

**This report is a recommended response to the Scottish Government's Energy Consents and Deployment Unit (ECDU) Section 36 consultation regarding the proposed Narachan wind farm on land east of Tayinloan, Argyll & Bute**

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**Reference No:** 22/00385/S36/ECU00003230

**Applicant:** The Scottish Government on behalf of EnergieKontor UK Ltd

**Proposal:** Electricity Act Section 36 consultation relevant to Rowan Wind Farm

**Site Address:** Land Approximately 4.5km North West of Tarbert, Argyll & Bute

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

- Construction, 35 year operation and subsequent decommissioning, of up to 13 wind turbines with a tip height of up to 200m (approximately 85.8MW)
- Associated turbine compound areas including foundations and hardstanding areas for erecting cranes at each turbine location
- On-site tracks connecting each turbine
- A new graded access junction with the B8024
- New pedestrian, cyclist and recreational use of the wind farms tracks following commissioning of the wind farm, and associated facilities including 10-vehicle informal car park, interpretive boards, benches and bins
- Ten new watercourse crossings
- On-site 132kv substation to provide 'tee-in' to the Inveraray to Crossaig overhead line
- Underground cables linking the turbines to the substation, typically along internal tracks
- An Energy Storage Compound to store batteries to a 5MW capacity which would be within the construction compound footprint
- Up to two borrow pits for the extraction of stone on-site
- A temporary construction compound including provision for onsite concrete batching
- Forestry felling and restocking
- Habitat Management provisions

The proposed development will use the Inveraray to Crossaig Overhead Line to connect to the grid, which passes to the eastern edge of the application site. This connection is subject to a separate application as details would be agreed following consent of the main wind farm.

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**(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. Members should note that an objection from the Council will instigate the requirement for a Public Local Inquiry to be held.**

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**(C) CONSULTATIONS:**

**ENERGY CONSENT UNIT RESPONSES:**

**NatureScot** (17<sup>th</sup> June 2022) – advised the ECU that the Proposal does not raise issues of National Interest, however NatureScot summarise the key considerations to be: Landscape and visual effects, including cumulative effects and night time effects; Construction effects on the Glen Ralloch to Baravalla Woods Site of Special Scientific Interest (SSSI) / Tarbert Woods SAC (Special Area of Conservation); and Operational effects on Schedule 1 birds, predominately ospreys and red-throated divers. NatureScot also provide advice on landscape, ecology and ornithology.

**NatureScot response to the Applicant's Technical Note (Gavia Environmental) regarding curtailment of Turbine 4** (27<sup>th</sup> July 2022) – have advised the ECU that they have considered the Technical Note on the proposed curtailment of Turbine 4 (T4) in order to minimise collision risk for ospreys and red-throated divers. NatureScot welcome the Applicant's commitment to curtail the operation of T4 so that it only operates between sunset and sunrise, thereby avoiding the more sensitive daylight hours when these species are likely to be feeding and commuting between hill lochs and West Loch Tarbert. NatureScot also advise that they would be happy to discuss possible monitoring of the effects of curtailment as part of any post consent discussions.

**Transport Scotland (TS)** (14<sup>th</sup> April 2022) – have advised the ECU that they have no objection. TS request that conditions are attached in the event that the proposal receives consent relating to: Construction Traffic Management Plan (CTMP) and Phased Delivery Plan; Road Condition Review/Assessment; Abnormal Indivisible Loads Management Plan; vehicles transporting construction material are sheeted; vehicle wheel cleaning facilities; abnormal load delivery trial-run; approval of the proposed route for abnormal loads and any accommodation measures; details of any additional signing or temporary traffic control measures deemed necessary (by Quality Assured traffic management consultant); and a Decommissioning Plan.

**Scottish Forestry (SF)** (31<sup>st</sup> March 2022) – advised the ECU that they had insufficient information to recommend that the proposal meets the requirements of UKFS. Additional information is required to allow Scottish Forestry to confirm that the proposal for restocking meets UKFS. Planning conditions to secure Compensatory Planting and a Long Term Forest Plan in the event the proposal receives consent are also recommended.

**Scottish Forestry (SF) consultation response to Applicant's clarification** (29<sup>th</sup> June 2022) – advised the ECU that they are content that the proposal meets the UKFS species diversity requirements and confirm that they have no outstanding issues with the proposal. Planning conditions to secure Compensatory Planting and a Long Term Forest Plan in the event the proposal receives consent are also recommended.

**Scottish Environment Protection Agency (SEPA)** (9<sup>th</sup> March 2022) – have advised the ECU that they have reviewed the information supplied with the application, including the EIAR, and have found it to be insufficient to allow them to determine the potential impacts. SEPA therefore submit a holding objection and request that determination be deferred until further information is provided regarding private water supplies (PWS). SEPA will review this position if these issues are adequately addressed. SEPA also request that if the ECU are minded to grant consent that conditions are attached relating to: micrositng; an updated Peat Management Plan; and water crossings.

**Scottish Environment Protection Agency (SEPA)** (4<sup>th</sup> May 2022) – have advised the ECU that having considered the Rowan Wind Farm – Review of Private Water Supplies (dated 15 April 2022) prepared by Ramand Environmental they remove their holding objection regarding private water supplies. SEPA continue to request that if the ECU are minded to grant consent that conditions are attached relating to: micrositings; an updated Peat Management Plan; and water crossings.

**Historic Environment Scotland (HES)** (30<sup>th</sup> March 2022) – have advised the ECU that they have no objection to this proposal.

**Ironside Farrar (Environmental Consultants on behalf of Scottish Government ECU to audit Peat Landslide Hazard Risk Assessment (PLHRA))** (26<sup>th</sup> April 2022) – advised the ECU that the PLHRA requires minor revisions: although much of the PLHRA is sound, one or two key elements are considered to be insufficiently robust to support the PLHRA conclusions and minor revisions are required; areas for attention will be advised in the review findings and may be progressed by the developer through either an appendix to the original submission or by clarification letter.

