

MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE held in the MAIN HALL, QUEENS HALL, ARGYLL STREET, DUNOON on TUESDAY, 26 MARCH 2019

Present: Councillor David Kinniburgh (Chair)

Councillor Gordon Blair	Councillor Roderick McCuish
Councillor Lorna Douglas	Councillor Jean Moffat
Councillor Audrey Forrest	Councillor Alastair Redman
Councillor George Freeman	Councillor Sandy Taylor
Councillor Graham Archibald	Councillor Richard Trail
Hardie	
Councillor Donald MacMillan	

Attending: Charles Reppke, Head of Governance and Law
Arlene Knox, Senior Planning Officer
Sandra Davies, Major Applications Team Leader
Kari Clouston, Applicant
Linda Thomson, Applicant
Liz Prior – Scottish Natural Heritage – Consultee
Kathleen Russell, Colintrave and Glendaruel Community Council – Consultee
Shian Carlow, Supporter
William Carlow, Supporter
Councillor Alan Reid, Objector
John McNaughton, Kyles of Bute NSA Protection Group – Objector
David Warden, Argyll Raptor Study Group – Objector
Jennifer Macalister Hall, Objector
Reg MacDonald, No Ardtaraig Wind Farm (NAW) Group – Objector
Dr Neil Hammatt, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Robin Currie, Rory Colville and Mary-Jean Devon.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ARDTARAIG WINDFARM LTD: ERECTION OF WIND FARM COMPRISING 7 WIND TURBINES WITH A MAXIMUM TIP HEIGHT OF 136.5M WITH ASSOCIATED INFRASTRUCTURE AND 4 BORROW PITS: ARDTARAIG WIND FARM, 3.1KM TO THE EAST OF GLENDARUEL AND APPROX. 15KM WEST OF DUNOON, LOCH STRIVEN, ARGYLL (REF: 18/01516/PP)

The Chair welcomed everyone to the meeting and introductions were made. He then outlined the procedure that would be followed and invited the Head of Governance and Law to identify all those who wished to speak.

PLANNING

Arlene Knox presented the planning application on behalf of the Head of Planning, Housing and Regulatory Services. She asked Members to note that the report of handling should be read in conjunction with Supplementary Report 1 which provided corrections to the commentary set out under sections P and U of the main report and Supplementary Report 2 which updated Members on representations and consultation responses received since the proposal was last reported to committee. A total of 15 additional letters of objection have been received, including: a letter of objection from Councillor Alan Reid, withdrawal of a letter of representation, and a request to speak in support of the proposal today. These late items do not raise any new material considerations. The revised totals are as follows: a total of 377 letters have been received, comprising 315 Objections, 56 letters of support and 4 general representations.

A further consultee response has also been received from Kilmun Community Council confirming that they are remaining neutral and are not making any objection to the application, due to the lack of objections made to them.

Scottish Natural Heritage has formally objected to the proposal on the grounds that it would have an adverse effect on the special qualities and integrity of the Kyles of Bute National Scenic Area. SNH consider that these effects cannot be mitigated. SNH also have significant concerns regarding the landscape and visual impacts of this proposal. The Scottish Wild Land Group also object on the grounds that they believe the environmental and other impacts hugely outweigh any benefits.

No objections have been raised by any other consultees, subject to appropriate conditions in the event that planning permission were to be granted. In the event that Members are minded to grant planning permission against the recommendation of Officers, it should be noted that the proposal will be required to be notified to Scottish Ministers due to the fact that the statutory consultee SNH has objected.

The main report covers a number of topic areas, however, following a brief description of the development, she advised she would focus on the key area of concern to Officers & SNH, specifically the landscape & visual impact of the proposal, as all other issues are either acceptable or can be mitigated by appropriate planning conditions. A pack of graphics was circulated during the site visit yesterday, which was supplied by the Applicants to assist in the appreciation of the proposal in its landscape setting, which Members may wish to refer to during this presentation.

The site is located within the Ardtaraig Estate which is approximately 3.1km to the east of Glendaruel and 17km North West of Dunoon. The site itself is an area of open, rugged moorland on the west facing flank of A'Chruach and is surrounded on all sides by commercial forestry plantations. The A866 runs parallel along the western boundary of the site. The B836 lies to the south east of the site. The proposal is located immediately to the south of the existing Cruach Mhor windfarm which has 35 turbines, 71m in height. Cruach Mhor wind farm occupies a rare area of slacker ground on the western edge of more complex craggy terrain which occurs to the east and is relatively well-screened with limited visibility.

The application is for a wind energy development comprising: the erection, 25-year operation and subsequent decommissioning of seven wind turbines up to 136.5m at

their highest point, together with off-site vehicular access, on-site access tracks, hardstanding areas, a substation battery storage facility and control building compound, borrow pits and cabling. During construction, a temporary construction compound would also be required to house a site office and welfare facilities.

Access to the site will be via the existing Cruach Mhor wind farm entrance, located directly off the A886.

Turbines would have a maximum blade tip height of 136.5 metres and a rotor diameter of 117 metres. Each wind turbine would have a capacity of approximately 4.2 MW, giving a total installed capacity of 29.4 MW.

The substation compound would comprise a hardstanding and a single storey building such as this which would house switchgear, metering, protection and control equipment as well as welfare facilities. A battery storage facility is also proposed to be incorporated to further maximise the electricity generated from the proposed wind turbines.

The site is located within 'Very Sensitive Countryside' as defined by the Local Development Plan. Within 'Very Sensitive Countryside' Policy DM 1 encourages sustainable forms of renewable energy development located on appropriate sites. It is considered that the proposal is contrary to the provisions of this policy as the site is not considered to be 'appropriate' due to the significant adverse landscape and visual effects the proposal is likely to have. It is considered that due to these adverse effects the proposal cannot be considered to be sustainable.

Supplementary Guidance has been prepared in accordance with SPP which provides a Spatial Framework for wind farms and wind turbine developments over 50 metres high. The site is located in a Group 2 area of significant protection where wind farms may be acceptable, if it can be demonstrated that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

The site is located within a Group 2 area as defined by SPP and Supplementary Guidance due to the mapped presence of Class 2 nationally important carbon rich soils, potentially of high conservation value and restoration potential. Following the advice of SNH and SEPA, it is not considered that this status would be an impediment to the proposal being permitted subject to conditions to secure a Peat Management Plan and a Habitat Management Plan.

The turbines are located 1.77km from the northern boundary of Kyles of Bute National Scenic Area and fully within the Kyles of Bute Area of Panoramic Quality. The proposal is 2.9km from the adjacent Loch Lomond and the Trossachs National Park.

The Kyles of Bute National Scenic Area is the closest National landscape designation to the site. The focus of the NSA is the relationship between the surrounding land, sea lochs and the Kyles of Bute.

It is considered that the impacts of Ardtaraig wind farm on the Kyles of Bute National Scenic Area would compromise the objectives of the designation and the overall integrity of the NSA for the following reasons:

- the wind farm's location and scale in close proximity to this relatively small NSA would adversely affect the appreciation of the special qualities by affecting their landscape context and wider landscape setting;
- given the small extent of this NSA, the scale of the turbines is also likely to significantly detract from key views from within and of the NSA;
- the proposal will introduce a large, prominent wind energy development into the views and setting of the NSA;
- and there is currently no noticeable wind energy development in this nationally important landscape and the adjacent uplands provide an open and undeveloped skyline and setting for many highly scenic views and coastal panoramas.

It is considered that the proposal would result in a significant adverse effect on the special qualities of the Kyles of Bute NSA and that it will undermine its integrity.

The receiving landscape's overall high landscape and visual sensitivity is confirmed by the Argyll and Bute Landscape Wind Energy Capacity Study (2017). This report categorises the receiving landscape character type (1) – Steep Ridgeland and Mountains as being of the highest sensitivity in the regional combined sensitivity score for Argyll & Bute. For this landscape character type the Capacity Study states: “there is no scope to accommodate turbines >50m high as additional new developments within this landscape without significant effects occurring on a number of key sensitivity criteria”. These hills are notably rugged forming distinctive ridges, increasing their sensitivity. Sensitivity is heightened due to the close proximity to the valued NSA designation, and their location within the APQ. These hills are especially important in providing a wider backdrop to the NSA and are highly visible from the NSA. This skyline is currently not noticeably affected by built structures. It is perceived visually as a semi-natural northern boundary to the NSA.

It is considered that the wind farm would change this important landscape characteristic due to the location of the turbines on the defining ‘ridge’, their prominence, scale, colour and movement. The proposal would create a new competing focus on the horizon which would detract from the existing composition and the focus of the Kyles. They would also intrude on the views and setting of the coastal fringes of the NSA, including spectacular panoramic views over the Kyles from the A8003. The wind farm would significantly detract from the dramatic scenery and setting of the NSA and the special qualities of the APQ would also be diminished by turbines sited on this visually prominent hill.

The proposal will potentially be visible from a wide range of views from within and to the Kyles of Bute National Scenic Area. It is very prominently sited on a ridge providing the immediate setting to the NSA. It will significantly intrude on the defining skyline which encircles and visually contains the northern end of the Kyles of Bute area, an important component of many of the area's views and panoramas. Areas of visibility of the proposal often coincide with areas enjoyed for recreation frequented by both visitors and residents in particular the popular and highly scenic landscape of the Kyles of Bute NSA, key approach routes and popular hill views from part of the adjacent Loch Lomond & the Trossachs National Park. The turbines will impinge on and detract from views from a range of key viewpoints on the shores including potentially scattered settlement, key routes, hill views, and also from the water, popular for recreation.

