

**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**

---

**Reference No:** 15/02060/PP

**Planning Hierarchy:** Local

**Applicant:** Colintraive and Glendaruel Development Trust

**Proposal:** Erection of Two Wind Turbines (Measuring Up to 60 metres to Hub and Up to 86.5 metres to Blade Tip) with Ancillary Electrical Buildings, Areas of Hardstanding and Formation of Vehicular Access

**Site Address:** Land at Cruach Nam Mult, Stronafian Forest, Glendaruel

---

## **DECISION ROUTE**

Local Government Scotland Act 1973

---

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

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

- Installation of 2 wind turbines;
- Erection of ancillary electrical buildings;
- Formation of areas of hardstanding;
- Formation of vehicular access.

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

- Installation of underground cabling.
- 

### **(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, planning permission be refused for the reasons outlined in this report.

---

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

Planning Permission (ref: 14/01346/PP) was granted on 24<sup>th</sup> July 2014 for the erection of a 50 metre high wind monitoring mast at the site for a temporary period of 2 years from the date of installation.

---

**(D) CONSULTATIONS:**

**National Air Traffic Services** (response dated 7<sup>th</sup> August 2015)

No objections.

**Ministry of Defence** (letter dated 19<sup>th</sup> August 2015)

No objection but recommend that, should permission be granted, aviation safety lighting be fitted to both turbines.

**Environmental Health Officer** (responses dated 25<sup>th</sup> August and 1<sup>st</sup> December 2015)

No objections but consideration should be given to attaching a condition regarding hours of working during the construction period.

**Scottish National Heritage** (responses dated 3<sup>rd</sup> December 2015 and 14<sup>th</sup> April 2016)

SNH has lodged a formal objection to the application on landscape and visual grounds having concluded that the proposal will have an adverse effect on the special qualities and overall integrity of the Kyles of Bute National Scenic Area (NSA) The turbines are located 1.4km from the northern boundary of the NSA where the proposal will introduce a large, prominent wind energy development into the northern backdrop and setting of the Kyles of Bute NSA. The proposal will intrude into the defining skyline which encircles and visually contains Loch Ruel and the northern end of the Kyles of Bute. There is currently no noticeable wind energy development in this landscape, which currently provides an open and undeveloped skyline and setting for many views and panoramas.

In the opinion of SNH, the ornithology cumulative assessment lacks a quantitative assessment of collision and displacement likelihood, and does not conform to SNH guidance on the assessment of cumulative impacts .Despite this, it is advised that the information presented is sufficient to conclude that there are unlikely to be any adverse effects either on any classified site (there are none nearby), or on regional populations of key species. Whilst there is no anticipation of any adverse effects on bird species within designated sites or in the wider region, appropriate mitigation is lacking, specifically that for hen harriers.

**Area Roads Manager** (report dated 4<sup>th</sup> November 2015)

No objections subject to conditions regarding visibility splays and bellmouth standard at the junction of the existing access with the B836 public road; the submission of a Traffic Management Plan; and the submission of a Method Statement for the transportation of materials.

**RSPB** (letter dated 22<sup>nd</sup> April 2016)

The RSPB recommends that a further breeding season's worth of survey work is completed to inform the use of this area by species of conservation concern, in particular breeding raptors. This effort should be co-ordinated with the work of the Argyll Raptor

Study Group and should aim to establish the usage of the area likely to be affected by the proposal.

The application does not provide sufficient mitigation in relation to potential impacts of the development. It is recommended that further appropriate mitigation measures are required. A Breeding Bird Protection Plan, including timing of works, must consider the bird breeding season and appropriate buffers surrounding nest sites must be in place. Mitigation must also consider how to improve land under the community ownership for habitats and species of conservation concern. Management of open ground and forest edge are key issues.

---

**(E) PUBLICITY:**

Regulation 20 Advert (closing date 4<sup>th</sup> September 2015).

---

**(F) REPRESENTATIONS:**

**Objectors**

Objections have been received from the following 27 sources, plus a petition detailed below:

Charles McLaughlin, Clacheranmor, West Glen Road, Glendaruel (letter dated 28<sup>th</sup> August 2015)

Eleanor McLaughlin, Clacheranmor, West Glen Road, Glendaruel (letter dated 28<sup>th</sup> August 2015)

R G Proes, West Glen Caladh, Tighnabruaich (letter dated 28<sup>th</sup> August 2015)

Dr Harry Andrews, Auchenbreck House, Colintrave (e-mail dated 29<sup>th</sup> August 2015)

John McNaughton, Salann-Mara, Colintrave (letter dated 31<sup>st</sup> August 2015 and e-mail dated 25<sup>th</sup> April 2016)

Barbara McNaughton, Ardachuple Farm, Colintrave (letter dated 31<sup>st</sup> August 2015)

Rhona McNaughton, Salann-Mara, Colintrave (letter dated 31<sup>st</sup> August 2015)

Danielle Clark-De Bisschop, 2 Ferry Bank, Colintrave (e-mails dated 1<sup>st</sup> September 2015 and 23<sup>rd</sup> March 2016)

Irene McNaughton, 3 Ferry Bank, Colintrave (e-mail dated 1<sup>st</sup> September 2015)

Hal Dickson, The Old Schoolhouse, Stronafian, Glendaruel (e-mail dated 3<sup>rd</sup> September 2015)

Margaret Dickson, The Old Schoolhouse, Stronafian, Glendaruel (e-mail dated 3<sup>rd</sup> September 2015)

Jean Green, Hillhouse, Loch Striven, By Dunoon (e-mail dated 3<sup>rd</sup> September 2015)

Andrew White, No Address Given (e-mail dated 4<sup>th</sup> September 2015)

Bruce Chambers, Auchnabreck, Farm, Colintrave (e-mail dated 2<sup>nd</sup> February 2016)

Paul Paterson, 2 Manor Way, Tighnabruaich (e-mail dated 2<sup>nd</sup> February 2016)

Rhona Pettigrew, Auchnabreck Farm, Colintrave (e-mail dated 19<sup>th</sup> February 2016)

Fiona Page, Tigh Na Ceardaich, Colintrave (e-mail dated 21<sup>st</sup> February 2016)

Pieter van der Werf, Tigh Na Ceardaich, Colintrave (letter dated 22<sup>nd</sup> February 2016)

Jennifer Davie-Smart, Bealachandrain Farm, Glendaruel (e-mail dated 7<sup>th</sup> March 2016)

Graham Clark, 2 Ferry Bank, Colintrave (e-mail dated 7th March 2016)  
Alistair Skilling, 12 Minerva Lane, Greenock (e-mail dated 9th March 2016)  
Pamela Dickson, 2 Fairhaven, Kirn, By Dunoon (e-mail dated 10th March 2016)  
Joanne Lynch, 8 Kyles View, Colintrave (letter received 10<sup>th</sup> March 2016)  
Tom Mowat, Waulkmill, Glendaruel (letter dated 17<sup>th</sup> March 2016)  
Mhairi Mowat, Waulkmill, Glendaruel (letter dated 17<sup>th</sup> March 2016)  
David Warden (Chairman of Argyll Raptor Study Group), The Old Smiddy, Kilfinan (e-mail dated 18<sup>th</sup> April 2016)  
Duncan Tyler, Kinlochruel, Colintrave (e-mail dated 19<sup>th</sup> April 2016)

In addition, a petition has been submitted by John McNaughton of Colintrave (received 28.04.16) which contains 125 signatories objecting to the proposal. It should be noted that 19 of these are persons having submitted individual representations listed above.

### **Supporters**

Expressions of support have been received from the following 20 sources:

William Carlow, Balliemore, Loch Striven, By Dunoon (e-mail dated 11<sup>th</sup> August 2015)  
Jelena Finnie, 10 Kyles View, Colintrave (e-mail dated 27<sup>th</sup> August 2015)  
Councillor Alex McNaughton, Old Police House, Colintrave (e-mail dated 27<sup>th</sup> August 2015)  
Dr Sandra Wilson, Boorach Beg, Glendaruel (e-mail dated 27<sup>th</sup> August 2015)  
Ellen Fairbairn, Achanelid, Glendaruel (e-mail dated 28<sup>th</sup> August 2015)  
Louisa M Black, 1 Kyles View, Colintrave (letter dated 30<sup>th</sup> August 2015)  
J Kenneth Black, 1 Kyles View, Colintrave (letter dated 30<sup>th</sup> August 2015)  
Eamon King, Castlehill, North Campbell Road, Innellan (e-mail dated 3<sup>rd</sup> September 2015)  
Charles Dixon-Spain, Dunans Castle, Glendaruel (e-mail dated 3<sup>rd</sup> September 2015)  
Tim Lawrence, 9 Dhailing Avenue, Kirn, Dunoon (e-mail dated 3<sup>rd</sup> September 2015)  
Jason Stone, Powdermill House, Clachaig (e-mail dated 3<sup>rd</sup> September 2015)  
Michael Russell MSP, Feorlean, Colintrave (e-mail dated 3<sup>rd</sup> September 2015)  
Sara Maclean, Couston, Colintrave (e-mail dated 3<sup>rd</sup> September 2015)  
Stewart Miller, Cumbrae View, North Campbell Road, Innellan, (e-mail dated 4<sup>th</sup> September 2015)  
John Shiveral, Cionag Feorlean, Colintrave (e-mail dated 4<sup>th</sup> September 2015)  
James McLuckie, Craigliath, Glendaruel (e-mail dated 4<sup>th</sup> September 2015)  
Councillor Bruce Marshall, Violet Grove, Strone (e-mail dated 24<sup>th</sup> December 2015)  
Graeme Murdoch, 28 Marine Road, Port Bannatyne, Isle of Bute (e-mail dated 26<sup>th</sup> December 2015)  
Catherine Grant, 2 Stronafian, Glendaruel (e-mail dated 29<sup>th</sup> March 2016)  
Dr Colin Boyd, South Hall Sawmill, Colintrave (e-mail dated 30<sup>th</sup> April 2016)

A representation seeking further information was received from the following:

David Eaglesham, Ardachuidh, Colintrave (e-mail dated 11<sup>th</sup> August 2015)

### **VIEWS EXPRESSED BY THIRD PARTIES IN SUPPORT OF THE PROPOSAL**

#### **Energy Benefits**

- A pragmatic approach to energy creation is essential to meet our future needs; on balance, visual intrusion is preferable to climate change. The development makes a valid and necessary contribution to the effort to mitigate climate change and provides a visible and concrete example of a community taking its responsibilities to the planet seriously.

*Comment: It is acknowledged that wind turbines contribute to the mixture of electricity generation promoted by the Scottish Government and make a contribution to the bid to combat climate change and reduce reliance on imported fuel, although in reaching a decision it is necessary for the decision-maker to balance the energy generation potential of the scheme against any identified significant adverse effects of the development on the local environment.*

#### Visual Impact

- The proposed turbines will not be prominent. They will merge on a whole with the background of the hills and, although they are fairly close to Cruach Mhor, they will not create an accumulation as the existing turbines are not visible.

