

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

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

SUPPLEMENTARY REPORT NO. 3

1.0 INTRODUCTION

1.1 At PPSL on the 17th April 2019 the Committee agreed to continue consideration of this application to a future meeting of the Committee to give Members' time to seek advice on the terms of a competent Motion to justify not raising objections to this proposal.

2.0 CONSULTATIONS

2.1 Since the 17th April 2019 PPSL a further consultee response from South Knapdale Community Council (SKCC) objecting to the proposal has been submitted to the Energy Consents Unit (ECU). The original submission by the SKCC dated 18th October 2017 in response to the original process and the supplementary response dated 28th March 2019 including this most recent response are available on the ECU website and continue to reflect the position of SKCC. SKCC's most recent consultee response dated 16th May 2019 may be summarised as follows:

Amongst the environmental and economical issues that arise from the application special consideration needs to be given to: the proposed wind farm is in a designated Area of Panoramic Quality which will be spoiled; there are no commitments within the original proposal or the SEI to provide local employment or contracts; and the SEI accepts that there will be disturbance of protected wildlife and designated protected areas.

Force 9 Energy Partners LLP is the principle managing agent of the scheme acting on behalf of EDF Energy Renewables Ltd. There is an obligation on them to consult with the local community, however: the scoping report was published by F9 without pre-scoping consultations with SKCC; there was a public presentation in Tarbert after the scoping report was issued but thereafter no meetings or presentations were volunteered by F9 until requested by SKCC; and SKCC had no notice and was not consulted before submission of the SEI.

A Memorandum of Understanding has been offered by F9 to SKCC which SKCC has so far rejected on the following issues: it is drafted as a legal document but claimed by F9 not to be legally binding; it offers the opportunity to buy in to a “shared income scheme” but offers no real (tangible) asset for the community; the calculation of the income to be shared is complex and without defined time periods; the offer is less than the minimum recommendations of the Scottish Government, as there is no element of ownership offered; no contingencies are considered for the failure of the owners, operators, or the viability of the project; and there is the potential for the community to be left with unsustainable debts. Negotiations are nevertheless continuing at SKCC’s request.

There are other issues that SKCC see as unresolved: SKCC has asked for access to EDF but thus far this has been avoided; The connections between, and the identities of, the parties that will profit from the proposal are obscure; there is no barrier to F9, if consent is given, selling the project to a third party as EDF has made no visibly binding commitment to the venture; and While F9 acknowledges the expectation of the Scottish Government that £5,000 per Mw generated will be offered to the local Communities there is no assurance by F9 that this will be available.

In conclusion SKCC is concerned that:

- *The outcome could be a considerable increase in the value of the land to the landowners without any actual development taking place for many years. NB: The connection to the National Grid is dependent on the new high voltage power line between Inveraray and Crossaig which is still being planned and it is likely to be many years before it is functional.*
- *No guarantees or commitments have been offered for anything.*
- *The South Knapdale area could be faced with uncertainty for many years leaving the prospects for the community blighted.*

Until these matters are resolved South Knapdale Community Council asks Argyll & Bute Council to withhold their support and that the Energy Consents Unit does not grant consent to the Airigh Wind Farm project.

3.0 REPRESENTATIONS IN RESPONSE TO AEI

- 3.1 As this is not a planning application the Energy Consent Department’s web page is where representations must be recorded and not the Council’s public access system. Since April PPSL no further letters of representation have been forwarded to Officer’s from the Energy Consents Unit, they therefore remain as detailed in the previous committee reports.

4.0 CONCLUSION & RECOMMENDATION

- 4.1 In conclusion, having considered the additional consultation response received from South Knapdale Community Council, it is considered that their objection adds weight to Officers recommendation that the Council object to the proposed Airigh wind farm. Consequently, there is no change to the recommendation to object to the proposal for the following reasons:

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

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

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

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

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

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

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

2. Significant Adverse Strategic Cumulative Landscape Impact

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

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

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

accommodated elsewhere. The scenic quality of the area is recognised by the APQ designation.

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

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

3. Layout

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

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

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

Having due regard to the above it is considered that the layout of the turbines is unacceptable contrary to the provisions of SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; Supplementary Guidance 2: Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zones; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 – Supporting the Sustainable Growth of Renewables

and LDP 9 – Development Setting, Layout and Design of the Argyll and Bute Local Development Plan; Scottish Planning Policy (2014); The future of energy in Scotland: Scottish Energy Strategy (December 2017); Onshore wind policy statement (January 2017); SNH Siting and Designing Wind Farms in the Landscape Guidance (August 2017); and Argyll and Bute Landscape Wind Energy Capacity Study, SNH and Argyll and Bute Council (2017).

Report: Arlene Knox **Date:** 20th May 2019
Reviewing Officer: Angus Gilmour **Date:** 20th May 2019

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