It is likely to become a competing focus for people enjoying views, from within and to the NSA, due to its size, contrast of scale, incongruous character and rotating blades on the immediate containing skyline. These criteria combined with the proximity of views would result in a significant adverse impact on a range of key panoramas and views, important to people's experience of this landscape. It is considered that the proposal would have significant adverse visual effects on the following:

- Views from the water's edge including potentially scattered settlement as represented by VP 10 (Cowal Way)
- Water based views as represented by VP 11 (Kyles of Bute NSA) where scenic coastal views are strongly contained and channelled towards the wind farm by steep – sided hill slopes. The wind farm is framed and would become the focus of the view. The Kyles of Bute area are very popular for recreational sailing and sea kayaking with anchorages and sailing schools nearby. The proposal would appear prominent on the skyline of the hills which provide the wider setting to these seascapes. This would be experienced by, for example: recreational water users on the narrow channels of the Kyles/Loch Ruel where the coast is highly visible.
- Views from parts of key routes including the A8003/NCR75 and A886/B836, and the promoted Cowal Way Long Distance Route, which lies close to the coast as represented by VP's 8, 2, 5 and 10.
- Key views from elevated locations including Creag Dubh, the National Trust for Scotland viewpoint (layby off the A80003) as represented by, VP 8. The proposal will appear prominent and incongruous on the skyline.
- Hill views popular with walkers e.g. Cruach nan Caorach as represented by VP7
- Views of the NSA from near the boundary are also significantly affected including south of Kames as represented by VP14, VP 2 B836 a key approach to the NSA from Dunoon and elevated views in the LLTNP including popular hills as represented by VP 9 Beinn Mhor. These views are important in providing residents and visitors an appreciation of the richness of this scenic landscape; and
- Views from the northern end of Bute as represented by VP20 are also adversely affected and may be underrated in the ES.

She then went through the key viewpoints referred to in the reasons for refusal, some of which we visited yesterday.

SLIDE 13 – VIEWPOINT 2: EAST OF STRONAFIAN

Viewpoint is representative of views from the B836, National Cycle Route 75, Bute & South Cowal Area of Panoramic Quality, and lies adjacent to the Kyles of Bute NSA.

SLIDE 14 – VIEWPOINT 5: A886, NORTH OF ARDACHUPLE FARM

Viewpoint 5 is representative of views from: the A886, Kyles of Bute NSA, scattered settlement and it is adjacent to the Bute & South Cowal Area of Panoramic Quality.

SLIDE 15 – VIEWPOINT 7: CRUACH NA CAORACH “CRUACH NA COORUCH”

Viewpoint 7 is representative of views from a Kyles of Bute NSA hilltop.

SLIDE 16 – VIEWPOINT 8: A8003 CREAGAN DUBH, “CRECHAN DOO” KYLES OF BUTE VIEWPOINT

Viewpoint 8 is representative of views from the A8003, National Cycle Route 75 and the Kyles of Bute NSA.

SLIDE 17 – VIEWPOINT 9: BEINN MHOR – “BANE VORE”

Viewpoint 9 is representative of views from the summit of a ‘Graham’ within Loch Lomond & the Trossachs National Park.

SLIDE 19 – VIEWPOINT 10: COWAL WAY, LOCH RUEL, NORTH OF EILEAN DUBH

Viewpoint 10 is representative of views from the Cowal Way Long Distance Walking Route, the Cowal Way Glenbranter to Portavadie Core Path and the Kyles of Bute NSA.

SLIDE 20 – VIEWPOINT 11: KYLES OF BUTE NSA

Viewpoint 11 is representative of views from the Kyles of Bute NSA, in particular people on water-borne craft.

SLIDE 21 – VIEWPOINT 14: UNAMED ‘B’ ROAD CAR PARK BY BLAIR’S FERRY

Viewpoint 14 is representative of views from the Cowal Way long distance walking route, a minor road, regional cycle route 94, a Core Path, Bute & South Cowal Area of Panoramic Quality, a parking area and water borne craft on the west Kyle.

SLIDE 22 – VIEWPOINT 20: ISLE OF BUTE, BALNAKAILLY CIRCUIT

Finally, Viewpoint 20 is representative of views from the Kyles of Bute NSA and walkers on the Balnakailly Circuit.

This application is recommended for refusal by Officers on four separate grounds which are set out in detail within the main report of handling. The first relates to an expected adverse effect upon the special qualities of the Kyles of Bute NSA arising from the scale and siting of the turbines, the second relates to the expected adverse effect which would arise upon the character of the landscape, the third relates to the adverse visual impact which is expected to arise from a range of key viewpoints including settlements, key routes, hill views and recreational locations, and the fourth relates to the potential for the development to have an adverse impact upon the tourism and recreation. It is the consideration of officers that there is no mitigation which the applicant could offer within the confines of the current application which would satisfactorily address these issues of concern.

Overall, it is considered that the proposal does not conform to the relevant Local Development Plan policies detailed in the main report and that there are no other material considerations, including issues raised by third parties, which would warrant anything other than the application being refused. It is therefore recommended that planning permission is refused for the reasons detailed in the report.

APPLICANT

Kari Clouston, Project Manager for Infinergy advised that the company has worked on this proposal for over 4 years. He confirmed that they have met with a variety of residents to discuss the ins and outs of this proposal and wind power in general. He said that his job could be tough, particularly when the odds were against them. He pointed out that there have been no objections submitted by the local Community Councils as far as he was aware and, apart from one, no objections from statutory consultees. He advised that it was his view that they had a first class renewable

energy proposal to maximise renewable energy of this site particularly with the battery storage technology. He said that over the lifespan of this windfarm £3.5m in community benefit would go directly to the local community. He also advised of an additional offer of 10% ownership stake in the windfarm. He pointed out that these turbines were twice the size of those of the neighbouring Cruach Mhor wind farm. He advised that there was good reasons for this. He referred to wind turbine technology advancing significantly over the last 10 to 15 years with higher turbines producing more green energy for the network. He referred to the UK Government removing support for onshore wind farms which can only be considered now if they meet all technical and environment tests. He advised that these 7 turbines proposed were expected to outperform the 35 turbines at the other site making them over 4 times efficient than their neighbours. He confirmed that they have worked extensively with the Forestry Commission and Scottish Power to share infrastructure. He said that sharing an existing access was a unique benefit of this proposal. He referred to a recent advert placed in the Dunoon Observer from the National Scenic Area Protection Group opposing this proposal. He commented that over the year they have heard a wide variety of views of what was, and what was not, acceptable in the public's eye as well as what was important to this country and to the world. He referred to the proposal being recommended for refusal on subjective issues. He pointed out that there has been no objection from the Loch Lomond and Trossachs National Park Authority. He said that it was not possible to make the wind turbines invisible and that 'beauty was in the eye of the beholder' and they can be seen as a landmark in their own right. He referred to concerns about the impact on tourism and stated that there have been numerous reports that have demonstrated that onshore wind farms did not damage tourism activity. He said that it has been demonstrated that wind farms have enjoyed an increase in tourism year on year. He commented that he was sure everyone at the hearing was aware of the climate change projections for this generation and generations to come. He advised that after years of lackadaisical action we now had just decades to put on the hand break. He said that this Committee and others like it could now apply this hand break.

CONSULTEES

Scottish Natural Heritage (SNH)

Liz Prior advised that she was the local SNH Operations Manager based in Dunoon. She advised that there was no point in reiterating all their concerns as these had been clearly laid out by Arlene in her presentation and they were also clearly provided in their response letter. In summary she advised that SNH were objecting on the basis of the adverse impacts on the Kyles of Bute National Scenic Area (NSA). She advised that SNH consider these impacts to have no mitigation - that no change to the scheme could mitigate these impacts. She confirmed that SNH have worked with the Applicant since the onset and repeatedly made it clear that SNH did not consider this to be an appropriate site for a wind farm. She confirmed that SNH did not take objecting to a proposal lightly. She advised that they weighed up the scales of economy of every proposal. She advised of SNH providing advice in the spirit of Government wind energy capacity and that it was important to strike the right balance between renewable energy and protecting the natural heritage. She confirmed that their qualified landscape architect carried out a robust assessment of this proposal and that they were of the opinion, and would advise the Scottish Ministers if approved, that they thought this went beyond reasonable doubt that this would affect the NSA and should be refused. She confirmed that was their

comments on the landscape and visual aspects of the proposal. She advised that they had also considered the proposal on ornithological grounds but did not submit an objection in that respect. She advised that SNH did not consider that any one species would be affected but they did have concerns about the local impact on the Golden Eagle and the Hen Harrier. She added that peatland was another aspect which they provided advice on and that their concern was the localised impact on peatland in this area. She confirmed that SNH maintained their objection and should this proposal be considered for approval it would require the consent of Scottish Ministers.

Colintraive and Glendaruel Community Council

Kathleen Russell advised that the Community Council had a meeting about a year ago which had been attended by people from the whole area putting forward their objections and reasons for these. She advised that at the end of the day they submitted an representation with positive and negatives for both sides of the argument and that was why the Community Council did not stand on one side or the other. She confirmed that they took a neutral stance and that was why there was no objection from the Community Council.

SUPPORTERS

Shian Carlow

Mrs Carlow advised that she has been a resident of Ardtaraig Estate for many years with her father and grandfather also there before her. She advised that she raised 4 children and back in the 1981 when they first went to school there were 48 children with the school bursting at the seams. She advised that there was also a local hotel, shop, tearoom and playgroup at that time. She said that when her youngest left in 1995 the school role had dropped to 15 and the hotel, shop and tearoom had shut. She advised that the school had been threatened with closure. She said that the decline in numbers was evident at the secondary schools in Dunoon and Rothesay. She questioned how many children from 1981 remained in the local area today. She said that depopulation was a serious problem across Argyll and Bute. She noted that some people in the room today did not want this proposal to go ahead. She suggested that by investing in its future we would save Cowal. She referred to money being available to invest in the community – building homes for young people, opening a community shop etc. She referred to this being a worthwhile project to get money to get started. She advised that this was not the first time Ardtaraig Estate has been involved in an electricity scheme. She advised that when her grandfather was young he had argued against the development of the dam on visual grounds and that there were plenty objections when it was built. She commented that she did not believe it had any effect on tourism as people continued to visit and stop in the laybys with their campervans and fish on the loch. She commented that providing clean energy made daily life possible. She referred to the Government asking people to buy electric cars and pointed out that everything used today needed recharged. She said that items were being sold as clean and green, but they were only as clean and green as the electricity powering them. If they were being powered from a coal fire power station or nuclear power station this was hardly clean or green. She advised of the need for the turbines to be higher in order to be more efficient. She referred to the neighbouring wind farm and advised that there has been no issued there with birds since it was first commissioned. She said that there was a Hen Harrier there that nested at the base of the turbine. She advised

that a far greater threat was climate change and that this was an opportunity to make a difference. She commented that everyone wanted too much and advised that if we continued to consume energy at the present rate we had to take responsibility for its production and that 'not in my backyard' was not acceptable. She referred to Scotland only have two nuclear power stations left with 43% of the electricity coming from Torness, which was due to close, and 50% production at Hunterston which was due to close in 2023. She commented that hopefully wave and tidal power would come on the scene but at the moment none were operational in Scotland and only one in England. She referred to the Scottish Government being committed to a nuclear free future and eliminating fossil fuels. She asked where the energy would come but from renewables. She suggested there was a risk of becoming a third world country with regular 3 day blackouts. She said that it was time to pay the price for the damage done to the climate. She asked the Committee to consider this opportunity and vote in favour as this chance may not come again in our lifetime.