**BT** (1<sup>st</sup> March 2022) – have advised the ECU that they have no objection to the proposal.

**Defence Infrastructure Organisation/ Ministry of Defence (MOD)** (2<sup>nd</sup> March 2022) – advised the ECU that they have no objection subject to conditions to secure: aviation lighting and aviation charting & safety management.

**Joint Radio Company Limited** (16<sup>th</sup> May 2022) – advised the ECU they have no objection to the proposal, subject to 30m micrositings.

**Fisheries Management Scotland (FMS)** (28<sup>th</sup> February 2022) – advised the ECU that their remit is confined to alerting the relevant local DSFB/Trust to any proposal. The proposal falls within the catchment relating to the Argyll DSFB and the Argyll Fisheries Trust. The proposals should be conducted in full consultation with the local DSFB & Trust. Due to the potential for such developments to impact on migratory fish species and the fisheries they support, FMS have developed, in conjunction with Marine Scotland Science, advice on terrestrial wind farms for DSFBs and Trusts in dealing with planning applications which should be fully considered.

**Argyll District Salmon Fishery Board** (7<sup>th</sup> March 2022) – advised the ECU that they have no objection subject to conditions to ensure: comprehensive pre and post development monitoring (electrofishing surveys of juvenile fish populations) is undertaken to ensure Argyll DSFB that all habitat and fish populations are unaffected by the development; as part of any development, all conifer trees are to be removed from riverbanks and measures taken to regenerate native broadleaf trees; and all stream crossings are conducive to the upstream and downstream movement of all fish.

**RSPB Scotland** (29<sup>th</sup> April 2022) - has advised the ECU that it does not object to this proposal but provides advice, in relation to biodiversity and habitat management to minimise and ensure any impacts are fully mitigated and that biodiversity benefits are achieved. RSPB ask that conditions to secure: a Bird Protection Plan; Habitat Management Plan; an appropriately qualified and experienced Ecological Clerk of Works (ECoW); and, an appropriate programme of post-construction monitoring are attached to any consent.

**Scottish Water** (25<sup>th</sup> February 2022) – advised the ECU that they do not object and advise that this does not confirm the proposal can be serviced. Advice is provided on: drinking water protected areas and surface water.

**Glasgow Prestwick Airport (GPA)** (5<sup>th</sup> April 2022) – advise the ECU that the development raises aviation safety concerns which have an operational impact on the Airport as an air navigation services provider. Until all technical and operational aviation safety matters are addressed to the satisfaction of the Airport, and a mitigation agreement is put in place for the life of the windfarm, the Airport must object to this proposed development

**Glasgow Prestwick Airport – further comments in response to Applicant's 12<sup>th</sup> May email** (9<sup>th</sup> September 2022) – advise the ECU that they continue to object to this proposal. They continue to have concern in regard to: airspace, airport surveillance coverage and air traffic service; air space and air traffic control; in the absence of appropriate mitigation the turbines visible to the airport's primary surveillance will generate clutter and render the airspace above the wind farm unusable to Air Traffic Control; further wind farms without appropriate mitigation will exacerbate this; and the turbines are capable of impacting VHF reception from ATV to aircraft, the airport requires to be satisfied that the proposal will not have an adverse impact upon VHF communication infrastructure (further analysis required). GPA is optimistic that appropriate mitigation of these effects will be possible and that an agreement can be reached with the Applicant in respect of mitigation measures, which would allow GPA to withdraw its objection.

**Glasgow Airport** (23<sup>rd</sup> February 2022) - Have advised the ECU that the proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. They, therefore, have no objection to this proposal.

**Edinburgh Airport** (28<sup>th</sup> February 2022) – have advised the ECU that the location of this development falls out with the Aerodrome Safeguarding zone for Edinburgh Airport they have no objection/comment.

**National Air Traffic Services Safeguarding (NATS)** (18<sup>th</sup> February 2022) – have advised the ECU that the proposed development has been examined by their technical safeguarding teams and conflicts with their safeguarding criteria. Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NAT's objection is that a technical impact is anticipated, which has been deemed to be unacceptable.

**Highlands and Islands Airports Limited (HIAL)** (22<sup>nd</sup> March 2022) - advise the ECU that at the given position, this development is in the vicinity of the Instrument Flight Procedures of both Islay and Campbeltown Airports. However, their calculations show that there is no impact to the safeguarding criteria for Islay and Campbeltown Airports. If the proposed layout of the wind farm does not significantly change and the maximum height, 200m, of the proposed wind turbines does not increase; Highlands and Islands Airports Limited has no objections to this proposal. However, if the layout changes significantly and the turbine height increases then Highlands and Islands Ltd would object until it is determined that there is no impact to the IFPs of Islay and Campbeltown Airport.

**Civil Aviation Authority** (17<sup>th</sup> February 2022) – advised the ECU that the proposed development has 13 turbines, with turbine heights at 200m ground to tip. This brings them into scope of the Air Navigation Order Article 222 requirements for obstacle

lighting at night. Based on the information, the CAA is satisfied with the proposed lighting scheme,

**Crown Estate Scotland** (12<sup>th</sup> May 2022) – have advised the ECU that the assets of Crown Estate Scotland are not affected by this proposal and they have no comments to make.

**North Ayrshire Council** (23<sup>rd</sup> May 22) – have advised the ECU that in this instance, they leave the comments relating to impacts on North Arran NSA and the Wild Land Area to NatureScot.

**West Kintyre Community Council (WKCC)** (10<sup>th</sup> May 2022) – have submitted an objection to the ECU on the grounds of: Landscape and Visual Impact; and Tourism Impact.

