productivity of energy use across the Scottish economy. The SES recognises that reaching the 50% target by 2030 'will be challenging' but the target demonstrates 'the Scottish Government's commitment to a low carbon energy system and to the continued growth of the renewable energy sector in Scotland'.

These energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland's future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand.

The Statement goes on to state that: *'This means that Scotland will continue to need more onshore wind development and capacity, in locations across our landscapes "where it can be accommodated"'*.

'Onshore Wind Policy Statement' (December 2017) – The onshore wind policy statement sets out the Scottish Government's position on onshore wind and supports the aims of the Scottish Energy Strategy:

*"The Scottish Government acknowledges the way in which wind turbine technology and design is evolving, and fully supports the delivery of large wind turbines in landscapes judged to be capable of accommodating them without significant adverse impacts"*.

**Having due regard to the above it is considered that the proposal is contrary to the provisions of the Scottish Planning Policy (2014) Scottish Energy Strategy 2017 and Onshore Wind Policy Statement 2017, in that it cannot constitute 'sustainable development', as it is considered that it cannot be accommodated on the chosen site without significant adverse landscape and visual impacts on nationally and locally designated landscapes (National Scenic Area and Area of Panoramic Quality) contrary to the provisions of these documents, which represent the Scottish Governments most up to date position on this type of development.**

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**APPENDIX B - ORIGINAL RECOMMENDED REASONS FOR OBJECTION**

1. The proposal lies in the Upland Forest Moor Mosaic (UFMM) (6b) landscape type (LCT) identified in the 'Argyll and Bute Landscape Wind Energy Capacity Study' (LWECS 2017) which has established that this LCT has an overall 'high sensitivity' to Very Large typology wind turbines and affords no scope to accommodate them. The area in which the proposal is located forms the landscape backdrop to the coastal, small scale, settled Rocky Mosaic LCT and to views across the scenic West Loch Tarbert area. The proposal lies within the western part of this area which is designated an Area of Panoramic Quality (Knapdale APQ). This landscape also forms the backdrop to the adjacent Knapdale National Scenic Area (NSA).

In this location, there are a number of landscape characteristics increasing sensitivity to large or very large turbines, including the scale, complexity of landform, visual sensitivity, and landscape context. The close proximity of the development to the highly sensitive coastal landscape (Rocky Mosaic LCT) and intrusion into the landscape of South Knapdale as appreciated from locations across West Loch Tarbert, and across the sea from locations in West Kintyre and from Gigha, are key constraints. At 149.5m to blade tip the turbines will appear out of scale/too large in relation to the higher open ridge to the north-east and distract from the landscape setting of West Loch Tarbert (as represented by VP 9 Dun Skeig). These uplands currently form an uncluttered backdrop to the scenic West Loch Tarbert Area and the introduction of development at this scale would compromise this composition and significantly detract from the contribution South Knapdale makes to the experience of West Loch Tarbert (as represented by VP 10 Ronachan) and the appreciation of this area across the water (as represented by VP F2 from the Islay-Jura ferry).

The number and size of the turbines proposed would therefore have a significant adverse effect upon the character, qualities and experience of the landscape within areas of the Upland Forest Moor Mosaic (6b) and the smaller scaled and settled 'Rocky Mosaic' (20) landscape character types and associated seascape. This would be clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study, 2017'.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including local economic benefits and the achievement of climate change related commitments.