#### Community and Economic Benefit

- The proposal is being promoted by the Colintraive and Glendaruel Development Trust. The Trust is involved in a range of community regeneration projects including the upgrade of the Cowal Way, community allotment sites and the development of a new forest park at Stronafian. Whilst these projects will not solve all the major social, economic and environmental issues that most rural communities now face, it would be a large step in the right direction. There is a need for the Trust to be financially independent and sustainable to ensure that these projects and the supported jobs continue long after the start-up funding has ceased. Community renewables is a fantastic way for communities to take long term responsibility for their regeneration projects and move away from large-scale public funding. It also allows the community to look at further more innovative projects that will help bring more jobs and visitors to the area.
- With population decline in Argyll as a whole, any initiative to make the area as attractive as possible to live and a pragmatic proposition (e.g. a forthcoming community broadband solution) as a place to earn a living has got to be supported. The fact that the project will lead to employment (no matter how few) is also extremely significant.

*Comment: The above comments are addressed in the Assessment section below.*

### **VIEWS EXPRESSED BY THIRD PARTIES AGAINST THE PROPOSAL**

#### Visual Impact

- The proposed site is at the highest point of the Colglen Community Forest and will be clearly visible from the Kyles of Bute National Scenic Area, the Tighnabruaich viewpoint as well as from other areas such as the road from Colintraive to Glendaruel, the old coastal road in Colintraive, etc. The height of the turbines is 60

m to hub, which is 15 m higher than the Cruach Mhor turbines which are located in a hanging valley and thus completely invisible to visitors except from a few places on the West Glendaruel Road from where you can see the top of the blades sticking out above the mountain. With a height of 60 m to hub, these 2 wind turbines will be clearly visible from the Kyles of Bute National Scenic Area, Colintrave road to Glendaruel, old coastal road in Colintrave as well as Tighnabruaich viewpoint and many other places.

- Concern is expressed that the some of the photomontages that have been submitted with the application do not represent a fair and clear demonstration of the proposal and, thus, the submission fails to meet current guidelines and correct methods.
- Concern is expressed that the Supporting Environmental Document states that the closest distance from the proposed location of the two turbines to the Kyles of Bute National Scenic Area is 3.0 kilometres. The actual distance is 1.5 kilometres.

*Comment: The methodology used has been accepted by SNH and by officers and the photomontages have been prepared to the standards set out in published guidance by SNH.*

#### Tourism Impact

- There is incoherence in the Colintrave and Glendaruel Development Trust range of activities. Most of the projects focus on attracting more visitors/tourists to the area by promoting its rural wilderness and scenic value while this project will undermine these values as it will introduce an adverse visual impact and noise pollution as well as industry into the Stronafian Community Forest and the panoramic views from areas within Colglen and Tighnabruaich.
- Kyles of Bute water users will have uninterrupted lines of sight when passing the north tip of the Isle of Bute and/or sailing into Loch Riddon. The requested wireline drawings indicate clear lines of sight towards the proposed development.

*Comment: Issues of impact on tourism are addressed in the Assessment section below.*

#### Community Engagement

- It is contended that residents have not been adequately consulted about this project. There was an inadequately advertised meeting on June 18, 2015 (only advertised on website and inside village hall), during which nobody could follow what was being shown. An internet version of the proposal was requested, so that members of the community could study it at their ease at home and comment. This did not happen and the community has not been further consulted nor given the opportunity to express their views.
- Residents have not had the opportunity to vote on the proposed erection of wind turbines in Stronafian Community Forest. It is understood that projects such as this by the Development Trust should be voted on by ballot by all Colintrave and Glendaruel residents on the electoral roll before submission of a planning

application, especially as it will result in the permanent disfigurement of a national asset and surrounding area.

*Comment: The above comments on the level of community engagement are not material planning considerations. The proposal is a 'local' application which was not subject to the mandatory Pre-Application Consultation (PAC) procedures applicable to 'major' applications. Accordingly any pre-application consultation will have been at the discretion of the applicant. Following receipt the application has been publicised by the Council in accordance with the necessary statutory requirements.*

#### Ornithological Impact

- Locally (within Cowal), Hen Harrier have suffered considerable decline in occupied territories and there are now less than 10 pairs. However, the Stronafian area and the open moor to the North and East can reliably produce breeding attempts. The nearest breeding site lies approximately 1 kilometre from the proposed development. This site has been occupied in 8 out of the last 10 years with 12 young fledged during that period.
- The proposed development lies between the breeding site and the open moorland to the North East which represents an important foraging area. There is a clear risk of collision, particularly during poor weather as birds move between the open moorland and the breeding site. In addition, displaying male Hen Harrier performing their "sky dancing" display during the breeding season are at significant risk.
- Both adult and sub-adult Golden Eagle have been observed hunting over the Stronafian area and the development would create a collision risk.
- It is considered that the survey work carried out between 2010 and 2012 is somewhat dated and the limited survey work carried out more recently is insufficient. The applicant's Ornithological Summary acknowledges multiple Hen Harrier and Short Eared Owl nests in the wider area and potential for Golden Eagle and Peregrine use. This would justify and, indeed, require much more survey work to fully understand the impact of this proposed development.

*Comment: Ornithology matters are addressed below in the Assessment section below.*

#### Noise

- Concern is expressed that the turbines will emit noise that would have an unacceptable impact upon the amenity of nearby residential properties.

*Comment: Noise impacts have been addressed through consultation with Environmental Health and have been assessed as being satisfactory during the operational phase with a recommended limitation on working hours during the construction phase.*

#### Health

- Concern is expressed that, should the proposal go ahead, it would have a significant effect upon the well-being of one of the residents of Auchnabreck Farm, Colintrave. The resident would not cope with the perpetual motion of the turbines and would not be able to tolerate being outside in the garden with the turbines in full sight.

*Comment: The potential impact of the turbines to have an unacceptable effect on a residence is considered through what has become known as the 'Lavender test'. (When turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in main views from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive and thus unsatisfactory but not necessarily uninhabitable place in which to live).*

*However, this is not considered to be an issue in this case due to the separation between the turbines and the residence in question.*

#### Procedural Issue Regarding Access

- Concern is expressed that the application is not legally competent. The access to the site from the public road contains land that is not owned by the applicant. It is contended that there is no provision for access for a wind farm on the title deeds of the owner so the proposal can never go ahead.
- Neither the landowner nor tenant of the existing access route was party to the land ownership part of the application form, yet they are involved. It is contended that the land ownership certificate should be filled in for all land that relates to the application and their land relates to the access. It is also ticked on the form that part of the land to which the application is related is not part of an agricultural holding, yet the access goes over farm ground of which Mr John McNaughton is the tenant.

*Comment: As the application site does not contain that part of the existing access which is not in the ownership of the applicant, there is no statutory requirement for either the owner or tenant to be notified. The impact of the absence of this land from the application site is addressed in the Assessment section below.*

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in this report, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

---

## **(G) SUPPORTING INFORMATION**

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

- |   |            |
|---|------------|
| <b>(i) Environmental Statement:</b>   | <b>No</b>  |
| <b>(ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:</b>   | <b>No</b>  |
| <b>(iii) A design or design/access statement:</b>   | <b>No</b>  |
| <b>(iv) A report on the impact of the proposed development e.g. retail impact, transport impact, noise impact, flood risk, drainage impact etc:</b> | <b>Yes</b> |



Supporting Environmental Document

- Introduction
- The Wind Turbine Proposal
- Planning & Environmental Context
- Work to Date
- Landscape and Visual
- Hydrology and Hydrogeology
- Socioeconomic and Community Benefits
- Cultural Heritage
- Ecology and Ornithology
- Shadow Flicker
- Noise
- Telecommunications
- Aviation and Radar
- Public Safety
- Summary

---

**(H) PLANNING OBLIGATIONS**

**Is a Section 75 obligation required:** No

---

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

---

**(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.**

'Argyll and 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 5 – Supporting the Sustainable Growth of Our Economy

LDP 6 – Supporting the Sustainable Growth of Renewables

LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising our Resources and Reducing Our Consumption

LDP 11—Improving our Connectivity and Infrastructure

'Argyll and Bute Local Development Plan – Supplementary Guidance' (2016)

SG LDP ENV 1 – Development Impact on Habitats, Species and Biodiversity  
SG LDP ENV 11 – Protection of Soil and Peat Resources  
SG LDP ENV 12 – Development Impact on National Scenic Areas  
SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality  
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance  
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

**(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 3/2013.**

- Scottish Planning Policy (2014)
- Scottish Government Advice Note on Onshore Turbines (2012)
- Draft LDP SG – Renewables (February 2016)
- ‘Argyll and Bute Landscape Wind Energy Capacity Study’ (2012)
- ‘Guidance on Siting and Designing Windfarms in the Landscape’ SNH (2014).
- Consultee Responses
- Third Party Representations

---

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

A Screening Opinion (ref: 14/01182/SCREEN) was adopted by the Council on 9<sup>th</sup> July 2014 relating to the installation of three wind turbines with a height to blade tip of 86.5 metres, which concluded that the development did not require an Environmental Impact Assessment.

---

**(L) Has the application been the subject of statutory pre-application consultation (PAC):** No

---

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

---

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

---

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

In deciding whether to hold a discretionary hearing, the Council will consider how up to date the Development Plan is, the relevance of the policies to the proposed development, and whether the representations are on development plan policy grounds which have recently been considered through the development plan process. In addition,

consideration will also be given to the degree of local interest and controversy on material considerations, together with the relative size of community affected set against the relative number of representations and their provenance.

In this case, the balance of the representation received is from objectors and many of their concerns are shared by the Planning Officer assessment. However, a not insignificant number of representations from the local area are in support and, therefore, it is considered that a hearing would add value to the determination process. On this basis, it is recommended that Members undertake a hearing prior to the application being determined.

---

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

The proposal seeks the construction of two wind turbines with hub heights of 60 metres and a total height of 86.5 metres to blade tip, the formation of a new access track and ancillary development. The site is located on land at Cruach Nam Mult, which lies to the north of Stronafian Forest. The forest itself is located to the east of Clachan of Glendaruel on the Cowal peninsula. The application has been submitted by the Colintrave and Glendaruel Development Trust, which has charitable status and aims to revitalise the community to ensure its long-term economic, social, cultural and environmental sustainability. It is stated that current projections estimate that the project will generate dividends of almost £2.8 million over the twenty year life of the turbines, which the Trust intends to re-invest into various initiatives for the benefit of the community.

Formal objection has been lodged by Scottish Natural Heritage on landscape and visual grounds having regard to anticipated impacts upon the integrity of the Kyles of Bute National Scenic Area.

Representations have been received from a total of 48 sources, comprising 27 objections, 20 expressions of support and one of neither objection nor support. A 125 signature petition of objection has also been received.

The principal issues in this case are the consequence of the presence of the development on: the landscape character of the site and for adjoining landscape character areas; visual impact; tourism impact; noise impact; and road infrastructure impact. It has been concluded that the proposal is unacceptable due to its impact upon the landscape character of the Area of Panoramic Quality and the nearby Kyles of Bute National Scenic Area and the lack of a suitable vehicular access.

The proposal is considered contrary to:

- Scottish Planning Policy;
- Scottish Government's Specific Advice Sheet on Onshore Wind Farms;
- Policies 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 5 – Supporting the

Sustainable Growth of Our Economy; LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; LDP 10 – Maximising our Resources and Reducing Our Consumption and LDP 11— Improving our Connectivity and Infrastructure of the ‘Argyll & Bute Local Development Plan’ (2015);

- Supplementary Guidance SG LDP ENV 1 – Development Impact on Habitats, Species and Biodiversity; SG LDP ENV 11 – Protection of Soil and Peat Resources; SG LDP ENV 12 – Development Impact on National Scenic Areas; SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality; and SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes of the ‘Argyll and Bute Local Development Plan’ (2016);
- ‘Argyll and Bute Landscape Wind Energy Capacity Study’ (2012);
- ‘Guidance on Siting and Designing Windfarms in the Landscape’ Scottish Natural Heritage (2014).

