

**Argyll and Bute Council
Development and Economic Growth**

This Supplementary report is a recommended response to the Scottish Government's Energy Consents and Deployment Unit (ECDU) Section 36 consultation on Additional Information received regarding the proposed Sheirdrim Renewable Energy Development on Land at Gartnagrenach Forest, Whitehouse, Argyll and Bute

Reference No: 19/02424/S36

Planning Hierarchy: Electricity Act Section 36 consultation

Applicant: The Scottish Government on Behalf of SLR Consulting Limited

Proposal: Electricity Act Section 36 consultation relevant to Sheirdrim Renewable Energy Development

Site Address: Land at Gartnagrenach Forest, Whitehouse, Argyll and Bute

SUPPLEMENTARY REPORT NO. 1

1. INTRODUCTION

The above S36 consultation was originally considered at the Planning, Protective Services and Licensing Committee on Wednesday 20th May 2020. Officers concluded that the Sheirdrim proposal does not accord overall with the relevant provisions of the Scottish Planning Policy and the Argyll and Bute Local Development Plan and that there are no material considerations which would justify anything other than the Council objecting to this proposal for the reasons detailed in the report dated 6th May 2020. At the time of writing the report, public representation stood at 50 of which 46 are objections and 4 in support. Objections had also been made by Historic Scotland Environment, Scottish Forestry, National Air Traffic Services and East and West Kintyre Community Councils and South Knapdale Community Council.

Should any of the objections raised by Historic Environment Scotland, Scottish Forestry and National Air Traffic Services be withdrawn, it was also recommended that the Council no longer objects on these grounds, and that the Energy Consents Unit should treat these aspects of the Council's overall objection as withdrawn. In addition it was also recommended that out of the two access options, the existing Cour access was identified as the Council's preference and that the Scottish Government be notified accordingly.

The Committee agreed to object to the S36 consultation proposal as per the reasons outlined in the report of handling dated 6th May 2020 subject to including reference to the proposal having an adverse landscape and visual impact on the villages of Clachan and Whitehouse and that the Scottish Government be notified accordingly. The reasons for objection and committee minutes are detailed at Appendix A of this report.

2. UPDATED POSITION

Since the committee's consideration of the original S36 consultation the applicant has submitted Additional Information to the Energy Consents Unit of Scottish Government. In accordance with EIA Regulations the Council has been consulted on this Additional Information and a response is required by 25th January 2021.

The Additional Information (November 2020) includes information relating to submission of information regarding queries received from Historic Environment Scotland (HES) in early 2020 regarding significant potential impacts on Dun Skeig, duns and fort, scheduled monument. The document also includes appendices, which do not constitute Additional Information, but do however, provide the updated position and detail of correspondence between the applicant and relevant consultees for the purposes of clarifying matters within the EIA Report as follows:

- Appendix A: Landscape - A.1 Correspondence with Argyll and Bute Council & A.2 Correspondence with North Ayrshire Council
- Appendix B: Peat - B.1 Correspondence with Ironside Farrar, ECU Peat Advisor
- Appendix C: Aviation - C.1 Correspondence with NATS
- Appendix D: Forestry - D.1 Correspondence with Scottish Forestry
- Appendix E: Ornithology - E.1 Correspondence with Scottish Natural Heritage (SNH), (now NatureScot)

As the Council did not object to the proposal on the grounds of peat or ornithology these matters are not covered in this report. The relevant matters are considered in the following order: Additional Information, Dun Skeig, Scheduled Monument; Appendix A: Landscape; Appendix C: Aviation; and Appendix D: Forestry

3. ADDITIONAL INFORMATION - DUN SKEIG, SCHEDULED MONUMENT

The 4th reason for objection as detailed in the Report of Handling 6th May 2020 relates to Dun Skeig, Scheduled Ancient Monument. The reason for this objection was that Historic Environment Scotland advised the Energy Consents Unit that they object to this proposal given the potential for significant adverse impacts on the setting of the Scheduled Monument, Dun Skeig duns & fort. Historic Environment Scotland consider that this impact will have an adverse effect on the integrity of the setting of Dun Skeig, duns & fort to the effect that it would affect our ability to understand, appreciate and experience this monument. Consequently, they advise that the proposals are not in line with Scottish Planning Policy, 2014 and raise issues of National Interest that warrant Historic Environment Scotland's objection. While Historic Environment Scotland would welcome further dialogue on mitigation, it does not appear that impacts would be reduced to an acceptable degree without significant reductions in turbine heights or the widespread deletion of turbines. Local Development Plan Policy is clear that developments that have an adverse impact on Scheduled Monuments and their settings should not be permitted unless there are exceptional circumstances. In the reason for objection it was specified that the Energy Consents Unit should note that in the event that Historic Environment Scotland withdraw their objection, then Argyll & Bute Council would no longer object on these grounds.