**Having due regard to the above it is considered that this proposal is inconsistent with the provisions of the Scottish Planning Policy; Scottish Government's Onshore wind turbine planning advice (May 2014); 'Onshore Wind Policy Statement (December 2017); Policies LDP STRAT 1 – Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design of the Argyll and Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); and the conclusions of the 'Argyll and Bute Landscape Wind Energy Capacity Study'(LWECS) 2017.**

2. There is extensive visibility of the proposal from the West Loch Tarbert area, the wider seascape (including islands) and from part of the west coast of Kintyre. Development on the scale proposed would intrude in scenic views from these locations and would

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compromise the contribution South Knapdale makes to the landscape setting of West Loch Tarbert in particular. It would pose significant adverse effect on views from the Islay – Jura ferry (as represented by VP F2) and would extend the influence of wind farm development upon the Isle of Gigha from locations to the east within Kintyre, to also include this additional location to the north. The proposal's significant visual effects would include popular and scenic walking routes including part of the Kintyre Way (as represented by VP 10 Ronachan), the walk to Dun Skeig (as represented by VP 9 Dun Skeig), coastal locations popular for recreation on the north-west coast of Kintyre and around the West Loch Tarbert area, and would include views from the Islay/Jura ferry and recreational watercraft. In addition to the inappropriate scale of the turbines, the design results in a poor layout and image of some locations (as represented by VP 3) where there is a considerable variation in turbine position/height.

The proposal would therefore lead to significant adverse visual effects in the appreciation of South Knapdale from frequented coastal locations in west Kintyre and from the Isle of Gigha where sensitive receptors in terms of transport routes, settlement and tourism/recreational assets are concentrated, and in views of South Knapdale from locations offshore. This would be clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study' 2017.

The foregoing environmental considerations are of such magnitude that they cannot reasonably be offset by the projected direct or indirect benefits which a development of this scale would make, including local economic benefits and the achievement of climate change related commitments.

**Having due regard to the above, it is considered that this proposal is therefore inconsistent with the provisions of the Scottish Planning Policy and Scottish Government's wind turbine planning advice (May 2014); Onshore Wind Policy Statement (December 2017); Policies LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design of the Argyll and Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQ's); and the Argyll and Bute Landscape Wind Energy Capacity Study (LWECS) 2017.**

3. The proposal would result in the spread of the effects of wind farm development from the Kintyre peninsula, where development is currently concentrated, across West Loch Tarbert into Knapdale, thereby posing significant adverse cumulative effects on the experience of Knapdale and Kintyre. The uplands of Knapdale presently provide an important uncluttered backdrop to, and contribute to the scenic composition of West Loch Tarbert. This proposal would extend the influence of very large scale wind turbine development to the northern side of West Loch Tarbert, thereby reducing the distinctiveness of the Knapdale landscape and the contribution which it makes to the setting of sensitive coastal areas valued for their scenic qualities. In particular, it would impinge on the dramatic coastal panoramas of the Paps of Jura as experienced from west Kintyre where they are first revealed (Clachan and Ronachan).

This change to the established pattern of development, and the spread of development into a new area would also be experienced from locations offshore, particularly from the Isle of Gigha and from key ferry routes. Significant adverse cumulative visual effects would occur from offshore, and from parts of Gigha as represented by VP 12 the sea and West Loch Tarbert as represented by the Islay – Jura ferry view (F2)

where, in combination with Freasdail Wind Farm, wind farms would then have an unwelcome presence on both sides of West Loch Tarbert.

