

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

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

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

**Planning Hierarchy:** Major

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

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

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

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**SUPPLEMENTARY REPORT NO. 4**

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**1.0 INTRODUCTION**

1.1 At the May 2019 PPSL Committee meeting Members agreed to object to this section 36 wind farm proposal. The Council's objection to the proposal was submitted to the Energy Consents Unit on 23<sup>rd</sup> May 2019. The purpose of this report is to 1) provide clarification in respect of the consultee response submitted by South Knapdale Community Council ('SKCC') to the Energy Consents Unit and the Council dated 16<sup>th</sup> May 2019; 2) advise members of a consultee response from Ardrishaig Community Council dated 16<sup>th</sup> April 2019 which was not reported in the Supplementary Report No. 3 (dated 20<sup>th</sup> May 2019), and 3) seek confirmation from Members on whether they wish to maintain their objection to this section 36 consultation on the proposed Airigh Wind Farm.

**2.0 DETAIL**

2.1 Since the May PPSL committee, the Council has received correspondence from the applicant, Force 9 Energy (letter dated 23/7/19) and SKCC (letter dated 20/7/19). These letters were also copied to Members of the PPSL committee. The letter from Force 9 Energy expresses concerns that that SKCC has been misrepresented by officers who have stated in Supplementary Report No.3 that SKCC submitted an objection to the proposed wind farm. In addition, the applicant has also raised concerns that the Committee was not advised of a letter from Ardrishaig Community Council dated 16<sup>th</sup> April 2019 expressing support for the proposal.

SKCC's letter to the Council confirms that;

"At our recent SKCC meeting, three members of the community expressed their concern that the Council's Planning Department had described South Knapdale's submission as an objection to the proposed Airigh Windfarm project. We have been

asked to write to the Council advising them of this concern and to request the Planning Department to make clear that our submission was in fact neutral.”

- 2.2 It is the officers’ view that the substantive points raised in the SKCC’s consultee response of 16th May 2019 were accurately reflected in the Supplementary Report 3 that was placed before members at the meeting of the Planning Protective Services and Licensing Committee of 22nd May 2019. Although the word ‘objection’ was not specifically used in the Community Council’s response, officers exercising professional judgement, interpreted the response as such. It is not considered that it was unreasonable for officers to have reached the conclusion that SKCC’s consultee response was an objection to the application, albeit a holding one. However, given that it has now been clearly stated to the Council that SKCC wishes its response to be read as neutral in nature it is considered appropriate, for the sake of clarity, to report this matter to Members.
- 2.3 Ardrishaig Community Council’s consultee response dated 16th April 2019 was not reported to members. This occurred as the Community Council had addressed the response for the attention of the Council as opposed to Energy Consents Unit. The council officer, in compiling Supplementary Report 3, had checked the Energy Consents Unit website for consultee responses. As the Community Council’s response did not appear there it was not taken into account. It is the Council’s usual practice to report all consultee responses submitted in respect of s36 applications to members. The consultee response should accordingly have been reported to members. This consultee response has now been forwarded to the Energy Consents Unit for entry on its system.
- 2.4 It is the substantive planning and policy matters pertaining to the proposal raised in consultation responses that are summarised and noted by officers in presenting their recommendation to Members. The substantive points raised in the consultee response by SKCC dated 16<sup>th</sup> May 2019 remain as previously stated in Supplementary Report No. 3, to which members had regard in determining to object to the proposal. The consultee response by Ardrishaig Community Council dated 16<sup>th</sup> April 2019, whilst expressing support, does not deal with the substantive merits, or otherwise, of the proposal. It is officer’s view that the Council’s grounds for objection are not altered by the fact that SKCC has now intimated that it has adopted a neutral stance in respect of the proposal, or that Ardrishaig Community Council have expressed their support where it was previously noted that they had ‘no objection’.
- 2.4 The applicant has further suggested that a Discretionary Hearing is held prior to making a decision on this issue. However, officers do not consider that it would be appropriate, or competent, for the Council to hold a Discretionary Hearing in respect of this matter prior to determining if it will maintain its objection to the Airigh application.
- 2.5 The Energy Consents Unit has been contacted to advise that a further report is to be placed before members and to ask that matters in respect of the holding of a public local inquiry are not progressed until members have reached a determination as to whether the Council’s objection to the proposal will be maintained.

### **3.0 RECOMMENDATION**

- 3.1 It is recommended that Members note the content of SKCC's letter to the Council dated 20th July 2019, together with the consultee response by Ardrishaig Community Council dated 16th April 2019, and thereafter reaffirm that the Council should object to the proposal on the grounds agreed by PPSL on 22<sup>nd</sup> May 2019, as set out in full in section 4 below.

### **4.0 REASONS FOR OBJECTION TO THE PROPOSAL AS PREVIOUSLY AGREED BY THE COMMITTEE ON 22<sup>nd</sup> MAY 2019 AND INTIMATED TO THE ENERGY CONSENTS UNIT ON 23<sup>rd</sup> May 2019**

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

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

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

- Fragmented rocky coasts and a varied seascape which includes the narrow confined West Loch Tarbert as well as the more open sea basin bounded by Knapdale, Gigha, Islay and Jura
- The diversity of landscapes including knolly coastal fringes richly patterned with woodland, pockets of farmland, wetland and largely traditional buildings and backed by undulating forested slopes and open well-defined hills. The landscape has a secluded timeless quality, accessed only by a single-track road and sparsely settled, contributing to the specialness of this APQ.

- Dramatic views west from the APQ over the sea focussing on Jura and Islay but also views to the APQ particularly from the south where the intricate coastal fringes, forested middle ground and open high hills, including the shapely Meall Reamhar, are seen scenically juxtaposed with West Loch Tarbert and the sea.
- The wider setting this scenic landscape provides to the Knapdale National Scenic Area (NSA)

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

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

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

## 2. Significant Adverse Strategic Cumulative Landscape Impact

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

The Srondoire and Allt Dearg wind farms are located within the *Knapdale Upland Forest Moor Mosaic* LCT. While these developments are prominent in views from the north and east in the Lochgilphead/Loch Fyne area, they are

barely visible from the south-west. The proposal would introduce wind turbines into a scenic landscape (Knapdale) where there are currently no wind farms unlike the Kintyre peninsula which is also seen in the view.

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

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

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

### 3. Layout

Argyll and Bute Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant

adverse landscape and visual impacts, whether individual or cumulative. Argyll and Bute Council will resist development with poor quality or inappropriate layouts.

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

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

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

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**Date: 12/8/19**  
**Date: 13/8/19**

**Fergus Murray**  
**Head of Development and Economic Growth**