

**Argyll and Bute Council
Planning, Housing and Regulatory Services**

This report is a recommended response to the Scottish Government's Energy Consents and Deployment Unit (ECDU) Section 36 consultation regarding the proposed Tangy 4 wind farm, on Land at Tangy Wind Farm, Kilchenzie, Argyll and Bute

Reference No: 18/02014/S36

Applicant: SSE Generation Limited (via Scottish Government Consents Unit)

Proposal: Electricity Act Section 36 consultation relevant Tangy 4 wind farm

Site Address: Tangy Wind Farm, Kilchenzie, Argyll and Bute

(A) Section 36 application made up of the following elements:

- Erection of 16 wind turbines of up to, but not exceeding, 149.9 m tip height with external transformers;
- Formation of hardstanding area at each turbine base with a maximum area of 1,800m²;
- Erection of 3 permanent meteorological masts and associated hardstand areas;
- Up to 2 site substations (1 new substation and possible retention of the existing Tangy 1 and Tangy 2 wind farm substation);
- Erection of operations control building with parking and welfare facilities;
- A total 11 km of onsite access tracks with associated watercourse crossings (of which approximately 7.4 km are new access tracks and 3.6 km are upgrades to existing tracks); and
- Onsite underground cabling.
- Dismantling of existing Tangy 1 and 2 wind farms (totalling 22 turbines) and associated reinstatement
- 4 Borrow Pits

Associated works, but which do not form part of this application, include a connection from the on-site sub-station to the grid network.

(B) RECOMMENDATION:

It is recommended that Members agree that the Council do not object to this Section 36 Application and that the Energy Consents Unit consider the following conditions and mitigation:

Conditions

- **In recognition of the expected lifespan of the wind farm, it is considered that the permission should be time-limited to a period reflective of the lifespan of the turbine technology intended to be used from the date when electricity is first exported to the electricity grid network (Scotways);**
- **Condition to ensure that the Replanting Figure is corrected to reflect the known locations of the badger setts within the site (Badger Protection Plan – as recommended by SNH);**

- Conditions to ensure that all ecological mitigation measures detailed in the EIA Report are incorporated into any approval (as recommended by SNH);
- Condition to secure a more detailed Habitat Management Plan (HMP) (as recommended by SNH);
- Conditions relating to Tangy Loch SSSI to deliver appropriate mitigation to protect Tangy Loch SSSI from water quality impacts (as recommended by SNH);
- Condition to secure a Construction Environment Management Plan (CEMP);
- Condition to prevent disturbance to Greenland white-fronted goose (GWFG) (as recommended by RSPB);
- Condition to ensure compensatory planting plan is included with any consent (as recommended by Forestry Commission Scotland);
- Condition to secure an independent tourism impact assessment (in accordance with the advice of VisitScotland);
- Conditions as recommended by the Council's Environment Protection Officer to ensure: control of noise immissions; a report to demonstrate compliance with noise limits; assessment by independent consultant upon request of EHO; logging of wind speed, wind direction and power generation data; working methods and operating times for decommissioning of existing wind farm; point of contact for local residents; method statement detailing all mitigation measures to secure the quality, quantity and continuity of private water supplies; and details of external lighting.
- Condition to control potential Shadow Flicker impact to ensure that the relevant turbines are programmed to shut down at appropriate times to avoid any adverse impact on neighbouring properties.
- Conditions as required by the Ministry of Defence (MOD) and Highlands and Islands Airports Limited (HIAL) to secure appropriate aviation lighting;
- Conditions as required by Transport Scotland and the Council's Area Roads Engineer;
- Condition to secure the decommissioning of Tangy 1 & 2 to an acceptable standard, including ancillary infrastructure and site restoration;
- Condition to secure the decommissioning of Tangy 4 to an acceptable standard, including ancillary infrastructure and site restoration.

Mitigation

- Consideration should be given by the ECU to the mitigation measures suggested by SNH and the Council's Landscape Consultant to lessen the impact of the proposal on the raised beach (as evidenced by VP 1);
- Consideration should be given by the ECU to the relocation of the turbine nearest to Tangy Loch (Turbine 5) to reduce the adverse impact upon Tangy Loch, Fortified Dwelling. For the same reason, consideration should also be given to the relocation of borrow pit search areas depicted adjacent to Turbines 4 and 5 as recommended by Historic Environment Scotland.

Other

- Forestry Commission Scotland (FCS) object on the basis that a lack of information has been provided in regard to compliance with the UK Forestry Standard (UKFS) in regard to species diversity, peat depth and restocking,

forest landscape design and nutrient enrichment. It is noted at time of writing that SSE has provided further information, however that FCS have not withdrawn their objection. It is recommended that this matter is addressed, prior to the Energy Consents Unit reaching a conclusion on the proposal, and any further conditions recommended by FCS are applied.

- SNH also provide advice in relation to the Kintyre Goose Roosts SPA which, in their view, would not be adversely affected by the proposal. Due to the status of the site the Energy Consents Unit will be required to undertake an Appropriate Assessment under the Habitat Regulations.
- In light of the requirements of both National and Local Policy on wind farm development proposals it is considered by the Council that Energy Storage for this site should be explored further by the Energy Consents Unit prior to the application being determined.
- That the Council would expect to be consulted on any final list of conditions prior to permission being granted, should Scottish Ministers be minded to do so.
- The Council would also expect to be consulted on any further mitigation, changes to the layout or turbine height.

(C) CONSULTATIONS:

ENERGY CONSENT UNIT RESPONSES:

Scottish Natural Heritage (SNH) (22nd November 2018) – SNH object unless the proposal is subject to conditions in relation to Tangy Loch SSSI. SNH also provide advice in relation to the Kintyre Goose Roosts SPA which, in their view, would not be adversely affected by the proposal. SNH also provide advice on a number of significant adverse effects as they relate to landscape and visual impacts. SNH provide advice on Ecology, and advice on Peatland and Habitat Management Proposals.

Transport Scotland (TS) (17th October 2018) – no objection subject to conditions relating to: approval of the route for abnormal loads; accommodation measures required including the removal of street furniture, junction widening, and traffic management; delivery of construction materials, any additional signing or temporary traffic control measures must be undertaken by a recognised QA traffic management consultant.

TS (13th November 2018) – response to additional information - no further comment.

Marine Scotland (MS) (17th October 2018) - no objection to the proposal. Recommends that a robust integrated water quality and fish monitoring programme is established to try to ensure the water quality does not deteriorate throughout the development, as required by the Water Framework Directive, and to protect fish populations of high national conservation importance within and downstream of the proposed development area.

Forestry Commission Scotland now Scottish Forestry & Land (SFL) (28th November 2018) – object on the basis that a lack of information has been provided in regard to compliance with the UK Forestry Standard (UKFS) in regard to species diversity, peat depth and restocking, forest landscape design and nutrient enrichment. SFL also object unless a condition to ensure compensatory planting plan (CP) is included with any consent.

Scottish Water (SW) (26th September 2018) – no objection

Scottish Environment Protection Agency (SEPA) (27th November 2018) – object on the grounds of lack of information provided in regard to the impact of the proposal on private water supplies (PWS). SEPA will review this objection if these issues are adequately addressed. SEPA confirm that the Peat Management Plan (PMP) appears to be sufficient. As the proposed windfarm is located outwith the SEPA Flood Hazard extents and is considered an appropriate type of development to be located in an area at risk of flooding, SEPA have no objection to the proposal on flood risk grounds.

SEPA (5th December 2018) – advise that they have received further information from the applicant which confirms there will be no works to the existing roads with potential to impact on private water supplies (PWS). SEPA therefore withdraw their objection.

Historic Environment Scotland (HES) (21st November 2018) – **no objection**

Visit Scotland (VS) (2nd November 2018) – no objection, strongly recommend any potential detrimental impact of the proposal on tourism - whether visually, environmentally and economically - be identified and considered in full. VisitScotland strongly agrees with the advice of the Scottish Government – the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. VisitScotland would also urge consideration of the specific concerns relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

Scotways (14th November 2018) - object on the grounds that consent in perpetuity is sought.

Ministry of Defence (MOD) (19th October 2018) – no objection subject to conditions to secure aviation safety lighting.

Glasgow Airport (25th October 2018) – no objection

Glasgow Prestwick Airport (12th October 2018) – no objection

Highlands and Islands Airports Limited (15th November 2018) – no objection subject to condition to secure red aviation warning lights.

National Air Traffic Services (NATS) (17th October 2018) – object based on preliminary technical findings, as the proposal conflicts with NATS safeguarding criteria.

NATS (18th December 2018) - Further consultation response - NATS has now completed its assessment and is satisfied that the objection to Tangy 4 can be withdrawn.

BT (18th September 2018) – no objection

The Joint Radio Company Limited (27th September 2018) – no objection

Crown Estate Scotland (9th October 2018) - no comments.

Royal Society for the Protection of Birds (21st November 2018) – no objection - recommends conditions are applied to prevent disturbance to Greenland white-fronted goose (GWFG). RSPB would also welcome management for key species within this

area and request that if consent is given, particularly if in perpetuity, that a habitat management plan (HMP) and group (with funding) is established to deliver biodiversity improvements alongside the wind farm throughout operation and decommissioning.

AM Geomorphology (6th December 2018) – concludes that minor revisions are required on certain aspects of the Peat Slide Risk Assessment to ensure that it is sufficiently robust. No recommendations have been made in relation to conditions at this stage, as the level of risk calculated by the PSRA is not yet sufficiently clear.

AM Geomorphology (22nd January 2019) – advise that the applicants have liaised with them to ensure the most critical issues were understood and addressed. In relation to AM Geomorphology's original recommendations. They are satisfied that taken together the PLHRA and letter from the applicant (14th January 2019) comprises a satisfactory assessment of peat landslide risks at the Tangy 4 site and have no further comment.

Campbeltown Community Council (18th February 2019) – confirm that they are unanimously in favour of the Tangy 4 application. If this application is approved it will help create jobs in our fragile area both construction and manufacturing of the wind turbines.

West Kintyre Community Council (WKCC)(6th December 2018) – object on the grounds that the increased size of the turbines significantly increases the visual effect on the landscape to both the local community residing within the area and those visiting and travelling within and around the area.

ARGYLL & BUTE COUNCIL RESPONSES

Council's Environmental Health Officer (EHO)(23rd November 2018) – no objection subject to conditions relating to: control of noise immissions; report to demonstrate compliance with noise limits; noise complaints and assessment by independent consultant; remedial action following complaint; continuous logging of wind speed, wind direction and power generation data; working methods and operating times for decommissioning of existing wind farm; provision of a nominated representative to act as a point of contact for local residents in connection with noise complaints; for local residents; method statement detailing all mitigation measures to secure the quality, quantity and continuity of private water supplies; and, details of external lighting.