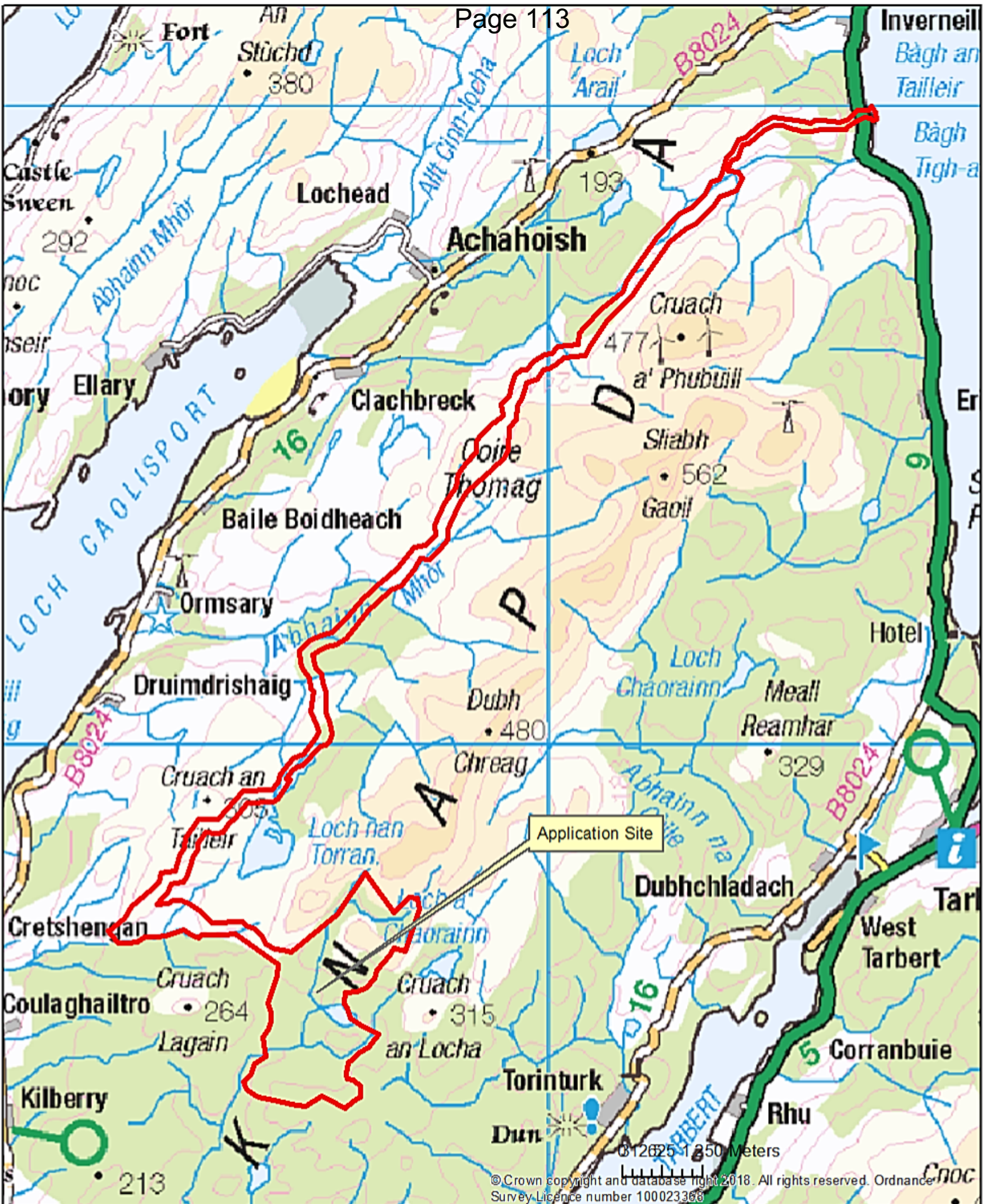
These significant adverse cumulative landscape and visual effects would be clearly contrary to the guidance set out in the Argyll and Bute Landscape Wind Energy Capacity Study 2017.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including local economic benefits and the achievement of climate change related commitments.

**Having due regard to the above, it is considered that this proposal is therefore inconsistent with the provisions of the Scottish Planning Policy; Scottish Government's Onshore wind turbine: planning advice (May 2014); Onshore Wind Policy Statement (December 2017); Policies LDP STRAT 1 – Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design of the Argyll and Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQ's) and the Argyll and Bute Landscape Wind Energy Capacity Study (LWECS) 2017.**

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**Location Plan Relative to planning application: 17/02484/S36**



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## **PROPOSAL OF APPLICATION NOTICE (PAN)**

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**Reference:** 19/00599/PAN

**Applicant:** Creag Dhubh Renewables LLP

**Proposal:** Proposal of application notice for proposed wind farm and associated infrastructure, with overall generating capacity exceeding 20MW.

