

**Argyll and Bute Council
Planning 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 Airigh wind farm, on Land south-west of Tarbert, Argyll and Bute

Our Reference No: 17/02484/S36

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

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

- 14 No. three-bladed wind turbines (including external transformers) of up to 149.5m to blade tip;
- Crane hardstanding areas x 14 No.;
- On-site underground electrical cables;
- Control building;
- Vehicle turning circles;
- Three temporary construction compounds/laydown areas;
- Site signage;
- Approximately 30.4km of access tracks (of which 16km is existing track which will be upgraded and 14.4km is new and includes the new site access);
- Felling of 160.2ha of forestry to accommodate turbines and associated infrastructure;
- Replanting of 129.4ha of forestry (Within red line boundary);
- Planting of 26.6ha of native scrub forest by way of forest compensation and habitat enhancement.

Associated works, but which do not form part of this application, include a connection from the on-site sub-station to the grid network (subject to separate consent), and the creation of up to 10 temporary on-site borrow pits for the extraction of stone (subject to site investigation and separate consent).

(B) RECOMMENDATION:

It is recommended that the Council as Planning Authority objects to this proposal for the reasons detailed below and that the Scottish Government be notified accordingly.

(C) CONSULTATIONS:

Scottish Natural Heritage (SNH) (10th November 2017) - the proposal is close to Knapdale Lochs Special Protection Area (SPA) classified for its breeding black-throated divers. This proposal could be progressed with appropriate mitigation. However, because it could affect internationally important natural heritage interests,

SNH object to this proposal unless it is made subject to conditions so that the works are done strictly in accordance with recommended mitigation.

SNH also provide advice on what they consider to be significant landscape, visual and cumulative effects. In their opinion, the proposal is clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study' (LWECS) commissioned jointly by SNH and Argyll and Bute Council in 2017. SNH consider that the nature and scale of the proposal cannot be accommodated in this location without significant adverse landscape and visual effects, including:

- Significant adverse landscape effects on parts of the Upland Forest Moor Mosaic (6b) and the small scale settled 'Rocky Mosaic'(20) landscape character types and associated seascape;
- Significant adverse visual effects from key viewpoints in particular coastal views and views from the sea where key routes, scattered settlement and recreation areas are concentrated;
- Significant adverse strategic cumulative landscape effect;
- Significant adverse cumulative landscape and visual effects; and
- Adverse effect upon the character, qualities and experience of the landscape.

From the information presented in the EIA Report, SNH also seek further clarification regarding the ornithology surveys and assessment.

Royal Society for the Protection of Birds (RSPB) (20th October 2017) – does not object to this proposal, however they have concerns that some potential impacts may have been underestimated. RSPB provide advice in relation to red-throated diver and habitat management in order to minimise biodiversity impacts of the development.

Forestry Commission Scotland (FCS) (9th November 2017) – object on the grounds that the proposal is not UKFS compliant and insufficient information has been presented within the Environmental Statement (ES). FCS recommends that in the event of an approval a condition is applied to any consent to ensure compensatory planting and a full forest plan is completed.

Transport Scotland (10th October 2017) – no objection subject to conditions relating to: consultation with Transport Scotland prior to works on the southern access; consultation with Transport Scotland on works within the Trunk Road boundary; to ensure that the development does not affect the integrity of the trunk road drainage network; provision of the abnormal load assessment to Transport Scotland; provision of a Traffic Management Plan; consultation with Transport Scotland on the Traffic Management Plan where proposals may directly or indirectly affect the trunk road network; and that the Traffic Management Plan takes account of Traffic Management Plans for other wind farms and major developments in the area.

Council's Roads Engineer (5th October 2017) – does not object to the proposal subject to conditions to ensure that all construction traffic accesses the site directly from the A83 Tarbet – Campbelltown Trunk Road; and that no construction traffic uses the B8024 Kilberry Road without written permission from Roads & Amenity Services.

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 Local Biodiversity Officer (30th October 2017) – notes that the turbines will be sited in either Class 1, 2 and Class 5 carbon-rich soils and reference should be made to SG LDP 11 Protection of Soil and Peat Resources in this regard. Welcomes the inclusion of a CEMP along with the employment of an Ecological Clerk of Works to ensure that plan is effective and delivered. Recommends that the CEMP should include the management of peat; the access route adjacent and over existing freshwater burns, along with a Conservation Action Plan. Asks that monitoring of habitats and species are included so as to assist in ensuring that they are being effectively managed. This approach will allow for any modifications for the purpose of mitigation.

Council's Environmental Health Officer (26th October 2017) – no objection subject to conditions relating to: control noise of immissions; noise complaints and assessment by independent consultant; remedial action following complaint; continuous logging of wind speed, wind direction and power generation data; provision of a private water supply action plan; and provision of a nominated representative to act as a point of contact in connection with noise complaints.

Council's Flood Risk Assessor – no response at time of writing.

Historic Environment Scotland (4th October 2017) – do not object to the proposal.

Marine Scotland (6th October 2017) – recommend the developer establish a robust water quality monitoring programme, which in addition to the proposed mitigation measures, should aim to minimise and/or avoid any impacts on the fish populations within and downstream of the proposed development area and to protect the water quality such that there is no deterioration in the status as a result of the development, thereby adhering to the requirements of the Water Framework Directive.

SEPA (31st October 2017) - no objection.

Scottish Water (20th September 2017) – no objection. There are no Scottish Water Drinking Water Protected Areas in the area that may be affected by the proposed development. There are no other Scottish Water assets that would be affected by the proposed development (including water supply and sewer pipes, water and waste treatment works, reservoirs etc).

Ministry of Defence (12th September 2017) – no objection subject to conditions to secure aviation safety lighting.

Argyll District Salmon Fishery Board (6th October 2017) – no overall concerns about the development, they expect that the condition and connectivity of brown trout habitat on the site and its access routes is retained throughout and after the construction phase of the project.

Fisheries Management Scotland (7th September 2017) – no objection but advise that consultation should be undertaken with the Argyll District Salmon Fishery Board, and the catchments relating to the Argyll Fisheries Trust.

National Air Traffic Services (NATS) (6th September 2017) – no safeguarding objection to the proposal.

VisitScotland (15th September 2017) – no objection, their response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors and strongly recommend any potential detrimental impact

of the proposal on tourism - whether visually, environmentally and economically - be identified and considered in full.

West Kintyre Community Council (30th October 2017) – object on the grounds of: visual impact, cumulative impact, and adverse effect on the vital tourist economy of the area.

South Knapdale Community Council (13th December 2017) – is mindful that it is required to represent the views and concerns of local people. In the case of the Airigh Wind Farm proposal, two very different categories of view have been expressed. One group is supportive of the wind farm, the other group objects to it. There is no clear, quantifiable majority view evident to SKCC. Comments in support of the proposal relate to: community benefit/shared ownership; limited visibility; private water supplies; operational noise; construction traffic; and employment/investment opportunities. Comments against the proposal relate to: Area of Panoramic Quality; height of turbines; precedent; excessive development; ornithology; and socio-economic impact on businesses in the area.

BT (7th September 2017) – the proposal should not cause interference to BT's current and presently planned radio networks.

Peat Landslide Hazard and Risk Assessments Checking Report Prepared for Energy Consents Unit by AM Geomorphology Ltd (10th October 2017) – concludes that the PSA requires resubmission due to shortcomings in key elements of the assessment.

Crown Estate Scotland (20th September 2017) – the assets of Crown Estate Scotland are not affected by this proposal.

The Coal Authority (27th September 2017) – no objection

(D) REPRESENTATIONS:

There have been 9 representations made to the Scottish Government's Energy Consents Unit at time of writing of this report.

As this is not a planning application the Energy Consent Department's web page is where the full and formal record of representations must be recorded and not the Council's public access system. All representations can be found on the Scottish Government Webpage related to this application which provides the up-to-date listing of third party representations and other submissions relating to this S36 application.

At time of writing the number of representations in support is 3 and the number of objections is 6. Scottish Government Energy Consents Unit policy is not to publish any personal details: Name/s, Address, email address, telephone number and signatures. The content of the letters may be summarised as follows:

Supporters:

- Mid Argyll is an area that really needs employment opportunities and this project will bring that in both a major construction project and subsequent ongoing engineering and infrastructure support. Despite the dire warnings put forward by some, I have not found the existing wind farms at Allt Dearg and Sronoire to be intrusive or noisy and I am not aware of any downside from those projects.

- Having considered the environmental and economic effects of the proposed wind farm, we hereby wish to register our support for the proposal.
- I support the wind farm on Airigh and hope it will go ahead.

Objectors:

Wind Resource

- The wind is not a reliable energy source. Sometimes there is not enough wind, sometimes there are too strong winds. Therefore you have to have a dependable back up system.

No Local Need

- There is no local need for energy production. We and our neighbours are surrounded by turbines. If there was a need hydro energy would be a better choice.

Scale

- The site chosen by the developers, we are told is in a hollow to help screening of the site, but are then informed that the turbines are to be the largest they can install at just under 150 metres high (8 metres short of the height of Blackpool Tower). The current Argyll & Bute regulations appear to limit turbine heights to 130 metres maximum throughout the county, so I am not sure that these applied for heights are compliant.