Council's Landscape Consultant (CLC) (20th February 2019) – in summary, the Tangy 4 proposal is far too close to the Kintyre coast and the turbines too large in terms of the scale of the uplands they are sited within, affecting more sensitive settled coasts and upland fringes. This proposal would have a major effect on views from the A83 (VP1 being an example of this where the turbines would be very distracting seen above the raised beach cliff) and be quite unlike other wind farms on Kintyre in this respect. It would also affect views from both the Kilbrannan Sound/Arran and the west coast of Kintyre and would introduce new visibility and intrusion into views from the east coast of Kintyre (VP17 Peninver being an example of this) when compared with the existing Tangy wind farm. This proposal would also result in significant adverse cumulative effects on views from Arran, Barr Glen, the A83 and the *Bay Farmland* area between Machrahanish and Campbeltown when seen variously with Beinn an Turic 1, 2 and 3 and with Blary Hill/Auchadaduie. In addition, the stacked layout of turbines evident in VP19 is very disconcerting especially as it would be seen in a long array of wind farms with a different layout on the skyline of the *Upland Forest Moor Mosaic* (although this effect may only occur in a relatively confined area). The Council's

Landscape Consultant supports SNH's response which expresses their strong concern about this proposal (but also the consent of Tangy 3).

CLC (11th March 2019) – (Comparison of Tangy 3 and 4 – In terms of the differences between the consented Tangy 3 and the proposed Tangy 4 scheme in relation to the VP's where comparative visualisations were produced in February 2019, the CLC comments as follows: *VP11 (High Peninver)* – The differences between Tangy 3 and 4 are appreciable but unlikely to be significant. *VP19 (Drumlemble)* – The combination of a stacked layout and the size of turbines (+ cumulative effects with operational and consented phases of Beinn an Tuirc wind farm) are key problematic features of both the Tangy 3 and 4 schemes in this view. The CLC considers that there would be a significant difference between the Tangy 3 and 4 schemes here with the eastern-most turbines being particularly problematic as their full height would be largely seen. *VP6 (Machrahanish)* – while the stacking of turbines will not occur at this angle, the size of the Tangy 4 turbines will overwhelm the scale of the uplands and result in a significant increase in effects when compared with the Tangy 3 consented/S42 scheme. *VP2 (Glenbarr Memorial)* – Cumulative effects with the operational Auchadaduie and consented Blary Hill wind farms are paramount here such that the differences between Tangy 3 and 4 may be less of an issue. *VP1 (A83)* - in the Tangy 4 EIA Report also needs to be considered and it is clear that Tangy 4 will significantly worsen effects on the appreciation of the highly sensitive raised beach cliff in this area.

CLC (30th April 2019) (in response to SSE rebuttal letter) - while the CLC's review of Tangy 4 was necessarily brief and focussed, the CLC stands by their views on Tangy 4.

CLC (24th May 2019) – a meeting was held with the CLC on the 21st May 2019, to seek further clarification on the overall significance of the change in landscape and visual effects between the Tangy 3 and 4 schemes.

CLC (3rd June 2019) – In conclusion, the CLC advises that there are some significant changes between the approved S42 and the Tangy 4 schemes although these are unlikely to be widespread in number and extent. The nature of significant effects from the A83 (VP 1) is a major concern however and the CLC considers that there may have been missed opportunities to influence the design of the current proposal to mitigate landscape and visual effects on the raised beach edge (VP1) by omitting/relocating turbines. The CLC notes that SNH also refer to similar mitigation their letter of 22nd November 2018.

Council's Local Biodiversity Officer (LBO) (20th November 2018) – no objection - welcomes the provision for a Construction Environment Management Plan (CEMP) and the associated action plans for ecological and conservation interests overseen by an Ecological Clerk of Works for the proposed construction and de-commissioning process.

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

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

Council's Roads & Amenity Services (19th December 2018) – no objection subject to conditions.

(D) REPRESENTATIONS:

As this is not a planning application the ECU's website provides the up-to-date listing of 3rd party representations and other submissions relating to this S36 application.

At time of writing, there have been 37 letters of representation made to the Scottish Government's Energy Consents Unit (ECU). The number of representations in support is 35 and the number of objections is 2. The ECU's policy is not to publish any personal details. The main issues raised may be summarised as follows:

Supporters:

- Tangy 4 represents an economic investment in Argyll & Bute allowing businesses to maintain job security, or increase employee numbers. Wind farm development and construction including projects such as Tangy wind farm extension has provided the pipeline of work to allow to maintain and invest in our workforce, and that of our local supply chain.
- Tangy wind farm has been operational for over 15 years with little impact on the environment and our community. This proposal to Tangy with modern more efficient turbines is sensible.
- Tangy 4 will help reduce greenhouse gas emissions and provide support to the local economy.
- Tangy wind farm has existed for quite some time now and it is not inimical to its surroundings and forms what is now part of the fabric of Argyll and the Tangy 4 will not damage the area or the environment.
- Tangy 4 will be beneficial to the environment and the local economy.
- Cleaner energy is clearly generated and potentially cheaper than existing infrastructure, not to mention the employment opportunities in the local area.
- The Tangy 4 proposal to create a more efficient and powerful wind farm can only be a much needed boost for the area – bringing investment and jobs at a time when both are much needed. The benefits to the environment go without saying.
- The addition of Tangy wind farm to be positive to the local area and a strong sign of the renewable energy future that we need to pursue as a country. The employment and revenue for the local economy is much needed and I hope we will be able to advance with the times and install the new, modern technology to keep apace with the rest of the industry.
- Tangy 4 will benefit the Community greatly by the provision of employment and much needed income.
- I have resided in Argyll for 30 years and have supported the development of renewable energy sources. There is a significant benefit to the environment as well as local economic benefit and I support the Tangy 4 proposal.
- Renewable energy is of paramount importance to Scotland and the whole planet. Updating the infrastructure when old technology becomes obsolete makes sense and is a natural progression as we continue to transition towards a future of renewable energy. Tangy wind farm is a proud beacon of Scotland's efforts to move to a more sustainable future.
- Tangy 4 should be accepted on the grounds that it will create employment and lessen the burden on the national grid to produce electricity from burning fuel.
- It's imperative that we continue to support clean and sustainable fuel sources in Kintyre. In order for us to do so the turbine technology should be kept updated. The work involved would also bring valuable employment to the area.
- Tangy 4 would be of great benefit to both the local community as well as supporting the struggle we all are fighting against global air pollution and greenhouse gas

emissions. There are real and much needed benefits conferred by this project – helping prevent further global warming by invoking this type of energy – and helping to work towards the recommendations made by

- There are the badly needed benefits to the local community in terms of providing support of the local economy with new jobs and all the support of the workforce that would be employed to complete this very worthwhile project. Any independent venture that can hope to make any headway with these issues should be wholeheartedly supported by local government.
- It is essential for the future of the renewables industry in Scotland to support investment in wind generation. In a highly competitive industry it is essential to replace and upgrade older turbines with more efficient units. This practice is critical to the future of the renewables industry in Scotland and will allow those SMEs, such as my own to bring revenue, create jobs and career development for the benefit of local communities.
- The economic and social benefits to the area are huge and must be encouraged.
- As there will be no subsidy for the Tangy 4 proposal then it's a great opportunity to prove that wind farms can be viable without Government support.
- It will be a real benefit for the local economy, and as a frequent visitor to the area I think the wind farms looks perfectly okay and are a great benefit to the local community.
- Tangy 4 will provide many economic benefits for the area including much needed employment and increased trade for local businesses. Importantly, it will also deliver a significant rise in the supply of renewable, carbon-free energy for which Argyll & Bute can be proud.
- It is generally considered that in areas that have the wind power to sustain wind farms that they should be built as long as they do not interfere with the living quality of local residents.
- It is the policy of SNP that Scotland in the near future should not have to rely on fossil fuels and should develop wind farms that do not interfere with nearby homes. The building of wind farms is good for local employment and that has the knock on advantage of bringing money into the local community which is sorely needed in the Campbeltown area.
- Sustainable wind farms and green energy is definitely the way forward to sustain our planet. I don't believe that it spoils the scenery in anyway and we must all pull together in order to protect our environment.
- Tangy 4 will create economic benefit for the local community in Kintyre and supports the Scottish Government Policy on renewable energy.
- Old wind farms should be upgraded and this will also bring money into the local economy and also jobs.
- Renewable power is a 'must' for our planet going forward and every opportunity to harness natural resources should be taken.
- Kintyre, like most of rural Argyll is not well endowed with economic opportunity. Over the last 15 years the Tangy wind farms have brought a degree of prosperity to South Kintyre, providing high quality employment opportunities and very significant capital investment. The very weather conditions that frustrate our tourism and agriculture, are ideal for the generation of clean, renewable power from onshore wind.
- Tangy 4 is an exciting project, with the developing scale of technology able to operate long term in a post subsidy environment. The new turbines would be able generate significantly more power than the existing plant, going some way to delivering Scotland's ambitious and vital renewable energy targets.

- Our own experience of developing and operating the Allt Dearg and Srondoire Community wind farms in Knapdale, to the north of Tangy, have confirmed that official and public concerns over landscape impact prior to construction were vastly overstated. Wind turbines have become a well-established feature of upland Argyll over the last decade, as commercial forestry did in the decades before, and for the indigenous communities they represent real sustainable economic opportunity. Renewable Energy from onshore wind now being a key revenue generating export from Argyll. I would like to lend my full support to SSE's Tangy 4 project, in the hope that it will pioneer the next generation of wind technology in Argyll, securing vital jobs and prosperity for the dependant Kintyre communities, and clean energy for the UK.
- Being a local company in the area we are hugely involved within the renewables industry as are most other local businesses and it hugely benefits our local economy. Being supporters of renewable energy, we would be happy to see Tangy being re-powered as this would bring an added boost to our local economy by having this project going on, and create further work within our local area.
- We must support renewables if we are going to achieve the goal of keeping global warming below the 1.5c increase target. Tangy wind farm is contributing to green energy reducing our dependence on fossil fuels. The current installation has contributed positively to the national energy grid and an enhancement can only be for the good. The more green energy production we can have the better.
- As there is already an established wind farm in place at Tangy and this is an upgrade with newer and more efficient appliances, then I cannot see what any objection could be to such a proposal.

Objectors:

- The height of the Tangy 4 proposal will overpower and spoil the beauty of a tranquil area for which it is renowned. Wind farms are supposed to be part of the green energy system and environmentally friendly, this is contradictory to what is proposed.
- The turbines will only work between 9-56mph, so when the wind exceeds this, they are then switched off which does not make them efficient.
- Instead of disturbing the vegetation, it is proposed to leave all wiring in the ground. This is not environmentally friendly.
- The amount of traffic on the single track road from the A83 to the wind farm will increase by 98% during the construction period. How is this going to affect local people using this road when they are faced with heavy lorries on the bends. Also numerous lorries delivering concrete is not environmentally friendly.
- What happens if the private water supplies are affected by the construction, who is going to take responsibility to put it right.
- What effects will there be on the valuation of the properties due to the overpowering view from these monstrosities.
- The report states that a few swish noises will be heard by residents, but we already have these from smaller wind blades so how loud will the new ones be. We already suffer from lack of sleep when the wind is in a certain direction so bigger and louder turbines will have a detrimental affect on our health.