**Site Address:** Upper Succoth, Strachur, PA27 8DW

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### **1.0 INTRODUCTION**

Proposal of Application Notices only relate to Major Applications as defined by the Government's planning hierarchy and are a statutory requirement prior to the submission of the planning application. The PAN heralds the start of a minimum 12 week period to allow for community consultation before an application can be lodged. The Proposal of Application Notice took effect from 19<sup>th</sup> March 2019 and therefore and application cannot be made before 11<sup>th</sup> June 2019.

In considering this item Members should restrict comments to issues relating to the material considerations which may be relevant in the determination of the proposed development and should refrain from expressing opinion as to the likely acceptability of development in advance of any subsequent application being presented for determination. Any opinions or views expressed by Councillors at the pre-application stage must be made mindful of the overarching requirements of fairness and impartiality and of keeping an open mind. The process provides opportunity for Officers to give feedback to the prospective applicant on issues which Members would wish to see addressed within the planning application submission.

### **2.0 LOCATION AND SITE HISTORY**

The location of the proposal is on land at Upper Succoth, Strachur. A Scoping Opinion was issued by the Council on the 19<sup>th</sup> December 2017 (17/02309/SCOPE).

### **3.0 DESCRIPTION OF PROPOSED DEVELOPMENT**

The PAN seeks to notify the Planning Authority of a prospective major planning application to construct a wind farm and associated infrastructure, with an overall generating capacity exceeding 20MW, as indicated on the accompanying location and site boundary plans. In accordance with Part 4, Major Application Schedule, of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 the proposal constitutes 'Major Development' as it relates to the construction of an electricity generating station with a capacity of 20MW.

### **4.0 SITE DESCRIPTION**

The site is located over 1km to the northeast of the village of Strachur. The wind farm would be located on the slopes of Creag Dhubh, 484m AOD at its summit, and partially below Creag an t-Suidheachain, in an area of commercial forestry and open moorland.

Officers consider that the potential main considerations in respect of the proposal are likely to be: local development plan spatial strategy; location, nature and design of the proposed development; economic benefit; contribution to renewable energy targets; effect on greenhouse gas emissions; cumulative effects; impacts on communities/individual properties in terms of visual impact, residential amenity, shadow flicker, and noise; landscape and visual impact (including on wild land); natural heritage (including birds); carbon rich soils; public access including impact on long distance walking and cycling routes identified in NPF3; Historic environment; Tourism and recreation; Aviation and defence, plus seismological recording; Telecommunications and broadcasting installations; Impact on road traffic Including trunk roads; Hydrology, water environment and flood risk; Conditions regarding decommissioning and restoration including planning obligations; and Opportunities for energy storage.

## **5.0 DEVELOPMENT PLAN POLICY & OTHER GUIDANCE**

### Argyll and Bute Local Development Plan adopted March 2015

Policy LDP STRAT 1— Sustainable Development  
Policy LDP DM1—Development within the Development Management Zones  
Policy LDP 3—Supporting the Protection, Conservation and Enhancement of our Environment  
Policy LDP 4 - Supporting the Sustainable Development of our Coastal Zone  
Policy LDP 5—Supporting the Sustainable Growth of Our Economy  
Policy LDP 6 – Supporting the Sustainable Growth of Renewables  
Policy LDP 8 – Supporting the Strength of Our Communities  
Policy LDP 9 - Developing Setting, Layout and Design  
Policy LDP 10 - Maximising our Resources and Reducing our Consumption  
Policy LDP 11 - Improving our Connectivity and Infrastructure