William Carlow read out the following submission on behalf of Dennis Archer.

"I understand that complying with provisions of a local development plan is something we must all try hard to do. However, regarding claims that the LDP of 2015, relevant to this application, is not out of date, I believe that too much has changed in the past three years for that to be accepted without question.

The public perception of issues relating to climate change and air pollution – in other words the use of fossil fuels – has altered beyond all recognition. By the end of February 2019, 54 local councils in the UK had declared a Climate Emergency in very recent times*. Can Argyll & Bute afford to be far behind?

On March 15th 2019, hundreds of thousands of schoolchildren took part in a second climate strike across the world, very many of them in the UK. Councillors will not be unaware of the activities of Extinction Rebellion.

More specifically, confirmatory news arrives almost weekly. Glasgow has Scotland's first Low Emission Zone. Only a few days ago Jaguar/Landrover were forced to recall thousands of cars because of excessive emissions. We have just experienced extraordinary, worrying, record-breaking February temperatures. The pace of change is simply staggering.

There cannot be any mistaking which way the tide is turning.

A Climate Emergency declaration would likely mandate the Council to take every measure reasonably possible to combat the effects of dangerous climate change. This would include a much more dramatic level of support for renewable, non-polluting energy, whether wind, solar or whatever else.

This does not mean abandoning or rewriting the Local Development Plan. It merely demands a different balance of priorities. A reassessment of the significance of environmental benefits – 900,000 tonnes of Carbon Dioxide could suddenly seem dramatically important compared to the damaging visibility of a few distant wind turbines from a yacht in the Kyles of Bute.

It is incumbent upon us all to do whatever we can to mitigate the effects of global warming. These are scientifically indisputable facts, not mere matters of opinion. If we do not, then we may choose between being washed away by rising sea-levels or

swept aside by impatient young people who understand only too well the urgency of the situation.

Argyll & Bute should support renewable energy at every possible opportunity. The benefits far outweigh the visual damage”

*<https://climateemergencydeclaration.org/climate-emergency-declarations-cover-15-million-citizens/>

William Carlow

Mr Carlow advised that there have been 2 high profile campaigns running against this development. He advised of the self-styled Scenic Area Protection Group which, he said, overstated the height of these turbines and their coverage over the hill. He referred to a picture used by the Group to demonstrate how they would be viewed on the hill. He advised that they would not cover the whole of the hill and would only be to the left of it. He said that the trees shown at the front of the picture would soon obscure them. He also referred to the NAW Group (No Ardtaraig Wind Farm Group) being very active in putting up signs along tourist routes and creating bad feeling. He advised that this group focused only on 4 things – firstly, the wind farm would damage health; secondly, the wind farm would damage wealth; thirdly, the wind farm would damage the environment; and fourthly, the wind farm would damage the community. He advised of many people living within 500m of the Striven Hydro Power Station and said that there has been no case, that he has been aware, of any unusual health problem. He said that he was in his mid-70s and lived within 500m of the power station and also within 4km of the Cruach Mhor wind farm and did not fear it. He commented on wealth being a major concern and suggested that this would be a concern for those with second homes and retirement nests in the local area but not because of the wind farm, but because of a lack of it. He commented on forecasts being made of a shortage of electricity which could lead to it having to be imported from elsewhere as it has to now for England and Northern Ireland. He questioned whether anyone in a rural area would get a fair share if rationing was introduced. He asked what the price of an unsaleable holiday house would be then. He referred to concerns about the environment and suggested that these were surely misplaced. He said he was not aware of wind power having a negative effect on the environment. He referred to countries like Mozambique and Malawi struggling as a result of the extravagances of the modern world. He referred to community concerns and pointed out that the wind farm would generate £3.5m over its lifetime and asked where else the community would benefit from so much. He said that this chance would not come again. He asked the Committee to put their thinking caps on and get a real understanding in their thoughts. He referred to the objectors being led by a few people with limited interest. He asked what was right for the community and for our grandchildren. He said he wanted to make them proud.

OBJECTORS

Councillor Alan Reid

Councillor Reid advised that he was a Councillor for the Ward where this proposed wind farm would be situated. He acknowledged that climate change was a real threat and that there was a need for far more renewable energy. He said that this should not be at the expense of a National Scenic Area (NSA) like the Kyles of Bute.

He advised that the positioning of these wind turbines on the ridge would have a negative impact on the NSA. He said that there was plenty of land in Scotland for renewal energy projects which would not have a negative impact on a NSA and that a balance had to be struck. He confirmed that he agreed with the conclusion of SNH that the proposal would have an adverse effect on the special qualities and integrity of the NSA which was visited by people from all over the world. He agreed that there was no way to mitigate these impacts. He advised that the positioning of the wind turbines would be clearly visible from the NSA due to their large size and scale which, he said, would no doubt deter tourists from visiting. He acknowledged that Argyll and Bute needed more people and jobs but wind farms of this scale in this area would mean less tourists, leading to less jobs. He pointed out that the proposal was contrary to Scottish Planning Policy and Local Development Plan policy. He commented that he was not saying you could not deviate at times from these policies, but advised that granting this application would drive a coach and horses through these policies. He said that he understood that in terms of the integrity of the NSA a balance had to be struck between addressing climate change and protecting the NSA. He urged the Committee to reject this application.

At this point a member of the audience asked to make a contribution. It was confirmed she had not previously made a written representation and after some clarification of procedures the Chair ruled that she could not contribute to the meeting.

John McNaughton

Mr McNaughton circulated a map of the area to Members to aid his presentation. He advised that he was speaking on behalf of the Kyles of Bute NSA Protection Group as well as the wider community and that he gladly took on this responsibility. He commented on the number of objections to this proposal. He advised that all the Community Councils in the area had not expressed support for this proposal and that they all took a neutral stance. He said that the vast majority of the Colglen Community were against this proposal which you could take from the number of letters submitted. He advised that he coached shinty on Friday evenings at the local primary school and commented that the school role has been climbing over the last 5 to 6 years. He pointed out that their NSA was world famous and unique. He said that it was the smallest but the most beautiful, and being only 1.5 hours from Glasgow was one of the most accessible. He advised of the Ruel Estuary having 2 vantage points on the east and west sides of Loch Riddon and referred to the Argyll and Bute Landscape Wind Energy Capacity Study (LWECS) which the Council paid for and used to advise the Members on. He commented that the Estuary was a very important Site of Scientific Interest (SSSI) and that there was a 100 year Management Plan managed by SNH going forward. He said that looking at the Estuary you would be looking towards where the proposed turbines would be, right behind the SSSI. He said that these turbines would have flashing lights on top, designed to attract your attention as a pilot would need to see them when flying over. He referred to comment made about the trees obscuring the view and advised that this particular view point was maintained by the National Trust for Scotland and these trees were cleared by the National Trust whenever the Trust had the money and time to clear them so that the view point remained the same. He advised that looking from that view point you could see a trig point which would be to the right hand side of the proposed turbines. He said that this trig point sat at 405 m and that the turbines would be higher, rising to 450 m into the sky – they would be 50 m higher than the trig point. He also pointed out that the blades would be nearly 5

times longer than the width of the hall the hearing was being held in and looking from the back door to the hall, the blades would reach half way up Argyll Street, Dunoon, if laid flat. He said that the site of the proposed turbines was on the edge of the NSA. He pointed out the site's location on the map circulated earlier to the Committee and commented that the Loch Lomond and the Trossachs National Park boundary was 2.9 km away. He said that the National Park was 720 square miles in size and was a turbine free zone as outlined in the Park's Planning Policy Plan. He said that only turbines up to 15 m high would be considered which was very similar to what was stated in the LWECS document. He said that these 2 designated areas (the National Park and the NSA) were considered to be of equal importance. He advised that the pylons and infrastructure required to take the electricity away from the wind farm would be much closer to the National Park boundary. He said that currently there were ongoing projects within the National Park to improve visitor experience. These included taking down existing pylons in visually sensitive areas. Referring to whether tourism would be affected or not at the end of day, he said that he thought it would be but others would say not. He advised that these schemes within the National Park were recognising that pylons were affecting visitor experience and so to mitigate that they were looking to bury these pylons. He said again that within the National Park there were no turbines and pointed out that the National Park and the NSA had the same designation and were recognised as of equal importance. He commented that Argyll and Bute Council had a good record of protecting beauty spots and also had a good record of granting planning permission for appropriately sited wind farms. Referring to employment, he commented on the Economic Forum set up to study rural development. He said that we needed to do everything we could to protect the landscape. He advised that he had noticed few letters of support for this proposal and commented that most of those were made up of members of the family who supported this application and stood to gain financially from it. He said that he did not think their argument was that it would negate climate change. He said that he did not think the 333 people objecting to this proposal would disagree that negating climate change was a very important issue going forward and that he was sure all the objectors were aware of that view. He said that the point was that Local Planning Policy was put in place to protect national scenic areas and other designations all-round the country from big developers coming in and using climate change as an argument. He advised that there was legislation to keep these places protected or, he suggested, we could end up with wind turbines on the Royal Mile. He said there needed to be policies in place so areas such as the NSA could be protected. He referred to the Cruach Mhor wind farm and advised that it sat in a hanging valley so was entirely acceptable for turbines. He commented that they were half the size of the ones proposed so were not as efficient. He advised that when permission was granted for the Cruach Mhor wind farm a condition was attached at that time, even although it was in a hanging valley, that the forest at the south edge of Cruach Mhor could not be harvested so that it would shield the view point from the turbines. He pointed out that the Applicant for this current proposal would not be able to do that due to the height of the turbines and where they were positioned. He referred to the community benefitting from money paid into the Cruach Mhor Wind Farm Trust and commented on the community benefit offered as part of this current proposal. He advised that this would not help Council services as it would not help to fill in the pot holes or increase the number of bin uplifts. He referred to a previous planning application submitted in 2016 for a wind farm which had been refused. He commented that there would be plenty opportunities for Colglen in the future. He said that they were not fanatical wind farm objectors and that they were ordinary people living in Colglen, with some being there for generations. He advised that he was the 6th generation of

his family living in Colglen. He advised that the community was not in the dark ages and that they were forward thinking. He said that this application did not recognise the area's traditional values and unique location. He said that there was no one in the community that wanted it to thrive more than he did. He said that he would like to see a 7th generation of his family living and working on the landscape as he has done. He advised that this application was detrimental to the area and moved that it be rejected.