The Additional Information provided by the applicant includes: Correspondence (including visualisations) from the applicant to Historic Environment Scotland dated 23rd April and 24th July 2020.

Historic Environment Scotland (HES) have considered the Additional Information and reasserted their position on the 17th December 2020 to the Energy Consents Unit.

HES note that the Additional Information (November 2020) includes further analysis and visualisation of the significant impact they identified on the setting of Dun Skeig, duns and fort (Scheduled Monument,) in their detailed objection letter (30th March 2020) to the Sheirdrim Renewable Energy Development. In particular, the Additional Information (November 2020) comprises two letters (23rd April 2020, 24 July 2020) already submitted to HES during post-submission engagement with the applicant. It should be noted that HES have already provided a written response to each letter in correspondence dated 21st May 2020 and 21 August 2020.

In each case, HES have continued to disagree with the conclusions presented by the applicant that the magnitude of impact on the setting of Dun Skeig, duns and fort (Scheduled Monument) would be very low adverse. HES remain of the view that this impact will have an adverse effect on the integrity of the setting of this scheduled monument to the extent that it would affect our ability to understand, appreciate and experience this monument. The proposals are therefore not in line with paragraph 145 of Scottish Planning Policy (SPP 2014) and continue to raise issues of national interest such that warrant our objection.

Having considered the Additional Information and Historic Environment Scotland's most recent consultation response to the Energy Consents Unit it is concluded that no change is required to the Council's recommended reason for objection in this regard.

4. APPENDIX A – LANDSCAPE, VISUAL & CUMULATIVE IMPACT

The 1st, 2nd and 3rd reasons for objection as detailed in the Report of Handling 6th May 2020 relates to landscape, visual and cumulative impact.

Appendix A includes correspondence dated 1st September 2020 and is entitled "Landscape". It is a response to these three reasons for objection and concludes that: *"Whilst there would be some significant landscape, visual and cumulative impacts, these should not be considered to be of such magnitude as to be unacceptable. Again, it should be noted that the EIAR, as well as the Council's Landscape Architect has taken a very precautionary approach and assumed that all of these cumulative visual changes would be adverse, but not everyone would perceive these changes to be so"*.

The views of Carol Anderson, the Council's Landscape Consultant were sought on this document. On the 2nd September 2020, Carol Anderson confirmed that: *"none of the information detailed in the report would cause me to revise my landscape advice to the Council. It should be stressed, given the comments made in the note, that my landscape advice to you on this proposal relies on the more detailed information contained in the EIA-R rather than on the strategic guidance contained in the Argyll and Bute Landscape Wind Energy Capacity Study (2017) as is the correct approach when considering a specific development"*.

Having considered the Landscape Appendix and our expert Landscape Consultant's advice it is concluded that no change is required to the Council's recommended reasons for objection in this regard.

5. APPENDIX C - AVIATION

The 5th reason for objection as detailed in the Report of Handling 6th May 2020 relates to Aviation. The reason for this objection was that National Air Traffic Services Safeguarding (NATS) advised the Energy Consents Unit that the proposal has been examined by technical and operational safeguarding teams and that an unacceptable technical impact is anticipated, consequently, they object as an unacceptable impact from the proposal has been identified. Local Development Plan Policy is clear that developments that have an adverse impact on the Safeguarding of Airports should be refused. In the reason for objection it was specified that the Energy Consents Unit should note that in the event that National Air Traffic Services (NATS) withdraw their objection, then Argyll & Bute Council would no longer object on these grounds.

Appendix C includes: an SPR Aviation Response Report (7th April 2020); and an email (8th April 2020). The most recent response from National Air Traffic Services (1st December 2020) available on the Energy Consents Unit website states that: *“NATS is pleased to note that the applicant agrees with their finding that “four Sheirdrim turbines are likely to be detected by the Lowther Hill PSR” which will inevitably be a net negative on the performance of the RADR and the operation it supports. NATS has offered to deploy a mitigation similar to that already in place for the neighbouring Freasdail turbines but SPR have not yet taken them up on the offer and therefore NATS position remains one of objection”.*

Having considered the Aviation Appendix and NATS most recent consultation response to the Energy Consents Unit it is concluded that no change is required to the Council’s recommended reason for objection in this regard.