Landscape

- Turbines despoil the landscape and the habitat for humans and animals. The proposal clearly violates the designation of the area as being of "special beauty and scientific interest".
- It would be yet another visual intrusion into the landscape of Argyll. It would be visible from my house which already has to endure the blot on the landscape which is the Freasdail wind farm. These developments are not wanted by the vast majority of local inhabitants and have a detrimental effect on tourism; Freasdail has already attracted lots of adverse comments from visitors to whom I have spoken. It would also involve the construction of yet more miles of unsightly tracks.

Visual

- I have attended both public exhibitions regarding Airigh Wind Farm, which was held in Templar arts and leisure centre. On both occasions Force 9 Energy admit that from the main Tarbert to Clachan Road residents would be able to see the tops of the wind turbines. However, as our house is considerably higher than the main road we would be exposed to more of these turbines. In addition to this our back garden is also elevated from the house, resulting in the higher up the garden we are the more of the wind farm would be seen.

Carbon Footprint

- Can we be sure the “carbon footprint” will be negligible for the construction of the platforms for the 14 turbines and their eventual removal, construction of roads and other infrastructure?

Ornithology & Ecology

- Golden eagles have this year been sighted by several people within Carse Forest together with red deer, adders, badgers, red squirrels, bats and a plethora of other birds. Do they have no rights? Who speaks for them? When they are killed by the turbines and in case of the birds have their migratory pathways disrupted; it may be too late to recreate their habitat and lure them back.
- The proposed site is in an area of unspoilt beauty. The plant and tree species should remain protected. The wild life is also special and should be protected (sea eagle osprey?)

No support

- We have not met one single neighbour who supported the Force 9 Energy proposal, all to a person was against, even with a possible promise of cash back from the energy companies to the community.
- The only ones who benefit from this monstrosity of a proposal are some absentee landowners and energy companies, who have fought hard to get the decision making moved away from the local Argyll and Bute Council.

Energy Storage

- There currently is no way of storing electricity (batteries or otherwise) and there is a significant loss of electricity by transport from the production site.

Access & Traffic

- I'm not opposed to the proposed location of the wind farm itself – my objection is principally to the means of access from the A83, a considerable distance to the north. Between the existing Allt Dearg wind farm and the proposed site is an expanse of remote moorland crossed only by a few unobtrusive land rover tracks, which are quite in keeping with an area that feels wild in nature – the necessary ‘upgrade’ of these tracks to support turbine transportation will leave a huge scar on an unspoilt landscape and change its character forever. I feel that if the development is to proceed access should come from the South/East through existing forestry, with perhaps an upgrade to a mile or two of the B8024. This would also avoid the necessity of transporting the turbines through the middle of Tarbert (assuming they will be coming up from Kintyre).
- One of my main concerns is around the safety of the vastly increased volume weight and size of the traffic on an inadequate single track road. I regularly run and cycle on this road and cannot imagine how my safety will not be compromised by this development.
- The application involves a 17km Haul Road from an existing wind farm through and alongside, Areas of Panoramic Quality, as defined by Argyll & Bute Council. As an

ex HGV1 Driver, I have grave reservations over this road and its route and the contours it follows as designed, as it has to be able to allow Turbine Blades some 54 metres, the largest in length, I believe of any in Great Britain at this time, which by any measurement are exceptional loads. This Road and its construction along with the Borrow Pits will be visible from many places and if the recent development at Freasdail (Kintyre) is anything to go by, the road as drawn may well prove inadequate and then in physical terms have to be re-engineered to allow safe haulage, all to the detriment of the local scenery.

- At the most recent public meeting the developers stated that construction of the site would be done, if permission were granted, through the 17km Haul Road, but that the servicing of the wind farm would be done by all vehicles travelling along the B8024 and the through the main Forestry Haul Road, over the next 25/30 years. This single track, poorly maintained road is constantly used for Timber Extraction currently, is a designated national cycle route and has recently been designated of significant scenic interest, along the lines of the NC500. We as residents wonder how on earth we are going to be able to enter and exit our own properties along this single road with this proposed significant uplift in traffic, this on a road which is already unfit for the traffic it carries today.

Tourism & Recreation

- A major local industry: Tourism will be devastated by this proposal. Tourists are coming to our beautiful part of Scotland to enjoy our unspoilt nature, not to look at 150 feet high wind turbines.
- I understand the need for alternative energy and locally the Kintyre Peninsular has a number of wind farms already constructed as well as some in the pipeline, so the South Knapdale Peninsular, which has to date been held in high regard for its scenic beauty, does not need to be blighted by this development. Visitors to the area in the future will not have anywhere to enjoy our natural habitat, if no thought is given to keeping some areas of Argyll untouched by the development.

Community

- I have followed the developer's information distribution locally with interest. They have been very economical with their community involvement when contrasted with other wind farm developments around this area and the information has been limited to what they consider we need to know.

Public Consultation Exercise

Members should also note that the applicants have held community engagement events in order to present details of the scheme and receive feedback from the local community. This included public exhibitions and a dedicated webpage with information and contact details.

(E) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Impact Assessment Report:** Yes

An EIA Report dated August 2017 was submitted in support of this S36 application which considers the following key issues:

- Introduction
- Approach to the EIA
- Site Selection and Design Strategy
- Scheme Description
- Planning and Legislative Context
- Landscape and Visual Amenity
- Hydrology, Hydrogeology, Geology and Soils
- Ecology
- Ornithology
- Cultural Heritage
- Noise and Vibration
- Access, Traffic and Transport
- Socio-Economics, Tourism and Recreation
- Other Issues
- Summary of Significant Effects

(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 development plan and planning process that this application has been submitted to the Scottish Government under s.36 of the Electricity Act 1989. As part of the s.36 application process, the applicant is also seeking that the Scottish Ministers issue a Direction under s.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 Section 36 applications, as Sections 25 and 37 of the of the Town & Country Planning (Scotland) Act 1997 which establish the primacy of 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 this 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 physiographical 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 to 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 DM 1 – Development within the Development Management Zones.
LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment
LDP 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 and Bute Local Plan 2015' (2016)

SG LDP ENV 1 – Development Impact on Habitats, Species and our Biodiversity
SG LDP ENV 2 – Development Impact on European Sites
SG LDP ENV 4 – 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 – 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 – Impact on Scheduled Ancient Monuments (SAMs)
SG LDP ENV 20 – Impact on Sites of Archaeological Importance
SG LDP Sustainable Siting and Design Principles
SG LDP SERV 2 – Incorporation of Natural Features/SuDS
SG LDP Sustainable – Sustainable Siting and Design Principles
SG LDP SERV 3 – Drainage Impact Assessment
SG LDP SERV 5(b) Provision of Waste Storage and Collection Facilities within New Development
SG LDP SERV 6 – Private Water Supplies and Water/Waste 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 & Existing, Public Roads & 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.

Note: The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk

(i) List of all 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) (June 2014)
- Scottish Planning Policy (SPP) (June 2014)
- Scottish Government's Onshore wind turbine: planning advice (May 2014)
- 'Argyll and the Firth of Clyde Landscape Character Assessment' SNH (1996);
- 'Argyll and Bute Landscape Wind Energy Capacity Study' SNH and A&BC (2017)
- 'Guidance on Siting and Designing Windfarms in the Landscape' SNH (2009);
- 'Control of Woodland Removal Policy' (FCS 2009)
- Scottish Historic Environment Policy (SHEP)
- 'Scottish Energy Strategy: The Future of Energy in Scotland' (consultation draft) January 2017
- 'Onshore Wind Policy Statement' (December 2017)
- Views of statutory and other consultees;
- 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 Development Plan: No

(I) Summary of reasons why planning authority should object to this Section 36 application:

- The proposal by virtue of its scale and location is clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study' (LWECS 2017) and it cannot be accommodated in its receiving landscape without giving rise to significant adverse landscape and visual effects, including:
 - Significant adverse landscape effects on parts of the Upland Forest Moor Mosaic (6b) and the small scale settled 'Rocky Mosaic' (20) landscape character types and associated seascape;
 - Significant adverse visual effects in the appreciation of South Knapdale from frequented coastal locations in west Kintyre and from the Isle of Gigha where sensitive receptors in terms of transport routes, settlement and tourism/recreational assets are concentrated, and in views of South Knapdale from locations offshore;
 - Significant adverse strategic cumulative landscape impact resulting from the spread of the effects of wind farm development from the Kintyre peninsula, where development is currently concentrated, across West Loch Tarbert into South Knapdale;
 - Significant adverse cumulative landscape and visual effects upon the experience of Knapdale and Kintyre, particularly having regard to the combined effect with Freasdail Wind Farm which would lead to a presence of wind farm development on both sides of West Loch Tarbert.

In light of the above it is considered that the proposal is contrary to the provisions of: LDP STRAT 1 – Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment; LDP 4 – Supporting the Sustainable Development of our Coastal Zone; LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs); SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); SG LDP ENV 14 – Landscape; SG LDP Sustainable Siting and Design Principles; and the Argyll & Bute Council Wind Energy Capacity Study.