**Tarbert & Skipness Community Council (TSCC)** (30<sup>th</sup> May 2022) – have advised the ECU that they object to the proposal on the grounds that the proposal will have an adverse landscape and visual impact and adverse tourism impact.

**South Knapdale Community Council (SKCC)** (21<sup>st</sup> June 2022) – have advised the ECU that whilst SKCC shall not be making formal comment, SKCC remains neutral on this matter.

**East Kintyre Community Council** (28<sup>th</sup> February 2022) – have advised the ECU that they object to the proposal on the following grounds: a) Visual Amenity due to cumulative harmful visual impacts contrary to Argyll & Bute Council's LDP 6 and Proposed Local Development Plan 2 Diagram 7. b) Community Development Amenity due to the wholesale harmful impacts to a designated Tourism development area

## **ARGYLL & BUTE COUNCIL RESPONSES**

**ABC Landscape Consultant Review** (April 2022) – it is recommended that this proposal should be objected to on landscape and visual grounds principally because of its prominent location in relation to West Loch Tarbert and its sensitive coastal fringes, including impacts on views from key transport routes which are important for visitors.

**ABC Landscape Consultant response to Applicant's rebuttal** (June 22) – concludes that it is acknowledged that all wind farms will have significant adverse landscape and visual impacts but what is important to consider is the nature and degree of severity of these effects in making recommendations to the Council. The LV Review provides an impartial analysis of likely significant adverse landscape and visual effects but also the mitigating features of the proposal are clearly noted, for example the limited visibility of turbines in views from the east across Loch Fyne. It is not appropriate for the Applicant to determine the acceptability of the proposal in landscape and visual terms as this can only be determined by the decision maker (the Council in this instance) upon receipt of the full range of information which needs to be considered in the planning judgement.

**ABC Area Roads** (21<sup>st</sup> March 2022) – no objection subject to conditions to secure: a Traffic Management Plan; a detailed Method Statement; new passing places; carriageway widening; carriageway widening to be soiled and seeded; report identifying vulnerable areas of road to traffic loading (including assessment of culverts or other structures and proposed mitigation); and a detailed roads condition survey;

weekly road inspections. Furthermore, the Applicant should be made aware that there will be no financial contributions from Argyll & Bute Council towards the work required to facilitate the works or to make good any damage directly attributable to the construction of the wind farm. The Applicant should be made aware that they will be responsible for making good any damage to the public roads which is directly attributable to the construction of the wind farm. Transport Scotland should be notified as there may be work to be carried out within the road corridor of the A83 Tarbet – Campbeltown Trunk Road. Conditions. A section 96 Legal Agreement will be required. The Roads Engineer has also highlighted the following notes for intimation to the Applicant: in terms of the Roads (Scotland) Act 1984 a Road Opening Permit (S56) will be required, and no surface water is allowed to discharge onto the public road.

**ABC Environmental Health** (13<sup>th</sup> March 2020) – no objection subject to conditions relating to: noise during proposed works; site noise plans; noise immissions; report demonstrating compliance with noise limits; complaints & independent noise monitoring; provision of independent consultants assessment; logging of wind speed, wind direction and power generation data; nominated representative/point of contact for local residents for noise complaints; and provision of a private water supply action plan.

**ABC Flood Risk Assessor** (23<sup>rd</sup> May 2022) - No objection subject to conditions to ensure that: watercourse crossings not to reduce the capacity of the channel and ideally be designed to convey the 1:200 year plus climate change flow; and Surface water drainage should be designed in accordance with CIRIA C753 and ensure that post development surface water runoff does not exceed the pre-development surface water runoff. The surface water drainage should be in operation prior to the start of construction.

**ABC Local Biodiversity Officer** (22<sup>nd</sup> March 2022) - no objection, advice provided in relation to biodiversity interest, surveys, mitigation, construction environment management and overseeing, habitat management and restoration protocols. The Local Biodiversity Officer recommends monitoring of the condition of the structures (culverts/bridge), that silt catchment measures are effective and that a log of any incidents of contamination are kept. The Local Biodiversity Officer requests that: an ornithological watching brief is kept and any collisions are recorded and submitted to NatureScot, the planning authority and the RSPB; and the applicant drafts an eradication plans for the following species: Japanese knotweed rhododendron; montbretia; and butterfly bush and submits it to the planning authority as this supports biodiversity enhancements.

**The West of Scotland Archaeology Service (WOSAS)** (6<sup>th</sup> April 2022) – No objection subject to condition to secure the approval of a written scheme of archaeological investigation, to be fully implemented to the satisfaction of the Planning Authority.

***Please note: the above are summaries and the full consultee responses can be viewed on the Energy Consent Unit and Argyll & Bute Council websites.***

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## **(C) REPRESENTATIONS:**

As the Council is not the determining Authority all letters of representation are considered by the Energy Consents Unit. At time of writing, public representation figures stand at 10 of which 3 are objections and 7 are in support, all of which are published on the ECU website. The main issues raised are summarised below:

**Material Considerations raised in the objections are summarised as follows:**

- Adverse Landscape Impact – It is the landscape of Kintyre and Knapdale which represents the area's future economic wellbeing. Wind farms, new power lines and the miles of tracks they seem to need are destroying the landscape and the special feel of remoteness of the area. They contribute almost nothing to anyone locally but do enrich landowners who almost all live elsewhere. Visitors to the area cannot understand the lack of value accorded the special quality of the area. When it is gone perhaps some of those involved in its destruction may come to appreciate what they have done?
- Adverse Visual Impact – view north along West Loch Tarbert from Gartnagrenach (special often photographed and commented on by visitors and enjoyed by locals). This proposal would be visible from very many places especially in Kintyre and especially from Gartnagrenach.
- Adverse Impact on Tourism & Recreation and associated economic impact - this application would be directly in front of Tarbert Holiday Park which extends to 50 acres. It is also close to West loch Shores and Escart Farm and Bay (200 acres approx). We are the biggest accommodation provider in Kintyre and the landscape is what attracts people to this particular area close to Tarbert. There seems to be a lot of further Wind farms proposed but I feel this one is one too many and too close to us. It will also significantly financially affect the future income of the businesses.
- Adverse Noise Impact on Mullach Glas (already experiencing adverse noise impact from SSEN development)
- Adverse Impact of Access Road/public footpath on the property Mullach Glas
- Adverse Cumulative Impact of SSENs 50m pylons and proposed wind farm on Mullach Glas
- Lack of public consultation/notification with/for neighbouring properties (including Mullach Glas)
- Loss of privacy for Mullach Glas – construction of new access road, wind farm construction following on from SSEN pylons.
- Planning permission already granted to Rowan wind farm for temporary mast with no neighbour notification, despite site area bordering Mullach Glas
- Should be a matter for Public Inquiry before any consent is awarded.
- Adverse Impact on Visual/residential Amenity of Mullach Glas
- Intermittent technology - The amounts of intermittent power that would be produced is small compared with the output of a new nuclear power station at Hunterston. It would be able to produce power 24 hours a day, seven days a week not now and then.

**Considerations raised in support are summarised as follows:**

- Climate Emergency & Climate Change benefits (including need for renewable energy)
- The Government have publicised a substantial further need for new wind farms in the right places by 2030.
- Whilst there are other wind farm schemes in Argyll & Bute, the Applicant has demonstrated that another wind farm can be accommodated in this location
- It does not detract from the wider scenic nature of the area; it is a key part of our future that brings benefits to the immediate community as well as 85MW of clean energy to be used across Scotland.
- An opportunity for local contractors - the opportunity to tender for work in construction which supports local economies.
- Whilst perhaps not every wind farm is well placed, it is our view that this wind farm brings more benefits than harm to our local area.
- Expansion of Renewable Energy required to meet Net Zero targets

The following matter raised in representations is not a material planning consideration:

- Community Benefit

**Public Consultation** – Whilst not a statutory requirement for Section 36 applications, the applicant has undertaken Public Consultation. Further information on this is contained in the Pre-Application Consultation Report (January 2022) which is available on the ECU website (reference: ECU00003230).

***Note: the comments raised above are addressed in the assessment of the proposal at Appendix A of this report.***

***Note: please note that the letters of representation above have been summarised and that the full letters of representations are available on the Energy Consents Units website.***

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## (E) SUPPORTING INFORMATION

**Has the application been the subject of:**

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

EIAR (December 2021) presented in 4 volumes:

- Volume 1: Written Statement
- Volume 2: Figures
- Volume 3: Visualisations
- Volume 4: Technical Appendices



Key matters covered in the EIAR include: Introduction; EIA Methodology; Project Description; Design Evolution; Renewable Energy & Planning Policy; Landscape & Visual; Socio-economics & Tourism; Ecology; Ornithology; Hydrology, Hydrogeology, Geology and Peat; Cultural Heritage; Noise; Traffic and Transport; Forestry; Other Issues; and Schedule of Mitigation.

The EIA Report should also be read in context with the following documents:

- EIA Non-Technical Summary (NTS)
  - Planning Statement
  - Pre-Application Consultation Report (PAC Report)
  - Design and Access Statement (DAS) which illustrates the approach to design and access.
- ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** Yes – as NatureScot has advised that this Proposal is likely to have a significant effect on the western acidic oak woodland feature of the Tarbert Woods SAC. This will be undertaken by the ECU as the Determining Authority in this case.
- iii) **A design or design/access statement:** Yes (January 22)
- iv) **A report on the impact of the proposed development e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc.:** All relevant reports are encompassed within the EIAR
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**(F) Local Development Plan (LDP) and any other material considerations over and above those listed above which have been taken into account in the assessment of the application:**

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

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

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

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

Similarly, it obliges the Scottish Ministers in their capacity as decision maker to have regard to the desirability of the matters at a) and the extent to which the applicant has complied with the duty at b). Consideration of the proposal against both the effect of SPP (2014) and the adopted Argyll & Bute LDP 2015 will ensure that proper consideration is given by the Council to the extent which the proposal satisfies these Schedule 9 duties.

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

Argyll & Bute Local Development Plan (2015)

LDP STRAT 1 – Sustainable Development

LDP DM1 – Development within the Development Management Zones

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

LDP 5 – Supporting the Sustainable Growth of Our Economy

LDP 6 - Supporting the Sustainable Growth of Renewables

LDP 8 – Supporting the Strength of Our Communities

LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising our Resources and Reducing our Consumption

LDP 11 – Improving our Connectivity and Infrastructure

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

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

SG LDP ENV 2 – Development Impact on European Sites

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

SG LDP ENV 5 – Development Impact on Local Nature Conservation Sites (LNCS)

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 11 – Protection of Soil and Peat Resources

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

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

SG LDP ENV 14 –Landscape

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

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

SG LDP ENV 19 – Development Impact on Scheduled Monuments

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

SG LDP MIN 2 – Mineral Extraction

SG LDP PG 1 – Planning Gain

SG LDP BAD 1 – Bad Neighbour Development

SG LDP Sustainable - Sustainable Siting and Design Principles

SG LDP SERV 1 – Private Sewage Treatment Plants and Wastewater (i.e. drainage) Systems

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

SG LDP SERV 3 – Drainage Impact Assessment (DIA)