6. APPENDIX D - FORESTRY

The 6th reason for objection as detailed in the Report of Handling 6th May 2020 relates to Forestry. The reason for this objection was that insufficient information has been provided regarding ‘Calculation of UK Forestry Standard percentages for the wind farm proposal area’ had still to be addressed to the satisfaction of Scottish Forestry. Scottish Forestry objected to the proposal on these grounds, and would also object unless conditions are applied to secure Compensatory Planting and a Long Term Forest Plan. Local Development Plan Policy is clear that adequate provision must be made in regard to woodland when considering development proposals. In this instance, insufficient information has been provided to demonstrate to Scottish Forestry that this is the case. In the reason for objection it was specified that the Energy Consents Unit should note that in the event that Scottish Forestry withdraw their objection, subject to the provision of Scottish Forestry’s conditions to secure Compensatory Planting and a Long Term Forest Plan then Argyll & Bute Council would no longer object on these grounds.

Appendix D includes correspondence with Scottish Forestry dated 31st March 2020, 15th May 2020 and EIAR Figure 3.2.8 Infrastructure Felling Plan. Scottish Forestry provided a response to the Energy Consents Unit on the 18th June 2020 which confirms that *Scottish Forestry* are content with the restocking proposals. Scottish Forestry confirm that they have no outstanding issues regarding this proposal, assuming that suitably worded conditions are applied to secure: compensatory planting and a long term forest plan.

Having considered the Forestry Appendix and Scottish Forestry’s most recent consultation response it is noted that this matter has now been satisfactorily

resolved. However, no change is required to the Council's recommended reason for objection in this regard as the objection is worded in such a way which allows it to be withdrawn without further action if the points of objection are resolved in advance of the inquiry..

7. CONCLUSION & RECOMMENDATION

It is considered that the Additional Information and accompanying appendices do not facilitate any necessity to alter the details of the recommendation to object contained in the original Report of Handling. It is recommended that the Energy Consents Unit be notified accordingly.

Author of Report: Arlene Knox

Date: 22nd December 2020

Reviewing Officer: Sandra Davies

Date: 22nd December 2020

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

APPENDIX A TO SUPPLEMENTARY REPORT 1 – 19/02424/S36 – REASONS FOR OBJECTION & THE MEMBERS’ DECISION IS OUTLINED IN A COPY OF THE PUBLISHED MINUTE

1. Landscape Impact

Argyll and Bute Council will assess development proposals with the aim of protecting conserving and where possible enhancing the built, human and natural environment. A development proposal will not be supported when it does not protect, conserve or where possible enhance the established character and local distinctiveness of the landscape in terms of its location, scale, form and design. Argyll and Bute Council will resist renewable energy developments where these are not consistent with the principles of sustainable development and it has not been adequately demonstrated that there would be no unacceptable significant adverse landscape and visual impacts, whether individual or cumulative.

This proposal lies within the *Upland Forest Moor Mosaic* Landscape Character Type. The proposed turbines, which would be up to 149.9m high to blade tip, would fall within the ‘Very Large’ typology considered in the Landscape Wind Energy Capacity Study (LWECS). The LWECS concludes that the combined landscape and visual sensitivity of the *Upland Forest Moor Mosaic* Landscape Character Type is high-medium for wind turbines of this size. The guidance set out in the study for this Landscape Character Type advises that there is very limited scope for additional turbines to be accommodated within this landscape principally due to potential cumulative effects that could occur on the coastal fringes of Kintyre and on views from Arran and Gigha. The area of the peninsula to the north of Beinn Bhreac is noted as being particularly sensitive due to likely increased effects on Arran, Gigha and surrounding seascapes. Significant intrusion on adjacent settled and small-scale landscape character types and on Arran and Gigha should be avoided by siting larger turbines well back into the interior of these uplands. The LWECS considers the strategic pattern of wind farm developments on the Kintyre peninsula and concludes that: “A ‘*Landscape with wind farms*’ is a more appropriate strategy for Kintyre rather than allowing a ‘*Wind Farm Landscape*’ to evolve. This is because of the presence of key landscape and visual constraints including effects on Gigha, Arran and sensitive coastal fringes.....clustered developments with clear and generous spaces between them would be a better approach aimed at reducing impacts from surrounding islands and seascapes”. The proposal also lies close to the boundary of part of the *Rocky Mosaic* Landscape Character Type covering the east coast of Kintyre and south and west Knapdale. Key constraints identified in the LWECS include the strong contrast which occurs between these intricate settled sea and loch fringes with adjacent simple and more expansive uplands, which makes an important contribution to the rich scenic composition characteristic of Argyll.