- Although the contribution which this proposal could make to renewable energy targets and the achievement of climate change commitments are material considerations, as are local economic benefits associated with construction and operation, these are not of sufficient weight to offset the identified adverse effects upon the local environment.
- Having regard to the above, the proposal conflicts with SPP, the adopted Local Development Plan, the Council's 'Landscape Wind Energy Capacity Study' (2017) and SNH design and siting guidance for wind farm development.

Note: This is a summary - please refer to recommended reasons for objection on the following page.

Reviewing Officer: Sandra Davies

Date: 22nd December 2017

Angus Gilmour
Head of Planning Housing and Regulatory Services

RECOMMENDED REASONS FOR OBJECTION TO 17/02484/S36

1. The proposal lies in the Upland Forest Moor Mosaic (UFMM) (6b) landscape character type (LCT) identified in the 'Argyll and Bute Landscape Wind Energy Capacity Study' (LWECS 2017) which has established that this LCT has an overall 'high sensitivity' to Very Large typology wind turbines and affords no scope to accommodate them. The area in which the proposal is located forms the landscape backdrop to the coastal, small scale, settled Rocky Mosaic LCT and to views across the scenic West Loch Tarbert area. The proposal lies within the western part of this area which is designated an Area of Panoramic Quality (Knapdale APQ). This landscape also forms the backdrop to the adjacent Knapdale National Scenic Area (NSA).

In this location, there are a number of landscape characteristics increasing sensitivity to large or very large turbines, including the scale, complexity of landform, visual sensitivity, and landscape context. The close proximity of the development to the highly sensitive coastal landscape (Rocky Mosaic LCT) and intrusion into the landscape of South Knapdale as appreciated from locations across West Loch Tarbert, and across the sea from locations in West Kintyre and from Gigha, are key constraints. At 149.5m to blade tip the turbines will appear out of scale/too large in relation to the higher open ridge to the north-east and distract from the landscape setting of West Loch Tarbert (as represented by VP 9 Dun Skeig). These uplands currently form an uncluttered backdrop to the scenic West Loch Tarbert area and the introduction of development at this scale would compromise this composition and significantly detract from the contribution South Knapdale makes to the experience of West Loch Tarbert (as represented by VP 10 Ronachan) and the appreciation of this area across water (as represented by VP F2 from the Islay-Jura ferry).

The number and size of turbines proposed would therefore have a significant adverse effect upon the character, qualities and experience of the landscape within areas of the Upland Forest Moor Mosaic (6b) and the smaller scaled and settled 'Rocky Mosaic' (20) landscape character types and associated seascape. This would be clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study' 2017.

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 this proposal is inconsistent with the provisions of the Scottish Planning Policy; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); Policies LDP STRAT 1 - Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design; of the 'Argyll & Bute Local Development Plan' (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); and the conclusions of the 'Argyll & Bute Landscape Wind Energy Capacity Study' (LWECS) 2017.

2. There is extensive visibility of the proposal from the West Loch Tarbert area, the wider seascape (including islands) and from part of the west coast of Kintyre. Development on the scale proposed would intrude in scenic views from these locations and would compromise the contribution South Knapdale makes to the landscape setting of West Loch Tarbert in particular. It would pose significant adverse effect on views from the Islay – Jura ferry (as represented by VP F2) and would extend the influence of wind farm development upon the Isle of Gigha from locations to the east within Kintyre, to also include this additional location to the north. The proposal's significant visual effects would include popular and scenic walking routes including part of the Kintyre Way (as represented by VP 10 Ronachan), the walk to Dun Skeig (as represented by VP 9 Dun Skeig), coastal locations popular for recreation on the north-west coast of Kintyre and around the West Loch Tarbert area, and would include views from the Islay/Jura ferry and recreational watercraft. In addition to the inappropriate scale of the turbines, the design results in a poor layout and image from some locations (as represented by VP 3) where there is a considerable variation in turbine position/height.

The proposal would therefore lead to significant adverse visual effects in the appreciation of South Knapdale from frequented coastal locations in west Kintyre and from the Isle of Gigha where sensitive receptors in terms of transport routes, settlement and tourism/recreational assets are concentrated, and in views of South Knapdale from locations offshore. This would be clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study' 2017.

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 this proposal is therefore inconsistent with the provisions of the Scottish Planning Policy and Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); Policies LDP STRAT 1 - Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design; of the 'Argyll & Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); and the Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) 2017.

3. The proposal would result in the spread of the effects of wind farm development from the Kintyre peninsula, where development is currently concentrated, across West Loch Tarbert into Knapdale, thereby posing significant adverse cumulative effects on the experience of Knapdale and Kintyre. The uplands of Knapdale presently provide an important uncluttered backdrop to, and contribute to the scenic composition of, West Loch Tarbert. This proposal would extend the influence of very large scale wind turbine development to the northern side of West Loch Tarbert, thereby reducing the distinctiveness of the Knapdale landscape and the contribution which it makes to the setting of sensitive coastal areas valued for their scenic qualities. In particular, it would impinge on the dramatic coastal panoramas of the Paps of Jura as

experienced from west Kintyre where they are first revealed (Clachan and Ronachan).

This change to the established pattern of development, and the spread of development into a new area would also be experienced from locations offshore, particularly from the Isle of Gigha and from key ferry routes. Significant adverse cumulative visual effects would occur from offshore, and from parts of Gigha as represented by VP 12, the sea and West Loch Tarbert as represented by the Islay – Jura ferry view (F2) where, in combination with Freasdail Wind Farm, wind farms would then have an unwelcome presence on both sides of West Loch Tarbert.

These significant adverse cumulative landscape and visual effects would be clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study' 2017.

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 this proposal is therefore inconsistent with the provisions of the Scottish Planning Policy; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); Policies LDP STRAT 1 - Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design; of the 'Argyll & Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); and the Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) 2017.

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 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 third 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 objection be raised to this proposal on the grounds of significantly adverse landscape, visual and cumulative impacts. It is not necessary at this point in the process to recommend conditions in the event that the project is authorised by the Scottish Ministers, for if they are minded to approve the project regardless of an objection by the Planning Authority, there would be opportunity to suggest appropriate conditions as part of the Public Local Inquiry which would require to be convened in such circumstances.

B. Settlement Strategy

The proposed wind farm and access is located within a 'Rural Opportunity Area', 'Countryside Zone', and 'Very Sensitive Countryside' as defined by the 'Argyll and Bute Local Development Plan'. Within Rural Opportunity Areas and the Countryside Zone Policy LDP DM 1 – Development within the Development Management Zones, only supports development up to 'small scale' on appropriate sites including the open countryside as well as small scale infill, rounding-off, redevelopment and change of use of existing buildings. Only in exceptional cases, will up to and including large scale development be supported if it accords with an Area Capacity Evaluation (ACE). The policy does not however require an Area Capacity Evaluation (ACE) for renewable energy related developments which are the subject of Environmental Impact Assessment. Within Very Sensitive Countryside, encouragement is only given to specific categories of development on appropriate sites, which does include renewable energy related development.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables supports renewable energy developments where they are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects, whether individual or cumulative, including on local communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses.

For the reasons detailed below in this report, it is considered that this proposal does not satisfy Local Development Plan policy, and Scottish Government policy and advice in respect of wind farm development.

Having due regard to the above it is considered that the proposal is contrary to the provisions of the SPP (2014); Scottish Government’s Onshore wind turbine: planning advice (May 2014); ‘Onshore Wind Policy Statement’ (December 2017); and relevant Local Development Plan Policy in this regard.

C. Location, Nature and Design of Proposed Development

The site is located in South Knapdale, approximately 8.4km from Tarbert. Whilst the site occupies a total area of approximately 890 hectares (ha), the development will only occupy a small percentage of this area. The site is located in a bowl-like area and is currently covered with forest plantations, with a network of rides and tracks of varying accessibility. The existing forest plantations are of relatively mature stages, and a few areas have recently been felled, with some replanted.

The closest sizeable settlement to the development is Tarbert, with small settlements within approximately 15km at Kilberry, Carse, Whitehouse, Clachan, Claonaig and Achahoish. The main public road in proximity to the site, and from which the site will be accessed, is the A83 trunk road that runs the length of the Kintyre peninsula, running south along the west coast of Loch Fyne to Tarbert, then along the slopes south of West Loch Tarbert and along the west coast from Ronachan southwards.

This proposal comprises 14 horizontal axis three bladed wind turbines (including external transformers), each up to 149.5 m maximum to tip height, producing a total installed wind farm capacity of between 50.4 and 58.8 MW. Key elements of the proposal include: crane hard standings; onsite underground electrical cables; a control building; site signage; vehicle turning circles; approximately 30.4km of access tracks (of which 16km is existing track which will be upgraded and 14.4km is new and includes the new site access); and replanting of 129.4ha of forestry. In addition, construction of the development will also require: felling of 160.2ha of forestry to accommodate turbines and associated infrastructure; the creation of up to 10 temporary on-site borrow pits for the extraction of stone (subject to site investigation and separate consent); three temporary construction compounds/laydown areas; and planting of 26.6ha of native scrub forest by way of forest compensation and habitat enhancement.