It is considered that the contribution that this proposal could make towards increasing the proportion of renewable energy generation in Scotland and towards the combating of climate change would be so limited as to not outweigh identified locally adverse consequences. Whilst the intended community benefit fund would also contribute to the delivery of local community ventures over the life of the development, this can only be accorded limited weight as a material planning consideration given that the nature and value of those ventures is not known at this stage.

Overall the proposal would give rise to inappropriately adverse environmental consequences, which cannot, when weighed in the balance of relevant considerations, be offset by economic, social or climate change considerations which are of such magnitude as to justify the setting aside of these consequences.

---

**(Q) Is the proposal consistent with the Development Plan:** No

---

**(R) Reasons why planning permission or a Planning Permission in Principle should be granted** N/A

---

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

N/A

---

**(T) Need for notification to Scottish Ministers or Historic Scotland:** No

---

**Reviewing Officer:** David Love

**Date:** 28<sup>th</sup> April 2016

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

## REASONS FOR REFUSAL RELATIVE TO APPLICATION: 15/02060/PP

1. The proposed wind turbines, inclusive of the means of access required, would be located on land at Cruach Nam Mult, which lies to the north of Stronafian Forest in Glendaruel. The site is within the '*Steep Ridgeland and Mountains*' Landscape Character Type as defined in the '*Argyll & Bute Landscape Wind Energy Capacity Study 2012*' which is intended to guide the Planning Authority on the acceptability of further wind turbine developments in the landscape. The proposal would occupy a prominent location within a sensitive and highly valued landscape character type which has been accorded regional status by being designated as an Area of Panoramic Quality in the Council's adopted Local Development Plan. The site is also located only 1.4 kilometres to the north of, and would affect the landscape setting of, the Kyles of Bute National Scenic Area which is of national significance on the basis of its outstanding scenic interest.

The Landscape Capacity Study concludes that there is no scope to accommodate larger typologies (i.e. between 80 metres and 130 metres to blade tip) within this landscape without significant effects occurring on a number of key sensitivity criteria. It is considered that the proposed two wind turbines would impinge inappropriately on the highly sensitive landscapes of both the Area of Panoramic Quality and the Kyles of Bute National Scenic Area which have the least capacity to accommodate the effects of wind farm development due to their valued semi-natural character, high inter-visibility and open views, undeveloped skyline, sense of remoteness and tranquility, scale, complexity and their diverse and highly scenic composition.

In particular, the skyline at the northern boundary of the National Scenic Area is perceived as semi-natural and is currently not noticeably affected by built structures. The wind turbines would change this important landscape characteristic due to their location on the defining 'ridge', their prominence, scale, colour and movement. The proposal would create a new, large scale focus on the horizon which would detract from the existing composition and the focus of the Kyles and from the dramatic scenery and setting of the National Scenic Area.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect local economic or community benefits which a development of this scale could deliver, or the modest contribution it could make towards the achievement of climate change related commitments.

The proposal would have a significant adverse impact on Landscape Character and would degrade designated scenic assets contrary to:

- Scottish Planning Policy;
- Scottish Government's Specific Advice Sheet on Onshore Wind Farms;
- Policies 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 5 – Supporting the Sustainable Growth of Our Economy; LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; and LDP 10 – Maximising our Resources and Reducing Our Consumption of the '*Argyll & Bute Local Development Plan*' (2015);

- Supplementary Guidance SG LDP ENV 12 – Development Impact on National Scenic Areas and SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality of the ‘Argyll and Bute Local Development Plan’ (2015);
- Draft LDP SG – Renewables (February 2016)
- Argyll and Bute Landscape Wind Energy Capacity Study’ (2012);
- ‘Guidance on Siting and Designing Windfarms in the Landscape’ Scottish Natural Heritage (2014).

2 The proposal would be prominently sited on a ridge providing the immediate setting to the northern end of the National Scenic Area in circumstances where the submitted Zone of Theoretical Visibility indicates the proposal will potentially be visible from a considerable part of the Kyles of Bute National Scenic Area. The proposal will significantly intrude on the defining skyline which encircles and visually contains the Loch Riddon/Ruel area and the northern end of the Kyles of Bute and would intrude onto a ridge that forms an important defining horizon in many of the area’s panoramic views.

The turbines will impinge on views from a range of key viewpoints on the shores including scattered settlement and key routes, and also from the water, popular for recreation. These effects would be greatest within 10 kilometres of the proposal site, which includes much of the shores and waters of the northern part of the National Scenic Area. In this area, the loch shore is accessible, settlement is scattered, and visitors to the area enjoy the scenic composition and recreational experience both onshore and offshore. The proposed turbines would intrude into, and detract from, key views and panoramas of importance to visitors and residents including loch edge locations, water based views from the head of the Kyles of Bute and Loch Riddon, views from parts of routes including the A8003 and A886/B886, the Cowal Way Long Distance Route, and NCR 75, along with views from elevated locations including Creag Dubh, the key National Trust viewpoint (layby off the A8003).

The proposal would give rise to significant visual effects upon visual receptors experiencing key views contrary to:

- Scottish Planning Policy;
- Scottish Government’s Specific Advice Sheet on Onshore Wind Farms;
- Policies 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 5 – Supporting the Sustainable Growth of Our Economy; LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; and LDP 10 – Maximising our Resources and Reducing Our Consumption of the ‘Argyll & Bute Local Development Plan’ (2015);
- Supplementary Guidance SG LDP ENV 12 – Development Impact on National Scenic Areas and SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality of the ‘Argyll and Bute Local Development Plan’ (2015);
- Draft LDP SG – Renewables (February 2016)
- Argyll and Bute Landscape Wind Energy Capacity Study’ (2012);
- ‘Guidance on Siting and Designing Windfarms in the Landscape’ Scottish Natural Heritage (2014).

3. In order to render the proposal acceptable from a road safety perspective, the existing sealed surface at the junction of the existing forestry access and the B836 public road needs to be extended by 2 linear metres with maintenance will be required to ensure that the junction remains surfaced in an acceptable form to prevent debris being deposited onto the public road. In addition, visibility splays at the junction of 2.4m by 75.0m are required to be provided and maintained free of obstructions above 1.05 metres from the level of the carriageway. The land necessary to achieve the above works and enable ongoing maintenance is not within the boundaries of the application site and no evidence has been submitted to the Planning Authority that would indicate that the agreement of the landowner has been obtained to any legal agreement to secure the necessary provision on third party land.

In addition to the above, the proposal will involve the conveyance of abnormal loads along the B836, a route which is potentially sub-standard in width and alignment. The applicant has not submitted sufficient details to enable the planning authority to conclude that this access route can support the size of vehicles required for the delivery and erection of turbine components. A fully detailed transport management plan has not been submitted with the application and, therefore, it is not known how these loads will impact on the road infrastructure, what if any improvements will be required, if any third party land will be necessary for these works, and if so the availability of such land. In the absence of any satisfactory information being advanced for the risk presented to the route by the type of traffic associated with the proposal, the development does not benefit from an identified satisfactory means of access for either construction or for decommissioning purposes.

Having regard to all of the above, the proposal would be contrary to Policy LDP 11 – Improving our Connectivity and Infrastructure and Supplementary Guidance SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes of the Argyll & Bute Local Development Plan 2015.



## APPENDIX A – RELATIVE TO APPLICATION NUMBER: 15/02060/PP

### PLANNING LAND USE AND POLICY ASSESSMENT

#### A. SETTLEMENT STRATEGY

For the time being, the Council's adopted development plan does not include a wind farm spatial strategy. That proposed as part of the draft plan pre-dated the revision of Scottish Planning Policy in November 2014 and was deleted by the Reporters conducting the subsequent Examination into the plan. Draft supplementary guidance (SG 2 Feb 2016) has been approved by the Council for public consultation and proposes a strategy for all turbines in excess of 50m in height which will be SPP compliant, but pending final approval and clearance by the Scottish Government it can be accorded little weight as a material consideration. The site lies within a Group 2 location in terms of the proposed spatial strategy to satisfy SPP, which is one of 'significant protection' where any development would be expected to demonstrate that any significant effects can be substantially overcome by siting, design or other mitigation. The application therefore falls to be primarily considered against the criteria set out in Policy LDP 6 which themselves are derived from SPP. The relevant topics for assessment are set out in the following sections of the report.

Whilst located outwith the application site, the existing access point from the B836 public road is located within Rural Opportunity Area. However, the turbines, crane hard standings, ancillary development and new access track will be located in Very Sensitive Countryside, where they are subject to the effect of LDP policies LDP DM 1. This policy is generally supportive of the principle of renewable energy proposals in these development management zones, subject to other relevant policies being satisfied.

In this case, it has been demonstrated that the proposal raises considerable concerns regarding its landscape and visual impact and its adverse effect upon road safety.

**Having due regard to the above, it is considered that the proposal is inconsistent with the provisions of the SPP (2014); Scottish Government's Specific Advice Sheet on Onshore Wind Farms and Policies 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.**

#### B. LOCATION, NATURE AND DESIGN OF PROPOSED DEVELOPMENT

The proposal seeks the construction of two wind turbines on land at Cruach Nam Mult, which lies to the north of Stronafian Forest. The forest itself is located to the east of Clachan of Glendaruel on the Cowal peninsula.

The proposal includes the following elements:

- Erection of two wind turbines with a hub height of 60 metres, rotor diameters of 53 metres and height to blade tip of 86.5 metres. The rated capacity of each turbine would be between 500-800 kW;

- There would be a foundation for each turbine with an expected diameter of 16 metres. Once constructed, the structure will be backfilled so that only the tower base pedestal will be visible;
- As the development will connect to the higher voltage 33kV line, the Distribution Network Operator will require a sub-station building and transformer housing in which to locate their electrical equipment. It is expected that the sub-station will be constructed in brick and have a pitched roof and will have maximum dimensions of 7.4 metres x 3.8 metres x 4.7 metres (to ridgeline). The adjacent GRP transformer housing will measure 3 metres x 3 metres x 2.5 metres maximum. The proposed site layout has also made allowance for an electrical kiosk to be sited adjacent to the base of each turbine tower in the event that the customer's cannot be located within the towers themselves;
- For each turbine, an area of hardstanding (approximately 30 metres x 16 metres) will be provided with an adjacent area for the laydown of turbine components. Whilst the temporary laydown area will be removed following construction, the crane pad will need to be retained throughout the life of the turbine for general maintenance and emergency access reasons;
- A new length of track will be constructed to provide access to the turbines from the existing forestry access. The existing track will also be upgraded as necessary from its junction with the B836 to the south;
- Following a grid application to SSE, it is proposed to connect both turbines to the 33 kV overhead line that lies close to the B836 road to the south of the development site. The majority of the new 33kV cable will be buried alongside the access track to minimise visual impacts.

The general design of the turbines and ancillary structures follows current wind energy practice. The sub-station building will have a pitched roof and there is mention of a brick external wall finish. If Members are minded to grant permission, the exact external finish and roof covering could be controlled by means of a condition.

It is considered that the scale of these turbines in such prominent and sensitive locations would not be appropriate due to the identified adverse landscape and visual impacts detailed in this report below.