David Warden

Mr Warden advised that he was the current Chair of the Argyll Raptor Study Group. He said that they were a group of volunteers throughout Argyll and that they were one of a number of raptor study groups that existed in all parts of Scotland. He advised that they came together under the banner of the Scottish Raptor Study Group and collected data and information on all species of birds of prey which went to the Scottish Raptor Monitoring Scheme. He advised that the information collated provided a national picture and SNH etc could see what the picture was in the way of birds of prey. He said that they did not have any special policy with regard to wind farms and that they judged each application on its own merits. He advised that they did not often object to wind farms but on this occasion they had no other alternative. He advised that they objected on the basis of damage to a whole raft of species. He commented that if you had to pick a spot in Cowal where not to have a wind farm this would be it. He advised that there were some iconic species there which should be protected and he ran through each of these in turn. He referred to the Short Eared Owl, and advised that this was not nocturnal like other owls. He said that these owls were regularly found at the site of the proposed wind farm. He then referred to the Hen Harrier which they first starting observing 12 years ago. He advised that at that time there were in excess of 10 pairs and they were now down to a handful. He advised that there were only 3 pairs last year which were active breeders. He also advised that the only pair that were successful were the pair at Ardtaraig. He advised that the vegetation and mosaics which exist at Ardtaraig were suitable for the Hen Harriers and if this wind farm was to go ahead then a considerable amount of their habitat and breeding area would be lost. He then referred to the most iconic Golden Eagle. He referred to the Applicant's Environmental Statement submitted which indicated that they had information on satellite traffic transmissions and the behaviours of one particular bird fitted with a satellite tag. He said that they were over relying in their submission on this information. He advised that the satellite information and some of their arguments put forward were based only on one individual bird wearing a tag. He pointed out that there were several pairs of Golden Eagle that surround Ardtaraig that could have been relevant to this application. He advised that judging the situation on one bird alone was not sufficient especially in view of the information that his Group had. He advised of several other Golden Eagles with a range of ages in the area. He advised of monitoring sub adults, or juveniles. He said that 4 juveniles used Ardtaraig from time to time and that they were moving through the area. He advised that one of those eagles had notoriety and was called Freya and was named by the viewers of the Spring Watch programme in 2016. He advised that she has been spending a considerable amount of time in Cowal and that this has been proven by tracking data over that ridge. He said that she came to Cowal and came to the Ardtaraig area and then headed to North Kintyre and was tracked to Mull and then across to Crianlarich before returning to Cowal. He suggested that she was looking for a breeding community when old enough. He advised that there was a need for a healthy population of adult birds to ensure that any vacancies in the adult population were

filled. He advised that this application would result in a far more substantial risk in collision and this has been referred to in the Environment Statement. He advised that the most recent information he had was from observing the area yesterday. He confirmed that he saw an adult bird and sub adult bird soaring over the Met Mast associated with this wind farm. He advised that the White Tailed Eagle (Sea Eagle), was starting to recolonise in Cowal and that they first started to arrive in Cowal in 2013 as far as they were aware. He commented that progress was relatively slow in terms of colonisation. He said that during the last breeding season sightings were considerable with the Sea Eagle being seen in the Ardtaraig area by game keepers and stalkers, members of the public and 2 Raptor Group members. He expected this trend to continue as birds were returning to the ground they once occupied. He advised that through time, and certainly over the next 5 years, they would be seen more regularly. He advised that another aspect of the Sea Eagle was tourism. He commented that people would be familiar with the tourism generated on Mull and Jura which benefited these communities with the addition of jobs which were worth millions to Mull. He advised that he could see no reason why this could not happen in Cowal as they had the same species and landscapes. He advised that the tourism aspect associated with Sea Eagles had already started and commented that a holiday letting venue in the west of Cowal had on their website a visual of a Sea Eagle on the shore in their ground. He advised that there was an opportunity for an increase in tourism and wildlife tourism. He stated that these iconic species should be protected and that their habitats should be protected. He advised that Cowal had the birds and that there was a need to protect the landscape.

Jennifer Macalister-Hall

Mrs Macalister-Hall drew the Committee's attention to her submission made in September last year. She advised that while supporting renewal energy and understanding all the arguments towards it, there was still a consideration as to whether a development was appropriate for a particular location. She referred to this area being an area of national beauty with the local community relying on the preservation of the natural habitat to support a key source of employment – namely tourism. She advised that people came to the area because of its natural beauty and because it has not been developed was its attraction. She said that this development would not encourage tourism. She advised that it would be detrimental to tourism and would be detrimental to the growth of tourism in this area, especially tourists interested in wildlife.

Reg MacDonald

Mr MacDonald advised that he was a volunteer for the No Ardtaraig Windfarm (NAW) Campaign. He commented that he had deep roots in the area with his maternal grandfather a Minister for the Church of Scotland and is paternal Grandfather a councillor for Sandbank. He advised that they moved to Loch Striven in the 1950s and that he grew up there before the family moved to Canada. He said that he has now returned with his family and that his children attended Kilmodan Primary School. He pointed out that there were a lot of emotive issues here today but there was also the question of the Rule of Law and it was about the application of Scottish Planning Law and the Local Development Plan and that was what was required to be upheld here today. He thanked the previous speakers, advising that they had covered a lot of the issues he was going to speak about. He advised that in general terms he supported the planning recommendation and conclusions. He referred to the location, nature, and design of the development and advised that it

should be noted that there would be 7 turbines, 139m in height. He referred to the Met Mast located at the site and advised that it had only been put up there 2 weeks ago. He said that looking at the mass and scale of the turbines it could be seen how large these would be on the mountainside. He also referred to the requirement for 4 borrow pits and to the decommissioning of the project, advising that some of the materials, such as the hard standings, would remain on the hillside. He also referred to water course crossings and the excavation of peat. He advised that this was a big project in a very sensitive area and that he thought it would have detrimental consequences for that location, if approved, for years to come. He referred to SNH advising that this was a small NSA with views from various viewpoints. He commented that it could be viewed from North Bute. He said that there was limited scope overall in this sensitive area for small or medium scale developments. He commented that these were the largest wind turbines he had seen for a long time. He referred to cumulative effects and pointed out that there were 6 wind farms within 6 km of this proposal. He referred to the visual impact and advised that he concurred with the views of the Planning Department and SNH. He commented on the Environmental Impact report and noted that there were 20 key viewpoints with it being stated that 15 of those would be significantly affected. He commented that the other 5 would still be notably effected and that the development would have a huge impact on the area. He quoted the reasons given by the PPSL Committee in 2016 for refusing planning application reference 15/02060/PP in August 2016. He advised that the decision was made by the current Committee's predecessors and related to 2 turbines. He pointed out that this was a new wind farm proposal of far higher scale. He advised that he appreciated that viewpoints could change. He said that he had 2 letters from neighbours (Keith Chalmers and Bill Carlow) which were filed with the Planning Department and he read out extracts from these letters. He then referred to the issue of tourism advising this was very important on an economic basis for Cowal. He referred to the very special NSA and the surrounding environment. He commented that he lived a very quiet life and that this matter was very true to his heart. He referred to going out and knocking on doors and speaking to his neighbours and those in the surrounding communities of Glendaruel, Colintrave, Kilfinan, Kilmun, Sandbank, Dunoon, Innellan and Toward. He spoke about having the amazing privilege to meeting the most wonderful people he had ever met. He advised that they invited him into their homes, they shared their ideas and said that they supported the NAW campaign in a way that overwhelmed him. He stated that 90% of these communities supported this campaign to protect this area. He advised that in Glendaruel and Colintrave the vast majority did not want this project. He referred to the Community Councils not taking a decision and suggested that this may have been due to there being a lot of division in the community back in 2016. He advised that there were still a lot of people against that proposal, and perhaps even more so today. He advised that the key duty here was to represent these people and their local concerns and interests. He stated that in relation to the campaign they talked to a lot of people, they waved down cyclists and stalked kayakers and boaters along the Kyles and at Colintrave and Tighnabruaich. He said that the overwhelming concern was that this was the wrong project in the wrong place. He advised that there were in fact 822 citizens that objected to this proposal. He referred to a petition which was submitted and advised that he was not aware that a petition with hundreds of names would only be counted as one objection. He said that if the Committee wanted to really know who in the community objected they just needed to look at who signed the petition. He advised that there were really 822 against this proposal with only 52 in support. He advised that not a lot of these 822 people were his friends or family. He said they were members of the community with considerable concerns about what was happening. He thanked the

Chair for allowing him to address these concerns and said that when applying Scottish Planning Policy and the Local Development Plan it seemed to him that this application must be refused.

Dr Neil Hammatt

Dr Hammatt advised that he has not lived in Cowal for that long but he was aware that this was an important area to birds. He advised that he wished to add to the raptors of importance, the Osprey, and stated that one nested close by on Loch Riddon and that the male quite often in the morning would fly through that area. He said that he had made a detailed list of birds which he has seen in the area which were classed as red listed. He advised that there were important numbers of these birds in the area and pointed out that in the UK many of these species were disappearing vastly in other areas. He advised that this area was very important for biodiversity. He commented that at a global level biodiversity and the loss of biodiversity was considered by the UN to be an equal threat to humanity as global warming. He advised that there would be policies in years to come to protect biodiversity. He said there was a need to balance the loss of biodiversity with what was an appropriate position for a wind farm development to address global warming. He said the loss of biodiversity was more important than negating global warming. He commented that there were large areas where the wind farm could be situated but not here.

MEMBERS' QUESTIONS

Councillor McCuish sought and received confirmation from Mrs Knox that in terms of numbers of turbines, this could be considered a medium scale application.