SG LDP SERV 5 – Waste Related Development and Waste Management  
 SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities within New Development  
 SG LDP SERV 6 – Private Water Supplies and Water Conservation  
 SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development  
 SG LDP TRAN 1 – Access to the Outdoors  
 SG LDP TRAN 2 - Development and Public Transport Accessibility  
 SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes  
 SG LDP TRAN 6 – Vehicle Parking Provision  
 SG LDP TRAN 7 – Safeguarding of Airports  
 SG LDP REC/COM 1 - Safeguarding and Promotion of Sport, Leisure, Recreation, Open Space and Key Rural Services  
 Supplementary Guidance 2 (December 2016)  
 Supplementary Guidance 2 - Windfarm map 1  
 Supplementary Guidance 2 - Windfarm map 2

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

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

- National Planning Policy Framework 3 (NPF3) (June 2014)
  - National Planning Policy Framework 4 (NPF4) (November 2021)
  - Scottish Planning Policy (SPP) (June 2014)
  - Argyll & Bute Landscape Wind Energy Capacity Study (2017)
  - Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
  - The Future of Energy in Scotland: Scottish Energy Strategy, Scottish Government (December 2017)
  - Onshore wind policy statement, Scottish Government (January 2017)
  - Historic Environment Policy for Scotland (HEPS) (April 2019)
  - The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009)
  - SNH Review 78 – Landscape Assessment of Argyll and the Firth of Clyde (1996)
  - SNH Siting and Designing Wind Farms in the Landscape Guidance, (August 2017)
  - Argyll & Bute Proposed Local Development Plan 2 November 2019
  - Guidance for Landscape and Visual Impact Assessment, 3<sup>rd</sup> Edition, Landscape Institute and Institute of Environmental Management & Assessment, (2013);
  - Onshore Wind Turbines: Planning Advice, Scottish Government (May 2014).
  - Planning Advice Note 1/2011: 'Planning and Noise'
  - Scottish Government Good Practice Principles for Shared Ownership and Community Benefit of Onshore Renewable Energy Developments;
  - Views of statutory and other consultees;
  - Planning history of the site
  - Legitimate public concern or support expressed on relevant planning matters
- *Argyll & Bute proposed Local Development Plan 2 (November 2019) – The unchallenged policies and proposals within pLDP2 may be afforded significant material weighting in the determination of planning applications at this time as the settled and unopposed view of the Council. Elements of the pLDP2 which have been identified as being subject to unresolved objections still require to be subject of Examination by a Scottish Government appointed Reporter and cannot be*

*afforded significant material weighting at this time. The provisions of pLDP2 that may be afforded significant weighting in the determination of this application are listed below:*

- Policy 14 – Bad Neighbour Development
- Policy 19 – Schedule Monuments
- Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
- Policy 36 – New Private Accesses
- Policy 37 – Development Utilising an Existing Private Access or Existing Private Road
- Policy 38 – Construction Standards for Public Roads
- Policy 39 – Construction Standards for Private Access
- Policy 40 – Vehicle Parking Provision
- Policy 43 – Safeguarding of Aerodromes
- Policy 58 – Private Water Supplies and Water Conservation
- Policy 63 – Waste Related Development and Waste Management
- Policy 76 – Development Impact on Local Nature Conservation Sites (LNCS)

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

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**(H) Is the proposal consistent with the Local Development Plan:** No

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**Author of Report:** Arlene Knox

**Date:** 13<sup>th</sup> September 2022

**Reviewing Officer:** Sandra Davies

**Date:** 13<sup>th</sup> September 2022

**Fergus Murray**

**Head of Development and Economic Growth**

## **RECOMMENDED REASONS FOR OBJECTION TO: 22/00385/S36**

### **1. Landscape & Visual Impact (including cumulative)**

Argyll & 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 & 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.

The proposed development site lies within the Knapdale Upland Forest Moor Mosaic Landscape Character Type (LCT) which covers much of the Knapdale area between West Loch Tarbert and the southern edge of the Knapdale National Scenic Area. This landscape has a simpler landform in the south-west but is complex and craggy in the north-east. The operational Allt Dearg and Srondoir wind farms occupy a prominent location in the LCT. The consented Airigh wind farm, while comprising larger turbines, is associated with the more subdued terrain occurring in the south-west of this LCT.

This proposal, which comprises very large turbines of up to 200m, would be sited in a basin which reduces its prominence and intrusion seen from Loch Fyne and from the settled eastern coastal fringes of this loch. The containment provided by landform is diminished in views from the south around West Loch Tarbert however where turbines would be visible in closer proximity and where their scale would be more appreciated due to greater visual exposure and because they would be seen in close conjunction with the smaller scale settled loch fringes.

Visibility from the northern shores of West Loch Tarbert will be minimal and while this proposal would be visible from parts of Gigha, the Ardpatrik Point area and from the west Kintyre coast, it would not have a significant effect due to the greater distances involved and also because of the presence of the consented Airigh wind farm which is more prominent in some of these views. The greatest degree of visibility (and intrusion) would occur from the waters of West Loch Tarbert, from its south-eastern coastal fringes and from parts of the northern Kintyre uplands.

Significant adverse effects would occur on the following landscape/seascape character areas:

- The Knapdale Upland Forest Moor Mosaic LCT extending approximately 2km from the proposed wind farm site
- The Rocky Mosaic LCT where it covers the south-eastern shores of West Loch Tarbert
- The West Loch Tarbert Local Coastal Character Area.

The significant adverse visual effects associated with the proposal would principally affect views in the West Loch Tarbert area as follows:

- The A83 where it is aligned on the south-eastern coastal fringe of West Loch Tarbert. This road is an important tourist route forming part of National Cycle Network 78 and the Kintyre 66.
- The Kennacraig to Islay ferry route within inner West Loch Tarbert
- Footpaths in the Dun Skeig area and from a section of the Kintyre Way.

In the above views, this proposal would be seen simultaneously or sequentially with the operational Freasdale and consented Airigh wind farms.