The general design of the turbines and ancillary structures follows current wind energy practice. The design of the sub-station could benefit from amendments to the gable width and roof pitch, more appropriate detailing and finishing. Subject to this it could integrate appropriately into the location suggested, taking the appearance of a traditional building.

The various material considerations requiring to be addressed by virtue of the effect of national and development plan policy and relevant Council and SNH siting, design and landscape guidance are assessed individually below.

D. Landscape and Visual Effects

Landscape Guidance - The 'Argyll and Bute Landscape Wind Energy Capacity Study' 2017 (LWECS) forms a material consideration in the appraisal of this proposal. The proposal lies in the 'Upland Forest Moor Mosaic' (UFMM) (6b) landscape character type (LCT) identified in the LWECS. This character type has an *"irregular, often complex craggy landform with pronounced ridges and occasional high, more defined summits, although some limited areas of slightly smoother and gentler hill slopes also occur, mainly in the south-west"*. Importantly, this area forms the backdrop to the coastal, small scale, settled 'Rocky Mosaic' LCT and views across the scenic West Loch Tarbert area. The proposal lies within the western part of the area which is designated an Area of Panoramic Quality (Knapdale APQ). This landscape also forms the backdrop to the adjacent Knapdale National Scenic Area (NSA).

The LWECS concludes that the UFMM (6b) LCT has some limited scope for wind energy development; but no scope for very large turbines and a clear acknowledgement that turbines less than 80 m would be more likely to minimise effects on the coast, the A83 and other views over West Loch Tarbert. Whilst there may be some limited areas of simpler landform (in the south-west) well set back from the coast which could potentially relate in principle to large turbine typologies (80-130m), more generally, key constraints to development include: the complexity of landform, the higher open ridge and views across West Loch Tarbert. Sensitivity is heightened in the APQ.

The LWECS also found that this landscape has an overall high sensitivity to the 'Very Large' typology (>130m), and High-medium sensitivity to the 'Large' typology (80-130m turbines). The study concludes that there is **no scope** for the Very Large typology (>130m), and that there may **be some very limited scope** for Large turbines (80-130m). It advises that turbines should be sited in *"Areas of lower, less complex gently undulating landform set back from sensitive coastal edges and from the higher more defined ridges and pronounced summits...."* and *"sited to avoid significant intrusion on views over West Loch Tarbert from the A83, from the adjacent settled and small scale Rocky Mosaic (20)...."*

Key Landscape and Visual Effects

Key Strategic Issues

- SNH consider the proposed Airigh wind farm would have significant adverse impacts on the regionally distinctive landscape of the West Loch Tarbert area; in terms of its landscape character and visual amenity, adversely affecting the experience of the landscape for both residents and tourists.
- The addition of the proposed development would also give rise to significant adverse cumulative effects on the experience of Knapdale and Kintyre. In the context of considerable levels of existing, consented and proposed wind farm development on the adjacent Kintyre peninsula. Airigh wind farm would spread development into a distinctive, scenic part of the Knapdale/West Loch Tarbert area. In SNH's opinion, it is important to retain a balance of wind farm developed and undeveloped landscapes/seascapes.

Landscape Character

West Loch Tarbert - West Loch Tarbert is regionally distinctive; the interplay of land and sea and the strongly grained landform, with rugged parallel ridges aligned on a

north-east south-west axis, creates a diverse landscape of dramatic contrasts in scale and form.

The high open ridge (Meall Reamhar-Stob Odhar) forms a prominent feature and important backdrop, contrasting with the layers of very complex smaller ridges stepping down to the sea, the small-scale and settled character of the coast, and the diverse coastal scenery comprising sandy bays, skerries and islands, contrasting with the wider complex seascapes and panoramic views over the islands. Key views across West Loch Tarbert extend west to the scenic; vast coastal panoramas of the western seaboard encompassing the silhouettes of the islands of Gigha, Islay and Jura and the dramatic focus of the Paps of Jura.

The experience of the area is dominated by views to and from the coastal edge, the sea and the islands. The proposal will significantly impinge on this scenic composition and distract from the key features and foci.

The LWECS advises that there is no scope for the scale of turbine proposed (>130m). While the LWECS finds there may be some very limited areas of simpler landform, well set back from the coast able to accommodate large turbines (80-130m) in this character sub-type; it clearly indicates that most of the area will be highly sensitive to this scale of development due to a number of constraints. In this location, there are a number of landscape characteristics increasing sensitivity to large or very large turbines including the scale, complexity of landform, visual sensitivity, and landscape context. The close proximity of the development to the highly sensitive coastal landscape (Rocky Mosaic LCT) and intrusion into key views across West Loch Tarbert area are key constraints.

In SNH's opinion, the turbines will appear out of scale/too large in relation to the higher open ridge to the north-east and distract from this key feature in views across West Loch Tarbert as represented by, for example, VP 9 Dun Skeig. Similarly, the turbines appear out of scale where the proposal is seen in conjunction with areas of more complex landform and settlement on the coastal fringes of West Loch Tarbert, as represented by, for example VP F2 from the Islay-Jura ferry. Importantly, these uplands currently form an uncluttered backdrop to the scenic West Loch Tarbert area. The introduction of this proposal would compromise this composition as represented by, for example, VP 10 Ronachan. Turbines of this scale in this location would significantly detract from the scenic views and experience of West Loch Tarbert.

SNH therefore consider there is potential for significant adverse effects on the character and experience of parts of the UFMM (6b) and Rocky Mosaic (20) LCTs, and the associated seascape. The LVIA concludes that there will only be a significant adverse effect on the receiving character type UFMM (6b) up to approximately 2km from the turbines. However, SNH consider that effects on landscape/seascape character may be underrated.

Effects on Designated Landscapes - The West Loch Tarbert area has high scenic value recognised in the designation of both Knapdale and the west coast of Kintyre as Areas of Panoramic Quality (former Regional Scenic Areas).

The LVIA concludes that there will be no significant effect on either APQ:

- Knapdale APQ – as views from the B8024 are not affected; and
- West Kintyre coast APQ – as it does not affect the “availability of panoramic views of the coastal interactions of land and sea”.

However, the LVIA does not fully define the qualities of the APQ, nor does it fully consider the effects on the views and experience of the APQs. Given this area forms the important and presently uncluttered backdrop to the diverse, settled coastal landscape, in particular key views of the scenic West Loch Tarbert area, SNH consider that the Environmental Impact Assessment Report may underrate the effects on the APQ.

Visual Effects

There is extensive visibility of the proposal from the West Loch Tarbert area, the wider seascape (including islands) and the west coast of Kintyre. The turbines vary in their relationship to landform and, as such, the image of the wind farm varies from most of the turbines being visible, to a collection of blades and tips or as blade tips flicking over the horizon (as represented by, for example, VP 8 A83 Whitehouse, West Loch Tarbert).

The LVIA considers 15 viewpoints, including the view from Islay – Jura ferry in West Loch Tarbert (F1-3). It concludes that significant adverse effects would only occur on 2 of these: VP9 Dun Skeig and VP 10 Ronachan. SNH concur that views from the areas that these viewpoints represent are significant. SNH consider there is likely to be a significant adverse effect on views from the Islay – Jura ferry (e.g. VP F2) and potentially from the Isle of Gigha and associated seascape.

In summary, SNH consider significant visual effects include:

- Popular and scenic walking routes including the promoted long distance route – part of the Kintyre Way as represented by, for example, VP 10 Ronachan and the walk to Dun Skeig as represented by, for example, VP 9 Dun Skeig.
- Coastal views and panoramas across West Loch Tarbert from the west coast of northern Kintyre including areas popular for recreation e.g. Ronachan.
- Offshore views from the sea e.g. West Loch Tarbert area including views from the Islay/Jura ferry and recreational watercraft with effects reducing with distance. The visualisation (VP 12, Gigha ferry terminal) provided to represent views from the Isle of Gigha is screened by landform (contrary to SNH guidance). This makes it difficult to draw conclusions regarding the overall effects from Gigha. SNH consider views from northern Gigha could potentially be significant. Further visualisations and assessment to represent the effect on views from Gigha would be helpful.
- Views from minor routes e.g. the Clachan area.

Design and Layout - The design results in a poor layout and image from some locations, as represented by, for example, VP 3 where there is a considerable variation in turbine position / height. This is probably due to the complexity of the landform, noting that turbine tips vary in height from 274m Above Ordnance Datum (AOD) to 370m AOD - almost 100m height variation, even with the use of different hub heights to ameliorate this effect.