Councillor Trail referred to the SNH Officer earlier stating that they had engaged with the Applicant when this project first came forward and noted that the Applicant had continued with the application despite SNH's objection to it. He asked the Applicant if they agreed with the claim that SNH had engaged with them and also asked if they had considered other sites for this wind farm. Mr Clouston confirmed that they had engaged with SNH and that there had been a number of discussions. He said that they felt from the onset that possibly SNH were against the scheme but that they believed SNH were wrong and that they proceeded with their application on that basis. He referred to assessing sites around Scotland and that this site met their criteria. He referred to having a number of iterations and designs which started off 4 years ago with 10 turbines and through discussions with local people and with consultees the design had been changed a number of times.

Councillor Taylor referred to hearing from SNH that this was an unacceptable development and that no mitigation would help. He asked SNH and Planning to advise what types of mitigation measures beyond resiting of a development could have been considered by a developer to address visual impact. Mrs Knox gave some examples of mitigation, including the reduction in height of turbines, the reduction in number or removal of turbines. She confirmed that, in her view, there was no way to mitigate the impacts in respect of this proposal. Ms Prior said there was not really much else to add other than reducing the turbine height, micro siting, or removing certain turbines. She confirmed that, in her view, in this case all 7 turbines would be prominent in the landscape.

Councillor Moffat sought and received confirmation from the Applicant about how the electricity produced would be taken from the site to the grid. Mr Clouston confirmed that the wind farm would be connected to the grid via power lines and that the erection of these power lines would be the subject of a separate planning application if this proposal was approved. He said that it was their intention to go down the same line as the Cruach Mhor wind farm. He advised that the line would run parallel to the Cruach Mhor lines and, if possible, they would bury the cables where they could.

Councillor Forrest referred to claims about the negative impact on tourism as a result of the siting of the wind farms. She asked if there was any empirical evidence to support these claims. Mr Clouston referred to their Environmental Impact Statement which addressed the economy and tourism. He advised that there were a lot of publicly available reports that have done extensive studies about the impact of wind farms and they conclude that there is no evidence of impacts and that, in fact, they can increase tourism. Mrs Knox referred to research done on the impact of turbines. She advised that the key issue here was the impact on the National Scenic Area which itself was important to tourism. She advised that this impact on this special landscape would in itself affect tourism.

Councillor McCuish referred to page 26 of the planning report and the comments made by the Environmental Health Officer that the wind farm would unlikely need significant lighting and given that there were no known sensitive receptors within a reasonable distance of the proposed construction activities, it was not anticipated that light pollution would be a matter to control via planning condition. He sought comment from Objectors on this. Mr McNaughton said that it was his understanding that there would be lights for pilots which were meant to attract their attention. He said that it was his understanding that these lights were required for turbines of more than 50 m. Mr MacDonald advised that from their research on this warning lights were an MOD requirement. He said that these would be noticeable in non-daylight hours. He advised that the Environmental Statement states that the turbines would be fitted with MOD accredited lighting. He said that the MOD would expect infra-red lighting and visible lights of 25cd or 200cd and flashing lights.

Councillor Douglas said that it was her understanding that bigger wind turbines were now being built as they were more efficient and because of this less were required. She asked if this was correct and that the turbines we were now likely to see for a new development or the renewal of an existing development would now be bigger or were the turbines for this proposal particularly large. Mrs Knox advised that she thought the turbines being presented now reflected the technology that was now available. She referred to Cruach Mhor wind turbines being 71 m and said that there was now the ability to build larger turbines. She said that it was quite logical that these would be more efficient so you would require less of them. She confirmed that she expected we would now see more of the larger turbines. Mr Clouston referred to these larger turbines generating more electricity due to their larger blades. He commented that these turbines at a height of 136.5m were quite low as you were now seeing turbines with 175 m to 200 m tips.

Councillor Douglas commented that she realised there was a trend now for it to be normal to see larger turbines and expected that we would become used to that. She referred to the special landscape in this area not lending itself to these turbines. She asked if there could have been a compromise with SNH and the Applicant and asked

if there was any other area of Argyll and Bute or within Cowal that these turbines could have been sited which may not have had such an impact visually. Mr Clouston advised that it was not a case of randomly picking sites. He referred to grid connection costs and advised that this particular area ticked a lot of boxes. He said that it was hard to get the balance completely right. He referred to the renewable energy which would be generated there.

Councillor Hardie asked if there was any threat of noise pollution. He also asked how long it would take to build the whole development. Mr Clouston advised that a noise assessment was undertaken and the Environmental Health Officer was happy. He advised that as a worst case scenario it would take a year and a half to complete the development.

Councillor Moffat referred to a conversation she had recently and comments she heard that quite often at night, as there was no light pollution, you could see shooting stars in this area. She asked if the lighting on the turbines would affect that. Mr Clouston advised of the infra-red lights and the flashing lights which would be for the pilots rather than shining down. He said that they would have an impact on the view of the stars. Mr Carlow advised that he lived locally and that he had a telescope he had received from his grandchildren for his birthday. He said that over a whole year there were only 23 evenings when it was clear enough to view the stars as there was a lot of cloud in Argyll. He commented on talk about the special scenic area and said that the lights would only be visible at night and so would not affect the scenic area.

Councillor Moffat referred to the condition and size of the local roads and also on the size of the blades and columns that would need transported to the site. She asked how the Applicant would access the site on these roads. Mr Clouston advised that the site would be accessed from the north. He confirmed that there was already an access in place. He said that they had originally looked to avoid the Cruach Mhor opening and had the option of going down a B road which would have led to scarring of the landscape and it was only one way. He confirmed that they would now be using the A886 coming from the North

Councillor Blair referred to comments made in the SNH consultee response that if the Committee accepted this application today SNH would be recommending securing a Habitat Management Plan. He asked the SNH Officer what they would expect in that Plan and he also asked her to explain what she meant by micro siting. Ms Prior explained that micro siting was when you had an indicative layout of the turbines and were trying to site them into dips in the landscape. She advised that there was no opportunity to do that in this case. With regard to the Habitat Management Plan she advised that this would need to address the management of birds and the peatland. She advised of the need to encourage habitats elsewhere to encourage birds away from the wind farm. She advised that there would need to be up to date bird surveys carried out – what the birds were using and how they were using it. The same for peatland, if it was extracted - how it would be sorted and used over time. Mr Clouston advised that it was very common for them to have to carry out a Habitat Management Plan for a scheme and that they had no issues with doing so.

Councillor Blair referred to comments made about bird collisions asked if there were statistics on the mortality of birds available. The Applicant's Ornithologist advised she would not like to comment on the national statistics referred to as she could not

be sure of the document which would have been referred to. She advised that collision risks at wind farms were assessed and that there was a national database which collected data on collision fatalities at wind farms. She advised that had to be taken with a lot of caution as there was also a need to assess how many birds were using the area and then how many were colliding. She said that if there was a collision risk and birds were found there, that was what was assessed. She commented that you needed to look at the use of an area and the elevations of birds flying then assess the potential for collision. She advised that they used a location of flights model agreed with SNH eg using the Hen harriers and Owls. She referred to talk about the Golden Eagle and she said that there was a lot of evidence to suggest that these birds avoided going anyway near wind farms. She advised that the satellite tagged female was pretty much avoiding wind farms and that the majority of locations sited over a wind farm were above the turbine level. She said that the satellite tag data provided huge data all the time and that they had spent 2 years on this site collecting all of this data. She confirmed that they were bird enthusiasts.

Councillor Redman asked the Applicant and Objectors if they had any concerns about the impact on local infrastructure eg local road. Mr Clouston advised that there had been no formal objection from Roads. He confirmed that they would do a condition survey of the roads before any work was carried out so that they could carry out any repairs at the end of the works. He said that during construction there would be a peak period of traffic which would be short in terms of impact. Mr MacDonald advised that there would be a significant impact on infrastructure. He advised that the existing roads to Dunoon were not capable of taking on this additional traffic. He also advised that some upgrades would be required such as bigger pylons and more cabling.

Councillor McCuish sought and received confirmation from Planning that the wind farm location was close to, but not in the NSA. Mrs Knox advised that the windfarm was within an Area of Panoramic Quality but not within the NSA.

Councillor McCuish commented that despite the wonderful scenery Cowal was still experiencing a population decline. He asked the supporters and objectors if they thought this proposal would make that better or worse. Mrs Carlow said she hoped that it would improve the population as a result of the money that would come from the wind farm. She advised that there a huge shortage of accommodation for visitors walking the Cowal Way. She added that she hoped that the hotel could come back into being and if the school could be made more attractive. She said that more money would attract families to the area. Mr MacDonald advised that the scale and size of this wind farm would have a negative impact on the economic future of the local communities. He advised that he had spoken to community members who have advised they would leave the area if this went ahead. He referred to infrasound, noise, disturbance to ecological life and questioned that if there was a choice between living next to a mega 30mw wind farm of next to a mountain, where would you live if you did not know what the potential health hazards were. He commented on the very few full time employees relating to the Cruach Mhor Wind Farm, and advised that those employees were not from the local community. He said that he thought a project of this size in that area would reduce the number of people moving into the area. He said it would clearly have a negative impact on green tourism and wildlife tourism. Mr McNaughton said that any money going into any area was a matter of conjecture as you needed to have people that could apply for the money. He said that the money was not massive compared to what the Applicant would make. He suggested that other businesses would be affected by

their contribution and asked if this would result in other businesses springing up against them. As far as beds went, he advised that there were plenty at the Glendaruel Caravan Park. He said that there was not a Community Trust in place to receive this money and that you had to be very careful not to compromise other businesses in the area. He advised that there was a great story to tell in Cowal which has been seen as a dead end to some people. He advised of the need to attract more people to the area and that the NSA Protection Group was committed to doing that. He referred to Argyll's Secret Coast. He said you had to be careful to protect the indigenous businesses in the area and that these should not be compromised going forward. Councillor Reid advised that just being outside the NSA did not make a difference and that this proposal would still have an impact on it. He commented on the area being dependent on tourism and said it was clear that putting turbines close to the NSA would have a detrimental impact on the economy. Dr Hamilton advised that there was no depopulation on Mull unlike other parts of Argyll. He said that for eco-tourism Mull was one of the best places to go to. He commented that it was a victim of its own success as it was difficult to get onto the island during the high season, as was Islay. He commented that Cowal had so many special qualities and that the hospitality industry had yet to cotton on yet. He advised of the need to develop infrastructure in the long term for eco-tourism.