- We as a group object to this extended proposal due to the height of the turbines as they will be very much in view of all our properties even more and for the low level noise emitting from them. Since the original wind farm has been in place there has been a deterioration in sleep patterns and while as neighbours we did not object previously it is no longer the case and we wish our objection to be noted in respect of your consideration of the new proposal you have before you. This increase in height seems excessive which will add to already existing problems with noise as nearby residents.
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(E) SUPPORTING INFORMATION

Has the application been the subject of:

i) Environmental Impact Assessment: Yes

An EIA Report dated August 2018 was submitted in support of this S36 application. The ES considers the following key issues: Environmental Impact Assessment; Renewable Energy Policy Context; Site Selection and Alternatives; Description of Development; Planning Policy Context; Scoping and Consultation; Landscape and Visual; Ornithology; Ecology and Nature Conservation; Geology, Soils and Peat; Cultural Heritage; Noise; Access, Traffic and Transport; Land Use, Socio-Economics and Recreation; Shadow Flicker; Aviation; and a Summary of Impacts and Schedule of Mitigation.

ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: A Habitat Regulation Appraisal is required to be undertaken by Scottish Government for this proposal.

iii) A design or design/access statement: Yes

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

(F) Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application:

Members are asked to note in the context of the Local Development Plan and planning process that this application has been submitted to the Scottish Government under Section 36 (S36) of the Electricity Act 1989. As part of the S36 application process, the applicant is also seeking that the Scottish Ministers issue a Direction under Section 57 (2) of the Town and Country Planning (Scotland) Act 1997 that deemed planning permission be granted for the proposed development. In such instances, the Development Plan is not the starting point for consideration of S36 applications, as Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 which establish the primacy of Local Development Plan policy in decision-making, are not engaged in the deemed consent process associated with Electricity Act applications. Nonetheless, the adopted Argyll & Bute Local Development Plan 2015 still remains an important material consideration informing the Council's response to the proposal.

Schedule 9 of the Electricity Act does require both the applicant and the decision-maker to have regard to the preservation of amenity. It requires that in the formulation of proposals the prospective developer shall have regard to:

(a) the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiological features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and

(b) shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

Similarly, it obliges the Scottish Ministers in their capacity as decision maker to have regard to the desirability of the matters at a) and the extent to which the applicant has complied with the duty at b).

Consideration of the proposal against both the effect of Scottish Planning Policy 2014 (SPP) and the adopted Argyll & Bute Local Development Plan 2015 will ensure that proper consideration is given by the Council to the extent which the proposal satisfies these Schedule 9 duties.

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

Argyll & Bute Local Development Plan (2015)

LDP STRAT 1 – Sustainable Development

LDP DM1 – Development within the Development Management Zone

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

LPD 4 – Supporting the Sustainable Development of our Coastal Zone

LDP 5 – Supporting the Sustainable Growth of Our Economy

LDP 6 - Supporting the Sustainable Growth of Renewables

LDP 8 – Supporting the Strength of our Communities

LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising our Resources and Reducing our Consumption

LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance to the Argyll & Bute Local Development Plan 2015 & 2016

SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (i.e. biological diversity)

SG LDP ENV 2 – Development Impact on European Sites

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

SG LDP ENV 6 – Development Impact on Trees / Woodland

SG LDP ENV 7 – Water Quality and the Environment

SG LDP ENV 9 Development Impact on Areas of Wild Land

SG LDP ENV 10 Geodiversity

SG LDP ENV 11 – Protection of Soil and Peat Resources

SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs)

SG LDP ENV 13 –Development Impact on Areas of Panoramic Quality (APQs)

SG LDP ENV 14 –Landscape

SG LDP ENV 15 –Development Impact on Historic Gardens and Designed Landscapes

SG LDP ENV 16(a) – Development Impact on Listed Buildings

SG LDP ENV 19 –Development Impact on Scheduled Ancient Monuments

SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance

SG LDP Sustainable - Sustainable Siting and Design Principles

SG LDP SERV 2 – Incorporation of Natural Features / Sustainable Systems (SUDS)

SG LDP SERV 3 – Drainage Impact Assessment (DIA)
SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities within New Development
SG LDP SERV 6 – Private Water Supplies and Water Conservation
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP TRAN 1 – Access to the Outdoors
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
SG LDP TRAN 6 – Vehicle Parking Provision
SG LDP TRAN 7 – Safeguarding of Airports
Supplementary Guidance 2 (December 2016)
Supplementary Guidance 2 - Windfarm map 1
Supplementary Guidance 2 - Windfarm map 2

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

(ii) List of other material planning considerations taken into account in the assessment of the application, having due regard to Annex A.

- National Planning Policy Framework 3 (NPF3), Scottish Government (June 2014)
- Scottish Planning Policy (SPP), Scottish Government (June 2014)
- The future of energy in Scotland: Scottish Energy Strategy, Scottish Government (December 2017)
- Onshore wind policy statement, Scottish Government (January 2017)
- SNH Review 78 – Landscape assessment of Argyll and the Firth of Clyde (1996)
- SNH Siting and Designing Wind Farms in the Landscape Guidance, (August 2017)
- Guidance for Landscape and Visual Impact Assessment, 3rd Edition, Landscape Institute and Institute of Environmental Management & Assessment, (2013);
- 'Argyll and Bute Landscape Wind Energy Capacity Study' SNH and A&BC (2017);
- The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009)
- Historic Environment Scotland Policy (June 2016)
- Views of statutory and other consultees;
- Planning history of the site;
- Legitimate public concern or support expressed on relevant planning matters

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

(H) Is the proposal consistent with the Local Development Plan: Yes

Author of Report: Arlene Knox

Date: 7th June 2019

Reviewing Officer: Sandra Davies

Date: 7th June 2019

Angus Gilmour

Head of Planning, Housing and Regulatory Services

APPENDIX A – PLANNING LAND USE AND POLICY ASSESSMENT

A. THE SECTION 36 CONSENTING REGIME

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

This report reviews the policy considerations which are applicable to this proposal and the planning merits of the development, the views of bodies consulted by the Scottish Government along with other consultations undertaken by the Council, and 3rd party opinion expressed to the Scottish Government following publicity of the application by them. It recommends views to be conveyed to the Scottish Government on behalf of the Council before a final decision is taken in the matter.

The conclusion of this report is to recommend that the Council does not object to this proposal, subject to consideration of the recommended conditions and mitigation detailed in Section X of this report.

B. SETTLEMENT STRATEGY

The proposal is located within a mixture of: Rural Opportunity Area, Countryside and Very Sensitive Countryside as delineated by the LDP maps for South Kintyre. The access from the public road is located within ROA; the internal access tracks are located in a combination of Countryside, Very Sensitive Countryside and Rural Opportunity Area; and the turbines, crane hardstandings, and all other ancillary development will be located in a combination of Countryside and Very Sensitive Countryside, where they are subject to the effect of LDP policy LDP DM 1.

LDP DM 1 requires proposals to be consistent with all other Development Plan Policies. In this case, it has been demonstrated that the scale and location of the proposal, in combination with other existing and consented large scale turbines, will integrate sympathetically with the landscape, without giving rise to adverse consequences for the visual amenity of its surroundings. For the reasons detailed below in this report, it is considered that this proposal satisfies Development Plan Policy and associated guidance in respect of wind farm development.

Having due regard to the above it is considered that the proposal is consistent with the provisions of LDP DM1 – Development within the Development

Management Zones; SPP (2014); and National Planning Framework 3 in this regard.

C. SUPPORTING THE SUSTAINABLE GROWTH OF RENEWABLES

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

D. LOCATION, NATURE AND DESIGN OF PROPOSED DEVELOPMENT

The site is located approximately 9 km north-west of Campbeltown. The closest villages are Bellochantuy, 2km north-west of the site, and Kilchenzie, 3km south of the site. The site is a combination of forestry and agricultural land currently used for commercial forestry, grazing and renewable electricity generation. The highest point within the application boundary is Cnocan Gean, north-east of the existing wind farm at a height of 200m above Ordnance Datum (AOD). In general, the elevation of the site ranges from about 90 m to 200 m AOD.

Tangy 4 would comprise: 16 wind turbines of up to, but not exceeding, 149.9m tip height with external transformers; hardstanding area at each turbine base with an approximate area of 1,800m²; 3 permanent meteorological masts and associated hardstanding areas; up to 2 site substations (1 new substation and possible retention of the existing substation); an operations control building with parking and welfare facilities; a total 11km of onsite access tracks with associated watercourse crossings (of which approximately 7.4km are new access tracks and 3.6km are upgrades to existing tracks); and an onsite underground cabling.

Infrastructure - During the anticipated 22 month construction phase of the wind farm would also include the following: temporary construction compound and laydown areas (option for on-site concrete batching); temporary meteorological masts; temporary telecoms infrastructure; forest removal and replanting; dismantling of existing turbines and associated reinstatement (turbine bases to ground level and approximately 2.1km of redundant access tracks); and up to 4 borrow pits. The construction and operations access to the site would be from the A83 to the south of the site and connects to Campbeltown and the B842 and B843 roads.

Infrastructure - Scottish Water has no objection to Tangy 4, however, SSE should be aware that this does not confirm that Tangy 4 can be serviced. There are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposal.

Borrow Pits - Suitable locations within the site for 4 borrow pits have been identified. They will provide a source of construction aggregate, which will minimise the amount of material required to be imported to the site. The Council would normally expect these to be the subject of separate mineral consent applications.

Grid Network & Cables - The site substation will step up the voltage for transmission to the grid network. An application has been made to National Grid to provide a grid connection route to the site. Connection to the National Grid is not a matter of land use

policy, however, it should be considered 'in the round' as part of the planning application process.

E. SPATIAL FRAMEWORK FOR WIND FARMS

In terms of the Council's Spatial Framework for wind farms, the proposal is predominantly within a Group 3 area (sites that would be acceptable for wind farms subject to detailed consideration against identified policy criteria) with a small area of Group 2 (areas of significant protection) mapped on the southern side of the existing Tangy 1 and 2 wind farm, designated as such due to the likely presence of class 1 priority peatland habitat. Mitigation proposals to address the potential for significant effects on peatland habitats are provided in the Construction Environmental Management Plan (CEMP) and Peat Management Plan (PMP).

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

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

The EIA Report acknowledges that Campbeltown has a fragile economy and the benefits that renewable energy has to the Argyll and Bute economy. The applicant is committed to utilising local contractors during construction and the contract values are up to £120m. Renewable energy brings opportunities for economic development within Argyll and Bute. This is particularly important for Campbeltown. The associated potential for direct economic benefit and induced employment creation is expected to create moderate and significant beneficial effects at a local scale in Kintyre.