**Having due regard to the above it is considered that the proposal is inconsistent with the provisions of the SPP (2014); Scottish Government's Specific Advice Sheet on Onshore Wind Farms and Policies 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.**

## **C. NATURAL ENVIRONMENT**

Landscape impacts may be considered in terms of the disturbance, damage or loss of individual features of landscape character, such as streams, woodlands and open moorland. Landscape character is a fundamental starting point for assessing whether a

landscape is suitable for assimilating wind energy development successfully, without giving rise to unacceptable impacts upon the countryside.

The '*Argyll and Bute Landscape Wind Energy Capacity Study*', March 2012 (LWECS) has been produced by SNH in association with the Council to identify those areas in Argyll which are likely to have capacity for wind turbines of various sizes, and those areas which do not have capacity either as a consequence of their particular qualities, or as a result of having no residual capacity given previous turbine consents. Whilst this study only addresses landscape considerations, following its approval by the Council, it is a significant material consideration in subsequent decision-making, albeit of lesser weight than development plan policy.

In the context of the LWECS, the turbines that are featured in this application would fall within the definition of "*large*" as they are between 80 metres to 130 metres in height to the blade tip.

For the purposes of the LWECS, the application site is located within the Landscape Character Type (LCT) known as 'Steep Ridgeland and Mountains'. This upland landscape comprises steep-sided, craggy topped mountains and sharp ridges deeply cut by the long, narrow sea lochs of Cowal. While the larger wind turbine typologies could relate to the scale of this character type, the often complex landform and the distinctive backdrop these hills provide to settled glens and coastal edges, the head of Loch Fyne (where it is seen in conjunction with the 'High Tops' character type) and the wider Firth of Clyde increase sensitivity. There is overall 'High' landscape sensitivity to both the large and medium typologies.

The outer edges of this character type are highly visible from roads, settlement and from the Firth of Clyde, the narrow Clyde sea lochs and from Inverclyde. The Strone Peninsula is particularly important in providing a wider backdrop to the Kyles of Bute NSA and is highly visible from the NSA and from Bute. The steep-sided mountains of this character type are also prominent at the head of Loch Fyne. While there are some relatively limited parts of the interior of these mountains where a degree of containment may be offered by higher landform, elevated views will be possible from popularly accessed mountains within Argyll and Bute and the adjacent Loch Lomond and Trossachs National Park. Visual sensitivity is judged to be 'High' to both the large and medium typologies.

The south-western part of this character type is designated as an Area of Panoramic Quality. The Loch Lomond and Trossachs National Park and the Kyles of Bute NSA are adjacent this landscape increasing sensitivity. Overall landscape values are judged to be 'High-medium' for both the large and medium typologies.

Within this landscape type, the constraints are as follows:

- Rugged and often highly complex mountains and narrow ridges with slopes rising steeply from sea lochs and glens and patterned with craggy outcrops.

- The high visibility of the southern Cowal peninsulas in views from the well-settled Firth of Clyde basin and Bute, long views up the fjord of Loch Striven from Bute and the sea, and the steep-sided mountains at the head of Loch Fyne.
- The close proximity of the Loch Lomond National Park and the Kyles of Bute NSA where wind farm development could affect some of the special qualities of these designated landscapes and key views to and from them.
- Elevated and close views from the hills within Cowal and the Loch Lomond and Trossachs National Park which are popular with walkers.
- Skyline ridges which contain settled glens such as Glendaruel.

The opportunities for development within this landscape are described as the gentler hill slopes within broader valleys and against coastal edges (away from the more prominent peninsula tips) where some scope exists for well-sited smaller turbines and commercial forestry on lower slopes which offer established access tracks and some screening from close views from roads and settlement.

The study concludes that there is no scope to accommodate larger typologies within this landscape without significant effects occurring on a number of key sensitivity criteria.

The application site is located approximately 1.4 metres to the north of the Kyles of Bute National Scenic Area (NSA). This is a small NSA where the sea is the focus combined with islands, straits, promontories, steep ridges and bluffs, flats and bays, resulting in a dramatic and scenic composition. Narrow sea channels converge at the northern end of Bute, contained by steep hill slopes and the Cowal peninsulas. There is high visibility of the area from key viewpoints, partly due to the openness of views across and from the water and due to the small extent of this NSA.

It is considered that the proposed two wind turbines would impinge on the highly sensitive landscapes of the NSA. These landscapes have the least capacity to accommodate the effects of wind farm development due to their valued semi-natural character, high inter-visibility and open views, undeveloped skyline, sense of remoteness and tranquility, scale, complexity and their diverse and highly scenic composition. This area is also valued for its accessibility by road and sea, popularity for sailing and the recreational experience and sense of seclusion it provides.

The skyline at the northern boundary of the NSA is perceived as semi-natural and is currently not noticeably affected by built structures. The wind turbines would change this important landscape characteristic due to their location on the defining 'ridge', their prominence, scale, colour and movement. The proposal would create a new, large scale focus on the horizon which would detract from the existing composition and the focus of the Kyles. In this sense, the wind farm would significantly detract from the dramatic scenery and setting of the NSA.

In summary, it is considered that the siting of these two wind turbines at 86.5 metres in height to blade tip in such a prominent location would exert a disproportionate influence over the receiving environment, where they would appear to be out of scale with their

landscape context. The scale, location and motion of the wind turbines would adversely affect the highly sensitive Area of Panoramic Quality, which is recognised for its regional value and scenic qualities and the nearby Kyles of Bute National Scenic Area, which is of national significance on the basis of its outstanding scenic interest.

**Having due regard to the above it is considered that the proposal is inconsistent with the provisions of the SPP (2014); Scottish Government's Specific Advice Sheet on Onshore Wind Farms and Policies 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; Supplementary Guidance SG LDP ENV 12 – Development Impact on National Scenic Areas and SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality of the Argyll and Bute Local Development Plan 2015; the Argyll and Bute Landscape Wind Energy Capacity Study' (2012); and 'Guidance on Siting and Designing Windfarms in the Landscape' Scottish Natural Heritage (2014).**

#### **D. VISUAL IMPACT**

Visual impact relates to the proposal's visibility and its impacts on views, as experienced by people. In determining the proposal's visual impact, the layout of the wind turbines has been assessed from key viewpoints. Visually sensitive viewpoints include those where there are views to, or from, designated landscapes; however, sensitivity is not confined to designated interests. Visually sensitive viewpoints can include those which are frequently visited by people (such as well-used transport corridors, tourist roads, or picnic spots), settlements where people live, other inhabited buildings or viewpoints which have a landscape value that people appreciate (and which they might visit for recreational pursuits or areas for hill walking, cycling or education).

In order to assess the visual impact, the developer has assessed a series of viewpoints, agreed in advance with the Council and SNH, to reflect the distribution and sensitivity of receptors. These are located in local settlements, transportation corridors, places of cultural/historical interest and known popular viewpoints. It is accepted that photomontages and other visual information can only give an indication of the relative scale of the proposals in relation to the surrounding landscape and that they are a tool for assessing the impact upon representative viewpoints in the field.

List of viewpoints assessed and the agent's description:

##### **1) Cowal Way, near Camquhart (dispersed farmstead)**

Located 2.4 kilometres west north-west of the proposed development, this represents a worse-case direct view from a minor road on the western side of Glendaruel. The Cowal Way follows this road and a number of dispersed properties and the village of Clachan of Glendaruel are located along it. The receptor travels through a well-settled glen with coniferous plantations defining the western side of the route. Open, middle distant views are afforded across the grazing fields and well-settled nature of the glen towards the steep rising slopes of

Cruach nan Cuilean. Views towards the proposed development are oblique at this location and not direct as illustrated.

2) **B836 Public Road**

Located 3.2 kilometres south east from the proposed development, this represents a worse-case direct view from the classified road which traverses on a broadly west to east axis from the A886 near Auchenbreck cluster to Dalinlongart at Holy Loch and traverses around the head of Loch Striven. The first section of the route is well defined on both sides by road-side planting which filters views towards the lower mountain slopes on both sides. Large areas of plantations line the southern side of the middle section of the road and views are channelled along the road corridor and occasionally open oblique views towards Cruach nan Cuilean and other mountain summits are afforded across the hilly lower slopes. Views towards the proposed development from the classified road / cycle route are oblique at this location and not direct as illustrated.

3) **Cowal Way, near Achanelid (dispersed property)**

Located 3.4 kilometres north north-west from the proposed development, this represents a worse-case direct view from the minor road on the western side of Glendaruel. The Cowal Way follows this road and a number of dispersed properties and small clusters of properties including Achanelid are located along it. The receptor travels through a well-settled glen with coniferous plantations defining the western side of the route. Open, middle distant views are afforded across the grazing fields and well-settled nature of the glen towards the steep rising slopes of Cruach Mhor and Cruach nan Cuilean. Groups of large mature trees within the pasture fields foreshorten/filter some views from this section of the road. Views towards the proposed development are oblique at this location and not direct as illustrated.

4) **Cowal Way, near Lothead**

Located 3.7 kilometres south-south-west from the proposed development, this represents a typical direct view from the classified road which is also the route of the Cowal Way. The course of the River Ruel is located in close proximity to the road-side at this location where groups and single mature scattered trees filter views across the flat, lush glen towards the mountain slopes which from this direction are well covered by large areas of coniferous plantations. Large dispersed properties are noticeable on the lower slopes above Glendaruel where the white-washed/rendered walls contrast with the blanket of dark green trees.

5) **A886, near Ardachuple (dispersed property)**

Located 4.5 kilometres south of the proposed development, this represents a worse-case direct open view from this classified road which traverses the eastern side of Glendaruel. Within the proximity of the viewpoint the road corridor is slightly elevated above the River Ruel which is wide and flat. Long sections of the road are well defined by large areas of riparian planting on the western side and areas of

woodland and understorey to the east. Infrequent distant views along the River Ruel open up with the mountain slopes covered with extensive areas of coniferous plantations and forests creating a dramatic backdrop. Dispersed properties scattered along the road corridor are orientated towards the river within well-defined mature gardens.

6) **Cowal Way (A8003)**

Located 5 kilometres south of the proposed development. This represents a worse-case direct view from the classified road which is also the route of the Cowal Way. Fields of improved pasture partly infested with rushes lie between the road corridor and the wide open course of the River Ruel. This section of the road is very well-defined on both sides with large amounts of riparian planting, woodland and understorey creating channelled views along the road. Infrequent gaps in road-side planting allow the receptor to view the meeting of the mountain landscape and the river bed. Large dispersed properties are noticeable on the lower slopes above Glendaruel where the white-washed or rendered walls contrast with the blanket of dark green trees across the mountain slopes.

7) **A8003/NCR 75, near to Tighnabruaich Designated Viewpoint**

Located 7 kilometres south of the proposed development, this represents a worse-case elevated view above the western shores of Loch Riddon, taken from a designated viewpoint. As the road corridor turns a corner and dips relatively steeply down towards Glendaruel, a panoramic view of sea, land and sky is afforded with the Kyles of Bute to the south and the Cowal peninsula to the north. The Firth of Clyde and the mainland of the Ayrshire coast are visible in the distance on a clear day beyond the Kyles. .