The *Upland Forest Moor Mosaic* Landscape Character Type has characteristics that reduce sensitivity to large scale wind turbines, including a gently undulating simple landform and land cover of forest and moorland and a generally expansive scale. A number of operational and consented wind farm developments are located in this landscape. Eascairt and Clachaig Glen wind farms have also been consented in this Landscape Character Type since the LWECS was issued in 2017. The Landscape & Visual Impact Assessment concludes that significant effects would occur on the open moorland of the *Upland Moor Forest Mosaic* within approximately 5-6 km of the proposed wind farm. The Council’s Consultant Landscape Architect is in agreement with the Landscape & Visual Impact Assessment that effects on part of the *Upland Forest Moor Mosaic* Landscape Character Type would be significant and adverse. The *Rocky Mosaic* Landscape Character Type comprises a narrow coastal strip on both the east and west coasts of Kintyre and around Knapdale. This is a small-scale, settled and highly sensitive landscape to large wind turbines. The proposal would not be located in this Landscape Character Type but would lie in close proximity to it due to its position on the

outer edge of the *Upland Forest Moor Mosaic*. There would be intermittent visibility of the proposal from the part of the *Rocky Mosaic* Landscape Character Type covering the shores of West Loch Tarbert and south Knapdale. The Landscape & Visual Impact Assessment concludes that effects would be significant in the South Knapdale area and the Council's Consultant Landscape Architect is in agreement with this. The Landscape & Visual Impact Assessment also correctly concludes that significant effects would arise on West Loch Tarbert which is classified as National Coastal Character Type 9 Sounds, Narrows and Islands. There would be visibility of the proposal from parts of the Area of Panoramic Quality designated area covering the Knapdale area and the Area of Panoramic Quality covering the West Kintyre coast.

There is no citation for the Knapdale Area of Panoramic Quality although special qualities are likely to focus on the small-scale character of the rocky shores of West Loch Tarbert, scenic views across West Loch Tarbert, to Kintyre and Gigha and across the sea to the dramatic mountainous profiles of Jura and Islay. This sparsely settled Area of Panoramic Quality also has a strong perception of naturalness, heightened by the single-track road access. The proposal would not be located in this Area of Panoramic Quality but would lie approximately 3.9km from the closest point of the designated area. The wind farm would be a prominent feature seen across the relatively narrow and scenic West Loch Tarbert. This proposal would be likely to have a significant effect on part of the Knapdale Area of Panoramic Quality.

The West Kintyre Coast Area of Panoramic Quality area does not have a formal citation. Special qualities of the Area of Panoramic Quality are likely to comprise multi-layered and dramatic views to the sea, Gigha, Jura and Islay, the diversity of the coastal edge including its landform, landcover and cultural heritage features which contrasts with the simple forest and moorland-covered backdrop of the Kintyre hills and the setting it provides to recreational activities. While visibility of the wind farm would be significantly restricted by woodland, there would be views from a very small part of the West Kintyre Coast Area of Panoramic Quality in the more open Dun Skeig area. Although the Council's Consultant Landscape Architect considers that there would be an adverse effect on some of the special qualities of this Area of Panoramic Quality, it is not considered that these would be significant.

Significant adverse effects would arise on part of the *Upland Forest Moor Mosaic* Landscape Character Type and on parts of the *Rocky Mosaic* Landscape Character Type where it covers the shores of West Loch Tarbert and south-west Knapdale. There would also be a significant effect on the southern part of the Knapdale Area of Panoramic Quality affecting the setting and perception of naturalness associated with the small-scale and diverse coastal fringes of the designated area and views across Loch Tarbert. This proposal would be contrary to the guidance set out in the Argyll and Bute LWECs and would be located in a landscape where capacity has largely been reached in landscape and visual terms.