Councillor Freeman sought and received confirmation from the Applicant that the nearest turbine to the NSA was 1.8 km away.

Councillor Freeman sought and received confirmation from Planning that they had no concerns about cumulative impact.

Councillor Freeman sought and received confirmation from Planning that when talking about lighting, this was navigational lighting and not spot lighting.

Councillor Freeman referred to comments made that lighting would not have an impact on the NSA as you would only see the lights when it was dark. He sought comment from Planning on this. Mrs Knox advised that she did not think there has been any assessment done on the impact by light on the NSA in the dark. In terms of the Local Development Plan, she advised that areas were designated as dark skies areas and that the only one in Argyll was the Isle of Coll. She confirmed that the Kyles of Bute NSA did not have dark skies status.

Councillor Freeman referred to concerns about drinking water and advised that he would assume if there were concerns Scottish Water or Environmental Health would have highlighted these. Mrs Knox confirmed that Scottish Water and Environmental Health had raised no such concerns.

Councillor Freeman sought and received confirmation from the Planning Officer that there was no clear evidence nor research that the wind farm would have a negative impact on tourism and that was why she used the word "may" in her report. She advised that the main concern was the impact the development would have on the NSA which was in itself a tourist attraction.

Councillor Freeman referred to the RSPB not raising any objection and asked Mr Warden if the Raptor Group worked with the RSPB and if they had any discussions about this proposal with them. Mr Warden confirmed that they did speak and work with the RSPB and that they had highlighted to them the threat to the Hen Harrier. He advised that the RSPB did not have the sort of data that the Raptor Group had.

He said that they had individuals in Cowal throughout the seasons and that their data was far greater than the RSPB's. He pointed out that the satellite tagging information showed a considerable amount of activity of species which was not available to the RSPB and suggested that may have been why they did not object to this application.

Councillor Freeman asked Mr Warden if his group had objected to the Cruach Mhor Wind Farm. Mr Warden advised that he could not say as he has not been Chair of this Group for that long and the Group has only been in existence for 20 years. He said he was not sure when Cruach Mhor was finished.

Councillor Redman asked the Applicant if there were contingency plans for decommissioning and asked the objectors if they had any concerns about this. Mr Clouston advised that detail about decommissioning was contained within their Environmental Statement. He confirmed that there was money there to remove the turbines if the site was renewed. Mr MacDonald said that decommissioning protocols could only be expressed as entirely inadequate. He said that the report did not contain a lot of detail on this. He referred to the material used to make the turbines and said there would be a lot of non-recyclable waste from them. He referred to the foundations which would be considerable as the turbines required to be anchored to them. He said that they could be broken up but they did not have to be and could be left on the hill. He referred to geo hydrological issues and waste contamination to the water supplies for houses in Glendaruel. He said that the regulatory regime that covered decommissioning was woefully inadequate and that the Scottish Government needed to look at setting out a more appropriate decommissioning process.

Councillor Moffat commented on seeing a lot of applications for wind farms. She advised that when they first started out they were smaller structures which were now being replaced with larger more efficient turbines. She asked if the foundations could be reused. Mr Clouston advised that it would cause more environmental damage to try and remove the foundations. He advised that it was better to keep the foundations in place below one metre with land put on top of it. He said the carbon payback was 2.5 years.

Councillor Kinniburgh referred to the consultee response by the Loch Lomond and Trossachs National Park and noted that they had not objected to the proposal. He asked if the hills they referred to as Grahams were within the National Park. Mrs Knox advised that it was her understanding that Beinn Mhor was within the National Park and that this the hill they referred to as being a Graham.

The Chair ruled, and the Committee agreed, to adjourn the meeting at 12.40 pm for lunch.

The Committee reconvened at 1.20 pm

The Chair welcomed everyone back to the meeting and continued with questions.

Councillor Kinniburgh asked again about the hills known as Grahams. Mrs Knox advised that Fiona Johnstone from the National Park was in attendance and that she had sought clarification from her on their response. She advised that the National Park had not objected to the proposal because there would only be a localised impact on a small area of the park. She advised that although they had concerns

about that small area they were not objecting as it did not impact on the whole park. She said that they did have concerns about visibility from the Grahams but because they only took up a small area of the National Park this was not sufficient for them to object.

Councillor Kinniburgh commented that he thought the consultee response appeared to be contradictory and he asked the Applicant to comment as he had referred to the National Park having no objections. Mr Clouston invited Linda Thomson, their Landscape and Visual Impact Assessor to respond. Ms Thomson advised that in relation to the National Park's opinion they have said that there were moderate affects and the hills they were talking about were over 2,000 feet. She said that it was her understanding for something to have an effect on the National Park it would have to have an overall effect on the integrity of the National Park and looking at the ZTVs the proposal actually limited the effect on the National Park as a whole. She said that it came down to those 3 localised hill tops referred to in their response. She confirmed that collectively these 3 hills were Grahams.

Councillor Kinniburgh asked if there were hills over 2,000 feet out with the National Park. Ms Thomson advised that yes there were hills across Scotland over 2,000 feet.

Councillor Blair raised concerns about the quality of responses from consultees and the non-attendance at hearings by consultees. Mr Reppke advised that the Council could not compel anyone to attend a hearing and that lots of organisations had their own criteria on whether or not to attend. He also added that contributors today had no way of knowing what questions would be asked by Members.

Councillor Kinniburgh sought and received confirmation from Planning that the infra-red light on the turbines would only be seen by military aircraft and that the MOD have requested this lighting. She advised that there would likely be infra-red and solid light.

SUMMING UP

Planning

Sandra Davies briefly picked up on a couple of issues that came up. She referred to the Applicant making comment regarding a shared ownership proposal of 10% and advised that there has been nothing before the Council that would indicate that this was a well advanced proposal with any quantifiable benefit. She advised that the Members of the Committee should therefore attach little to no weight to it as a material consideration in the determination of this application. She also referred to discussion on the impacts of wind farms on tourism and advised that this research was based on wind farms which have been in the past generally well sited. She said that should inappropriately sited wind farms be approved in sensitive locations this may affect the impacts on tourism in the future. She commented that whilst her colleague had noted the number of turbines would be medium scale, Members should note that the height of the turbines would be very large scale in terms of the Council's Landscape Wind Energy Capacity Study.

She advised that planning was not black and white and that it was about balancing different competing issues and putting the right development in the right place. The adopted Local Development Plan (LDP) and associated guidance provides policies

and guidance on the various issues which require to be considered when determining applications.

She advised that arguments have been heard today on the importance of renewable energy and the LDP is supportive of this but these wind farm developments need to be located on the right sites. The Kyles of Bute NSA is one of only 2 NSAs across the whole of the country. NSAs cover only 13% of Scotland. Both Planners and SNH are of the view that this wind farm would have unacceptable impacts on the special qualities and integrity of this NSA which would not be capable of being mitigated. A development which does not protect the environment for future generations cannot be regarded as sustainable.

In conclusion the application is recommended for refusal for 4 reasons – adverse effects on NSA, landscape effects, visual effects and tourism effects.

Finally, if Members are minded to approve this application Scottish Ministers must be notified due to SNH's objection on the impacts on the Kyles of Bute NSA.

Applicant

Kari Clouston

Mr Clouston said that they had done their best to inform the community of what their proposals were and that it was evident that some have been misinformed. He advised that Mr McNaughton had said the turbines would be 170 m wrong. He said this was not correct and that they would be 58 m long.

Linda Thomson

Ms Thomson provided further information on landscape and visual impacts referring to the ZTV that the Members had before them. She commented that this ZTV was one of the smallest she had ever seen and that the only other small one was for Cruach Mhor wind farm. She said that Mr MacDonald was correct to say that there were 20 viewpoints. She said that these viewpoints were selected to show the locations where there was likely to be significant effects so it was not unusual that these were the locations you would be shown the wind farm from. She referred to Mr MacDonald saying there was significant impact from 15 viewpoints. She advised that this was not the case and that that it was 8 viewpoints and that these had been specially selected because they were the most likely to be significantly affected. Looking at the ZTV in terms of the NSA, she commented on hearing about the effect on the special qualities of the NSA. She advised there was a very specific test against very special qualities and that it was the effect on these special qualities of which there were 8. She pointed out that 4 of these had very little to do with the turbines beyond the boundary of the NSA. She said that there were 2 very specific ones where the turbines would be sited – views to the Kyles of Bute and the Bute landscape - beyond that it did not affect key views within the NSA.

She referred to the LWEC Study which assessed the location of the site being highly sensitive to wind farms of a large scale. She pointed out that large scale was up to 200 m which was considerably bigger than what was being discussed here. She advised that the landscape character type was extensive and that the development should be considered on its own merits and on its own landscape character type.

She referred to discussion about mitigation and advised that in addition to looking at the landscape and the visual impact it was her job to look at how a job can be put in place and the design of it. She advised that they had done a lot of micro siting and that it was the best that it could be.

Supporters

William Carlow

Mr Carlow advised that if Argyll and Bute Council was keen to be seen to be progressive in putting in alternative renewable energy sources then this site had all the infrastructure in place. He referred to a lack of cycle paths. He commented that people walking on the hills had no tracks to follow and that all they had was peat hags and large tussock which were very uncomfortable to walk on. He advised that routes through the new farm would provide areas for people to walk and take picnics and that this would more likely have a positive rather than negative effect on tourism.

Objectors

Councillor Alan Reid

Councillor Reid advised that this Committee has always been very careful to grant wind farm applications in the right places and that they have made a contribution to climate change by granting wind farms and hydro schemes in the right places. He said that this was not an acceptable place to put a wind farm and that the Committee should take the advice from Planning and SNH to not build these giant wind turbines so close to the iconic Kyles of Bute NSA. He acknowledged the need for far more renewables to stop climate change but there was a need to build these in the right place. He advised that there was no need to build a wind farm so close to the NSA to achieve enough renewables to mitigate against climate change. He urged the Committee to reject this proposal and asked the Applicant to find another site which did not impact on NSAs.