8) **Beinn Bhreac, OS Triangulation Point**

Located 8.9 kilometres south south east of the proposed development, this represents a typical direct elevated view from the triangulation point on Beinn Bhreac, which is a popular Munro with hill walkers. 360° views are afforded from the summit to the north towards Cowal, west to south-west to the Kyles of Bute, south to Bute and south-east to east to mainland Ayrshire/Inverclyde.

9) **Cruach An Lochain**

Located 10.1 kilometres north north east of the proposed development, this represents a typical direct elevated view from the summit of Cruach an Lochain, which is a popular 'sub 2000' with hill walkers. 360° views are afforded from the summit across the Cowal peninsula towards the Kyles of Bute to the south, the higher peaks of the Arrochar Alps within Loch Lomond and the Trossachs National Park to the east and north-east, and Loch Fyne to the west.

10) **West Island Way**

Located 11.2 kilometres south of the proposed development, this represents a worse-case direct elevated view from the fringes of Bute on the West Island Way. This section of the path is located within the Kyles of Bute NSA and views overlook the NSA which is backdropped by the Cowal peninsula. Views inland across Bute are restricted by areas of coniferous plantations and woodland.

11) **Cowal Way, Loch Lomond and the Trossachs National Park**

Located 11.9 kilometres north east of the proposed development, this represents a typical open, panoramic and elevated view from the Cowal Way on the fringes of the National Park, looking down Glendaruel towards the Kyles of Bute. Beinn Mhor, the highest mountain in the Cowal peninsula, restricts views to the south-east and Creag Tharsuinn restricts views south.

The summary of the effects of the proposed turbines as assessed by the agent are contained under Section 5.9 of the 'Supporting Environmental Document' as follows:

- The effects of the proposed development on the landscape and visual resource within a 30km radius study area have been explored firstly by identifying the landscape and visual receptors through a review of the existing landscape and visual baseline and establishing each receptor's sensitivity to change to the proposed development, which in turn led to the establishment of the significance of residual effect for each receptor.
- It is important to note that any likely effects of the proposed development would be temporary in duration and largely reversible, lasting for the life-time of the development, likely to be 20 years.
- The assessment of effects on the landscape and visual resource has identified that the proposed development will give rise to a handful of significant visual effects from static locations. As the receptor travels through the landscape, it has been judged that the overall visual experience and the effects on the intrinsic qualities and character of the landscape will not be significantly affected by the proposed development. This is due to the significant amount of vegetation cover including: large coniferous plantations, forests, woodlands, riparian planting, road-side and understorey planting, tree groups and mature field trees, combined with the localised landform as the receptor travels through Glendaruel and the juxtaposition of the mountain slopes and summits across the Cowal peninsula and Bute, to filter, screen, obscure or interrupt the vast majority of potential views.
- The effects on landscape and visual receptors range from **Major/Moderate to Moderate to None**, with the vast majority of effects judged to be **Not Significant**.
- No significant effects are predicted on the intrinsic quality, characteristics or integrity of any landscape designations within the study area including: Kyles of Bute NSA and the Kyles of Bute APQ (where the proposed development is located). It is acknowledged that minor, indirect effects will occur from a very limited proportion of the fringes of the NSA. Given the expansive horizontal



extent and vertical extent of land, sea and sky, and the nature and orientation of views towards the NSA and away from the proposed development, it is predicted that the composition of the baseline characteristics and features of the Kyles of Bute will not be fundamentally changed as a result of the proposed development;

- No significant effects are predicted on the intrinsic quality, features and characteristics of any landscape character types within the study area. The proposed development will form a new element within a very small section along the expansive skyline of the Cowal peninsula, rather than lead to extensive change in the underlying character. Post development character and composition will be similar to the pre-development character;
- No significant effects are predicted on the Loch Lomond and the Trossachs National Park or any of the Gardens and Designed Landscapes within the study area;
- No significant visual, cumulative or sequential effects are predicted on any users of classified roads, recreational routes (including NCRs, long distance footpaths and core paths) or scheduled ferry crossings within the study area; No significant effects are predicted on the visual amenity of any settlements, clusters or dispersed dwellings within the study area; and
- Significant visual effects are predicted at Viewpoints 4, 6 and 7. No significant landscape or cumulative effects are predicted from static locations.

The Application has been the subject of consultation with Scottish Natural Heritage and they have formally objected to the proposal prompted by what they consider to be unacceptable impacts upon the views out from the NSA. They have provided detailed comments on the visual impact of the development and these are as follows:

*“The Zone of Theoretical Visibility indicates the proposal will potentially be visible from a considerable part of the NSA. The Stronafian proposal is prominently sited on a ridge providing the immediate setting to the northern end of the NSA. The proposal will significantly intrude on the defining skyline which encircles and visually contains the Loch Riddon/Ruel area and the northern end of the Kyles of Bute. The wind farm site is seen as part of a ridge that forms an important defining horizon in many of the area’s panoramic views.*

*The turbines will impinge on views from a range of key viewpoints on the shores including scattered settlement and key routes, and also from the water, popular for recreation. These effects would be greatest within 10km of the proposal site, which includes much of the shores and waters of the northern part of the NSA. In this area, the loch shore is accessible, settlement is scattered, and visitors to the area enjoy the scenic composition and recreational experience both onshore and offshore. The proposed turbines would intrude into, and detract from, popular views and panoramas that are important to visitors and residents. Such views are experienced both on the loch and in/ around visitor destinations in the surrounding area. Key examples include:*

- a. *Views from the loch edge including scattered settlement as represented by, for example, Viewpoint 4 (Lochhead) and Viewpoint 5 (Ardachuple).*
- b. *Water based views. Loch Riddon/ Ruel area and the Kyles of Bute area are very popular for recreational sailing and sea kayaking. (There are also anchorages at Caladh Harbour, Salthouse and Ormidale (Craig Lodge) and sailing schools nearby.) The proposal would appear prominent on the skyline of hills which provide the wider setting to these seascapes. (Viewpoint wirelines provided post ES submission). This would be experienced by, for example: recreational water users on the narrow channels at the head of the Kyles of Bute and Loch Riddon/ Ruel where the coast is highly visible and views are strongly contained and channelled by the steep-sided hill slopes.*
- c. *Views from parts of key routes including the A8003 and A886/B886, the promoted Cowal Way Long Distance Route, and NCR 75 which lies close to the coast in this section as represented by, for example, Viewpoint 6.*
- d. *Views from elevated locations including Creag Dubh, the key National Trust viewpoint (layby off the A8003) as represented by, for example, Viewpoint7. The proposal will appear prominent and incongruous on the skyline; albeit to the north of the main focus of the view down the Kyles.”*

The Department shares the conclusions of the professional assessment carried out Scottish Natural Heritage, agrees that the applicant’s LVIA underestimates the impact of the proposal upon its surroundings, and on this basis, the adverse visual impact of the proposed development informs the recommendation of refusal contained within this report.

**Having due regard to the above it is considered that the proposal is inconsistent with the provisions of the SPP (2014); Scottish Government’s Specific Advice Sheet on Onshore Wind Farms and Policies 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; Supplementary Guidance SG LDP ENV 12 – Development Impact on National Scenic Areas; and SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality of the Argyll and Bute Local Development Plan (2015); the Argyll and Bute Landscape Wind Energy Capacity Study’ (2012); and ‘Guidance on Siting and Designing Windfarms in the Landscape’ Scottish Natural Heritage (2014).**

## **E. CUMULATIVE IMPACT**

Cumulative impact is often difficult to assess but can have significant land use planning implications, particularly in relation to noise, visual, aviation, landscape, ecological, and hydrological impacts. Section 5.7 of the supporting statement puts forward the agent’s assessment of cumulative impact. It addresses the potential cumulative effects arising from the proposed wind turbine development in conjunction with other built, consented and planning stage wind developments identified within the study area. There are three operational wind farms (Cruach Mhor, Stronachullin Farm and An Suidhe); eight

approved schemes; one scheme that is pending; and two schemes that are at the EIA scoping stage.

The applicant's assessment concludes that the proposed two turbine development of Stronafian Forest would marginally add to simultaneous, successive and sequential effects. Potential cumulative effects on landscape and visual receptors are assessed to range from **Moderate** to **None** depending on direction and distance from the proposed development. Cumulative effects are judged to be **Not Significant**.

Scottish Natural Heritage has also addressed the potential cumulative effect of the proposal and has made the following comments:

*“Stronafian community wind farm is contrary to the strategic pattern of wind energy development and would introduce large wind turbine development to the views and northern setting of the NSA. Currently, no wind energy development is sited within the NSA and wind energy development does not significantly impact on the immediate setting of the NSA. While the operational Cruach Mhor wind farm (35 turbines each of 71m high to tip) on north Cowal, (c6km), has some limited theoretical visibility from the NSA; it is not noticeable and does not intrude into the key views and setting of the NSA. This is largely due to its location in a basin, set back from the NSA and the coast. Existing and approved wind farms presently visible in Ayrshire from the NSA are more than 20 km away. The proposal could therefore set a precedent for further development of this type and scale in this sensitive landscape setting which provides an immediate backdrop and setting to the Kyles of Bute NSA. This could potentially result in significant cumulative effects, including sequential effects.”*

As with the landscape and visual assessment of the proposal, there is a difference in opinion between the applicants and Scottish Natural Heritage. Whilst officers lean toward the conclusions of Scottish Natural Heritage that the proposal could set an undesirable precedent which could encourage further turbine development in locations which would degrade the setting of the NSA, it is necessary to confine consideration to the merits of the application proposal in combination with existing developments, rather than in anticipation of what might follow in the event it were to be approved. Given that strict interpretation of cumulative effects, and recognising that in some locations cumulative impacts could still be of 'moderate' effect, it is not considered that the development poses cumulative impacts of such magnitude as to warrant a specific reason for refusal in terms of likely cumulative and landscape visual effects.

**Having due regard to the above in terms of its anticipated cumulative impacts, it is considered that the proposal is consistent with the provisions of the SPP (2014); Scottish Government's Specific Advice Sheet on Onshore Wind Farms and Policies 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; Supplementary Guidance SG LDP ENV 12 – Development Impact on National Scenic Areas; and SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality of the Argyll and Bute Local Development Plan (2015); the Argyll and Bute Landscape Wind Energy Capacity Study' (2012); and 'Guidance on Siting and Designing Windfarms in the Landscape' Scottish Natural Heritage (2014).**

## F. ECOLOGICAL IMPACT

### Terrestrial Habitats

Appendix G of the 'Supporting Environmental Document' relates to the impact of the proposal upon terrestrial habitats and it makes the following comments:

*"Most of the area of search comprises blanket bog and wet heath and the vast extent of conifer plantation within Cowal means that the overall area of these habitats within this peninsula has been much reduced.*

*Throughout much of the site, conifers have been planted and, even where felled, have caused widespread disturbance and drainage of these habitats. To the north of Cruach nam Mult, however, is a swathe of relatively undisturbed peatland habitat that should be considered of higher quality, including an area of blanket bog with pools that are in good condition and include bog species and invertebrates of conservation importance. Elsewhere on the site the peatland habitat is of lesser quality.*

*Blanket bog is particularly fragile and can become degraded as a result of development through compression and drainage. Impacts to blanket bog have been minimised by siting the turbines and new access track away from the areas of higher sensitivity and taking access along existing tracks, through conifer plantation and along routes with thinner peat as far as possible (See Habitat Report Map 2).*

*Wet heath is a GWDTE type of lesser sensitivity but is in mosaic with blanket bog over much of this site and is in moderate condition, though extensively planted with conifers. Areas of deeper peat and flushing should be avoided.*

*Additional mitigation has been proposed to reduce potential changes to the hydrology, structure or vegetation of the blanket bog and wet heath habitats. This includes:*

- *Use of low ground-pressure vehicles;*
- *Minimising tracking across unprotected ground;*
- *Avoiding pollution and silt mobilisation across peat surfaces;*
- *Saving turves and peat carefully to ensure good restoration; and*
- *Tamping down the turves carefully at restoration to create a smooth peat surface with at least 70% cover of turves.*

*It is also recommended that a Peatland Management Plan be designed and implemented to ensure long-term benefits to the peatland habitat affected by the scheme. This may include actions to control sheep stocking levels and deer numbers, to limit argo-track use to accepted routes and to eradicate the invasive species *Rhododendron ponticum* before it expands out onto the open hill."*

No significant habitat sensitivities have been identified by the applicants or during the processing of the application. Scottish Natural Heritage has made no specific comment on this issue in its consultation response.