### Supplementary Guidance 1

SG LDP ENV 1 Development Impact on Habitats, Species and our Biodiversity  
SG LDP ENV 2 Development Impact on European Sites  
SG LDP ENV 4 Development Impact on Sites of Special Scientific Interest (SSSIs) and National Nature Reserves  
SG LDP ENV 5 Development Impact on Local Nature Conservation Sites (LNCS)  
SG LDP ENV 6 Development Impact on Trees / Woodland  
SG LDP ENV 7 Water Quality and the Environment  
SG LDP ENV 9 Development Impact on Areas of Wild Land  
SG LDP ENV 10 Geodiversity  
SG LDP ENV 11 Protection of Soil and Peat Resources  
SG LDP ENV 12 Development Impact on National Scenic Areas (NSAs)  
SG LDP ENV 13 Development Impact on Areas of Panoramic Quality (APQs)  
SG LDP ENV 14 Landscape  
SG LDP ENV 15 Development Impact on Historic Gardens and Designed Landscapes  
SG LDP ENV 16(a) Development Impact on Listed Buildings  
SG LDP ENV 19 Development Impact on Scheduled Ancient Monuments  
SG LDP ENV 20 Development Impact on Sites of Archaeological Importance  
SG LDP PG 1 Planning Gain

SG LDP DEP Departures to the Local Development Plan  
SG LDP BAD 1 Bad Neighbour Development  
SG LDP Sustainable Siting and Design Principles  
SG LDP SERV 1 Private Sewage Treatment Plants and Wastewater (i.e. drainage) Systems  
SG LDP SERV 2 Incorporation of Natural Features / Sustainable Drainage Systems (SuDS)  
SG LDP SERV 3 Drainage Impact Assessment  
SG LDP SERV 5 Waste Related Development and Waste Management  
SG LDP SERV 5(b) Provision of Waste Storage and Collection Facilities within New Development  
SG LDP SERV 6 Private Water Supplies and Waste Conservation  
SG LDP SERV 9 Safeguarding Better Quality Agricultural Land  
SG LDP SERV 7 Flooding and Land Erosion – The Risk Framework for Development  
SG LDP MIN 1 Safeguarding of Mineral Resources  
SG LDP MIN 2 Mineral Extraction  
SG LDP TRAN 1 Access to the Outdoors  
SG LDP TRAN 4 New and Existing, Public Roads and Private Access Regimes  
SG LDP TRAN 5 Off-site Highway Improvements  
SG LDP TRAN 6 Vehicle Parking Provision  
SG LDP TRAN 7 Safeguarding of Airports  
SG LDP TEL 1 Telecommunications  
Supplementary Guidance 2 (December 2016)  
[Supplementary Guidance 2 - Windfarm map 1](#)  
[Supplementary Guidance 2 - Windfarm map 2](#)

**Note:** The Full Policies are available to view on the Council's Web Site at: [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

#### List of other Guidance

- National Planning Policy Framework 3 (NPF3), Scottish Government (June 2014)
- Scottish Planning Policy (SPP), Scottish Government (June 2014)
- The future of energy in Scotland: Scottish Energy Strategy, Scottish Government (December 2017)
- Onshore wind policy statement, Scottish Government (January 2017)
- SNH Review 78 – Landscape assessment of Argyll and the Firth of Clyde (1996)
- SNH Siting and Designing Wind Farms in the Landscape Guidance, (August 2017)
- 'Argyll and Bute Landscape Wind Energy Capacity Study' SNH and A&BC (2017);
- The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009)
- Historic Environment Scotland Policy (June 2016)
- Argyll and Bute Renewable Energy Action Plan
- Argyll and Bute Economic Development Action Plan

## **6.0 CONCLUSION**

The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

**7.0 RECOMMENDATION**

That Members have regard to the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN in order to allow these matters to be considered by the applicants in finalising any future planning application submission.

**Author of Report:** Arlene Knox

**Date:** 25/4/19

**Reviewing Officer:** Sandra Davies

**Date:** 1/5/19

**Angus Gilmour**  
**Head of Planning, Housing and Regulatory Services**



**Location Plan Relative to planning application: 19/00599/PAN**



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Argyll and Bute Council  
Development and Infrastructure Services

## PROPOSAL OF APPLICATION NOTICE (PAN)

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**Reference:** 19/00703/PAN

**Applicant:** Ministry Of Defence

**Proposal:** Proposal of Application Notice for multi storey car park

**Site Address:** Land West Of The Guard Building, H M Naval Base Clyde, Faslane

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### 1.0 INTRODUCTION

Proposal of Application Notices only relate to Major Applications as defined by the Government's planning hierarchy and are a statutory requirement prior to the submission of the planning application. The PAN heralds the start of a minimum 12 week period to allow for community consultation before an application can be lodged. The Proposal of Application Notice took effect from 5<sup>th</sup> April 2019 and therefore an application cannot be made before 28<sup>th</sup> June 2019.