John McNaughton

Mr McNaughton referred to one of the Councillors asking earlier about tourism. He advised that some would say it would not affect tourism and others would say it would. He said that any reasonable person would go with the latter. He asked that if it did not affect tourism, why the National Park were taking down pylons. He advised that there would be a local impact on tourism and that there was no need to use the wider parts of the country. He referred to Ms Thomson advising that the ZTV was the smallest she had ever seen. He suggested this was because of the nature of the small NSA area which was fiord like. He referred to the Ruel Estuary and said that looking back from the view point you would see where one of the turbines would be sited. He commented on mitigation and said that it was obvious that mitigation was not possible in any way to offset the impact of the turbines. He referred to Ms Thomson cherry picking from the LWECS report when she mentioned 200 m turbines, as if theirs was somehow small. He said that to cherry pick further from the report it was stated that only turbines up to 50 m would be acceptable in these areas. He referred to large multi-national wind farm companies seeking more land based sites as it was more politically expedient. They were actively seeking more in Scotland for that reason as this was a politically favourable climate at the moment. He advised that the local impact was the problem here. The Applicant was told from

the beginning about the impact and told not to proceed but was carrying on regardless because of the wider political climate. He referred to access to the site coming through Forestry Commission ground and commented that he was not sure if permission for access had been granted yet. He referred to the Forestry Commission being a Government body like SNH and commented on two Government bodies in conflict over this proposal. He said that he did not know what the Forestry Commission stood to gain financially from this if they did grant permission over their ground. He referred to one of the Councillors asking about siting the development elsewhere and he said that he did not think the Applicant had answered this question very well. He commented on where the turbines would be sited and questioned why it was at this particular spot and wondered if it was because it was windier. He pointed out that the Met Mast had only been put up in the last 2 weeks. He referred to the scale and size of the turbines which, with technical improvements and their size made them more efficient. He said that it was very important, due to the size of these turbines, that they were sited in the most appropriate place. He referred to viewing the sky at night and said it was rubbish to say that there have only been 23 nights over the last year when the night sky has been clear. He suggested that during the night the lights would make the turbines more prominent. He referred to MacFarlane's Lantern which made the night almost daylight. He commented that the view point was just as busy on a clear night. He also referred to dark skies status and advised that local residents were investigating dark skies status for the local area with a view to increasing tourism to the area. He commented on the need for a separate planning permission for the pylons and said that these would be under half a mile from the National Park. He referred to the condition of the roads and the size of the turbines to be transported on it. He said that this was an Area of Panoramic Quality with steep ridges and that the introduction of a man made element in the APQ could only be detrimental to the visitor experience. He moved that the application be rejected.

David Warden

Mr Warden advised that habitats there at the moment were very precious. He advised of the need to protect the birds that were there and that it was now known about the presence and activities of Golden Eagles where the turbines would be adjacent to. He advised that the collision risk will have increased substantially and that the Applicant's statement about calculating for collisions would need to be recalibrated in view of the additional information we were getting from satellite transmissions. He said there would be an increased risk of collision especially in the cold weather. He advised that even if collisions did not occur the Golden Eagle would be displaced to try and avoid the turbines. He advised that the collision risk for the Short Eared Owl and the Hen Harrier could not be avoided and that the Hen Harrier was very susceptible especially during spring. He said they would lose a substantial amount of their habitat and which may make it unsustainable for foraging in the future. He said Cowal may lose the Hen Harrier as a breeding species. He advised that he could not see this being worth the damage. He referred to the Sea Eagle and the reliance on eco-tourism. He saw no reason to change what we had now. He advised that eco-tourism would provide jobs and investment at a much higher level than the proposal by the Applicants. He asked that the application be rejected on that basis.

Reg MacDonald

Mr MacDonald advised of local democracy depending on transparency. He referred to money and the financial projects in relation to the project – and said none were forthcoming. He asked what this project would be worth in the context of its revenue to the Ardtaraig Estate landowners or Infinergy. He said that depending on who you consulted with it would be £800,000 per mw per annum. He asked if that meant this project would make revenue of £24m per year, close to half a billion over 25 years. He said he did not know and that some due diligence was required. He said those sums of money were so huge and so significant they could have a corrupting influence on our conduct at times. He referred to the amount being offered to the community. He referred to ornithology and thanked the presenters for their in-depth knowledge and presentations. He referred to this unique mainland eco system with huge opportunities for eco-tourism which would be sustainable and would help local employment. He referred to the various viewpoints and the visual impacts and said that he would have to agree to disagree with Infinergy. He referred to the Environmental report which, he said, did state there were 15 viewpoints that would be significantly affected. He said it was their report and not his. He referred to comments about roads and path ways on the hills. He pointed out that the Stronfield Forest was operated by the Colintrave and Glendaruel Trust and that they had plans for these types of activities so this was not a valid concern. He referred to eco-tourism and tourism in general and acknowledged that there were a lot of reports out there. He said that he had taken the time and effort to meet people and attended local events in Cowal and Bute such as the Cowal Games. He said at these events visitors could not believe that we would do something like this to our land. He said that this was the wrong project in the wrong place. He advised that this was a question of applying Scottish Planning Policy and the policies of the Local Development Plan. He advised that the Head of Planning had clearly demonstrated that the proposed Ardtaraig Wind farm conflicted with many policies. He advised that it was his opinion there were no material considerations which would justify setting aside those policies and that there could be no competent motion to approve this application. He submitted that this application be rejected.

When asked, everyone that had taken part and were still present confirmed that they had received a fair hearing.

In terms of the Councillor's National Code of Conduct Councillor Reid left the meeting at this point.

DEBATE

Councillor McCuish drew Members' attention to the last paragraph on page 20 of the planning report which stated "Argyll and Bute Council will resist any development in, or affecting, National Scenic Areas that would have an adverse effect on the integrity of the area, or that would undermine the Special Qualities of the area unless it is adequately demonstrated that any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance". He said that it was his opinion that this application ticked 2 of these boxes – social and economic. He advised of hearing a lot about protecting the wonderful scenery and wildlife but had not heard once about protecting the workforce. He acknowledged that tourism was vitally important but said the tourists all went away in the winter. He advised that he

was struggling with the application and took into account that the community were very much against it.

Councillor Trail thanked everyone for their presentations, some of which, he said were quite educational. He said that he wished to remind Mr MacDonald that planning was about land use and that it did not matter whether a company made a lot of money or not and it was about it being an appropriate site for development. He advised that for him it boiled down to between visual impact and the landscape against the community benefit and renewable energy associated with climate change. He thanked Mr and Mrs Carlow for their presentations but felt that in this case the landscape had to be protected and while he believed the ZTV was very narrow it just happened to be in the wrong place in the sense that part of the Kyles of Bute was in the ZTV area. At the present minute, he said that it was a fine judgement to go on one side or the other and that at present he was going to agree with the Planners.

Councillor Redman said that they had to weigh up the benefits of tourism and the economic benefits to the local area. He said that he was not convinced that the new turbines would benefit tourism and that he thought that they would have a negative effect. He said that you could not use moral blackmail about global warming damage to future generations to get us to approve an application. He said he had to go with the economy versus the environmental impact. He referred to the 800 plus objections from the general public if we took account of the petition and 300 plus if we did not. He said that he was minded to reject the application.

Councillor Taylor thanked everyone for their contribution which helped to inform debate. He commented that he saw wind farms across the country and that he was not offended by them but he said that such developments should not be detrimental to the National Scenic assets in Argyll or elsewhere. He advised that he was certainly moved by SNH's obvious position as he was only aware of one other time when they have objected to an application. Despite many representations from SNH it has only been twice that they have constituted an objection and he was moved by that. He advised that he had heard nothing to say we should compromise the landscape. He advised that as much as he would like the community to benefit from the wind farm, they must protect the community's asset.

Councillor Forrest said it had been really good to hear all the different views. She said the decision was not about their general documented support for renewable energy or their commitment to development, it was about this specific application in this special place. Having listened carefully regarding this, she said she was content with the planning recommendation to refuse. She advised of the need to protect the NSA and she commented that SNH very rarely objected.

Councillor Hardie thanked all who had come to the hearing. He advised that he was also minded to refuse and this was for 3 reasons: 1 – the high number of objections, 2 – community benefit not being a material consideration, and 3 – the objection from SNH.

Councillor Moffat commented that often when she sees an application she thinks that it will be straightforward but that is never the case. In this instance, she said that it has been the worst case. She said there was not one of them that did not understand the need for a decent environmental programme and the issues about wind turbines etc. She advised that there was a need to put these aside as we have

to try to preserve what we have for the future. She said that she was taken aback as seldom did SNH say anything against a proposal. She advised that for them to come across with this argument would give her a great deal of discomfort to go any other way. She confirmed that she would also like to see this proposal turned down. She acknowledged that something needed to be done to encourage jobs. She commented that people for the jobs for this type of proposal were generally brought in. She said that she did not see a benefit from this other than it would be nice to have clean energy. She said that the size of these turbines was not appropriate for this landscape and that she could not see another reason not to see no. She apologised to those who supported it.

Councillor Freeman advised that he was minded to agree with Councillor McCuish. He referred to the community being opposed to it but said that with all wind farm applications there were always a fair number of objections and support. He commented on none of the Community Councils raising any objections and pointed out that they were tasked with representing the views of their communities so none of them objecting was a major factor for him. He noted that apart from local objection, there had only been one objection from a statutory consultee – from SNH. Looking at the layout of the turbines and referring to the site visit, he said that he did not believe they would have a significant impact on the NSA and that he certainly had sympathy for the proposal.

Councillor Blair said that he had Cowal in his heart and that he was keen that Cowal became a premier location for tourists. He advised that looking at the application, he did not have a problem with the wind turbines and that he took a wider view. He said that he was thinking about Mozambique and the effect we were having on the other side of the world as a result of what we did here. He referred to the objectors and supporters and commented that contributions had been received from all over the world. He advised that he saw this as a global issue. He commented that if you climbed Beinn Mhor and looked towards Islay you would see wind turbines in Mid Argyll. He commented that he liked living in a vibrant rural community and that he saw wind turbines as part of that. He referred to decommissioning and said this was more of an issue for Torness and Hunterston. He said that he would like to support this application and proposed a continuation to seek appropriate guidance on a competent motion.

Councillor Douglas thanked everyone for speaking. She said that a lot had been said about the balance of principles, the national environment, investment and climate change both from a local and national perspective. She said that climate change was an international issue. With regard to the community she said this was a huge thing for a rural area. She commented that the money paid to the community could be huge. She said she did not think this was the wrong project in the wrong location. She thought it was a good project and whether it was in the right place or not she was not sure. She referred to the turbines increasing in size and commented that the hills were not increasing in size. She said it was not about looking back and being used to what we have. She advised of the need to move forward and balance local tourism with climate change. She said she was struggling with balancing that.