Access Track - SNH highlight the potential effects of the associated infrastructure on the fabric of the landscape, including approximately 30.4km of track, of which 14.4km is new track and the remainder being upgraded. Given the relatively steep slopes on which the tracks are proposed, cut and fill would be required and the 'scarring' of tracks on the landscape is likely to arise. The effects on these relatively undeveloped hills are extensive and could be highly visible to people using the surrounding hills, and possibly from the local road network e.g. B8024 once rotational forestry felling is taken

into account. Approximately 3km of existing access track is located within the Knapdale NSA with a further 1km of track that forms the boundary of the NSA. Chapter 4 of the EIA Report: Scheme Description indicates that tracks will have a running surface of 5m (or 7m at bends). SNH recommend that in the event of any consent Scottish Government considers requesting track reinstatement and amelioration options appropriate to minimise visual impacts and to protect the qualities of the NSA.

Summary - The location and scale of the proposed wind farm is clearly contrary to the guidance set out in the 'Argyll and Bute Landscape Wind Energy Capacity Study' 2017. Although the location of the site affords beneficial topographical screening for some locations (within parts of the National Scenic Area to the north and for settlement fringing the South Knapdale coast, for example) it remains open to view from West Loch Tarbert, parts of the west Kintyre coast, from the north end of Gigha and from ferry routes and other locations offshore. In these views, from within smaller scaled landscapes, South Knapdale provides the upland landscape backdrop to valued views and seascapes, and in this context the scale of the turbines would be incongruous and disproportionately large to the scale of the receiving landscape. Whilst there might be more opportunity for a lesser number of smaller scaled turbines, the drive for large scale machines capable of economic viability in the post-subsidy regime is such that there has not been any scope for negotiation, and accordingly the only opportunity for the Council is to respond to the development as submitted to the Scottish Government. Adverse landscape, visual and cumulative impact effects therefore constitute the recommended reason for objection being raised in this case.

Having due regard to the above it is considered that this proposal is contrary to the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); Argyll and Bute Local Development Plan; and the Landscape Wind Energy Capacity Study.

F. Cumulative Effects

Whilst the operational Allt Dearg/Sronoire wind farm is located in the same character type (UFMM 6b), critically it is screened in views from across West Loch Tarbert area by the high ridge between Meall Reamhar and Stob Odhar. Views of Knapdale from the West Loch Tarbert area are therefore currently not influenced by wind farm development. This is in marked contrast to views from Kintyre and views of Knapdale from outer Loch Fyne/Loch Caolisport area.

In SNH's view, the addition of the proposed development would give rise to significant adverse cumulative effects on the experience of Knapdale and Kintyre. In strategic terms, the southern section of Knapdale is a key area which has not been developed for wind farms. The proposed Airigh wind farm would result in the spread of the effects of wind farm development from the Kintyre peninsula where development is currently concentrated, across West Loch Tarbert to Knapdale. These uplands presently provide an important uncluttered backdrop to the scenic West Loch Tarbert area. Freasdail wind farm already adversely affects views to the south of West Loch Tarbert. This proposal would introduce development to the northern shores in a different landscape context thereby reducing the distinctiveness of the Knapdale landscape.

Airigh wind farm will extend the influence of wind farms into the sensitive coastal edge and areas of landscape valued for their scenic qualities. It would impinge on the dramatic coastal panoramas of the Paps of Jura as experienced from, for

example, west Kintyre (e.g. Clachan and Ronachan) where they are first revealed. The change to the established pattern of development, and spread of development into a new area would also be experienced offshore (islands and the sea) from, for example, the islands and key ferry routes.

In SNH's opinion, significant adverse cumulative visual effects would occur from offshore, for example parts of Gigha (as represented by VP 12), the sea and West Loch Tarbert as represented by, for example the Islay – Jura ferry view (F2) where, in combination with Freasdail wind farm, there would potentially be a 'corridor' effect. The significance of effects will diminish with distance. The LVIA found that significant effects would occur between the north end of Gigha and West Loch Tarbert.

Having due regard to the above it is considered that this proposal is contrary to the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); the Argyll and Bute Local Development Plan; and the Landscape & Wind Energy Capacity Study

G. Ecological Impact

Protected Habitats - SNH note that the proposal will result in the loss of the 0.43 ha of blanket bog (Annex 1 Habitat Directive habitat, Scottish Biodiversity List and a UK Biodiversity Action Plan (UK BAP) Priority Habitat) for both permanent infrastructure and borrow pit areas. The proposal will also result in the permanent loss of 2.87 ha of wet heath habitat (Annex 1 Habitat Directive habitat, Scottish Biodiversity List and UK BAP Priority Habitat). SPP establishes carbon-rich soils, deep peat and priority peatland habitat as nationally important environmental interests.

The applicant proposes to enhance wet areas and increase the abundance and distribution of Sphagnum mosses by rendering drains, grips and redundant forestry ditches in the Woodland Management Area ineffective. The applicant also proposes to increase the abundance and distribution of dwarf shrubs (including *Calluna vulgaris*, *Empetrum nigrum* and *Vaccinium myrtillus*) within the Woodland Management Area by the management of deer densities.

Non-avian Protected species - SNH are satisfied with the assessment of the impacts of the proposal on non-avian protected species and the proposed mitigation to avoid any significant impacts.

SNH are pleased to note that pre-construction protected species surveys would be carried out and a suitably qualified Ecological Clerk of Works (ECoW) would be appointed during wind farm construction. SNH are also pleased to note that the applicant proposes to implement a Species Protection Plan during construction which will include measures to safeguard protected species known to be in the area. SNH also note that a Construction Environmental Management Plan (CEMP) would be implemented and would contain good practice environmental management and pollution prevention measures.

Marine Scotland recommend the developer establish a robust water quality monitoring programme, which in addition to the proposed mitigation measures, should aim to minimise and/or avoid any impacts on the fish populations within and downstream of the proposed development area and to protect the water quality such that there is no

deterioration in the status as a result of the development, thereby adhering to the requirements of the Water Framework Directive.

The Argyll District Salmon Fishery Board advise that while they have no overall concerns about the development, they expect that the condition and connectivity of brown trout habitat on the site and its access routes is retained throughout and after the construction phase of the project. Fisheries Management Scotland (FMS) advise that the proposed development falls within the district of the Argyll District Salmon Fishery Board, and the catchments relating to the Argyll Fisheries Trust and that the proposal should be conducted in full consultation with these organisations.

The Council's Local Biodiversity Officer has reviewed the Environmental Impact Assessment and has no objection to the proposal in this regard.

Having due regard to the above, it is considered that this proposal is consistent with the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policy in terms of its impact on ecological interests.

H. Ornithological Impact

Natura Appraisal re Knapdale Lochs Special Protection Area for Birds (SPA) - The wind farm access track is proposed to run past Loch nan Torran, a component loch of Knapdale Lochs Site of Special Scientific Interest and Special Protection Area. SNH consider that the mitigation presented in the EIA Report is inadequate and, in particular, does not address disturbance issues associated with the use of the access track, including the transportation of wind farm componentry.

In SNH's view, this proposal is likely to have a significant effect on black-throated divers. Consequently, Scottish Government, as competent authority, is required to carry out a Habitats Regulations 'appropriate assessment' in view of the site's conservation objectives for its qualifying interest(s). SNH advise that in their view on the basis of the information provided, if the proposal is undertaken strictly in accordance with the following mitigation, then the proposal will not adversely affect the integrity of the site.

The appraisal SNH carried out considered the impact of the proposals on the following factor:

- Loch nan Torran is very close to the construction access tracks. Black-throated divers are highly susceptible to disturbance. Movements of vehicles and componentry have the potential to disturb or displace black-throated divers during the breeding season.

SNH have some concerns regarding some aspects of the ornithological surveys which reduces their ability to be confident regarding their advice on golden eagle, black grouse, black-throated diver and red-throated diver. SNH recommend areas where further work would be useful to make more confident estimates of the impacts of the proposal.

Surveys and Assessment – SNH have some concerns regarding the Vantage Point (VP) locations on and around the ridge between the recorded golden eagle sites and the wind farm which could have affected levels of activity recorded.

SNH also have concerns that some VP watches were undertaken in less than ideal weather conditions, contrary to their guidance. This included VP surveys in conditions where wind speeds were up to F8 and in poor visibility and which were used for CRM (e.g. VP3 on 28/06/2013 and VP5 on 13/7/2012). SNH note that VP watches where visibility was less than 1 on their scoring were excluded from CRM but it is not clear if this has been undertaken and therefore SNH seek clarification on this.

It is not clear whether the applicant have accounted for the overlaps in the viewsheds of VPs 1, 3, 5, and 11 used for the Collision Risk Modelling in the area surveyed. They have noted simultaneous watches for 17 hours' worth with VP1 and VP5 but it is not clear if these hours have been taken into account in terms of time the site was watched as both VPs watching the same area will only count for one set of hours and this has potential implications for subsequent CRM predictions and therefore the applicant should clarify this.

In addition, SNH are unsatisfied with the cumulative assessment undertaken. SNH recommend assessments to be undertaken at the Natural Heritage Zone (NHZ) level however the applicant has only considered proposals within 20 km and therefore this assessment is incomplete.