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

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

G. THE SCALE OF CONTRIBUTION TO RENEWABLE ENERGY GENERATION TARGETS

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for wind turbine developments to be assessed against the scale of contribution to renewable energy generation targets. The Scottish Government is committed to increasing the supply of renewable energy within Scotland and in 2018 their Energy Strategy sought to include a new 2030 'whole system' target

for the equivalent of 50% of Scotland's heat, transport and electricity consumption to be supplied by renewable sources. Tangy 4 could generate up to 80MW of renewable electrical energy, which would be a large contribution to renewable energy generation targets.

Having due regard to the above the proposals scale of contribution to renewable energy generation targets has been assessed and it is concluded that the proposal is consistent with the provisions of SG 2; Supplementary LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; SPP (2014); and the Onshore wind Policy Statement (2017) in this regard.

H. EFFECT ON GREENHOUSE GAS EMISSIONS

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for wind turbine developments to be assessed against their effect on greenhouse gas emissions. In respect of Scottish Government policy, The Scottish Government (2018) Climate Change Plan outlines a new interim target of reducing greenhouse gas emissions by 66% by 2032 against the baseline. The EIA report confirms that the expected carbon payback time for the development, is 1.8 years. As part of the development up to 61 MW of additional generation capacity could be provided which will contribute to Scottish Government targets. The proposals are for a sustainable development project and once operational will help to reduce greenhouse gas emissions. Tangy would save approximately 94,611 tonnes of carbon dioxide per year compared to a typical grid mix of electricity supply.

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

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for wind turbine developments to be assessed against impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker. The Environment Protection Officer has provided the following advice:

Noise – in terms of noise, the EHO has taken account of the fact that there are properties with a financial interest in the wind farm (Killarow; Tangy Farm; Tangylee and Tangymoil are listed as financially involved). Cumulative noise impact has also been considered in relation to other wind farms in the vicinity. The general impact of noise on the surrounding noise receptors has also been considered. The EHO is satisfied that the proposal is satisfactory in this regard subject to conditions.

Air Quality - there are no matters considered to pose a threat to ambient air quality objectives. The main potential risk to air quality nuisance is during the construction phase, including dust from vehicles travelling along access tracks. The applicant has stated that a Construction Environment Management Plan (CEMP) will be prepared. This should include plans to control dust etc. and a condition to require compliance with this could be considered.

Lighting - the proposal is unlikely to require significant lighting and given that there are no known sensitive receptors within a reasonable distance of the construction activities, it is not anticipated that light pollution will be a matter to control via planning condition.

Private Water Supplies – only properties within close proximity to the A83 are served by a Scottish Water supply. SSE has undertaken an assessment which identifies private water supplies (PWS) including those that may be in hydraulic continuity with the development activities. Monitoring and mitigation measures to protect PWS should be included within the CEMP. SEPA originally objected to the proposal on the grounds of lack of information provided in regard to the impact of Tangy 4 on PWS. In response to this, SSE confirmed that Tangy 4 does not include any excavation or modification to the existing roads that intersect with PWS buffer area. SEPA have confirmed that they are satisfied with the clarification provided by SSE and have withdrawn their objection.

The Environment Protection Officer recommends that conditions are attached to any grant of planning permission to ensure: control of noise immissions; a report to demonstrate compliance with noise limits; assessment by independent consultant; logging of wind speed, wind direction and power generation data; working methods and operating times for decommissioning of existing wind farm; point of contact for local residents; method statement detailing all mitigation measures to secure the quality, quantity and continuity of private water supplies; and, details of external lighting.

Shadow Flicker - A shadow flicker assessment has been undertaken to consider the maximum tip height of 149.9m and rotor diameter of 130 m. An assessment area of 1,300m around each turbine was considered (10 rotor diameters) and 7 receptors were found within the area potentially susceptible to shadow flicker. The assessment has demonstrated that the likely number of shadow flicker hours experienced at all 7 shadow flicker assessment location (SFAL), taking into account typical sunshine hours for the area, is below 30 hours per year. The highest predicted likely level of shadow flicker at any SFAL is 15.4 hours per year at Killarow Farm. The maximum amount of shadow flicker which could theoretically occur in a single day, not taking into account cloud coverage, is approximately 31 minutes, experienced at Tangy Mill. It is recommended that, in order to protect the amenity of local residents, the turbines be programmed to shut down during periods when shadow flicker could occur. Accordingly, the impact from shadow flicker is predicted to be **not significant**. The Environmental Protection Officer has not raised any concerns in regard to Shadow Flicker.

Having due regard to the above it is concluded that subject to the recommended conditions the proposal will not have any adverse impacts on communities and individual dwellings, including, residential amenity, noise and shadow flicker and subject to the recommended conditions is consistent with the provisions of SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; LDP 9

– Development Setting, Layout and Design; SPP (2014); and the Onshore Wind Policy Statement (2017) in this regard.

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for wind turbine developments to be assessed against any landscape and visual impacts including wild land. SNH have no objection to the proposal on Landscape and Visual Impact grounds and provide the following advice:

The advice of SNH has been sought by the ECU, and advice has been sought from the Council's Landscape Consultant by Officers on the Landscape & Visual Impact of Tangy 4. It is important to note that in terms of the EIA Regulations and for the purposes of the Landscape & Visual Impact Assessment the baseline which has been considered in providing SNH's advice is the existing Tangy 1 & 2 wind farm. This was agreed as the appropriate approach in terms of EIA Regulations at the scoping stage by the ECU. Consequently, the advice provided does not take into account the fact that there is an extant planning permission for 130m high turbines (S42 application granted permission in August 2018). The EIA Regulations only require the current situation on site to be considered, however, the planning history of the site is also a material consideration.

SNH do not object to Tangy 4 on the grounds of Landscape & Visual Impact. SNH have however submitted a detailed response (this may be viewed on the ECU website) to the ECU which highlights concerns they have regarding Tangy 4, including suggested mitigation. It is important to re-emphasise that this advice does not take into account the approval of the S42 application.

SNH advice on Landscape & Visual Impacts – Tangy wind farm is located on the outer edge of the central 'spine of hills on the Kintyre Peninsula, overlooking Machrihanish Bay. This edge is more sensitive to wind farm development due to the close visual relationship with the coast and smaller scale landscapes and greater visibility from settled areas. Tangy is more closely associated with the coast than the interior hills. SNH advise that Tangy 4 is too close to the coast and the turbines too large for this sensitive landscape context. Consequently, the scale of turbine proposed would tend to be perceived as overbearing on the landscape.

In summary, SNH consider that the proposal will result in:

- Significant adverse landscape effects on the character and experience of the landscape including part of Rocky Mosaic (RM), Upland Forest Moor Mosaic (UFMM), Bay Farmland, and possibly Sand Dunes and Machair Landscape Character Types(LCTs);
- Significant adverse visual effects in relation to a wide range of highly sensitive receptors including: scattered settlement, areas visited and enjoyed for recreation, key routes including the A83 and Kintyre Way, coastal waters popular for recreation;
- Significant adverse effect on the views, setting and experience of the West Kintyre APQ; significant adverse cumulative effect in relation to the strategic pattern of large/very large typology wind energy development on the Kintyre peninsula;
- Significant adverse cumulative effect on RM and UFMM LCTs; and significant

adverse cumulative visual effect in relation to specific views/routes.

SNH advice on Mitigation – turbine height and scale would need to be significantly reduced to improve the landscape fit of Tangy 4 and reduce landscape, visual and cumulative impact. In addition, removing/re-siting some turbines away from the west coast is likely to reduce impacts on the coast.

SNH Comparison with existing Tangy 1 & 2 wind farm – the location and scale of Tangy 4 greatly exacerbates the landscape and visual impacts of Tangy wind farm (75m tip). Visibility will be more widespread, seen on both sides of Kintyre and from offshore. It is also a key factor in introducing visibility and adverse effects into the West Kintyre APQ, the settled Glen Lussa/High Peninver area and parts of the Kintyre Way and significantly increasing impacts on a range of routes and places both onshore and offshore. In SNH's view, the scale of turbine proposed would tend to be perceived as overbearing on the landscape.

SNH Comments on Assessment Baseline - SNH consider that the baseline for the LVIA should be without an existing wind farm in this location. However, for clarity and comparison with the LVIA, SNH have based their appraisal on the same baseline used by SSE – with the existing Tangy 1 & 2 wind farm.

SSE provided a rebuttal to the ECU, highlighting some areas of concern they have with the advice provided by SNH. Whilst, SSE, welcome the fact that SNH (subject to conditions) has no objection to Tangy 4, they strongly disagree with conclusions drawn by SNH in regard to their review of the landscape and visual effects (baseline & methodology). It is understood that SSE sought a detailed response from SNH in regard to the specific concerns which they have raised in respect to SNH's assessment of the proposal.

Given the opposing views of SNH and SSE the Council enlisted the advice of an independent Landscape Consultant. Initially, based on the LVIA assessment of a baseline of Tangy 1 and 2 the Council's Landscape Consultant (CLC) supported the advice of SNH. However, following receipt of the initial consultee advice further clarification was sought from the CLC in regard to the specific difference between Tangy 3 S42 and 4, rather than Tangy 1 & 2 and 4. Comparative visualisations were produced for VP 11 High Peninver; VP 19 Drumlemble; VP 6 Machrihanish; and VP 2 Glenbarr War Memorial and the CLC comments may be summarised as follows:

- VP11 (High Peninver) – The differences between Tangy 3 S42 and 4 are appreciable but unlikely to be significant.
- VP19 (Drumlemble) – The combination of a stacked layout and the size of turbines are key problematic features of both the Tangy 3 S42 and 4 schemes in this view.
- VP6 (Machrahanish) – While the Tangy 4 proposal will lie relatively close to the Bay Farmland LCT, this landscape is less sensitive than the raised beach coast of the Rocky Mosaic LCT lying on the west coast of Kintyre (where VP1, is located). Factors which reduce sensitivity in the Bay Farmland LCT include the relative simplicity and broad extent, the presence of larger semi-industrial buildings associated with the airport and existing full visibility of the operational Tangy wind farm.
- VP2 (Glenbarr Memorial) – Cumulative effects with the operational Auchadaduie and consented Blary Hill wind farms are paramount here such that the differences between Tangy 3 and 4 may be less of an issue.

- VP1 (A83) - it is clear that Tangy 4 will significantly worsen effects on the appreciation of the highly sensitive raised beach cliff in this area. The larger turbines of Tangy 4 would increase the extent of hubs and blades visible. The design of both Tangy 3 and 4 is poor in this respect and turbines 1, 3, 6, 7 and 8 should have been omitted or relocated to avoid visibility directly above the pronounced and highly sensitive raised beach scarp which form a focus when travelling south on the A83.

When comparing the S42 approval and the current application the CLC considers that there would be fewer significant effects than concluded in SSE's LVIA as the baseline is different. Having reviewed the visualisations the CLC considers that there would be a significant change from 4 VP's – VP's 1, 2, 6 and 19.