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 concluded that the proposal will have significant adverse landscape impacts and is therefore inconsistent with the provisions of: SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality; SG LDP ENV 14 Landscape; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; of the Argyll & Bute Local Development Plan; SPP (2014); the

Onshore wind policy statement, (2017); and guidance contained in the Argyll & Bute Landscape Wind Energy Capacity Study 2017.

2. Visual Impact

Argyll and Bute Council will assess development proposals with the aim of protecting conserving and where possible enhancing the built, human and natural environment. A development proposal will not be supported when it does not protect, conserve or where possible enhance the established character and local distinctiveness of the landscape in terms of its location, scale, form and design. Argyll and Bute Council will resist renewable energy developments where these are not consistent with the principles of sustainable development and it has not been adequately demonstrated that there would be no unacceptable significant adverse landscape and visual impacts, whether individual or cumulative.

Visibility of the proposal would principally affect West Loch Tarbert and the southern and south-western parts of Knapdale. There would be limited visibility from the east coast of Kintyre although widespread views from the Kilbrannan Sound and north-east Arran. The location of the proposal close to the transition with the more settled coastal fringes of West Loch Tarbert and to key roads, increases the impacts of this proposal when compared with other operational and consented wind farms located on the Kintyre peninsula. This proposal would be particularly prominent in views from north Kintyre and from the West Loch Tarbert area. Significant adverse effects on views would occur on the following receptors:

- Sections of the A83 (in the Clachan/Whitehouse area) and the B8001 which are well-used by tourists. EIA Viewpoints 2, 4 and 8 demonstrate the major adverse effects that will occur on views from this route.
- Intermittent views from the B8024 minor road (and National Cycle Route 78) which is aligned close to the northern shores of West Loch Tarbert and around the coast of Knapdale. There would be views from settlement and coastal footpaths on the north coast of West Loch Tarbert and from more informal walking areas around Ardpatrik Point. EIA Viewpoint 5 illustrates how this proposal will significantly extend the horizontal spread of turbines seen on the skyline in addition to the Freasdail wind farm but will also be much more prominent due to the size turbines and their proximity (3.9km distance). While the proposed wind farm would be more distant (>10km) from Viewpoint 10 on the B8024, it would be seen at the end of a framed view channelled down the narrow inner loch, thus increasing the magnitude of effect. Viewpoint 9 located further west on the B8024 and some 8km distance illustrates how the size of the proposed turbines and their location towards the outer margins of the uplands, give an appearance of them spilling down on the coastal hills and thus increasing prominence when compared with other wind farms located on Kintyre.
- The Islay ferry route – The Ferry Route Analysis visualisations and maps set out in Appendix 7.6 are informative and help confirm that significant effects would occur on views from much of the route between Kennacraig and close to the northern point of Gigha.
- The Lochranza to Cloanaig ferry route – cumulative effects will occur with the operational Freasdail wind farm in that this proposal would considerably increase the spread of turbines seen on the Kintyre skyline. The proposal would also appear considerably more prominent than the Freasdail wind farm in views from Lochranza and the Kilbrannan Sound due to their larger size (predominantly 149.9m as opposed to 100m) and because a greater vertical extent will be visible on a higher part of the upland backdrop to views. Cumulative effects would also occur with the consented Eascairt wind farm as a confused array of overlapping and different sized turbines is evident (EIA Figure 7.32a) and where this proposal would make a major contribution to the development of a more concentrated band of development seen on this part of the Kintyre skyline.
- Footpaths in the local area, including those to Dun Skeig and from sections of the Kintyre Way where significant cumulative effects with operational and consented developments will

also occur. (EIAR Viewpoints 1 and 6 illustrate these effects). The proposed solar array would also be likely to contribute to adverse effects experienced from Dun Skeig (Viewpoint 6) and while the proposal would not be located in the most dramatic part of the panorama seen from the summit, it would bring large turbines and other infrastructure substantially closer, forming a focus in views on the walk to and from the hill and adversely affecting the setting and experience of this special landscape feature.

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 concluded that the proposal will have significant adverse visual impacts and is therefore inconsistent with the provisions of: SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality; SG LDP ENV 14 – Landscape; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; of the Argyll & Bute Local Development Plan; SPP (2014); the Onshore wind policy statement, (2017); and guidance contained in the Argyll & Bute Landscape Wind Energy Capacity Study 2017.