Black Grouse - The recorded black grouse lek of six individuals is important in a Natural Heritage Zone context and is clearly the main lek with others being used as satellite leks. SNH note that the main lek (recorded in 2012) is within 400m of the closest turbine and therefore may be displaced by the presence of the development. SNH therefore recommend that disruption of the main lek is avoided and that a separation distance of at least 500m should be maintained between the main lek and the closest turbine.

From an initial view, the proposed Woodland Management Area (comprising existing conifer plantation and open moorland) looks suitable for black grouse and therefore is already likely to be used by this species. However SNH have also noted that this section of land is also defined as an area of search for compensatory scrub/native planting. SNH seek clarification to confirm that there is no conflict in habitat management practices in this area.

Golden Eagle - The location of the two golden eagle nest sites suggests that the birds will be able to see the track. In addition, the altitude of the nests will mean the plantation is likely to provide very limited or no screening. However, SNH do appreciate that the birds are used to a level of human activity given the presence of the existing track. SNH are content with the proposal to limit track widening / construction works to outwith the breeding season as well as implementing a maximum speed limit of 15mph. However, it is not clear as to whether turbine component delivery will also avoid the breeding season. SNH also seek further clarification regarding the volume of traffic associated with this activity and over what period of time. SNH request that the applicant clarifies this and confirms what action they will take if there is disturbance to golden eagle nest sites during the breeding season.

SNH wish to highlight that golden eagles are protected from harassment at all times and can often roost at or near nest sites so this should be taken into account when undertaking pre-construction surveys.

Several historical golden eagle nest sites were recorded as part of the 2003 national survey in and around the proposed wind farm site in the currently forested areas. SNH can provide the applicant with these nest locations under data licence if necessary.

Evidence, mainly from Argyll, indicates that golden eagles use open areas in forestry more than previously thought. SNH note that the revised felling plan shows a large area of land which will be opened up and replanted during the lifetime of the wind farm. It is possible that golden eagles could subsequently use this area for hunting, which does not appear to have been considered in the EIA Report.

The revised felling plan with the wind farm in the Forestry Chapter of the EIA Report shows a large area will be opened up and replanted during the lifetime of the wind farm. The EIA Report seems to have relied on the PAT (Predicting Aquila Territory) model and the current forestry to say it is of little importance. The Haworth post-construction monitoring on Skye suggests likely displacement by approximately 500m, likely to be related to construction disturbance with more observations of birds flying close to turbines as time went on. They also cautioned about applying the findings of their work to other wind farms as their work covered two wind farms where the golden eagle response was slightly different. This work also relates to non-breeding birds not territorial like the ones affected by this proposal.

Data for this golden eagle territory from the 2003 national survey records several historical nests sites in and around the proposed wind farm site and in the current forestry areas. Opening up of the forestry may make the area more attractive to eagles again.

The presence of eagles around the wind farm area in 2013 was much higher than in other years with Table 9.10 stating a Collision Risk of 0.658/yr; much higher than the average of 0.022/yr over the whole survey period. If they were to use the opened up forestry in some years of the wind farm lifetime the risks will be higher than stated.

It's not clear in the EIA Report if these other nest sites were taken into consideration.

As with black grouse, SNH note that the proposed Woodland Management Area is likely to be currently used by golden eagles but it also appears to be the area of search for proposed compensatory planting – SNH would appreciate clarification that there is no habitat management conflict here.

Red-throated Divers - The variability of red-throated diver loch occupancy and breeding means that displacement from Loch Racadal, which is not used annually, is unlikely to be an issue at NHZ level although cumulative impacts will need to be reviewed following reassessment. It is also worth noting that beneficial uptake of artificial rafts is around 50% and therefore there is no guarantee that rafts will improve productivity or increase breeding pairs to offset any impacts of displacements. Rafts should be targeted for lochs which are already used by red-throated divers (either lochs which are regularly used but with poor breeding success or those used regularly by non-breeding birds) to maximise potential of breeding success.

Black-throated Divers - Ongoing monitoring of black-throated divers on Loch nan Torran has been undertaken by SNH and various stakeholders since 1985. The lack of recent breeding success of black-throated divers at this location suggests that there is not a range of alternative nest site possibilities at the loch and therefore the applicant could consider installing a raft on Loch nan Torran in addition to the two rafts proposed for red-throated divers. Note that recent surveys show that a pair of black-throated divers were present on Loch nan Torran in early summer 2017.

SNH are broadly content with the proposed mitigation to minimise disturbance effects but they request, as per their comments on the Knapdale Lochs SPA that the applicant details further mitigation in relation to vehicular disturbance effects in the vicinity of Loch nan Torran during the breeding season.

Summary - In summary, and in addition to recommendations outlined above, SNH recommend that the following information is requested in order to be able to be more confident of the impacts on these species:

- Clarification that VP watches where visibility was less than 1 were discounted from use in CRM;
- Clarification that overlaps in the viewsheds of VPS 1, 3, 5 and 11 were accounted for in CRM;
- Cumulative assessment to be undertaken and reassessed at the NHZ level;
- Clarification as to whether delivery of turbine components and other infrastructure will be undertaken during the breeding bird season and associated traffic volumes; and
- Clarification on the area proposed for compensatory planting and black grouse and golden eagle Woodland Management Area.

The RSPB does not object to the proposal, however they have concerns that some potential impacts may have been underestimated. RSPB provide advice in relation to red-throated diver and habitat management in order to minimise biodiversity impacts of the development. Due to the biodiversity and peat concerns, the RSPB recommend conditions to ensure: that no construction works/vegetation clearance/tree felling or decommissioning shall be carried out during the bird breeding season (April to July inclusive) unless undertaken after a bird disturbance management plan has been agreed and implemented; to secure the submission of a Conservation Management Plan for approval in writing by the Planning Authority SNH and RSPB (to include measures for diver rafts; and native scrub creation); to secure the employment of an appropriately qualified and experienced Ecological Clerk of Works to oversee construction of turbines, tracks and other infrastructure and delivery of mitigation measures in order to minimise ecological impacts; and an appropriate programme of post-construction monitoring of bird populations should be established on the wind farm site and habitat monitoring on the area identified for mitigation under the CMP.

The Council's Local Biodiversity Officer has reviewed the Environmental Impact and has no objection to the proposal in this regard.

The Council would expect the further clarification regarding the ornithology surveys and assessment to be submitted and agreed with SNH prior to a decision being made on this application. The Council would also expect the condition recommended by SNH to secure appropriate mitigation to be a condition of any consent granted.

I. Hydrology & Hydrogeology

The Energy Consents Unit has commissioned AM Geomorphology Ltd to technically assess the Peat Landslide Hazard and Risk Assessments submitted by developers. This 'checking report' considers whether or not adequate and appropriate field survey, peat sampling and analytical methods have been employed to provide a sound basis for assessing peat stability and the risk from peat landslides within the development envelope. On the basis of the review detailed in the checking report, the Peat Slide Risk Assessment requires resubmission due to shortcomings in key elements of the assessment. Given the requirement to resubmit, no conditions are proposed at this stage.

SEPA have no objection to the proposal. They advise that peat reuse proposals seem reasonable and in line with SEPA and partner agency guidance.

Scottish Water advise that 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 proposed development. Furthermore, there are no Scottish Water assets that would be affected by the proposed development. Scottish Water provide detailed advice on precautions to protect drinking water and Scottish Water assets during wind farm construction and operational activities, including the requirement to submit a site specific Construction Method Statement including e.g. Construction Environmental Management Plan, Risk Assessment, Pollution Prevention and Contingency Plan, Drainage Plan and Peat Management Plan prior to the commencement of development.

The Council would expect sufficient information to be supplied and agreed with AM Geomorphology Ltd prior to a decision being made on this application.

J. Minerals

The Coal Authority have confirmed that the proposed development site is located outside of the defined coalfield. Accordingly, the Coal Authority has no specific comments to make.

Having due regard to the above, it is considered that this proposal is consistent with the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policy in this regard.

K. Forestry

Forestry Commission Scotland (FCS) expect to see forest related works satisfy the Scottish Government's 'Control of Woodland Removal Policy', to provided appropriate compensatory planting and the application of UK Forest Standard (UKFS) to the tree related activity. Forestry Commission Scotland object on the grounds that the proposal is not UKFS compliant and insufficient information has been presented within the EIA Report. In addition, FCS recommend that a condition is applied to any consent to ensure compensatory planting and a full forest plan is completed.

FCS's view is that the requirement to fell 129.4ha or 52% of the forest in the first 5 years (possibly the first 18 months), is not good practice and advice that further

phasing of felling should be incorporated. Opportunities to further reduce the scale of felling in phase 1 should be considered. Furthermore, that the calculation of percentages for felling and restocking of species is unclear. Figures should be presented as per the standard Forest Plan guidance to demonstrate UKFS compliance and open ground should be mapped. The ES presents insufficient information for FCS to assess whether the forest design is appropriate within the landscape and surrounding woodland environment. Insufficient information has been provided on potential effects of forest felling on nutrient levels regarding surface water quality. FCS are unclear as to whether the temporary increase in water run off following large scale tree felling has been included in the assessment of effects on flooding and water quality. It is unclear whether there is any woodland loss associated with the wind farm access road line that should be included in the calculation.