The CLC advised that most wind farms will incur significant adverse visual effects and it is the nature, severity and number/extent of these effects that need to be considered, together with other environmental, policy and economic factors, when making judgments on acceptability. Although significant and widespread effects would occur from the Machrihanish coast and across the Bay Farmland, landscape and visual sensitivity is reduced in this area to some degree due to the presence of large semi-industrial buildings and the simplicity of the landscape. In the CLC's opinion, the raised beach scarp experienced from the A83 is the most concerning aspect of Tangy 4.

Argyll & Bute Landscape Wind Energy Capacity Study (LWECS 2017) – The locational guidance contained within the LWECS is for new sites and is not applicable to existing wind farms, and the LWECS gives support to repowering. Tangy is a long standing wind farm and the principle of wind farm development in this area has been accepted most recently by the approval of the Tangy S42 application.

The LWECS gives consideration to opportunities for repowering existing wind farm developments. In this respect it notes, "There may be some very limited opportunities to accommodate wind turbines between 130 m and 150 m high as part of repowering of existing wind farms sited within the central part of the Kintyre peninsula. However, more detailed assessment would be needed to fully consider potential effects on key sensitivities including cumulative effects with other wind farms. Any increases in the size of turbines should not result in considerably more widespread and significant effects arising on coastal fringes on the east and west sides of the peninsula and on Gigha and/or Arran."

It also notes that, "Redesign of wind farm developments as part of the repowering process, including altering the layout/number of turbines, may offer opportunities to avoid exacerbating effects on adjacent more sensitive landscapes and on views and reduce cumulative effects."

The LWECS identifies a number of sites which are considered as unsuitable for repowering due to their location. These sites do not include Tangy, although it should be noted that the LWECS baseline included Tangy as a repowered site (consented Tangy 3)."

This proposal constitutes the redesign and repowering of an existing site, which accords with the repowering principles of the LWECS in that it takes the pressure off locating wind farm development on undeveloped sites elsewhere.

Conclusion

Having reviewed and compared the photomontages, wirelines and comparative ZTV for Tangy 3 S42 (130m) and Tangy 4 (149.9m) officers do not consider that the difference between Tangy 3 S42 (130m) and Tangy 4 (149.9m) is significant. It is noted that the landscape professionals have approached this in a different manner, as they have compared Tangy 1 & 2 (75m) with Tangy 4 (149.9m) (as they are required to do in terms of the EIA Regs). However, the difference between Tangy 3 S42 and Tangy 4 is a material consideration in planning terms. This is why Officers sought advice from the Council's Landscape Consultant on the difference between Tangy 3 S42 and Tangy 4. The Council's Landscape Consultant concludes that there are some significant changes between the approved Tangy S42 and the Tangy 4 schemes although these are unlikely to be widespread in number and extent.

Landscape Impact – The existing operational Tangy wind farm has a landscape impact on the area, which would be expected of any development of this nature, due to its scale. The proposal is located within the Upland Forest Moor Mosaic Landscape Character Type, adjacent to the Rocky Mosaic and Bay Farmland Landscape Character Types. However, as a consequence of the existence of Tangy 1 & 2, wind turbines are now a feature of this landscape, therefore, the proposed development would not introduce a new characteristic. Generally the Upland Forest Moor Mosaic has more capacity for change. The positives of the proposed site are that the existing wind farm is a well-established part of the local landscape and not an unusual site in this part of Kintyre. It is also a positive that the proposed turbines are being moved away from the coast and there are going to be less of them which helps to compensate for the increase in height. It is concluded that the proposal will not result in significant adverse landscape effects on the Upland Forest Moor Mosaic. The Bay Farmland LCT is considered less sensitive to the proposed development. Factors which reduce its sensitivity include its relative simplicity and broad extent, as well as the presence of larger semi-industrial buildings associated with the airport and existing full visibility of the operational Tangy wind farm. VP6 (Machrahanish) is representative of the landscape impact from the Bay Farmland LCT. It is concluded that the proposal will not result in significant adverse landscape effects on the Bay Farmland LCT. The proposal does however have the potential to worsen the already accepted impact on the Rocky Mosaic LCT (accepted by approval of Tangy 3 and Tangy 3 S42). This impact is evident from VP 1, where the turbines of Tangy 3, Tangy 3 S42 and Tangy 4 are all visible above the raised beach scarp. Consequently, it has been suggested that the Energy Consents Unit consider mitigating this effect in their determination of the proposal. The fact that this impact has already been accepted by the historic approvals, it is not considered that this warrants sufficient justification to object to the proposal. It is noted that SNH consider that the proposal will have significant adverse landscape effects. However, it is important to remember that this advice is based on a comparison of the operational wind farm with Tangy 4, and does not take into account the existing planning permission for 130m high turbines. The difference between this and the Tangy 4 proposal is not considered to be significant in landscape terms.

Visual Impact – The existing operational Tangy wind farm has an existing visual impact on the area. Having considered the various viewpoints it is not considered that the proposal will result in significant adverse visual effects. For example, from VP 2 Glenbarr War Memorial, which is representative of views from northern Glenbarr settlement and receptors visiting the war memorial or travelling along the A83; the principal view for travellers is in the direction of travel (i.e. north or south). Main views for other receptors at this location are panoramic, but focussed south and north. It is agreed that cumulative effects with the operational Auchadaduie and consented Blary Hill wind farms are paramount here such that the differences between Tangy 3 and 4 is less of an issue. From VP 6 Machrihanish (Little Scone), which is representative of views from Machrihanish settlement, taken from a coastal location by Little Scone and

the B843, to the south-west of the proposal. Main views are to the north across Machrihanish Bay along the sandy beach and west coastline of Kintyre. Views include scattered properties along the distant coast and more concentrated development visible at Campbeltown airport and RAF Machrihanish. The southern edge of Kintyre's interior upland forms the skyline beyond with large blocks of conifer woodland and the existing Tangy 1 and 2 Wind Farm visible on the skyline. It is considered that the visual impact from this area is acceptable, due to the existence of semi-industrial buildings associated with the airport and full visibility of the operational Tangy 1 and 2. From VP 11 High Peninver, which illustrates views from a rural glen and local road to the east of the proposal. Main views are channelled along the valley and local road to the east and west. Views to the east are towards the sea and Arran. Views to the west are up the valley towards higher hills, looking across fields of open pasture and woodland blocks near the Lussa Water and scattered farmsteads. The Glen Lussa power station and associated pipeline are visible on the valley floor, and wood pole lines pass through the valley in a variety of directions. Coniferous plantation has been planted on the valley slopes and can be seen extending along the upland interior to the north. The existing Tangy 1 and 2 Wind Farm is not visible, however, Tangy 3 and Tangy 3 S42 do have visibility from here. The differences between Tangy 3 S42 and 4 is not considered to be significant from this viewpoint. From VP 19 Drumlemble, which illustrates views from northern periphery of Drumlemble settlement on the A83 road, to the south of the proposal. This viewpoint is at a roadside bus stop within a settlement south of the proposal. Orientation of properties within the settlement is such that the main view is north across Aros Moss. This includes flat, low-lying and open pastoral fields with occasional farmsteads and Kintyre's upland interior beyond the distinct hills which mark its southern extent. Campbeltown Airport and existing turbines at Tangy 1 and 2 are also in this view. The combination of a stacked layout and the size of turbines are key problematic features of both the Tangy 3 S42 and 4 schemes in this view. These four viewpoints used as examples are representative of scattered settlement, areas visited and enjoyed for recreation, and key routes. It is noted that SNH consider that the proposal will have significant adverse visual effects. However, it is important to remember that this advice is based on a comparison of the operational wind farm with Tangy 4, and does not take into account the existing planning permission for 130m high turbines. The difference between this and the Tangy 4 proposal is not considered to be significant in visual terms. This said mitigation is recommended to be considered by the ECU for VP 1 (A83 at Glenbarr Burial Ground) which is representative of views from the A83 road in the West Kintyre APQ, following the advice of SNH and the Council's Landscape Consultant.

SNH and the Council's Landscape Consultant have been consulted and have no objection to the proposal. Both, however, suggest that mitigation should be considered to lessen the impact of the proposal on the raised beach (as evidenced by VP 1). In light of this, it is recommended that the Council should not object to the proposal on the grounds of landscape and visual impact (including cumulative impacts) subject to consideration of potential implementation of the suggested mitigation measures prior to the Energy Consents Unit reaching a decision on the application.

Having due regard to the above it is concluded that the proposal will not have adverse landscape and visual impacts and is therefore consistent with the provisions of SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 –Landscape; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout

and Design; of the Argyll & Bute Local Development Plan; SPP (2014); and the Onshore wind policy statement, (2017).

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

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

Ecology Advice from SNH

Ecology - a full suite of ecological surveys was undertaken to support Tangy 3 with an updated extended Phase 1 habitat survey undertaken to confirm ecological conditions at the site. The footprint of Tangy 4 remains unchanged from that presented and assessed in the Tangy 3 ES (2014). SNH agree with most of the assessment of ecological impacts within the EIA Report and with the mitigation measures that it proposes, and recommend that these be incorporated into any approval of this proposal.

Badgers - SNH are content with the mitigation measures set out in the Badger Protection Plan. SNH note that the Habitat Management Plan (HMP) for the site details that “*woodland creation would be targeted along burn sides and around the badger setts identified within the ecological study area*”. However when comparing the replanting figure to the location of the known badger setts (Confidential Annex), it appears as though the area around the setts will actually be replanted with Sitka spruce. **SNH therefore strongly recommend that the Replanting Figure is corrected to reflect the locations of the known badger setts within the site.**

SSE is pleased to note that SNH agrees with most of the assessment of ecological impacts within the EIA Report and agrees in principle that the mitigation measures can be incorporated (by appropriately worded condition) into the approval of this proposal.

Habitat Management Plan (HMP) – SNH advised that the HMP is very concise. As a result it lacks some important detail. Should Tangy 4 be approved, SNH would expect a more detailed HMP to be produced.

SSE is disappointed with the overly negative response from SNH on the proposed HMP and would note that there is no requirement for the HMP to address likely significant effects, as these have been avoided through good design. SSE welcomes the fact that SNH, subject to necessary conditions being implemented, has no objection.

Protected Areas - Tangy Loch SSSI & Kintyre Goose Roosts SPA – Tangy 4 lies close to the Kintyre Goose Roosts SPA and the Kintyre Goose Lochs SSSI (the Lussa Loch component) and to Tangy Loch SSSI. **SNH object unless the proposal is subject to conditions** in relation to Tangy Loch SSSI. SNH also provide advice in relation to the Kintyre Goose Roosts SPA which, in their view, would not be adversely affected by the proposal. Due to the status of the site the Energy Consents Unit will be required to undertake an Appropriate Assessment under the Habitat Regulations. SNH advise that, in their view, based on the information provided and appraisal carried out to date, the proposal will not adversely affect the integrity of the site. The appraisal SNH carried out considered the impact of the proposal in relation to collision risk, disturbance and displacement effects.