In considering this item Members should restrict comments to issues relating to the material considerations which may be relevant in the determination of the proposed development and should refrain from expressing opinion as to the likely acceptability of development in advance of any subsequent application being presented for determination. Any opinions or views expressed by Councillors at the pre-application stage must be made mindful of the overarching requirements of fairness, impartiality and of keeping an open mind. The process provides opportunity for Officers to give feedback to the prospective applicant on issues which Members would wish to see addressed within the planning application submission.

### 1.0 BACKGROUND

The proposed development will aim to assist in alleviating the increase in car parking required to support the delivery of the Clyde Infrastructure Programme at HMNB Clyde.

### 2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed multi-storey car park will be a split level, permanent multi-storey car park, comprising ground level plus four and a half parking decks. This will provide 680 standard parking spaces. Although no formal details have been provided the applicants have been advised that the proposal is likely to fall under section 9 of schedule 1 within the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 with a gross floor space in excess of 5,000 square metres.

### 2.0 SITE DESCRIPTION

The proposed site is located within the existing HMNB Clyde complex at Faslane and will, if constructed, be set within an industrial scale complex where large scale buildings are already in existence.

The proposed development site is within a designated Strategic Business Location in the adopted Local Development Plan 2015.

### **3.0 DEVELOPMENT PLAN POLICY**

Argyll and Bute Local Development Plan adopted March 2015

LDP STRAT 1 – Sustainable Development  
LDP DM1 – Development within the Development Management Zones  
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment  
LDP 4 – Supporting the Sustainable Development of our Coastal Zone  
LDP 5 – Supporting the Sustainable Growth of Our Economy  
LDP 8 – Supporting the Strength of our Communities  
LDP 9 – Development Setting, Layout and Design  
LDP 10 – Maximising our Resources and Reducing our Consumption  
LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 14 –Landscape  
SG LDP CST 1 - Coastal Development

SG LDP BUS 4 – Strategic Industrial Business Locations  
SG LDP SERV 3 – Drainage Impact Assessment (DIA)  
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development  
SG LDP SERV 8 – Development in the Vicinity of Notifiable Installations

SG LDP TRAN 2 - Development and Public Transport Accessibility  
SG LDP TRAN 3 – Special Needs Access Provision  
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes  
SG LDP TRAN 5 – Off-Site Highway Improvements  
SG LDP TRAN 6 –Vehicle Parking Provision  
SG LDP TRAN 7 –Safeguarding of Airports  
Access and Parking Standards

### **5.0 POTENTIAL MATERIAL CONSIDERATIONS**

In respect of this proposal it is considered that the following matters will be material considerations in the determination of any future planning application;

- Junction and roads capacity on the A814 and other roads associated with any increased traffic flows
- The height and external appearance of the building to ensure it appropriately assimilates into its setting.
- External design and finishes proposed in order to mitigate the scale of the building
- Addressing any flooding and drainage matters in respect of its coastal location
- The role of the development in promoting economic development in the area.

### **6.0 CONCLUSION**

The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date. The list is not exhaustive and further matters may arise as and when a

planning application is received and in the light of public representations and consultation responses.

**7.0 RECOMMENDATION**

That Members' note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the applicant's in finalising any future planning application submission.