SEPA advise that all forestry operations should adhere to SEPA guidance for forestry waste and/or windfarm industry guidance.

The Council would expect sufficient information to be supplied and agreed with Forestry Commission Scotland prior to a decision being made on this application.

K. Borrow Pits

The creation of up to 10 temporary onsite borrow pits for the extraction of stone (subject to site investigation) have been indicated, albeit they have not been submitted in detail. The Council would expect these to be the subject of separate planning applications.

L. Historic Environment

Historic Environment Scotland are content that there is sufficient information within the EIA Report and associated application material to come to a view on the proposal for their interests. Overall, HES agree with the conclusions within the Cultural Heritage Chapter that the proposals will not give rise to significant adverse effects on historic environment features within their remit and therefore they do not object to the proposal. At time of writing no response has been received from the WoSAS.

Having due regard to the above it is considered that the proposal is consistent with the relevant Local Development Plan Policy in terms of historic environment interests.

M. Noise, Air Quality & Lighting

The main issues of concern in terms of possible amenity effects are operational noise, construction noise, air pollution (such as dust during the construction phase), lighting during the construction phase and effects upon private water supplies.

Noise - The Environmental Health Officer has no objection to the proposal in regard to noise subject to conditions relating to monitoring, recording and complaints procedure.

Air Quality - The Environmental Health Officer has confirmed that there are no matters associated with the proposal that are considered to pose a threat to ambient air quality objectives. The applicant has stated that a Construction Environmental Management Plan (CEMP) will be prepared and a condition to require compliance with this could be considered.

Lighting - The Environmental Health Officer has confirmed that the wind farm development itself is unlikely to require significant lighting and given that there are no known sensitive receptors within a reasonable distance of the proposed construction activities, it is not anticipated that light pollution will be a matter to control via planning condition.

Private Water Supplies - The Environmental Health Officer notes that the ES has determined that there are two active private water supplies in the area that may be impacted by the development and these have been assessed and monitoring and mitigation measures proposed including the implementation of a Private Water Supply Action Plan and a Private Water Supply Emergency Response Plan. It is not anticipated that site welfare facilities during the construction and operational phases will require the provision of a water supply. SEPA note that two private water supplies have been identified and advise that with appropriate mitigation, SEPA advise that the identified PWSs are not at risk from the proposed development.

Having due regard to the above it is considered that the proposal is consistent with the relevant Local Development Plan Policy in this regard.

N. Tourism & Recreation Impact

VisitScotland's response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors. While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 – which is 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas. One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism - Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location. The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites. The VisitScotland Visitor Experience Survey (2011/12) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland.

Taking tourism considerations into account - VisitScotland suggest that full consideration is given to the Scottish Government's 2008 research on the impact of wind farms on tourism, which provides recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the ES. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised: the number of tourists travelling past en route elsewhere; the views from

accommodation in the area; the relative scale of tourism impact i.e. local and national; the potential positives associated with the development; the views of tourist organisations, i.e. local tourist businesses or VisitScotland.

Given the aforementioned 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 proposal on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number. 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.

SPP (2014) identifies tourism as one of the key sectors in Scotland with particular opportunities for growth which should be supported by the functioning of the planning system in the delivery of the visitor economy. It requires that development plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of this sector. In the context of onshore wind development, this has contributed to the introduction of the Spatial Framework approach set in which SPP deems wind farms to be unacceptable in National Parks and National Scenic Areas, ostensibly as a consequence of their scenic sensitivity to large scale development and their value to Scotland's tourism economy. This would indicate that at government level there is recognition that wind farms sited inappropriately in sensitive locations valued for their scenic qualities would be unlikely to be in the interests of sustaining Scotland's tourism economy.

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.

The response of visitors and the public across Scotland to the appearance of wind farms in the landscape appears polarised, as indeed it does towards the desirability of pursuing wind energy as a matter of principle. Therefore unlike many other sectors where there is likely to be consensus amongst the public as to the desirability or otherwise of a particular form of development, the public response to wind turbines continues to be very subjective.

There has been wide ranging and often conflicting research undertaken to establish the attitude of tourists in Scotland towards wind farms, and the extent to which their presence in the landscape might deter repeat visits. Given the relatively rapid and continuing spread of wind farm development in Argyll and Bute and elsewhere, it is questionable how much reliance can be placed on the findings of these reports, which have been based upon the experience of participants based upon the extent of wind farm development in place at the time of the research. They rely on attitudes fashioned by the experience of developments which thus far tend to have been carefully sited

under the auspices of the planning system, and in most cases involving turbines of a lesser scale than those which would be contemplated in contemporary developments. If less care were to be taken in future planning decision-making over the siting of turbines in the landscape, public attitudes might shift significantly. However, given that the available evidence is inconclusive and not necessarily a reliable indicator of future attitudes, there is simply too much uncertainty surrounding this particular issue to be able to be definitive in the matter.

In this case the presence of adverse landscape, visual and cumulative impacts, would suggest that, if granted, the development may influence public attitudes to a point where tourists might become dissuaded from visiting due to the proliferation of wind farms. It is considered that there remains limited scope to assimilate this additional wind farm in the landscape without presenting any serious quantifiable threat to the tourism economy.

At time of writing no response has been received from the Council's Access Officer.

O. Shadow Flicker & Ice Throw (Equipment Safety)

Shadow flicker effects occur only within 130 degrees of north and within 10 rotor diameters of a turbine (i.e. 1,148m in the case of this development). As there are no properties within 130 degrees of north and within 1,148m of the development Shadow Flicker is not a matter of concern. The Environmental Health Officer has not raised any concerns in this regard.

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

Having due regard to the above, in terms of shadow flicker and ice throw, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policies in this regard.

P. Television Reception

Television reception can be affected by the presence of turbines although this has become less of a problem since the switchover from analogue to digital broadcasting. In this location due to poor reception properties tend anyway to rely on satellite signals so no measures are required to address any deterioration in conventionally broadcast signals.

Having due regard to the above, in terms of television reception, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policies in this regard.

Q. Aviation Matters

The MOD has no objection to the proposal. In the interests of air safety the MOD request that the development should be fitted with MOD accredited aviation safety lighting. National Air Traffic Services has confirmed that the proposal has been

examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Having due regard to the above, in terms of aviation interests, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policies in this regard.

R. Electro-Magnetic Interference to Communication Systems

The relevant operator (BT) has been consulted to determine whether their systems would be affected by electro-magnetic radiation associated with electricity generation, who have confirmed that the proposal should not cause interference to BT's current and presently planned radio networks. SPP (2014) and Local Development Plan Policy highlights telecommunications interference as a material consideration in considering the acceptability of wind turbines. No interference with UHF or microwave telecommunication links has been identified in this case and there have been no objections from relevant consultees.

Having due regard to the above, in terms of communication interests, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policies in this regard.

S. Road Traffic Impact

The development will be served by a combination of existing and new tracks. The site will be accessed via the existing Alt Dearg Wind Farm site entrance off the A83 (11km north of Tarbert). The existing Alt Dearg junction is intended be used by general construction traffic, but an additional new site entrance is to be created approximately 80m south of the existing Alt Dearg site entrance in order to allow abnormal load construction vehicles to access the site when arriving from the south. It is anticipated that the turbine components will be delivered to the Port of Campbeltown, with the potential for the tower components to be sourced from CS Wind at Machrihanish.

From this additional junction, a section of new track measuring approximately 110m in length will be required to join the existing Alt Dearg access track which will be used for approximately 3km before joining a section of new track heading south-west to the application site. The access track network within the site itself will extend to 30.4km, of which 14.4km will be newly constructed.

Transport Scotland has no objection to the proposal subject to conditions relating to: consultation with Transport Scotland prior to works on the southern access; consultation with Transport Scotland on works within the Trunk Road boundary; to ensure that the development does not affect the integrity of the trunk road drainage network; provision of the abnormal load assessment to Transport Scotland; provision of a Traffic Management Plan; consultation with Transport Scotland on the Traffic Management Plan where proposals may directly or indirectly affect the trunk road network; and that the Traffic Management Plan takes account of Traffic Management Plans for other wind farms and major developments in the area.

The Council's Area Roads Engineer has no objection to the proposal subject to conditions to ensure that all construction traffic accesses the site directly from the A83

Tarbet – Campbeltown Trunk Road; and that no construction traffic uses the B8024 Kilberry Road without written permission from Roads & Amenity Services.

Having due regard to the above, it is considered that in access and traffic terms (but not in visual impact terms), the proposal is consistent with the provisions of SPP; Scottish Government’s Onshore wind turbine: planning advice (May 2014); ‘Onshore Wind Policy Statement’ (December 2017); and relevant Local Development Plan Policy in this regard.

T. Infrastructure

The proposal will not be connecting to public water or drainage infrastructure.