SSE acknowledges the SNH request for a condition to deliver appropriate mitigation to protect Tangy Loch SSSI from water quality impacts potentially arising from construction or peat slide. Appropriate good practice mitigation measures, identified through detailed intrusive ground investigations, will be included in the Construction Environmental Management Plan (CEMP).

RSPB Scotland does not object but recommends suitable conditions are applied to prevent disturbance to Greenland white-fronted goose (GWFG). RSPB would also welcome management for key species within this area. RSPB ask that if consent is given, particularly if in perpetuity, that a habitat management plan (HMP) and group (with funding) is established to deliver biodiversity improvements alongside the wind farm throughout operation and decommissioning.

SSE provided further comments in response to RSPB's response and these relate to: Greenland white-fronted goose (GWFG); Hen Harrier, Black Grouse, Curlew, and the Peatland and habitat management. In summary, due to the low impacts of the project and the limited species present, SSE feels that the mitigation proposed in the EIAR is proportionate to the potential effects identified. SSE also do not consider that further management as part of the proposed HMP or a Habitat Management Group (with funding) would be necessary, or required by condition, in this case.

Forestry - Forestry Commission Scotland (FCS) object on the basis that a lack of information has been provided in regard to compliance with the UK Forestry Standard (UKFS) in regard to species diversity, peat depth and restocking, forest landscape design and nutrient enrichment. FCS also object unless a condition to ensure compensatory planting plan (CP) is included with any consent.

SSE responded to the points made by FCS. Whilst, SSE are disappointed to note that FCS raise an objection on the basis of lack of information on UKFS compliance. However, SSE welcome FCS engagement with their forest advisor and note recent advice from the Scottish Government Energy Consents Unit (ECU). As such, SSE have provided clarification on: Forest Plan Consent; Compensatory Planting; UKFS Compliance; Peat Depth; Forest Landscape Design; Nutrient Enrichment; and Land Management Plan which SSE anticipate will allow FCS to remove their objection. Taking account of these clarifications, SSE hope that FCS remove their objection to Tangy 4. At time of writing the FCS objection has not been withdrawn.

The Council's Local Biodiversity Officer (LBO) has no objection and welcomes the provision for a Construction Environment Management Plan (CEMP) and the associated action plans for ecological and conservation interests overseen by an Ecological Clerk of Works for the proposed construction and de-commissioning process. The LBO also asks that all staff have been given Toolbox talks based on the content of the CEMP on sensitive ecological and ornithological issues.

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

(January 2017); The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009);

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

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

SNH advice on Peatland - SPP identifies "carbon rich soils, deep peat and priority peatland habitat" as nationally important interests for which planning authorities should develop spatial frameworks. Also that "Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation" SPP also recognises that "Areas identified for wind farms should be suitable for use in perpetuity." Although the area of blanket bog (as opposed to afforested peatland) within the site is small, it is disproportionately affected by the proposal. There is also a sufficient range of peat depths and habitats over relatively short distances to allow for micrositing, or movement of infrastructure over slightly larger but still quite small distances, to avoid sensitive habitats and areas of deep peat. SNH recommends that detailed habitat and peat depth surveys be undertaken.

Peat Stability Risk Assessment (PSRA) - The PSRA for Tangy 4 is identical in all substantive ways to the PSRA for Tangy 3. Some changes have been made facilitate cross-referencing to the Tangy 4 Figures, but otherwise there has been very little revision. No new data has been incorporated. SNH recommend further clarification, and site investigation following tree removal to determine more accurately the peat slide risk associated with all infrastructure.

SSE strongly disagrees with the SNH advice that Tangy 4 proposal 'disproportionately' affects peatland habitats. It is agreed that further analysis of peatland condition and the potential for instability risk would be required following tree removal and that this may be subject of a suitably worded condition. SSE notes that AM Geomorphology is providing advice to Scottish Ministers on these issues and has discussed with them, the 'minor revisions' required, to provide the required clarification. Officers note that AM Geomorphology's most recent consultee response confirms that they are now satisfied that a satisfactory assessment of peat landslide risks has been undertaken.

Spatial Strategy (SPP & SG2) - The site is located predominantly within a Group 3 area (sites that would be acceptable for wind farms subject to detailed consideration against identified policy criteria) with a small area of Group 2 (Areas of significant protection) mapped on the southern side of the existing Tangy 1 and 2 wind farm, designated as such due to the likely presence of class 1 priority peatland habitat. Mitigation proposals to address the potential for significant effects on peatland habitats are provided in the Construction Environmental Management Plan and Peat Management Plan.

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

Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; SPP (2014); Onshore wind policy statement, (January 2017).

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

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

Walking, Cycling and Horse Riding - The Walkhighlands website lists 17 walks in the Kintyre peninsular, including The Kintyre Way.

The Kintyre Way - is a long-distance path and is the only designated path located in the vicinity of Tangy 4. The path provides walkers with access to the entire length and breadth of the Kintyre peninsula and is approximately 144 km long. The current route of the Kintyre Way passes through the study area to the west of Lussa Loch. A section of the Kintyre Way is also designated as a proposed core path (C088: Campbeltown to Cloanig). This section is approximately 53km in length. During consultation between the applicant and The Kintyre Way, the possibility of re-routing the path partially through the proposed development was investigated in relation to the Tangy 3 application (2014).

Core paths within the south-east section of the study area include: C084 – Campbeltown to Stewarton (2.7 km in length); C086 – Machrihanish to West port (6.2 km in length); C087 – Sound of Kintyre housing to beach (1.7 km in length); C447 – Darlochan to Stewarton (1.5 km in length); C448 – Stewarton to Clochkeil, Campbeltown (4.1 km in length); and C085 – Stewarton to Machrihanish (7km in length).

Rights of Way - there are no rights of way within the study area.

National Cycle Route 78 (the Caledonia Way) - passes through the Kintyre peninsula, connecting Inverness in the north to Campbeltown in the south. At its closest point, the route is approximately 8.9 km from Tangy 4. The cycle route is approximately 381km long and passes to the east of Tangy 4 via the B842 (Sustrans, 2018).

Formal Cycleways or Equestrian Routes - there are no formal cycleways or equestrian routes within the study area, however it has been assumed that the Kintyre Way may be used by cyclists and equestrians, subject to standing restrictions during lambing and when shooting activities are taking place.

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

of the Argyll & Bute Local Development Plan; SPP (2014); Onshore wind policy statement, (January 2017).

N. IMPACTS ON THE CULTURAL HERITAGE, INCLUDING SCHEDULED MONUMENTS, LISTED BUILDINGS AND THEIR SETTINGS (INCLUDING CUMULATIVE IMPACTS)

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

Historic Environment Scotland (HES) note that the EIA report identifies 2 significant operational effects on the following scheduled monuments: *Tangy Loch*, *Fortified Dwelling* and *Killocrow Cairn*. HES are content to concur with the conclusion identified in the EIA report of a significant effect on the setting of these assets. HES consider that while significant the effects do not adversely affect the integrity of the setting of these scheduled monuments and therefore are not of such an order that warrant objection from HES.

Mitigation - HES note the proposed mitigation strategy in the form of a survey of archaeological features located in the north of the site, including a group of 15 shielings on the banks of the Allt nan Creamh burn, hut circles and a cup marked stone. While HES welcome this proposal in general, they do not consider that this addresses the significant impact predicted on the setting of Tangy Loch or Killocrow Cairn. Also, any potential gain would not directly relate to the key heritage assets in question. This type of mitigation can only be considered to offset the effect of Tangy 4, rather than to avoid or reduce it. This mitigation proposal is therefore at the lower end of the mitigation hierarchy. In lieu of a preferred mitigation strategy, HES reiterate their comments from a previous consultation. HES recommend that the turbine nearest to Tangy Loch (Turbine 5) should be relocated to reduce the adverse impact upon *Tangy Loch*, *Fortified Dwelling*. For the same reason, consideration should also be given to the relocation of borrow pit search areas depicted adjacent to Turbines 4 and 5.

HES position - While the proposal would result in a change to the impact on the above monuments, this impact is not significantly different from that assessed in their previous consultation response. The turbines would be located in the same locations as those of Tangy 3 and, while the impact is increased by these turbines being 19.9m taller than those consented, this impact is not so significant that HES would object. At time of writing no response has been received from the West of Scotland Archaeology Service.

Having due regard to the above subject to the mitigation recommended by Historic Environment Scotland it is concluded that the proposal will not have any adverse impacts on the historic environment, including scheduled monuments, listed buildings and their settings and is therefore consistent with the provisions of SG LDP ENV 15 – Development Impact on Historic Gardens and Designed Landscapes; SG LDP ENV 16(a) – Development Impact on Listed Buildings; SG LDP ENV 19 –Development Impact on Scheduled Ancient Monuments; SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan; SPP (2014); the Onshore Wind Policy Statement and Historic Environment Scotland Policy (2016) in this respect.

O. IMPACTS ON TOURISM AND RECREATION (INCLUDING CUMULATIVE IMPACTS)

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

Visit Scotland's response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors. VisitScotland conclude that given the importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the Tangy 4 on tourism - whether visually, environmentally and economically - be identified and considered in full. VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity. VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

Scotways - wish to object to the fact that permission is being sought in perpetuity. While we can understand that the site has been in use for power generation over a good number of years, the long-standing approach for wind power is that development is time-limited. This bid to set aside the conventional approach also has wider policy implications. Our advice is to recommend that the Scottish Government continues the approach of wind power consents being time-limited.

SSE responded to the Scotways consultee advice and note that Scotways object to the application seeking consent in perpetuity, although SSE welcome that you do not object to the Tangy 4 redevelopment proposal itself. SPP states, 'Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited, but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities' (Scottish Government, 2014). In line with SPP, the site has been assessed by SSE on the basis of it being suitable for a wind farm in perpetuity. While accepting that the policy goes on to say that permissions for wind farms "may" be time-limited, it is considered such a condition would be unnecessary here. If granted, the consent and permission would normally include suitable conditions to deal with any requirements for decommissioning of turbines (e.g. where turbines have not been in use for a certain period) and site restoration.

The Council also regards landscape as being a particularly valued asset both in terms of its intrinsic qualities and in terms of its value to the tourism economy. For all types of development the maintenance of landscape character is an important facet of decision-making in the countryside in Argyll and Bute, regardless of the scale of development proposed. The Council's Local Development Plan Policy LDP 6 identifies impacts on tourism and recreation as a material consideration in the assessment of wind turbine developments on the basis that inappropriate developments with significant adverse effects which contribute to the degradation of landscape character are unlikely to be in the interests of the Argyll tourism economy.

Having due regard to the above, in terms of the impacts on tourism and recreation it is considered to be consistent with the provisions of: SG LDP TRAN

1 – Access to the Outdoors; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs); SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.

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

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

This Ministry of Defence (MOD) has confirmed that it has no objection subject to a condition to ensure that turbines are fitted with MOD accredited aviation lighting. Highlands and Islands Airports Limited (HIAL) advise that at the given position and height, this development would infringe the safeguarding surfaces for Campbeltown Airport, and that a red aviation warning light will be required to be fitted at the hub height of some of the turbines. Provided that this condition is met HIAL would be unlikely to object to this proposal. National Air Traffic Services (NATS), Glasgow Airport and Glasgow Prestwick Airport have confirmed that they have no safeguarding objections.