This proposal would be one of the first wind farm proposal to introduce lighting to the dark skies of Kintyre. While the intensity of lights will reduce when seen from lower elevation coastal fringes, it is considered that they would still be clearly visible from these more settled and frequented areas and that they may extend the duration of significant adverse effects on views from the West Loch Tarbert area. The potential cumulative effects of visible aviation lighting on character and views are a concern given the number of recent applications for turbines >150m in Argyll & Bute requiring such lighting although it should be noted that the recent Earraghail wind farm application is committed to the adoption of an Aircraft Detection Lighting Strategy (ADLS) which would substantially reduce the duration of night-time lighting.

Cumulative landscape and visual effects with the application-stage Sheirdrim wind farm are a key concern. If the Sheirdrim proposal is consented on appeal it is considered that the addition of the Rowan proposal would result in a major adverse combined cumulative effect on the West Loch Tarbert area significantly affecting its character and views from the A83, settlement, footpaths and the Islay ferry.

It is therefore concluded that this proposal is unacceptable in landscape and visual grounds principally because of its prominent location in relation to West Loch Tarbert and its sensitive coastal fringes, including impacts on views from key transport routes which are important for visitors.

**Having due regard to the above it is concluded that the proposal will have significant adverse landscape and visual impacts (including cumulative) and is therefore inconsistent with the provisions of: 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. Aviation**

Argyll & 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 that an unacceptable technical impact is anticipated and they object. Glasgow Prestwick Airport advise that the development raises aviation safety concerns which have an operational impact on the airport as an air navigation services provider. Until all technical and operational aviation safety matters are addressed to the satisfaction of Glasgow Prestwick Airport, and a mitigation agreement is put in place for the life of the wind farm, the airport also objects to the proposal.

Local Development Plan Policy is clear that developments that have an adverse impact on the Safeguarding of Airports should be refused.

**Having due regard to the above it is concluded that due to the fact that National Air Traffic Services Safeguarding (NATS) and Glasgow Prestwick Airport have advised the Energy Consents Unit that they object to the proposal, it will have an adverse impact on aviation and 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) and Glasgow Prestwick Airport withdraw their objections, then Argyll & Bute Council would no longer object on these grounds. Should these objections not be removed and the proposal progresses to an Inquiry, Argyll & Bute Council would defer to National Air Traffic Services and Glasgow Prestwick Airport as the Technical Experts on this matter.**

## **APPENDIX A – PLANNING LAND USE AND POLICY ASSESSMENT**

### **A. THE SECTION 36 CONSENTING REGIME**

In Scotland, any application to construct or operate an onshore power generating station, in this case, a renewable energy development 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 3<sup>rd</sup> 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 on the matter. The conclusion of this report is to recommend that the Council raise an Objection to this Section 36 consultation on Landscape & Visual Grounds for the reasons detailed in this report.

### **B. SETTLEMENT STRATEGY**

Policy LDP 6 of the Adopted Local Development Plan sets out the Council's Policy for renewable energy developments, in accordance with SPP 2014. In addition, there is also the Supplementary Planning Guidance (SPG). SPG 2 contains a Spatial Framework which has been prepared in accordance with SPP 2014.

In terms of the Local Development Plan Settlement Strategy, the main wind farm site area is located within a primarily a combination of: Countryside Zone and Very Sensitive Area; with some small areas adjacent to the B8024 located within Rural Opportunity Area all subject to the provisions of LDP policy LDP DM 1. In principle, policy LDP DM 1 supports renewable energy and ancillary developments in these areas, providing they are consistent with all other Local Development Plan Policies. In this case, it has not been demonstrated that the scale and location of the proposal, will integrate sympathetically without giving rise to adverse consequences in terms of: landscape & visual impact (including cumulative). For the reasons detailed below in this report, it is considered that this proposal does not satisfy Development Plan Policy and associated guidance in respect of renewable energy development.

**Having due regard to the above it is considered that due to adverse Landscape & Visual Impact (including cumulative) the proposal is contrary to the provisions of LDP DM1 – Development within the Development Management Zones; SPP (2014); and National Planning Framework 3.**



## **C. SUPPORTING THE SUSTAINABLE GROWTH OF RENEWABLES**

Argyll & Bute Council is keen to ensure that Argyll & Bute continues to make a positive contribution to meeting the Scottish Government's targets for renewable energy generation. These targets are important given the compelling need to reduce our carbon footprint and reduce our reliance on fossil fuels, reinforced by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. The Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects.

## **D. LOCATION, NATURE AND DESIGN OF PROPOSED DEVELOPMENT**

The Site - is located approximately 4.5km to the north west of Tarbert. Tarbert lies approximately 1.2km east of the site boundary and 4.5km south-east from the nearest proposed turbine. The site is situated within a combination of existing commercial plantation forestry and open moorland. The forested part of the site predominately hosts dense sitka spruce, mixed broadleaves along watercourses and other mixed conifers, whilst the open moorland to the west of the site comprises interspersed pockets of peaty soils and shallow peat habitat rising up to several modest rocky summits. Loch Chaorainn is situated outside of the site boundary at its northern edge and is a reservoir source for Tarbert's drinking water. It links to Abhainn na Cuile which runs generally north to south through the site, eventually meeting West Loch Tarbert approximately 900m south of the site boundary. Part of Abhainn na Cuile is excluded from the site boundary owing to an existing run of river hydro power scheme. Loch Chaorainn Beag is situated to the south-west of the site.

The site is located approximately 600m north-west of the A83, and site access is proposed to be taken from the corner of the B8024. The A83 is the main arterial route that serves the Kintyre Peninsula and links Campbeltown to the western shore of Loch Lomond where it joins the A82 south to Glasgow and north to Inverness. There are several ferry services which operate close to Tarbert. The Tarbert to Portavadie ferry is a small vehicle and passenger ferry which operates approximately hourly on a 'turn up and go' basis and links Kintyre to the Cowal peninsula. Approximately 7.2km south of the nearest turbine (T13), ferries operate two or three times daily from Kennacraig to both Port Askaig and Port Ellen in the north and south of Islay. Further south, Gigha is serviced multiple times per day by ferry from Tayinloan.