## Protected Species

Appendix G summarises the following results of the surveys of protected mammals (otter (*Lutra lutra*), water vole (*Arvicola amphibious*), pine marten (*Martes Martes*), wildcat (*Felis silvestris*) and badger (*Meles meles*):

- Active signs were recorded of badger, pine marten, soprano pipistrelles, large and small heath butterflies, small pearl-bordered fritillary and common lizard.
- Signs of past occupation by otter and water vole are present on the eastern burn alongside the proposed new access track, but there were no active signs. A potential otter lie-up and several water vole burrows were noted but they were overgrown and partly collapsed with no evidence of spraint, tracks, latrines or feeding signs.
- Two bats were noted foraging but no tree or building with bat features was noted within 50m of the proposed tracks or any proposed structures.
- Otter, water vole, badger, pine marten, red-squirrel, wildcat and bats are all mobile species and pre-construction survey should be carried out within 2 months of works starting onsite to ensure that there have been no material changes to this assessment.
- The otter lie-up should still be clearly marked with coloured tape or fencing to leave a 30m buffer.
- The water-vole burrows should be clearly marked with coloured tape to leave a 10m buffer.
- Standard mitigation for mammals should be applied throughout the site, i.e. during construction, buried pipes should be capped at night to prevent otters, badgers or other wildlife potentially becoming trapped and ramps set into any trenches greater than 50cm deep. Lights should not be left on overnight.
- Habitat creation/enhancement as part of reinstatement should consider habitat features appropriate for these species.
- Mitigation to reduce construction phase impacts to butterflies along the eastern burn should include routing the access track around the marshy grassland alongside the burn to avoid their habitat, culverting all watercourses and flushes across the track to retain the current level of surface water flushing and ensuring adequate, maintained silt control measures along this section.

Based upon the above, it is considered that the development would not be likely to have an adverse impact upon protected species, subject to the appropriate recommended measures being put in place. If Members were minded to approve the application, a suitably-worded condition would be required.

Having due regard to the above it is considered that the proposal is consistent, from the point of view of ecological interests, with the provisions of Policies LDP STRAT 1: Sustainable Development, LDP DM 1: Development Within the Development Management Zones and LDP 3: Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6: Supporting the Sustainable Growth of Renewables and LDP 10: Maximising our Resources and Reducing our Consumption of the Argyll and Bute Local Development Plan 2015; and Supplementary Guidance SG LDP ENV 1 – Development Impact on Habitats, Species and Biodiversity.

## G. ORNITHOLOGICAL IMPACT

At the time of the submission of the application in July 2015, the Supporting Document was accompanied by an ornithological assessment. Scottish Natural Heritage were concerned that there was insufficient information to enable a full assessment of impacts upon each of the bird species using the site and its immediate environs (including golden eagle, hen harrier, peregrine, merlin, short and long-eared owl and cross bill).

Given SNH's comments, a further assessment was carried out and submitted in March 2016, the summarised conclusions of which were as follows:

*“This report reviews the data sets and conclusions from previously commissioned bird surveys for the Stronafian Community wind turbine proposal (Quadrat 2015; RPS 2016). These data were collected during 2010 to 2012 by RPS & 2014/15 by Quadrat Scotland Ltd. respectively and the Argyll Raptor Study Group supplied information in 2016. It is concluded that they provide a sufficient data sample over three summer and winters to inform an assessment of the likely impacts.*

*The project location (Cruach nam Mult) as well as the Cruach Mhor windfarm to the north fall within tetrads of high bird sensitivity (Bright et. al. 2006). There are known to be multiple hen harrier and short-eared owl nests in the wider area, potential for golden eagle and peregrine falcon use of the area along with a moderate sized population of black grouse. No ornithology conservation designations coincide with or lie adjacent to the proposal.*

*Due to the setback distances and low flight frequency the nest occupancy, flight activity respectively and hence population viability of potentially sensitive species (hen harrier, shorteared owl, peregrine & golden eagle) is predicted not to be significantly affected by the two wind turbine proposal. Negligible impacts are predicted from the other infrastructure associated with the project. No significant cumulative impacts from the two wind turbines are predicted on local or regional bird populations. Ecow1 supervision is advised during construction to ensure compliance with the legal protection for birds (Schedule 1 & Schedule 1A2) as well as to ensure minimal impacts on the supporting habitats. Habitat improvement for black grouse is advised as part of the wider management of the Stronafian Community Forest. Follow up monitoring is not advised as this would contribute little to the knowledge base of wind turbine/bird interactions.”*

Both Scottish Natural Heritage and the Royal Society for the Protection of Birds have been consulted on the latest assessment. Scottish Natural Heritage provided the following conclusions (letter dated 14th April 2016):

*“In our opinion, the ornithology cumulative assessment lacks a quantitative assessment of collision and displacement likelihood, and does not conform to SNH guidance on the assessment of cumulative impacts.*

*Despite this, we advise that the information presented is sufficient to conclude that there are unlikely to be any adverse effects either on any classified site (there are none nearby), or on regional populations of key species.*

*Whilst we do not anticipate any adverse effects on bird species within designated sites or in the wider region, appropriate mitigation is lacking, specifically that for hen harriers.”*

The Royal Society for the Protection of Birds provided their comments in a letter dated 22<sup>nd</sup> April 2016. They are recommending that a further breeding season’s worth of survey work is completed to inform the use of this area by species of conservation concern, in particular breeding raptors. This effort should be co-ordinated with the work of the Argyll Raptor Study Group and should aim to establish the usage of the area likely to be affected by the proposal.

In addition, they are recommending that, should permission be granted, conditions should be attached that require the submission and approval of a habitat management plan and a Breeding Bird Protection Plan together with details of the employment of a suitably-experienced Ecological Clerk of Works.

Upon receipt of these comments, an opinion was sought from the RSPB as to whether the absence of the identified survey work could, in their opinion, prompt a reason for refusing the proposal on ornithological grounds. The response (e-mail dated 26<sup>th</sup> April 2016) stated the following:

*“The advice in relation to survey work, and information presented, is a recommendation that additional survey work is advisable to show the usage of this area by hen harrier. Our main concern is that the area clear felled in 2013 has created additional suitable habitat and a potential corridor for this species. However, in light of further consideration with respect to the DRAFT Stronafian Long Term Forest Plan (RSPB was previously consulted), we are aware that this area is planned to be/has been restocked with sitka spruce (detailed as being planted in 2015). On this basis, we would ask that clarification is made by the applicant that:*

- a. this area has been restocked in 2015 and by which species;*
- b. whether or not the long term forest plan is still relevant or will require amendment to reflect the wind farm. It should be noted that if the development is approved then the habitat management plan may likely include the forest habitat and therefore forest plan amendment may be required.”*

On the basis of the above, a definitive assessment on the impact of the proposal on ornithology cannot be concluded. The main issue would appear to be the possible effect upon hen harrier and additional information has been sought from the agent in order that the RSPB can provide their further comments. Despite a lack of an absolutely definitive conclusion in this matter the application is nonetheless proceeding to a determination given the unacceptability of the proposal in terms of landscape visual and access considerations.

## **H. HYDROLOGICAL & HYDROGEOLOGICAL IMPACT**

Chapter 6 of the agent's '*Supporting Environmental Document*' relates to hydrology and hydrogeology and a series of mitigation measures are identified in Section 6.4 including, intentions for oil and chemical storage, concrete being delivered from off-site, measures to control run-off, and inspection regime for water courses, cabling to follow access tracks where possible and no working to take place in severe weather conditions.

Risk to groundwater can be satisfactorily mitigated through use of best practice construction methods. This will require compliance with all of the guidance contained in the submitted Pollution Prevention Guidance. A borehole will be made to at least the depth of the turbine foundations (approximately 2.5 m) to assess whether groundwater is present. This will be carried out as part of a pre-construction ground investigation survey. In the unlikely event that groundwater is present at this depth it will be necessary to implement mitigation measures to avoid any contamination from materials used for the turbine foundation.

Based upon the information submitted, and with the intention to employ best construction practice, it should be possible to protect groundwater satisfactorily. If Members were minded to approve the application, it would be necessary to impose conditions requiring the implementation of the mitigation measures identified by the agent.

**Having due regard to the above, it is considered that, in terms of hydrology and hydrogeological impact, the proposal, with mitigation measures set out in planning conditions (should permission be granted), is consistent with the provisions of: Policies LDP STRAT 1: Sustainable Development, LDP DM 1: Development Within the Development Management Zones and LDP 3: Supporting the Protection, Conservation and Enhancement of our Environment of the Argyll and Bute Local Development Plan 2015.**

## **I. BORROW PITS**

The agent states that "*it is expected that the hardstanding materials will be provided from a local quarry*". On this basis, there would appear to be no proposals to create borrow pits in association with the proposal. Any intention to do so would require a separate mineral planning permission(s).

## **J. CULTURAL HERITAGE IMPACT**



Chapter 8 of the 'Supporting Environmental Document' assesses, from the agent's perspective, the impact of the proposed turbines upon cultural heritage. It states the following:

*"In response to comments received from Historic Scotland and West of Scotland Archaeology Service (WoSAS) during the EIA screening stage, GUARD Archaeology was commissioned to prepare a desk-based review ....*

*Briefly, the conclusions and recommendations of the assessment are as follows:*

- There are no known cultural heritage remains within the proposed site boundary, or within the 100 m buffer zone surrounding the development;*
- While no cultural heritage sites are known within the site, the wider study area contains prehistoric cairns, cists, find-spots and the remains of a settlement;*
- There are twenty-four designated or Non-Statutory Register listed cultural heritage sites within 5 km of the application site. None of these would be adversely indirectly affected to any significant degree by the proposed development;*
- Cartographic evidence indicates that the proposed wind turbine development area has been uncultivated moorland since at least the mid-nineteenth century. Evidence from aerial photographs indicates that the afforestation around the site dates from after 1954, and though there are indications of previous planting in close proximity, it is possible that the locations of the two turbines may not have been subject to tree-planting. As the proposed development area comprises moorland that has not been occupied intensively since cartographic records were made, there is potential, albeit very low, for the survival of sub-surface archaeological remains; and*
- Given the evidence of prehistoric sites in the surrounding area, a programme of archaeological works, such as an archaeological watching brief during ground-breaking works, may be required in order to record any buried and unknown archaeological remains within those parts of the proposed development area that will be subject disturbance.*

*While the final decision on the need for and the scope of any archaeological mitigation work rests with the local planning authority, it is the applicant's contention that a suspensive condition requiring a watching brief during ground-breaking works is appropriate in this instance."*

The West of Scotland Archaeology Service has made no specific comments on the proposal. However, on the basis of the information submitted by GUARD, there would appear to be no significant impediment to the proposal from an archaeological perspective. If Members were minded to grant permission, consideration should be given to the attachment of a suitably-worded condition ensuring the carrying out of a watching brief during construction works.