The MOD, HIAL, NATS, Glasgow Airport and Glasgow Prestwick Airport have been consulted and have no objection subject to conditions. Providing these conditions are attached in the event that the proposal obtains planning permission it is recommended that the Council should not object to the proposal on the grounds of impacts on aviation, defence and seismological recording (including cumulative impacts).

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on aviation and defence interests and seismological recording and is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables and SG LDP TRAN 7 –Safeguarding of Airports of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.

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

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

BT have confirmed that the proposal should not cause interference to their current and presently planned radio network and they have no objection to the proposal. The Joint Radio Company Limited (JRC) have confirmed that the proposal is cleared with respect to radio link infrastructure operated by: The Local Electricity Utility and Scotia Gas Networks.

Both BT and the JRC have been consulted on the proposal and have no objection. It is recommended that the Council should not object to the proposal on the grounds of impacts on telecommunications, broadcasting installations and transmission links (including cumulative impacts).

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on aviation and defence interests and seismological recording and is therefore consistent with the provisions of SG 2, Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.

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

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

Transport Scotland (TS) comments on Tangy 4 proposal - TS note that the construction of Tangy 4 will also involve the removal of the existing Tangy 1 and 2 turbines. The EIA report indicates that, as the new turbines to be installed for Tangy 4 are larger than those being removed, the swept path analysis that has been conducted for the transport of the new turbines will cover the removal of the existing turbines and no specific assessment needs to be conducted. TS is generally in agreement with this approach as the new turbine components will be far bigger than the original components being removed. This all assumes that the reverse route is to be used for turbine removal. If this is not the case then an assessment of any alternative route (north) would need to be considered.

Access Strategy - The EIA report indicates that turbine components would be transported from Campbeltown Harbour via the A83 and then via minor roads to the site. TS note that timber haulage from the site will access the A83 at Kilchenzie, via a temporarily upgraded route. The site access junction will be on the local road network and, as such, is a matter for Argyll and Bute Council. TS has no further comment to make in this regard.

Assessment of Environmental Impacts - An assessment of the impact of construction-related traffic on the A83 has been carried out in accordance with the Institute of Environmental Management and Assessment (IEMA) Guidelines. These specify that road links should be taken forward for further detailed assessment of environmental impacts if: traffic flows will increase by more than 30%, or the number of HGVs will increase by more than 30%, or Traffic flows will increase by 10% or more in sensitive areas. The EIA report indicates that HGV traffic on the A83 north and south of the unnamed road to the site is predicted to increase by 29% and 28% respectively on concrete pouring days. TS note that concrete pouring will occur on 16 non-consecutive days spread over a 4 month period and, outwith these 16 days, the increase in HGV traffic is predicted to be a maximum of 7% for the remainder of the duration of construction. It is concluded within the EIA that, as the IEMA Guidelines upper threshold of 30% will not be exceeded at any time, the overall impact on receptors on the A83 can be considered negligible and that this effect will be minor and not significant. TS is in agreement with this conclusion and is content that the interests of the trunk road network have been considered appropriately.

Abnormal Load Route Assessment - An abnormal load route assessment (ALRA) has been carried out and is provided in the EIA report. This is a desk-based assessment which includes a swept path analysis. In addition, TS note that a site visit and route drive-over were undertaken in February 2018 to verify the results of the initial swept path analysis and confirm the identified points of constraint. It is noted that the turbine blade length assumed in the assessment is 65m and that this resulted in the identification of 20 points of constraint along the proposed route between Campbeltown Harbour and the site entrance. Of these 20 points, TS note that points PC/04 to PC/09 are located on the trunk road and that these pinch points will require mitigation varying from checking wall heights to relocating lighting columns and installing load bearing surfacing. TS would note that agreement with the Network Area Manager for the A83 works will be required prior to any works commencing. TS would request that contact be made at the appropriate stage to discuss the level of information that will be required for the technical approval process associated with undertaking works on the trunk road network.

Traffic Management Plan (TMP) - An outline TMP has been produced. While a review of this document has been undertaken and considered it to be acceptable at this stage, TS note that it states that it should be considered as a draft TMP for approval and is subject to further consultation. In addition, it states that the turbine and transport vehicle dimensions will be defined once the candidate turbine supplier is identified and that this information will define the finalised tower, blade and component delivery vehicle dimensions. These will be used to define the final clearance envelope required along the delivery route. TS would ask that the finalised document be forwarded to them for discussion and agreement prior to any works commencing on site.

Having reviewed the assessments, TS has no objection to the proposal subject to conditions to ensure that: prior to commencement of deliveries to site, the proposed route for any abnormal loads on the trunk road network is approved by the trunk roads authority prior to the movement of any abnormal load. Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved. Reason: To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development; and that, during the delivery period of the wind turbine construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised QA traffic management consultant, to be approved by TS before delivery commences. Reason: To ensure that the transportation will not have any detrimental effect on the road and structures along the route.

Transport Scotland (TS) (response to additional information) – TS note that the additional information comprises a document entitled '*Long Term Forest Plan*' which it is understood was omitted from the submission made on 6th September 2018. Having reviewed this information, TS have confirmed that the additional information does not alter their previous response

The Council's Roads Engineer advises that the applicant should be made aware that: there will be no financial contributions from the Council towards work required to facilitate the works or to make good any damage directly attributable to the construction of the wind farm; that the applicant should be made aware that they will be responsible for making good any damage to the public road which is directly attributable to the construction of the wind farm; Transport Scotland should be notified as there is work to be carried out adjacent to the A83 Trunk Road; damage to the existing carriageway

may occur which is directly attributable to the works; and Roads and Amenity Services will require a carriageway reconstruction detail for making good any damage.

The Council's Roads Engineer does not object to the proposal subject to conditions to ensure that: a Traffic Management Plan (TMP) is submitted for approval by Roads & Amenity Services (R&AS), prior to any work starting on site (The TMP should include details of all materials, plant, equipment, components and labour required during the construction, operation and decommissioning phase); a detailed Method Statement (MS) is provided in relation to access and transport of materials, plant and equipment (MS to be submitted for approval by R&AS prior to any work starting on site); new passing places and signs to be provided and existing passing places to be extended where required (locations and construction details to be agreed with R&AS prior to any work starting on site); carriageway widening to be carried out (locations and construction details to be agreed with R&AS prior to any work starting on site); sections of temporary carriageway widening to be soiled and seeded on completion of construction works, to the satisfaction of R&AS; the applicant to inspect and submit a report which identifies areas of road which will be vulnerable to the proposed traffic loading (the report will include an assessment of any culverts or other structures and measures to mitigate against likely damage - details of the report to be agreed with R&AS prior to any work starting on site); a detailed condition survey to be carried out between the A83 and the application site prior to any work starting on site (the condition survey to be recorded by means of video and photographs and a copy of the video and photographs to be submitted to R&AS for approval; the Public Road between the A83 and application site to have inspections carried out on a weekly basis to ensure the carriageway remains in a safe condition (details of inspection to be agreed with R&AS prior to any work starting on site; a Section 96 Agreement will be required; and applicant to provide a standard detail for carriageway reconstruction, for approval by R&AS prior to any work starting on site. In addition, the Council's Road Engineer advises that a Section 56 Roads Opening Permit will be required, and that no surface water will be allowed to discharge onto the public road.

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

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on road traffic and adjacent trunk roads and is therefore consistent with the provisions of SG2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes of the Argyll & Bute Local Development Plan, SPP and the Onshore Wind Policy Statement in this respect.

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and SPP require applications for wind turbine developments to be assessed against effects on hydrology, the water environment and flood risk. The EIA Report considers surface water associated with the construction, operation and decommissioning of the proposal. It has considered the potential for significant effects on surface water quality, fisheries and recreation, flood risk, public water supplies and private water supplies (PWS). The EIA Report concludes that, with

the exception of PWS source locations within 250m of the Tangy 4 proposal, there would be no potential for significant effects.

It is recommended that the Council should not object to the proposal on the grounds of impacts hydrology, the water environment and flood risk (including cumulative impacts)

Having due regard to the above it is concluded that effects on hydrology, the water environment and flood risk have been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and SPP require applications for wind turbine developments to be assessed against the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration. There are 2 decommissioning aspects to consider as part of this repowering application: the decommissioning of Tangy 1 and 2 to enable the construction of Tangy 4; and the ultimate decommissioning of Tangy 4 at the end of its operational life.

Decommissioning and Reinstatement of Tangy 1 and 2 wind Farm - decommissioning and reinstatement of Tangy 1 and 2 will comprise: removal of the 22 existing wind turbines and towers to ground level; reinstatement of turbine bases/foundations; and removal of approximately 2.2km of access tracks and reinstatement of former track routes. The decommissioning of the existing turbines will need to be managed in order to ensure that no significant impact on the environment occurs. Environmental management for the decommissioning of Tangy 1 and 2, and the construction of Tangy 4 is described in detail in the CEMP and in the EIA report. It is possible that the existing substation would be retained and used as part of Tangy 4, so decommissioning of the substation and associated buildings is not described. It is not proposed to re-use the existing electrical cables that are in place as part of the Tangy I and II infrastructure, however, to minimise ground and habitat disturbance it is not proposed to remove them, and they will be left in situ.

Decommissioning of Tangy 4 - The decommissioning period for a wind farm of this size is estimated to be 6 months. Following the period of wind farm operation, decommissioning of the wind farm will be undertaken or the site would be repowered. When decommissioning is required, this is anticipated to involve: dismantling and removal of the turbines, met masts and site substations and operations buildings and removal to 1m below ground level of the turbine and met mast foundations. Detailed decommissioning proposals will be established and agreed with relevant authorities prior to commencement of decommissioning activities. This will take cognisance of guidance available at the time. The decommissioning effects have been taken into account in each of the specialist assessments contained in the EIA report.

It is recommended that the Council should not object to the proposal on the grounds of the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.

Having due regard to the above it is concluded that the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration has been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.

U. OPPORTUNITIES FOR ENERGY STORAGE (INCLUDING CUMULATIVE IMPACTS)

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and SPP require applications for wind turbine developments to be assessed against any opportunities for energy storage which exist.

This proposal does not include any energy storage infrastructure. Clarification on this has been sought from SSE who have advised that they are very interested in the opportunities around energy storage and have noted suitable locations on site. However, it has not been included in this particular application as it is still at an early stage. A battery storage facility would have several benefits: when the local grid network is not able to absorb the additional wind power created by a quick wind speed increase the battery storage facility would catch this extra generation and then store it in the batteries and release back onto the grid when possible; it provides predictable and consistent power to the local grid network. The battery storage facility would have the ability to smooth out any short-term wind peaks and troughs; and Frequency Regulation - this allows the wind farm to store energy in the battery storage facility in order to immediately and precisely respond to changes in load, further improving turbine generation flexibility.