Loch Fyne is situated approximately 4.2km to the east of the nearest turbine (T4), whilst West Loch Tarbert is situated approximately 2.8km south of its nearest turbine (T13). Both Lochs have part of their shorelines designated as Areas of Panoramic Quality (APQs). Loch Fyne and to a lesser degree West Loch Tarbert are used by recreational water users, in particular those pleasure craft using Portavadie Hotel, Marina and Spa across Loch Fyne at approximately 10.5km to the nearest turbine (T4). South Knapdale adjoins the Kintyre Peninsula close to the site. The B8024 serves as the main route to small settlements on the south Knapdale coast including Torinturk, Dunmore, Kilberry, Cretshengan and Ormsary. Kilberry, on the western coast of South Knapdale, is approximately 12km west of the nearest turbine (T11) whilst Torinturk on the southern coast is approximately 5km south of T12.

Proposal – The proposed development would be time-limited to 35 years from the first date of commercial operation. The construction phase would last approximately eighteen months and decommissioning would last approximately six months. Deemed planning permission is sought to permit a period of five years between the date of the Decision Notice and expiry of consent (should works not be commenced) rather than the usual three years. This is to accommodate any potential grid delays. The proposal would consist of the following principal components: 13 wind turbines up to 200m to blade tip (some with aviation lighting); associated

turbine compound areas including foundations and hardstanding areas for erecting cranes at each turbine location; on-site tracks connecting each turbine; a new graded access junction with the B8024; new pedestrian, cyclist and recreational use of the wind farms tracks following commissioning of the wind farm, and associated facilities including 10-vehicle informal car park, interpretive boards, benches and bins; 10 new watercourse crossings; on-site 132kv substation to provide 'tee-in' to the Inveraray to Crossaig overhead line; underground cables linking the turbines to the substation, typically along internal tracks; an Energy Storage Compound to store batteries to a 5MW capacity which would be within the construction compound footprint; up to 2 borrow pits for the extraction of stone on-site (indicated on EIA Figure 3.1) (the Council would normally expect these to be the subject of separate mineral consent applications);; a temporary construction compound including provision for onsite concrete batching; Forestry felling and restocking as proposed within EIA Report Chapter 14: Forestry; Habitat Management provisions as proposed within Technical Appendix 8.5 within Volume 3 of the EIA Report.

Turbines would be of tubular steel construction, finished in a typical off-white matt colour and comprise three blades. The final turbine choice would be made post-consent during the procurement phase, but for the purposes of the EIA Report, a representative candidate turbine of 200m tip, 155m rotor diameter and 122.5m hub height is used. In order to carry the power generated to the local electricity network, each turbine would require a transformer to step up to a high voltage. Transformers will be internal to the turbine.

#### Infrastructure

Water and Foul Drainage – Scottish Water has advised the ECU that they have no objection; however, they advise that this does not confirm that the proposal can be serviced.

Drinking Water Protected Areas – Scottish Water has advised the ECU that a review of their records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. Loch Chaorainn supplies Tarbert Argyll Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. It is a relatively small catchment therefore there may be less opportunity for dilution and a potential higher risk of activities affecting water quality. Travel times of any pollution event will be short and water quality protection measures must be implemented and Scottish Water must be made aware of what these measures will be and when work will commence on site. There are at least 3 turbines that are close to the source, it would be useful to have the turbine numbers and eastings and northings of each of them so that Scottish Water can plot them on their mapping system and confirm which turbines are the highest risk to water quality. Scottish Water has provided advice/list of precautions to the ECU to pass on to the Applicant in this regard.

Infrastructure within the boundary – Scottish Water has advised the ECU that a review of their records indicates that there are Scottish Water assets in the area. There are water mains and other possible infrastructure and pipework where the activity is taking place and also in close proximity to some of the turbines. This should be confirmed however through obtaining plans from Scottish Waters Asset Plan Providers. All Scottish Water assets potentially affected by the activity should be identified, with particular consideration being given to access roads and pipe crossings. All of Scottish Water's processes, standards and policies in relation to dealing with asset conflicts must be complied with. Works should not take place on site without prior written acceptance by Scottish Water.

Surface Water - Scottish Water has advised the ECU that for reasons of sustainability and to protect their customers from potential future sewer flooding, they will not accept any surface water connections into their combined sewer system.

**Grid Network** - The grid connection does not form part of the section 36 consent application. Final details of the grid connection would be subject to a separate design and consent process at a later date.

Figure 3.2: Typical Turbine Elevations shows a hub height of 200m and a rotor diameter of 155m, this would give an overall height of 277.5m.

## **E. SPATIAL FRAMEWORK FOR WIND FARMS**

SPP requires that planning authorities set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms. In terms of the Council's Spatial Framework for wind farms (Supplementary Guidance 2: Wind Farm Map 1 - Figure 1 Spatial Framework for wind turbines over 50 metres to blade tip), the proposal lies predominately within a Group 3 area (area with potential for wind farm development subject to other policy consideration), with its western edge being in a Group 2 area (Area of significant protection) owing to its classification as an area of Class 2 Carbon Rich Soil and Peat. In Group 2: Areas of significant protection – wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. Group 3: Areas are likely to be acceptable, subject to detailed consideration against identified policy criteria.

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

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

Large scale infrastructure projects, such as wind farms have the potential to impact upon local and national economies. The EIA has considered the likely effects of the proposal on the economies of Argyll & Bute and Scotland including specific consideration of the effects on employment and population. It has also considered the effects on tourism and recreation activities which are a key part of the Argyll & Bute economy (covered under the tourism heading of this report). In addition, the effects of the proposal on energy security and fuel poverty have been assessed.