**Having due regard to the above, and from the perspective of its impact upon cultural heritage, it is considered that the proposal accords with the provisions of Policy LDP 3: Supporting the Protection, Conservation and Enhancement of our Environment and Supplementary Guidance SG LDP 20 – Development Impact on Sites of Archaeological Importance of the Argyll and Bute Local Development Plan 2015.**

#### **K. TOURISM IMPACT**

One of the issues that those who are objecting to the proposal raise is that the Colintrave and Glendaruel Development Trust are seeking to regenerate the Col-Glen area for residents and visitors alike, yet are intending to install two turbines which, in the objectors' opinion, would deter tourists from visiting this part of Cowal.

The degree to which wind turbines influence the decision as to whether tourists should visit or return to an area, is open to debate. In dismissing an appeal for a windfarm at Corlarach in Cowal, the Reporter was persuaded that resource based tourism founded partly on landscape and scenery was important to Argyll and Bute, in the context of a local economy which is heavily dependent upon the tourism sector and its associated employment. On the other hand, the Reporter in the recent upholding of an appeal for the erection of two wind turbines at Auchintirrie Farm on the Isle of Bute stated the following: *“there is little evidence of any potential for the presence of wind farms to deter visitors”*.

Opinions and attitudes towards wind farms have been the subject of a number of public opinion surveys over the past 20 years. These have tended to conclude that the majority of visitors would surveyed would not be dissuaded from making repeat visits due to the presence of wind turbines in the landscape. They do of course represent a historic view of the situation where turbines have been carefully sited to minimise impacts under the auspices of the planning system, so as the number of windfarms increase, turbine models become progressively larger and more imposing, and sequentially less favourable sites become developed, there is no guarantee that past attitudes will necessarily reflect the current influence of wind turbines upon decisions made by visitors.

Given that the magnitude of the likely effect upon tourism cannot be estimated reliably, it has not been cited specifically as a recommended reason for refusal, but there remains an argument that adverse landscape and visual impacts could impinge upon the tourism sector, which is of particular importance in the context of the Argyll and Bute economy.

**Having due regard to the above, as far as tourism interests are concerned, it is considered that the proposal is consistent with the provisions of SPP and Policies LDP STRAT 1: Sustainable Development; LDP 3: Protecting, Conserving and Enhancing Our Outstanding Environment Together of the Argyll and Bute Local Development Plan 2015.**

#### **L. NOISE & AIR QUALITY**

Technically, there are two quite distinct types of noise sources within a wind turbine – the mechanical noise produced by the machine and the aerodynamic noise produced by the passage of the blades through the air. The Report, ‘The Assessment and Rating of Noise from Wind Farms’ (Final Report, Sept 1996, DTI), (ETSU-R-97) describes a framework for the measurement of wind farm noise, which should be followed to assess and rate noise from wind energy developments, until such time as an update is available. This gives indicative noise levels thought to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable burdens on wind farm developers, and suggests appropriate noise conditions.

A further report produced by Hayes McKenzie for DECC entitled “An Analysis of How Noise Impacts are Considered in the Determination of Wind Farm Planning Applications” suggested that best practice guidance is required to confirm and, where necessary, clarify and add to the way ETSU-R-97 should be implemented in practice. This report also concludes that there is no evidence of health affects arising from infrasound or low frequency noise generated by turbines.

The most conclusive summary of the implications of low frequency wind farm noise for planning policy following on from the Hayes McKenzie report is given by the UK Government’s statement regarding the finding of the Salford University Report into Aerodynamic Modulation of Wind Turbine Noise (September 2011). This study concluded that although Aerodynamic Modulation cannot be fully predicted, the incidence of Aerodynamic Modulation resulting from wind farms in the UK is low. Out of the 133 wind farms in operation at the time of the study, there were four cases where Aerodynamic Modulation appeared to be a factor. Complaints have subsided for three out of these four sites, in one case as a result of remedial treatment in the form of a wind turbine control system. In the remaining case, which is a recent installation, investigations are ongoing.

Environmental Health have considered the proposal and advised that the noise assessment within the supporting statement and relevant Appendix H appears to be valid. There has been no specific recommendation that, should Members be minded to grant permission, a planning condition is attached to ensure compliance with the 35dB ETSU standard.

In terms of construction noise, Environmental Health have advised that this would only be a potential issue where it was close to the access and that the standard hours of working that are recommended in the supporting document could be the subject of a condition if it was considered appropriate.

**Having due regard to the above, it is considered that in terms of noise and air quality with the imposition of appropriate conditions the proposal would be consistent with the provisions of Policy LDP 6: Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan 2015.**

#### **M. SHADOW FLICKER & ICE THROW (EQUIPMENT SAFETY)**

Government guidance advises that if separation is provided between turbines and nearby dwellings (as a general rule of 10 rotor diameters), ‘shadow flicker’ should not be

a problem. The supporting information from the agent indicates that a desk-based shadow flicker assessment was completed and it confirmed that all residential properties are outwith the 10 rotor diameters of the development.

Ice throw is not a matter which falls under the auspices of Planning or Public Protection. This said, companies supplying products and services to the wind energy industry are required to operate to a series of international, European and British Standards and the operator has a duty of care not to prejudice the health and safety of site operatives or other persons frequenting the site.

**Having due regard to the above, it is considered that in terms of ice throw and shadow flicker the proposal is consistent with the provisions of Policy LDP 6: Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan 2015.**

#### **N. TELEVISION RECEPTION**

Television reception can be affected by the presence of turbines although this has become less of a problem since the switchover from analogue to digital broadcasting. In the event that reception is impaired then it is the developer's responsibility to rectify the problem. This would need to be secured by condition in the event that planning permission were to be granted.

**Having due regard to the above, it is considered that in terms of television reception the proposal is consistent with the provisions of Policy LDP 6: Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan 2015.**

#### **O. AVIATION MATTERS**

There have been no objections to this element of the proposal from any relevant aviation consultees. The agent has undertaken a desk-based assessment which concludes that there are no predicted aviation or radar concerns associated with the proposal.

**Having due regard to the above, it is considered that in terms of aviation matters the proposal is consistent with the provisions of Policy LDP 6: Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan 2015.**

#### **P. ELECTRO-MAGNETIC INTERFERENCE TO COMMUNICATION SYSTEMS**

Chapter 12 of the 'Supporting Environmental Document' advises that the agent initially provided details of the development to the Office of Communications (Ofcom), who are the agency tasked with assessing the potential impacts of wind energy proposals on the civilian radio network (consists primarily of mobile phone operators and communications systems for public sector and utility companies). Scottish Planning Policy and development plan policy highlights telecommunications interference as a material consideration in considering the acceptability of wind turbines.

Ofcom, Atkins and Joint Radio Company were asked to give details of telemetry and microwave links within a 500 metre radius of the development. Responses were received from all the parties and no telecommunications links were found in the vicinity.

**Having due regard to the above, it is considered that in terms of the above the proposal is consistent with the provisions of Policy LDP 6: Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan 2015.**

## **Q. ROAD TRAFFIC IMPACT**

The supporting statement states that it is intended that the wind turbine components will be delivered to the site from a suitable port on the West Coast from where they will be loaded onto road vehicles. The longest load will be the blades themselves which are each approximately 26m in length. Each tower will be delivered in three separate sections.

Cruach Mhor windfarm lies approximately 3 km to the north of the application site. It is, therefore, intended to use the same delivery route for this project. In this respect, the turbine components would approach from the north on the main A886 road. Around 2.5 km south of Clachan of Glendaruel, the delivery vehicles would turn left onto the B836 and travel a short distance before turning left again onto the existing forestry track at the Telephone Exchange. It is expected that HGV deliveries will utilise the same route.

The Area Roads Manager has raised no specific objection to the above arrangements but has recommended that the submission and approval of a Traffic Management Plan and a Method Statement should be attached as conditions should permission ultimately be granted.

In terms of the access to the site from the public road infrastructure, there is an existing forestry track that has a junction with the B836 adjacent to the Telephone Exchange. This track leads up to Stronafian Forest and the proposal involves the construction of approximately 580 metres of new dedicated access track to link the proposed turbines with the existing route.

The Area Roads Manager initially recommended that the junction with the B836 public road be constructed in accordance with the standard detail drawing for forestry accesses. In addition, he recommended that visibility splays of 75 metres be formed and maintained in each direction from a point 2.4 metres back from the edge of the carriageway at the centre point of the access.

The agent subsequently sought clarification from the Area Roads Manager as to whether the existing access was suitable in terms of its geometry and visibility splays. The response was that the design of the access and the visibility splays were acceptable, but that the existing surfaced area for the access (currently 8 metres back from the public road) needed to be extended by 2 linear metres. It was also noted that Type 1 material had become segregated and stone was being displaced, initially onto the sealed surface and subsequently onto the public road by exiting vehicles.

On the basis of the foregoing, and in order to render the proposal acceptable from a road safety perspective, the existing sealed surface needs to be extended by a further 2 linear metres. In addition, maintenance will be required to ensure that the junction remains surfaced in an acceptable form to prevent debris being deposited onto the public road. Finally, the requisite visibility splays must be maintained free of obstructions above 1.05 metres from the level of the carriageway.

All of the requirements in the preceding paragraph could be achieved through the imposition of conditions. However, the boundaries of the application site do not extend to the land necessary to comply with these conditions and therefore such conditions would fail the tests set out in Circular 4/1998. In addition, and on the basis of representations received from the tenant farmer, Mr John McNaughton, it would appear that it might be questionable as to whether the consent of the landowner would be forthcoming for the necessary works and the ongoing maintenance to take place.

In addition to the above, the proposal will involve the conveyance of abnormal loads along the B836, a route which is potentially sub-standard in width and alignment. The applicant has not submitted sufficient details to enable the planning authority to conclude that this access route can support the size of vehicles required for the delivery and erection of turbine components. A fully detailed transport management plan has not been submitted with the application and, therefore, it is not known how these loads will impact on the road infrastructure, what if any improvements will be required, if any third party land will be necessary for these works, and if so the availability of such land. In the absence of any satisfactory information being advanced for the risk presented to the route by the type of traffic associated with the proposal, the development does not benefit from an identified satisfactory means of access for either construction or for decommissioning purposes.

In taking all of the above into account, it is considered that the provision and maintenance of the works required to meet the recommendations of the Area Roads Manager cannot be properly achieved through the imposition of conditions. In addition, a fully detailed transport management plans has not been submitted to demonstrate that the local road network can accommodate the delivery of components. On this basis, **the proposal would not conform to Policy LDP 11 – Improving our Connectivity and Infrastructure and Supplementary Guidance SG LDP TRAN 4 –New and Existing, Public Roads and Private Access Regimes of the Argyll & Bute Local Development Plan.**

## **R. INFRASTRUCTURE**

No requirement for public water or foul drainage connection is identified. Environmental Heath has not raised any concerns over impact on private water supplies. If Members were minded to approve the application, a planning condition would be required to secure a sustainable drainage strategy for the roads, turbine hardstanding areas, and the construction yard to ensure adequate protection of the water environment from surface water run-off during construction works.