Site drainage – SEPA advise that assuming best practice construction methods are employed, they do not anticipate any major issues. SEPA would however offer the following comments: drainage from borrow pits and tracks should be considered along with all site drainage which should be disconnected fully from water environment; tracks should be constructed with relief culverts to sumps and with disconnections for all drain ends, especially at crossing points; some soils, particularly at the Stronachullin location, are liable to cause sedimentation and therefore good site drainage design and installation is essential; borrow pit restoration plans should be in line with current guidance and should also include drainage via oversized/sumps and lagoons; and where ever possible, opportunities to move tracks and compounds away from watercourses, minimise new access track lengths and use tracks for cable routes, should be taken. All watercourse crossings will require an options appraisal in line with SEPA crossings guidance and will also require an identification of the appropriate level of authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). An exception to an options appraisal would be to assume oversized bottomless arch culverts or bridges. There may be opportunities to improve existing crossing points where multiple culverts have been installed previously, particularly crossings 16, 22, 23, 26 and 27. The developer should consider if existing water course crossings can be improved, thereby offsetting some impacts of the new development.

Foul drainage - SEPA advise that any sewage treatment and disposal arrangements associated with the development must be in accordance with their requirements.

Having due regard to the above, it is concluded that, in terms of drainage and water supply, the proposal is consistent with the provisions of SPP; Scottish Government’s Onshore wind turbine: planning advice (May 2014); ‘Onshore Wind Policy Statement’ (December 2017); and the relevant Local Development Plan Policies in this regard.

U. Grid Network & Cables

Connection to the National Grid is not a matter of land use policy, however, it should be considered ‘in the round’ as part of the planning application process. No objections have been raised in respect of these matters by any consultees.

Having due regard to the above it is considered that the proposal is consistent with the Scottish Government’s Onshore wind turbine: planning advice (May 2014); ‘Onshore Wind Policy Statement’ (December 2017).

V. Community and Economic Benefit

Community Benefit is not considered to be a 'material planning consideration' in assessment of planning proposals. In the event that consent 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 Electricity Act consenting process.

Economic benefit is a material planning consideration and arises from procurement construction, employment and indirect benefits associated with the supply chain. Office for National Statistics data for 2014 shows that direct and indirect economic activity associated with the deployment of onshore wind energy in Scotland amounted to £3.2 billion in turnover, and that Scotland employs 46% of all UK renewables employment. Experience of wind farm development elsewhere in Kintyre, and with the previous Scottish Power developments at Beinn and Tuirc, indicates that local employment of contractors, hauliers and so on, will be of significance during the construction period (12 – 18 months) and that accordingly economic benefit should be regarded as a factor weighing in favour of the development in the planning balance.

W. Decommissioning

Should Scottish Ministers be minded to support the proposal a requirement for decommissioning and site restoration should be included in any conditions recommended by the Council, which would be triggered by either the expiry of the permission, or if the project ceases to operate for a specific period. This would ensure that at the end of the proposal's operational life the turbines would be decommissioned and principal elements removed; the site would be restored to its former use leaving little if any visible trace of the turbines; the foundations, new tracks and hardstandings would be covered over with topsoil and reseeded; the cables would be de-energised and left in place, and any cables marker signs removed; and the electrical substation building would be demolished to ground level with the foundation covered with topsoil and reseeded.

Having due regard to the above, it is considered that the proposal is acceptable in terms of SPP (2014); the Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policies.

X. Scottish Government Policy & Advice

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

The Scottish Government recently published two consultation documents namely the 'Scottish Energy Strategy: The Future of Energy in Scotland' and the associated 'Onshore Wind Policy Statement' (January 2017) both of which had consultation deadlines at the end of May this year. These seek to increase the drive to secure zero carbon energy sources, with a stated ambition to meet half the country's energy needs across all sectors (including electricity generation) by 2030. Onshore wind is anticipated to continue to represent a significant contributor to the attainment of what is an ambitious overall target. Stated policy is to support deployment of onshore wind, whilst protecting the environment (landscape and visual, ecological and other environmental impacts); protecting residential amenity; and maximising local benefits, including through promoting shared ownership and community benefits. The Scottish

Government's intention is to continue to support further development of onshore wind in order to achieve the targets set by the Climate Change (Scotland) Act at the lowest cost. The Scottish Government's position is that wind offers the best opportunity to secure low carbon renewable electricity at scale and sustains growth and employment in the Scottish supply chain.

SPP 2014 advises that wind farms should only be supported in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. Furthermore, that criteria for determining wind farm proposals varies depending on the scale of proposal and its relationship to the characteristics of the surrounding area, but usually includes: landscape and visual impact, effects on the natural heritage and historic environment, contribution of the development to renewable energy generation targets, effect on the local and national economy and tourism and recreation interests, benefits and disbenefits for communities, aviation and telecommunications, noise and shadow flicker, and cumulative impact. Finally, that the design and location of any wind farm should reflect the scale and character of the landscape and the location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised.

Having due regard to the relevant considerations reviewed above it is considered that the proposal is contrary to the provisions of SPP (2014); the Scottish Government's Onshore wind turbine: planning advice (May 2014); 'Onshore Wind Policy Statement' (December 2017); and the relevant Local Development Plan Policies.

Y. Scottish Government Renewable Energy Targets & Argyll & Bute's Contribution

In assessing the acceptability of wind farm proposals, it is necessary to have regard to the macro-environmental aspects of renewable energy (reduction in reliance on fossil fuels and contribution to reduction in global warming) as well as to the micro-environmental consequences of the proposal (in terms of its impact on its receiving environment).

Installed onshore wind energy generation capacity in Scotland is currently 6.767 GW and is expected to continue to grow in response to the Scottish Government target of meeting 100% of demand from renewable sources by 2020. Onshore wind accounts for over 70% of installed capacity in terms of Scotland's renewable energy resources. Currently projects totalling almost 2,000MW of onshore wind generation are under construction, with a further 2,000MW consented but yet to be implemented. Operational and consented sites now mean that this target is now well within reach, albeit that it does not represent a ceiling. The government's latest policy pronouncement in its draft 'Onshore Wind Policy Statement' (January 2017) makes it clear that there is continued appetite for further onshore wind delivery in order to meet the latest and most ambitious targets which have been set for the delivery of renewable energy.

Z. Sustainable Development

The development will have an installed generation capacity of over 50MW (between 50.4MW and 58.8MW) of renewable electricity and will make a significant contribution towards reaching EU, and UK renewable energy targets, by harnessing wind as an alternative to the burning of fossil fuels. Climate change is now widely recognised as one of the most significant environmental challenges facing the world today. In response to this a range of international and national policy and legislation has been introduced to encourage the development of renewable energy, reduce greenhouse gas emissions and combat the effects of climate change. In 2008, the European Union

(EU) committed to a legally-binding 20% cut in greenhouse gas emissions by 2020 across all member states. This has been translated into UK legislation and is supported by a range of policies aimed at ensuring that an increasing proportion of the country's energy needs are met from renewable sources including wind power.

Conclusion

The 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, and considers the merits of onshore wind farms carefully, particularly given the value of the local wind resource to the country as a whole. These targets are important given the compelling need to reduce our carbon footprint and reduce our reliance on fossil fuels. The Council further recognises the important role which the renewable energy industry can play in developing our local economy, as encouraged by the Council's Renewable Energy Action Plan (REAP).

Argyll and Bute has a distinguished track record of pioneering and delivering renewable energy projects and we are well placed to continue to respond to the needs of the renewable energy industry and take advantage of the economic opportunities that are available to us. The Council seeks to support the further development of renewables where possible, by taking a sustainable approach by protecting and conserving our outstanding environment, including our landscape and protected species, our local communities and other sectors of our economy from unacceptable significant adverse effects as a result of proposed renewable energy developments.

The achievement of sustainable economic growth is one of the main themes of SPP and this is reflected in the Council's Local Development Plan. The main aims of Policy LDP 6 – Supporting Growth of Renewables and the associated Renewables SG, together with technical documents such as the 'Argyll and Bute Onshore Wind Energy Landscape Capacity Study', are to seek to deliver the growth of this important industry in a sustainable manner.

It is concluded in this case however, that the proposal would give rise to adverse effects on the receiving environment, both individually and cumulatively with previously approved developments. Whilst it could make an important contribution to national energy policy and produce some short-term direct and indirect benefits to the local economy, on balance, these benefits are not considered of sufficient material weight to outbalance the adverse impact of the proposal on the local environment. Accordingly, it is recommended that objection be raised to this inappropriately sited and scaled proposal, for the reasons set out in this report.

APPENDIX B

CONFIDENTIAL ANNEX: SNH ADVICE ON PROTECTED HABITATS AND SPECIES

SNH has provided advice on Freshwater Pearl Mussels in a Confidential Annex. They advise that although no freshwater pearl mussels (FWPM) were recorded within the study area during baseline surveys, FWPM are known to exist in the same catchment as the main site of the proposal (comprising the turbines envelope). As a result, there is connectivity between the main site and the downstream population of FWPM. FWPM are particularly sensitive to the sedimentation and eutrophication of watercourses which can occur during construction and felling activities. SNH are pleased to note that monitoring of the FWPM population (prior to and during construction) by a licensed ecologist would be undertaken.

The Council would expect the advice of SNH to be adhered to in regard to this important protected species.