**Author of Report:** David Moore

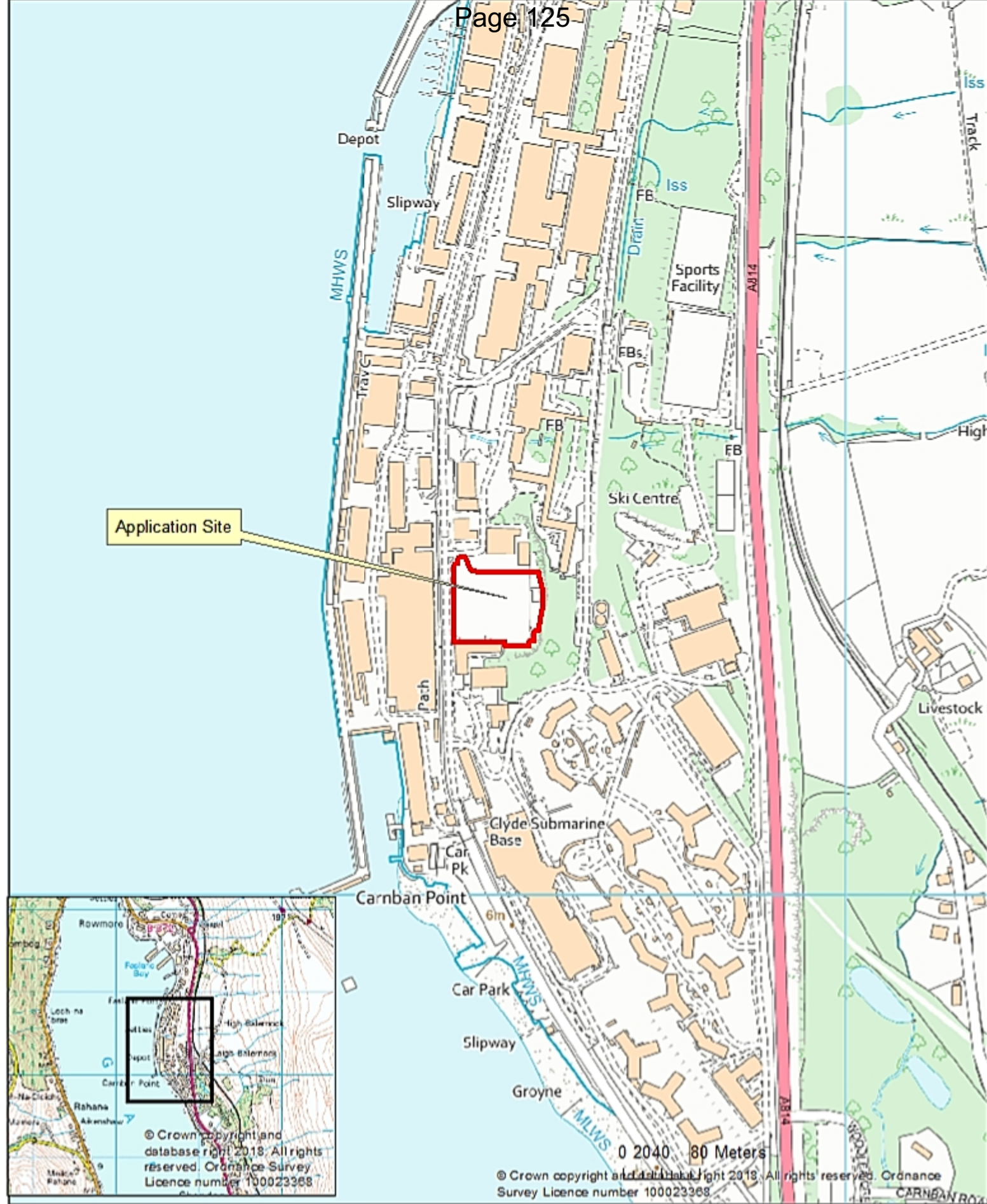
**Date:** 3/5/19

**Reviewing Officer:** Sandra Davies

**Date:** 3/5/19

**Angus Gilmour**  
**Head of Planning, Housing and Regulatory Services**

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**Location Plan Relative to planning application: 19/00703/PAN**



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