**Having due regard to the above it is concluded that in terms of drainage and water supply the proposal is consistent with the provisions of Policies LDP STRAT 1: Sustainable Development; and LDP 6: Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan 2015.**

## **S. GRID NETWORK & CABLES**

Connection to the National Grid is not a matter of land use policy, however, it should be considered 'in the round' as part of the planning application process. The supporting statement indicates that, following a grid application to SSE, it is proposed to connect both turbines to the 33kV overhead line that lies to the south of the B836 road to the south of the development site.

**Having due regard to the above it is considered that the proposal is consistent with the Scottish Government's Specific Advice Sheet on Onshore Wind Farms.**

## **T. SOCIO-ECONOMIC AND COMMUNITY BENEFIT**

The SPP requires planning authorities to consider the economic benefits of proposals in their assessment. Chapter 7 of the supporting statement addresses the perceived socio economic and community benefits of the proposal. In summary:

- The baseline assessment indicates that the immediate area has a relatively low rural population which has been declining in recent years.
- Almost one quarter of the working population is employed in agriculture, forestry and fishing activities, which is considerably higher than the Argyll & Bute average. The number of people employed in tourism is roughly 10%, which is comparable to the figure for Argyll & Bute overall.
- Visitors to the area make a positive contribution to the local economy. The likely impact of the turbines on identified tourism and recreational attractions within 10 km of Stronafian has been assessed as low. In this respect, it is not considered that the development of the site for wind energy as proposed will deter visitors to the area.
- It is acknowledged that the turbines could potentially result in adverse impacts on residential amenity. Through careful siting of the turbines at Cruach nam Mult however, such impacts (visual, noise etc.) are assessed to be not significant.
- The project is expected to deliver positive socio-economic impacts to the local community. Current projections estimate that the project will generate dividends of almost £2.8 million over the twenty year life of the turbines, which the Trust will re-invest into various initiatives for the benefit of the community. These initiatives would include the following:

- i. The enhancement of the conservation and amenity value of the forest areas under community management;
  - ii. The selling of house plots and creation of woodland crofts to provide local affordable housing;
  - iii. The creation of access routes for walking, cycling etc.;
  - iv. The establishment of a sustainable local fuelwood economy to reduce the community's carbon footprint;
  - v. The provision of support to the local tourism industry by enhancing the amenity of the area and providing recreational facilities and activities;
  - vi. The provision of cultural heritage and archaeological interpretation.
- The Trust will also facilitate a community share offer to encourage individuals to own a direct stake in the project. Part or full ownership of the Stronafian development by the community is considered to be the most effective means of maintaining profits within the local economy. In this regard, the project is considered to be wholly consistent with the Scottish Government's objective of delivering 500MW of community and locally-owned renewable energy schemes by 2020.

Ordinarily, planning gain advanced in the form of financial benefit on offer to the community is not considered to be a material consideration in the determination of planning applications. The negotiation of any community benefit, either directly with the local community or under the auspices of the Council, would be expected to take place outside the application process. However, in this case the fact the development is being promoted by a community focused organisation with the intention of funding various initiatives for the benefit of the community, means that the identity of the applicant and their intentions for the local re-investment of income is one that must be acknowledged, particularly given that the Scottish Government has expressed particular support for home-grown renewable energy ventures over those being promoted by absentee developers. Nonetheless the socio-economic benefits associated with the proposal may only be accorded limited weight, and they should not deflect attention away from identified environmental shortcomings of acknowledged importance.

It is worthwhile noting that the overall capital cost of the project will be £3.3m. The applicant has estimated that some 29% of the construction and operating cost is anticipated to be spent in Scotland equating to £947k. The supporting statement does not give any commitment to use local contractors and as such it is not clear where any additional money will enter the local economy. The income to be derived for the local community is estimated to be £2.8m over 20 years.

Whilst there may be benefit from the relationship with Colintrave and Glendaruel Development Trust, it is not considered that the benefits of this relatively small project in terms of renewable generating capacity are such as to warrant the setting aside of the other development plan policy considerations identified above which have prompted the recommendation for refusal.

## **U. DECOMMISSIONING**



The supporting statement indicates that the operational period will be set at 20 years (unless further permission is sought and granted) and, upon cessation of wind turbine operations, the turbines will be decommissioned, dismantled and removed, leaving no visible trace of the development. The site will be completely restored to its present use and there will be no lasting implications on the land usage/character. The turbine components will be dismantled and removed from site. The foundations will be broken down and removed to a licensed off-site facility and the cables will be de-energised or removed. A decommissioning programme will be agreed with the Council prior to the commencement of the decommissioning works.

Should Members determine to grant planning permission for this proposal, a requirement for decommissioning and total site restoration should be included in the planning condition(s) and/or legal agreement, which will be triggered by either the expiry of the permission or if the project ceases to operate for a specific period. This will ensure that, at the end of the proposal's operational life, the turbines would be decommissioned and principal elements removed.

**Having due regard to the above, as decommissioning could be controlled by condition/Section 75 Legal Agreement (should permission be granted), it is considered that the proposal is acceptable in this regard in terms of Policies LDP STRAT 1: Sustainable Development; and LDP 6: Supporting the Sustainable Growth of Renewables of the Argyll and Bute Local Development Plan 2015.**

## **V. SCOTTISH GOVERNMENT POLICY & ADVICE**

The commitment to increase the amount of electricity generated from renewable sources is a vital part of the response to climate change. Renewable energy generation will contribute to more secure and diverse energy supplies and support sustainable economic growth (SPP). The current target is for 100% of Scotland's electricity and 11% of heat demand to be generated from renewable sourced by 2020 (2020 Routemap for Renewable Energy in Scotland).

SPP provides the government's policy position on planning matters having regard to national priorities with the intended outcomes identified reflecting the strategic visions set out in NPF 3. An underlying theme is that of sustainability, a principle which has been accorded enhanced priority in this iteration of SPP through the introduction of a presumption in favour of development that contributes to sustainable development. Whilst the statutory primacy of the development plan in decision-making is not undermined by this policy pronouncement, the intention is that the presumption in favour of sustainable development should prevail other than in circumstances where there are *'adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP'* (Para 33).

Paragraph 29 of SPP sets out principles by which decisions should be guided. Those relevant to this case are securing economic benefit and good design, supporting delivery of energy infrastructure and climate change mitigation, and protecting the historic and natural environments and the amenity of existing developments. In terms of development in rural areas, SPP recognises the need to secure development which protects the character of the particular area and to support business whilst protecting environmental quality.

The delivery of a 'Low Carbon Place' is key ambition of SPP which aims to support the transformational change to a low carbon economy, focused on the reduction of greenhouse gases associated with fossil fuel electricity generation. It expresses support for renewable energy technologies, of which onshore wind remains the principal generator. As with the stance adopted in NPF 3, the support for wind farms as a component of an expanding renewables sector is not unqualified. There is recognition of the value and importance of the natural environment and an expectation that the planning system should facilitate positive change while maintaining and enhancing distinctive landscape character. Siting and design should take account of local landscape character and developers should seek to minimise adverse impacts through careful planning and design. Permission should be refused where the nature or scale of proposed development would have an unacceptable impact upon the natural environment.

Overall, as a renewable energy proposal with considerable generating capacity the proposal gains support in principle from SPP in terms of the contribution it would be able to make to the achievement of national renewable energy targets and the ambition to move to a low carbon economy. That said, sustainability has to be considered in the round and developments which may benefit the wider environment may come at a price which is too high in terms of their more localised consequences for the receiving environment. So support for wind farms as a means of expanding the proportion of electricity produced from renewable sources is qualified by the need to have regard to the extent of local environmental impacts and whether they amount to *'adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP'* (Para 33).

Given all of the foregoing, it is considered that this proposal will have an adverse impact in regard to landscape and visual considerations. The relatively modest amount of electricity generated by these two turbines, along with any local social and economic benefit derived during construction and operation would not outweigh the significant visual impact that they would create on the surrounding landscape. Approval of development in the knowledge of the extent of these effects could establish a harmful precedent for the erection of further wind turbines of an inappropriate scale for their sensitive countryside locations.

**Having due regard to the above it is considered that the proposal is inconsistent with the provisions of SPP and the Scottish Government's Specific Advice Sheet on Onshore Wind Farms.**

## **W. ENERGY POLICY, THE SCOTTISH GOVERNMENT'S RENEWABLE ENERGY TARGETS & ARGYLL & BUTE'S CONTRIBUTION**

In assessing the acceptability of wind farm/turbine proposals, it is necessary to have regard to the macro-environmental aspects of renewable energy (reduction in reliance on fossil fuels and contribution to reduction in global warming) as well as to the micro-environmental consequences of the proposal (in terms of its impact on its receiving environment). It is also necessary to have regard to the Scottish government's aspiration to deliver 500MW of community and locally-owned renewable energy schemes by 2020.

8.2GW of onshore wind generation was in operation in the UK at the end of July 2015 with 648MW having been constructed during 2014/2015 and a further 2GW under construction. Of this, almost 5GW is installed on sites in Scotland and in 2014/15 over 70% of new onshore wind farm consents were in Scotland. The drive for additional wind farms is expected to continue to grow in response to the Scottish Government target of meeting 100% of demand from renewable sources by 2020. As a consequence, planning authorities have to consider more frequently turbines within lower-lying more populated areas, where design elements and cumulative impacts need to be managed (Scottish Government's Specific Advice Sheet on Onshore Wind Farms).

The national and international drive to combat climate change by reduced reliance on fossil fuels is accepted, but this cannot be an over-riding reason to accept development where acknowledged interests of importance are significantly prejudiced. This is particularly the case given that the renewables sector is pursuing a large number of prospective sites across Scotland, so there remains an element of choice as to the most appropriate locations. There is therefore not such an imperative to develop a high proportion of prospective sites as there might be if the sector had fewer sites under consideration, as in that scenario unsuccessful applications would clearly jeopardise the ability to meet renewable energy production targets. Secondly, the rate at which wind farm development have been approved in recent years is such that the Scottish Government's ambitious target for renewables to satisfy the equivalent of 100% of gross annual consumption by 2020 is now within reach.

In a recent appeal decision in the Scottish Borders (Barrel Law PPA-140-2046 19.08.14) the Reporter concluded that having regard to both operational and approved developments yet to be implemented, of the 16GW required to meet the target there was in 2014 only an additional 2.7GW shortfall, with 7.2GW in the planning system; more than two and a half times that required to close the gap. Although further capacity beyond the target is desirable, and there remains an element of uncertainty as to exactly what will be on stream by 2020, the absence of a significant shortfall relative to the target, and continued proliferation of prospective schemes is such that there is no over-riding imperative to secure additional development where it gives rise to unacceptable local impacts. Accordingly, given that there is no lack of proposals being pursued, as time goes on the increasing prospect of the target being satisfied allows planning decision-makers to be more stringent in their consideration of the respective merits of proposals, given that refusal of a particular development will not necessarily contribute to the prospect of the government's stated target being missed.

In the particular case whilst the rated capacity of the proposal would add to Argyll & Bute's contribution to Scotland's renewable energy commitments, it is not considered that the macro-environmental benefits of this relatively small project in terms of renewable generating capacity, are such as to warrant the setting aside of the other development plan policy considerations identified above which have prompted the recommendation for refusal.