It is recommended that the Council should not object to the proposal on the grounds of opportunities for energy storage (including cumulative impacts) as they have been considered. However, in light of the requirements of both National and Local Policy on wind farm development proposals it is considered by the Council that this matter should be explored further by the Energy Consents Unit prior to the application being determined.

Having due regard to the above it is considered that opportunities for energy storage have been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and SPP require applications for wind turbine developments to be assessed against the need for a robust planning obligation to ensure that operators achieve site restoration. The decommissioning of the project is detailed in the EIA Report, which notes that the reinstatement of the site at the end of its lifespan will form a condition as part of any decision notice. It is recommended that this matter is covered by planning conditions or a legal agreement consistent with other

projects across Argyll & Bute in the event that the proposed development obtains consent from the Energy Consents Unit.

It is recommended that the Council should not object to the proposal on the grounds of the need for a robust planning obligation to ensure that operators achieve site restoration (including cumulative impacts).

Having due regard to the above it is concluded that opportunities for a robust planning obligation to ensure that operators achieve site restoration have been considered and the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.

W. Scottish Planning Policy, the Scottish Energy Strategy & Onshore Wind Policy Statement 2017

Scottish Planning Policy - Scottish Planning Policy states at paragraphs 170 and 174:

Paragraph 170 - Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.

Paragraph 174 - Proposals to repower existing wind farms which are already in suitable sites where environmental and other impacts have been shown to be capable of mitigation can help to maintain or enhance installed capacity, underpinning renewable energy generation targets. The current use of the site as a wind farm will be a material consideration in any such proposals.

The Scottish Energy Strategy (SES) 2017 - The SES was published in December 2017 and sets out the Scottish Government's (SG's) strategy through to 2050, marking a '*major transition*' over the next 3 decades in terms of energy management, demand reduction and generation. The SES sets 2 new targets for the Scottish energy system by 2030: The equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources; and, an increase by 30% in the productivity of energy use across the Scottish economy. The SES recognises that reaching the 50% target by 2030 '*will be challenging*' but the target demonstrates '*the SG's commitment to a low carbon energy system and to the continued growth of the renewable energy sector in Scotland*'. These energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland's future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand. The Statement goes on to state that: '*This means that Scotland will continue to need more onshore wind development and capacity, in locations across our landscapes "where it can be accommodated"*'.

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

"The Scottish Government's position remains one of clear support in principle for repowering at existing sites. This is on the grounds of its potential to make the best use of existing sites, and — through the continued use of established infrastructure, grid

connections and strong wind resource — provide a cost effective option to deliver our renewable and decarbonisation targets.”

Having due regard to the above it is considered that the proposal is consistent with the provisions of the Scottish Energy Strategy 2017 and Onshore Wind Policy Statement 2017, which represent the Scottish Governments most up to date position on this type of development.

X. CONCLUSION

Baseline & Planning History – what constitutes the baseline in terms of the Landscape and Visual Impact Assessment is an issue that has been raised during the determination of this proposal. For the avoidance of doubt, for the purpose of the Landscape & Visual Impact Assessment for Tangy 4, the baseline includes Tangy 1 and 2. This was agreed by Scottish Ministers at the Scoping Stage. This is consistent with the guidance set out in the 2017 EIA Regulations and GLVIA3, which clearly define the baseline as the current state of the environment. It should be noted that the purpose of this baseline is solely to inform the Landscape & Visual Impact Assessment to enable an assessment of the impact of the proposal compared to what exists on site at present. For the purposes of reaching a conclusion in this case Officers have also taken into account the planning history of the site as a material consideration. Consequently, the fact that planning permission exists for 16 turbines at 130m in height, which was granted permission as a variation to the Tangy 3 permission under Section 42 of the Planning Act in August last year, has been taken into account by Officers, but not the relevant landscape professionals as this level of consideration lies outwith the auspices of the EIA process. At the request of Officers the Council's Landscape Consultant subsequently provided comparative advice on the difference between Tangy S42 and Tangy 4. An evolved approach has been taken by Officers, who have put substantial weight on how Tangy 4 (149.9m) compares to Tangy 3 S42 (130m). This is because, it is considered that this should be the test of the net impact on the environment in planning terms.

Repowering – the professional landscape advice provided by SNH and the Council's Landscape Consultant, as well as the rebuttals submitted by SSE, have been considered very carefully by Officers. Having undertaken a comparative exercise, considering the photomontages, wirelines and comparative ZTV for Tangy 3 S42 and Tangy 4, officers do not consider that the changes in effect between the approved Tangy S42 and Tangy 4 to be significant. This is a longstanding windfarm in Kintyre which has existed for many years and forms part of the established pattern of wind farms in this area. While the turbines will be larger and more pronounced than the previously consented section 42 proposal, it is not considered that the landscape and visual impact of these would warrant an objection to this proposal on these grounds. There are a number of benefits to repowering this existing wind farm which have also had to be deliberated upon: Repowering would provide the opportunity to optimise the yield from the available wind resource by improving both the efficiency and overall production of the existing wind farm; repowering this older site offers the chance to reduce the number of wind turbines from 22 to 16, whilst increasing the output capacity from around 30MW to 80MW due to availability of new turbine technology; the site has been previously determined to be suitable from a planning perspective for use as a wind farm (evident in the approval of Tangy 1, 2, 3 and Tangy 3 Section 42 permissions); and the proposal can utilise some of the existing infrastructure (access, internal access tracks and possibly control building).

Brownfield Development – it is considered by Officers that the repowering of Tangy differs from a new site development in that the grounds for the acceptability of a wind

farm have already been established by the fact that there is an existing operational wind farm, and its redevelopment is preferential to an alternative Greenfield onshore wind development in a different location, which will never have had an onshore wind farm. It is clearly preferable to reuse the existing site rather than expand into a new Greenfield site. Repowering is consistent with an objective of using available land and wind resource most efficiently. This comparison with the alternative of a new Greenfield site is a material factor in reaching a decision on this repowering application. It is acknowledge that proposals will still come forward for Greenfield sites, which will be considered on their own merits. However, repowering can reduce the need for Greenfield sites, but it will not remove the need entirely.

Environmental Change – Tangy 4 will follow in the footsteps of the existing operational Tangy 1 and 2. This existing wind farm has already changed the environment. The reality is that the development of Tangy 1 and 2 has taken place, it has been operational for more than a decade, therefore the environment is likely to be less sensitive to further wind farm development.

Climate Change - Climate change is one of the major factors likely to bring about future change in the landscape, and is widely considered as the most serious long-term threat to the natural environment. The need for climate change mitigation and adaptation is now well established at a policy level in the UK and beyond. Onshore wind (and other renewables) are being encouraged as a key part of the Scottish response to the risks of climate change. Scottish Government's 'Onshore Wind Policy Statement' (December 2017) (OWPS) explicitly supports repowering at existing onshore wind sites.

Public Representation – 35 letters of support and only 2 letters of objection have been submitted to the ECU, this has also been a material consideration, in the deliberation of this case.

Recommendation – that Members agree that the Council do not object to this Section 36 Application and that the Energy Consents Unit consider the following conditions and mitigation:

Conditions

- **In recognition of the expected lifespan of the wind farm, it is considered that the permission should be time-limited to a period reflective of the lifespan of the turbine technology intended to be used from the date when electricity is first exported to the electricity grid network (Scotways)**
- **A condition to ensure that the Replanting Figure is corrected to reflect the known locations of the badger setts within the site (Badger Protection Plan – as recommended by SNH);**
- **Conditions to ensure that all ecological mitigation measures detailed in the EIA Report are incorporated into any approval (as recommended by SNH);**
- **A condition to secure a more detailed Habitat Management Plan (HMP) (as recommended by SNH)**
- **Conditions relating to Tangy Loch SSSI to deliver appropriate mitigation to protect Tangy Loch SSSI from water quality impacts (as recommended by SNH);**

- **Condition to secure a Construction Environment Management Plan (CEMP);**
- **Condition to prevent disturbance to Greenland white-fronted goose (GWFG) (as recommended by RSPB);**
- **Condition to ensure compensatory planting plan is included with any consent (as recommended by Forestry Commission Scotland);**
- **Condition to secure an independent tourism impact assessment (in accordance with the advice of VisitScotland);**
- **Conditions as recommended by the Council's Environment Protection Officer to ensure: control of noise immissions; a report to demonstrate compliance with noise limits; assessment by independent consultant upon request of EHO; logging of wind speed, wind direction and power generation data; working methods and operating times for decommissioning of existing wind farm; point of contact for local residents; method statement detailing all mitigation measures to secure the quality, quantity and continuity of private water supplies; and details of external lighting.**
- **Condition to control potential Shadow Flicker impact to ensure that the relevant turbines are programmed to shut down at appropriate times to avoid any adverse impact on neighbouring properties.**
- **Conditions as required by the Ministry of Defence (MOD) and Highlands and Islands Airports Limited (HIAL) to secure appropriate aviation lighting**
- **Conditions as required by Transport Scotland and the Council's Area Roads Engineer**
- **Condition to secure the decommissioning of Tangy 1 & 2 to an acceptable standard, including ancillary infrastructure and site restoration.**
- **Condition to secure the decommissioning of Tangy 4 to an acceptable standard, including ancillary infrastructure and site restoration.**

Mitigation

- **Consideration should be given by the ECU to the mitigation measures suggested by SNH and the Council's Landscape Consultant to lessen the impact of the proposal on the raised beach (as evidenced by VP 1).**
- **Consideration should be given by the ECU to the relocation of the turbine nearest to Tangy Loch (Turbine 5) to reduce the adverse impact upon Tangy Loch, Fortified Dwelling. For the same reason, consideration should also be given to the relocation of borrow pit search areas depicted adjacent to Turbines 4 and 5 as recommended by Historic Environment Scotland.**

Other

- **Forestry Commission Scotland (FCS) object on the basis that a lack of information has been provided in regard to compliance with the UK Forestry Standard (UKFS) in regard to species diversity, peat depth and restocking, forest landscape design and nutrient enrichment. It is noted at time of writing that SSE has provided further information, however that FCS have not withdrawn their objection. It is recommended that this matter is addressed, prior to the Energy Consents Unit reaching a conclusion on the proposal, and any further conditions recommended by FCS are applied.**
- **SNH also provide advice in relation to the Kintyre Goose Roosts SPA which, in their view, would not be adversely affected by the proposal. Due to the status of the site the Energy Consents Unit will be required to undertake an Appropriate Assessment under the Habitat Regulations.**
- **In light of the requirements of both National and Local Policy on wind farm development proposals it is considered by the Council that Energy Storage for this site should be explored further by the Energy Consents Unit prior to the application being determined.**
- **That the Council would expect to be consulted on any final list of conditions prior to permission being granted, should Scottish Ministers be minded to do so.**
- **The Council would also expect to be consulted on any further mitigation, changes to the layout or turbine height.**