3. Cumulative landscape and visual effects

Argyll and Bute Council will assess development proposals with the aim of protecting conserving and where possible enhancing the built, human and natural environment. A development proposal will not be supported when it does not protect, conserve or where possible enhance the established character and local distinctiveness of the landscape in terms of its location, scale, form and design. Argyll and Bute Council will resist renewable energy developments where these are not consistent with the principles of sustainable development and it has not been adequately demonstrated that there would be no unacceptable significant adverse landscape and visual impacts, whether individual or cumulative. Significant cumulative landscape and visual effects would be likely to occur on the following receptors:

□ This proposal would infill the gap between the Freasdail and Eascairt wind farms and would erode the existing pattern of cluster and space wind farms on the Kintyre peninsula resulting in a significantly extended spread of turbines on the skyline of Kintyre seen from the east. The wider spacing and larger size of the Sheirdrim turbines would create a cluttered appearance with the Freasdail and Eascairt wind farms. This proposal would be much more prominent in views from Lochranza (and the Kilbrannan Sound) than these other operational and consented wind farms as evident in EIAR Viewpoint 12, Figure 7.32a.

□ Sequential effects of the Airigh and Clachaig Glen wind farms seen with this proposal from the A83 and from the Islay ferry route - the Sheirdrim proposal would be a major contributor to these effects.

□ Cumulative impacts from Dun Skeig (EIAR Viewpoint 6), the northern shores of West Loch Tarbert and from the Ardpatrik Point area where the Sheirdrim proposal would be variously visible with the operational Freasdail wind farm, the consented Eascairt wind farm and the Airigh proposal. The Sheirdrim proposal would be a major contributor to these effects.

□ Cumulative impacts on the character of the *Upland Forest Moor Mosaic* Landscape Character Type (including the recently consented Clachaig Glen wind farm) and on the Kintyre Way.

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 concluded that the proposal will have significant adverse Cumulative Landscape and Visual impacts and is therefore inconsistent with the provisions of: SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality; SG LDP ENV 14 –Landscape; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; of the Argyll & Bute Local Development Plan; SPP (2014); the Onshore wind policy statement, (2017); and guidance contained in the Argyll & Bute Landscape Wind Energy Capacity Study 2017.

4. Scheduled Monument

Argyll and Bute Council will assess development proposals with the aim of protecting conserving and where possible enhancing the built, human and natural environment. A development proposal will not be supported when it has not been ascertained that it will avoid adverse effects, including cumulative effects on the integrity or special qualities of nationally designated built environment sites. There is a presumption in favour of retaining, protecting and preserving Scheduled Monuments and the integrity of their settings. Developments that have an adverse impact on Scheduled Monuments and their settings will not be permitted unless there are exceptional circumstances. Historic Environment Scotland have advised the Energy Consents Unit that they object to this proposal given the potential for significant adverse impacts on the setting of the Scheduled Monument, Dun Skeig duns & fort. Historic Environment Scotland consider that this impact will have an adverse effect on the integrity of the setting of Dun Skeig, duns & fort to the effect that it would affect our ability to understand, appreciate and experience this monument. Consequently, they advise that the proposals are not in line with Scottish Planning Policy, 2014 and raise issues of National Interest that warrant Historic Environment Scotland's objection. While Historic Environment Scotland would welcome further dialogue on mitigation, it does not appear that impacts would be reduced to an acceptable degree without significant reductions in turbine heights or the widespread deletion of turbines. Local Development Plan Policy is clear that developments that have an adverse impact on Scheduled Monuments and their settings should not be permitted unless there are exceptional circumstances. It is considered that 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. It is therefore considered that the proposal would not represent an exceptional case in this instance.

Having due regard to the above it is concluded that based on the advice of Historic Environment Scotland this proposal will have an adverse impact on the Scheduled Monument, Dun Skeig, duns & fort and is therefore inconsistent with the provisions of SG LDP ENV 19 – Development Impact on Scheduled Ancient Monuments; SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan; SPP (2014); the Onshore Wind Policy Statement and Historic Environment Policy for Scotland (April 2019) in this respect. Argyll & Bute Council therefore object to the proposal due to the adverse impact it would have on the Scheduled Monument, Dun Skeig, duns and fort. The Energy Consents Unit should note

that in the event that Historic Environment Scotland withdraw their objection, then Argyll & Bute Council would no longer object on these grounds.