Councillor MacMillan advised that he had studied this application very carefully and that while he was in favour of wind farms in the correct locations, there was also a need to preserve the valuable viewpoints. He advised that this location was the most valuable and known all over the world and that he would not like to see a wind

farm encroaching on this area. He confirmed that he would not be supporting the application.

Councillor Kinniburgh confirmed that he had listened to all that had been said. He referred to the Planning Officer saying planning was not black and white and he said that was generally the case. He said there were aspects of this application that were not black and white eg tourism could be argued. He said he did agree with the Applicant's view of the ZTV as compared to some we have looked at there were limited views of this wind farm in this particular case. He advised, however, that it was clear to him that the Kyles of Bute NSA was one of the best views you could get in Argyll and Bute and it certainly fell into that category in Scotland, if not one of the best, the best. He said that he had no hesitation in supporting the planning in what they have said.

Motion

To agree to refuse planning permission for the reasons stated in the report of handling.

Moved by Councillor David Kinniburgh, seconded by Councillor Alastair Redman

Amendment

To agree to continue consideration of this application in order to seek guidance on a competent Motion to approve.

Moved by Councillor Gordon Blair, seconded by Councillor Lorna Douglas

The Motion was carried by 8 votes to 4 and the Committee resolved accordingly.

DECISION

The Committee agreed to refuse planning permission for the following reasons:

1. Kyles of Bute National Scenic Area (NSA)

Argyll and Bute Council will resist any development in, or affecting, National Scenic Areas that would have an adverse effect on the integrity of the area, or that would undermine the Special Qualities* of the area unless it is adequately demonstrated that any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

It is considered that the impacts of Ardtaraig wind farm on the Kyles of Bute National Scenic Area (NSA) would compromise the objectives of the designation and the overall integrity of the NSA for the following reasons: the wind farm's location and scale in close proximity to this relatively small NSA would adversely affect the appreciation of the special qualities by affecting their landscape context and wider landscape setting; given the small extent of this NSA, the scale of the turbines is also likely to significantly detract from key views from within and of the NSA; the proposal will introduce a large, prominent wind energy development into the views and setting of the NSA, appearing incongruous on the skyline at the northern end of the NSA; and, there is currently no noticeable wind energy

development in this nationally important landscape and the adjacent uplands provide an open and undeveloped skyline and setting for many highly scenic views and coastal panoramas.

It is considered that the proposal would result in a significant adverse effect on the special qualities of the Kyles of Bute NSA and that it will undermine its integrity. This environmental consideration is of such magnitude that it cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including the achievement of climate change related commitments.

Having due regard to the above it is considered that the proposal is contrary to the provisions of SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs); SG LDP ENV 14 – Landscape; Supplementary Guidance 2: Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; and LDP 6 - Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; Scottish Planning Policy (2014); The future of energy in Scotland: Scottish Energy Strategy (December 2017); Onshore wind policy statement (January 2017); SNH Siting and Designing Wind Farms in the Landscape Guidance, (August 2017); and ‘Argyll and Bute Landscape Wind Energy Capacity Study’ SNH and A&BC (2017);

2. Landscape Effects

Argyll and Bute Council will resist any development in, or affecting, National Scenic Areas that would have an adverse effect on the integrity of the area, or that would undermine the Special Qualities* of the area unless it is adequately demonstrated that any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. Argyll and Bute Council will also resist development in, or affecting, an Area of Panoramic Quality where its scale, location or design will have a significant adverse impact on the character of the landscape unless it is adequately demonstrated that any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, economic or environmental benefits of community wide importance.

The receiving landscape's overall high landscape and visual sensitivity is confirmed by the Argyll and Bute Landscape Wind Energy Capacity (2017) (LWECS). This report categorises the receiving character type (Steep Ridgeland and Mountains (1)) as being of the highest sensitivity in the regional combined sensitivity score for Argyll and Bute. For this landscape character type the LWECS states: "there is no scope to accommodate turbines >50m high as additional new developments within this landscape without significant effects occurring on a number of key sensitivity criteria." These hills are notably rugged forming distinctive ridges, increasing their sensitivity. Sensitivity is heightened due to the close proximity to the valued NSA designation, and their location within the APQ. These hills are especially important in providing a wider backdrop to the NSA and are highly visible from the NSA. This skyline is currently not noticeably

affected by built structures. It is perceived visually as a semi-natural northern boundary to the NSA.

It is considered that the wind farm would change this important landscape characteristic due to the location of the turbines on the defining 'ridge', their prominence, scale, colour and movement. The proposal would create a new, competing focus on the horizon which would detract from the existing composition and the focus of the Kyles. They would also intrude on the views and setting of the coastal fringes of the NSA, including spectacular panoramic views over the Kyles from the A8003. The wind farm would significantly detract from the dramatic scenery and setting of the NSA and the special qualities of the APQ would also be diminished by turbines sited on this visually prominent hill. This environmental consideration is of such magnitude that it cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including the achievement of climate change related commitments.

Having due regard to the above it is considered that the proposal is contrary to the provisions of SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs); SG LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; Supplementary Guidance 2: Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; and LDP 6 - Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; Scottish Planning Policy (2014); The future of energy in Scotland: Scottish Energy Strategy (December 2017); Onshore wind policy statement (January 2017); SNH Siting and Designing Wind Farms in the Landscape Guidance, (August 2017); and 'Argyll and Bute Landscape Wind Energy Capacity Study' SNH and A&BC (2017);

3. Visual Effects

Argyll and Bute Council will resist any development in, or affecting, National Scenic Areas that would have an adverse effect on the integrity of the area, or that would undermine the Special Qualities* of the area unless it is adequately demonstrated that any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. Argyll and Bute Council will also resist development in, or affecting, an Area of Panoramic Quality where its scale, location or design will have a significant adverse impact on the character of the landscape unless it is adequately demonstrated that any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, economic or environmental benefits of community wide importance.

The proposal will potentially be visible from a wide range of views from within and to the Kyles of Bute National Scenic Area. It is very prominently sited on a ridge providing the immediate setting to the NSA. It will significantly intrude on the defining skyline which encircles and visually contains the northern end of the Kyles of Bute area, an important component of many of the area's views and panoramas. Areas of visibility of the proposal often coincide with areas enjoyed

for recreation frequented by both visitors and residents in particular the popular and highly scenic landscape of the Kyles of Bute NSA, key approach routes and popular hill views from part of the adjacent Loch Lomond & the Trossachs National Park. The turbines will impinge on and detract from views from a range of key viewpoints on the shores including potentially scattered settlement, key routes, hill views, and also from the water, popular for recreation. These effects would be greatest, but not limited to, within 10km of the proposal.

It is likely to become a competing focus for people enjoying views, from within and to the NSA, due to its size, contrast of scale, incongruous character and rotating blades on the immediate containing skyline. These criteria combined with the proximity of views would result in a significant adverse impact on a range of key panoramas and views, important to people's experience of this landscape. It is considered that the proposal would have a significant adverse visual effects on the following:

- Views from the water's edge including potentially scattered settlement (no assessment viewpoint) as represented by, for example, VP 10 (Cowal Way)
- Water based views as represented by, for example, VP 11 (Kyles of Bute NSA) where scenic coastal views are strongly contained and channelled towards the wind farm by the steep - sided hill slopes. The wind farm is framed and would become the focus of the view. The Kyles of Bute area (Loch Ridden/Ruel and the Kyles) are very popular for recreational sailing and sea kayaking with 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. This would be experienced by, for example: recreational water users on the narrow channels of the Kyles/Loch Ruel where the coast is highly visible.
- Views from parts of key routes including the A8003/NCR75 and A886/B836, and the promoted Cowal Way Long Distance Route, which lies close to the coast as represented by, for example VP 8, 2, 5 and 10.
- Key views from elevated locations including Creag Dubh, the NTS viewpoint (layby off the A8003) as represented by, for example, VP8. The proposal will appear prominent and incongruous on the skyline.
- Hill views popular with walkers e.g. Cruach nan Caorach as represented by VP7
- Views of the NSA from near the boundary are also significantly affected including south of Kames as represented by VP14, VP2 B836 a key approach to the NSA from Dunoon and elevated views in the LLTNP including popular hills as represented by VP9 Beinn Mhor. These views are important in providing residents and visitors an appreciation of the richness of this scenic landscape.
- Views from the northern end of Bute as represented by VP20 are also adversely affected and may be underrated in the ES.

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

Having due regard to the above it is considered that the proposal is contrary to the provisions of SG LDP ENV 12 – Development Impact on

National Scenic Areas (NSAs); SG LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; Supplementary Guidance 2: Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; and LDP 6 - Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; Scottish Planning Policy (2014); The future of energy in Scotland: Scottish Energy Strategy (December 2017); Onshore wind policy statement (January 2017); SNH Siting and Designing Wind Farms in the Landscape Guidance, (August 2017); and ‘Argyll and Bute Landscape Wind Energy Capacity Study’ SNH and A&BC (2017).

4. Tourism and Recreation Effects

As detailed in reason for refusal no.1, the proposal would result in a significant adverse effect on the special qualities of the Kyles of Bute NSA which will undermine its integrity.

The presence of adverse landscape and visual impacts in the Kyles of Bute NSA would suggest that the development may influence public attitudes to a point where tourists might become dissuaded from visiting. This is supported by SPP 2014 which deems windfarms in National Scenic Areas to be unacceptable ostensibly as a consequence of their scenic sensitivity to large scale development and their value to Scotland’s tourist economy. Whilst the proposed windfarm is not within the NSA, it will be visible from within these areas and an inappropriately scaled and sited development will raise similar issues in relation scenic sensitivity and capacity to absorb large scale development.

Having due regard to the above, the proposal poses adverse impacts on tourism and recreation and is therefore inconsistent with the provisions of: SG LDP TRAN 1 – Access to the Outdoors; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs); SG LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 –Landscape; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan, Scottish Planning Policy and the Onshore Wind Policy Statement in this respect.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 11 January 2019, supplementary report number 1 dated 21 January 2019 and supplementary report number dated 21 March 2019, submitted)