5. Aviation

Argyll and Bute Council will assess development proposals with the aim of preventing unnecessary dangers aircraft. Policy requires that development is refused where it would constrain the present and future operations of existing airports and airfields. National Air Traffic Services Safeguarding (NATS) have advised the Energy Consents Unit that the proposal has been examined by technical and operational safeguarding teams. An unacceptable technical impact is anticipated, consequently, they object as an unacceptable impact from the proposal has been identified. Local Development Plan Policy is clear that developments that have an adverse impact on the Safeguarding of Airports should be refused. It is considered that, the foregoing technical 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 concluded that due to the fact that National Air Traffic Services Safeguarding (NATS) have advised the Energy Consents Unit that they object to the proposal, it will have an adverse impact on aviation is therefore inconsistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables and SG LDP TRAN 7 –Safeguarding of Airports of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect. Argyll & Bute Council therefore object to the proposal due to the adverse impact it would have on Aviation. The Energy Consents Unit should please note that in the event that National Air Traffic Services (NATS) withdraw their objection, then Argyll & Bute Council would no longer object on these grounds.

6 Forestry

Argyll and Bute Council will assess development proposals with the aim of protecting conserving and where possible enhancing the built, human and natural environment. Argyll and Bute Council will resist development likely to have an adverse impact on trees by ensuring that adequate provision is made for the preservation and where appropriate the planting of new woodland/trees, including compensatory planting and management agreements. Scottish Forestry have advised the ECU that they object to the proposal on the grounds that insufficient information has been provided regarding 'Calculation of UK Forestry Standard percentages for the wind farm proposal area' have still to be addressed. In addition, they would also object unless conditions are applied to secure Compensatory Planting and a Long Term Forest Plan. Local Development Plan Policy is clear that adequate provision must be made in regard to woodland when considering development proposals. In this instance, insufficient information has been provided to demonstrate to Scottish Forestry that this is the case. It is considered that, 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 concluded that the proposal will have an adverse impact on the natural heritage and is therefore inconsistent with the provisions of SG LDP ENV 6 – Development Impact on Trees / Woodland; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; SPP; Onshore wind policy statement,

Scottish Government (January 2017); The Scottish Government’s Policy on ‘Control of Woodland Removal’ (Forestry Commission Scotland 2009); Argyll & Bute Council therefore object to the proposal on the grounds that insufficient information has been submitted to Scottish Forestry to demonstrate that adequate provision has been made in regard to woodland. The Energy Consents Unit should please note that in the event that Scottish Forestry withdraw their objection, subject to the provision of Scottish Forestry’s condition to secure Compensatory Planting and a Long Term Forest Plan then Argyll & Bute Council would no longer object on these grounds.

OTHER RECOMMENDATION

Access Options

Having considered the two access options, it is considered that the preference would be for the existing Cour access to be utilised rather than the creation of a new access. The reason for this is in the interests of visual amenity, based on the fact that there are already a number of wind farm accesses off the A83 and it is considered that these should be minimised wherever possible. This however, should not be at the expense of the residential amenity of the occupants of Glebe Cottage, the house located at the access to Cour wind farm. If the Energy Consents Unit agree with the view of the Council then it is recommended that appropriate conditions are applied in relation to the Construction Environment Management Plan to ensure that noise, vibration and delivery times are limited in accordance with the advice of the Council’s Environment Protection Officer.

Motion

To agree to object to this proposal for the reasons outlined in the report of handling subject to including reference to the proposed development having an adverse landscape and visual impact on the villages of Clachan and Whitehouse, and that the Scottish Government be notified accordingly.

Moved by Councillor David Kinniburgh, seconded by Councillor Sandy Taylor

Amendment

To agree to continue consideration of this Section 36 consultation.

Moved by Councillor Rory Colville, seconded by Councillor Lorna Douglas

A vote was taken by calling the roll.

Motion

Councillor Robin Currie
Councillor Mary-Jean Devon
Councillor David Kinniburgh
Councillor Jean Moffat
Councillor Alastair Redman
Councillor Sandy Taylor
Councillor Richard Trail

Amendment

Councillor Gordon Blair
Councillor Rory Colville
Councillor Lorna Douglas
Councillor George Freeman
Councillor Roderick McCuish

The Motion was carried by 7 votes to 5 and the Committee resolved accordingly.