The assessment has found that, for Argyll & Bute, the proposal would lead to beneficial effects on the wider economy and specifically through job creation during the construction process, and predicts that construction of the proposal would result in effects on both job creation and the economy in Argyll & Bute that are of a moderate level and would not be significant. Some significant effects are predicted on tourism and recreation activities during the construction process. These would be limited to one accommodation (Lochhead Cottage) and localised areas where impacts would be experienced by walkers and equestrians on the B8024 and cyclists on Sustrans Route 78. All relate to the construction of the site entrance and access. Effects on all other tourist and recreation receptors during construction would not be significant. There would be no effects on either the energy security of the local or wider communities or on levels of fuel poverty during the construction phase. There would be no significant effects on population as a result of the construction of the proposed wind farm.

During operation there would be low levels of employment relating to operation and maintenance of the wind farm. As a result, effects on job creation and the wider economy

would be of a low level and would not be significant. There would be no effects on energy security and fuel poverty during the operation and there would be negligible effects on population.

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

Representations have been received by the ECU in support of the proposal in this regard as an opportunity for local contractors – the opportunity to tender for work in construction which supports local economies.

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

## **G. THE SCALE OF CONTRIBUTION TO RENEWABLE ENERGY GENERATION TARGETS**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for renewable energy developments to be assessed against the scale of contribution to renewable energy generation targets.

The Scottish Government is committed to increasing the supply of renewable energy within Scotland. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 sets stringent targets for Scotland. The Act sets a legally-binding “net-zero” target of all greenhouse gases by 2045. The “net-zero” target for Scotland is five years ahead of the date set for the whole of the UK. The proposal would provide approximately 85.8 MW of installed capacity in addition to 5MW of battery storage capacity, depending on the turbine model chosen. It is estimated by the Applicant that this installed capacity could generate approximately 300,502MWh of renewable electricity each year which would be expected to power the equivalent of approximately 80,500 homes on average each year<sup>1</sup>, or provide 1.6 million full battery charges for electric vehicles per year.

Representations have been received by the ECU in support of the proposal in this regard including: Climate Emergency & Climate Change benefits (including need for renewable energy); expansion of Renewable Energy required to meet Net Zero targets; The Government have publicised a substantial further need for new wind farms in the right places by 2030; and it does not detract from the wider scenic nature of the area; it is a key part of our future that brings benefits to the immediate community as well as 85MW of clean energy to be used across Scotland.

**Having due regard to the above the proposals scale of contribution to renewable energy generation targets has been assessed and it is concluded that the proposal is consistent with the provisions of SG 2; Supplementary LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our**

**Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; SPP (2014); and the Onshore wind Policy Statement (2017) in this regard.**

## **H. EFFECT ON GREENHOUSE GAS EMISSIONS**

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for renewable energy developments to be assessed against their effect on greenhouse gas emissions. In respect of SG policy, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 raises the ambition of the greenhouse gas emissions reduction targets set out in the [Climate Change \(Scotland\) Act 2009](#). The Act sets a legally-binding “net-zero” target of all greenhouse gases by 2045.

The proposal would generate renewable electricity and would therefore displace carbon dioxide (CO<sub>2</sub>) emissions associated with electricity generation, which would otherwise be supplied via other forms of power generation requiring the combustion of fossil fuels. The Scottish Government Carbon Calculator for Wind Farm on Peatlands has been used to calculate a payback period for the proposal based on the full development lifecycle. A carbon assessment was included in the EIAR to estimate the potential savings in carbon dioxide (CO<sub>2</sub>) emissions by the proposal replacing other electricity sources. This would be a large contribution to renewable energy generation targets. The carbon calculator is reported upon within Chapter 15 of the EIAR. It concludes that the carbon payback time is 3.4 years for the scheme, and 50,698 tonnes of carbon would be saved.

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

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for renewable energy developments to be assessed against impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.

The Council's Environmental Health Officer (EHO) has noted the following from the “Rowan Wind Farm, Environmental Impact Assessment Report, Volume 1, Chapter 16: Schedule of Mitigation, December 22, page 7”: Construction times - Construction activities will be scheduled, unless otherwise agreed, from Monday to Friday 07:00 to 19:00 and Saturday 07:00 to 13:00. Unattended plant equipment should be kept to a minimum. Construction activities outside of these times, short term high transient noise events, or activities relatively close to noise sensitive receptors (NSRs) should be scheduled in consultation with the residents to minimise their inconvenience. As part of a Construction Environmental Management Plan (CEMP) a Construction Noise Management Plan (CEMP) would be produced. The plan would be taken forward for all Construction works and any post-construction works of a similar nature that are associated with the proposal (e.g. maintenance). The plan would include a clear construction schedule detailing the equipment to be used and the following information: Detailed plan showing how permitted working hours will be adhered to; Selection of quiet equipment and possibly acoustic barriers near noisy sources to ensure construction noise limits are met; and A detailed plan on community

relations including a Stakeholder Engagement Plan (SEP) including the setting up of a complaint phone line, a procedure to notify residents and the EHO of any necessary work outside of the permitted working hours and an approach to the investigation of complaints. Conditions are recommended by the EHO in respect to noise and private water supplies.

Noise Assessment – the EHO notes that final turbine selection would be made following the grant of any planning consent, following a tendering and procurement exercise. It is has been assumed that turbines would generate power for all wind speeds between 4m/s and 25m/s; and that at wind speeds greater than 25m/s (gale force) the turbines would shut down for self-protection. Operational Noise effects have been assessed using the methodology described in ETSU-R-97 and the proposal in isolation would comply with the simplified criterion of 35 dB, LA90, 10min described in ETSU-R-97 and cumulative effects would not significantly exceed full ETSU limits based on background noise. In both scenarios, the proposal will comply with the required noise limits at all receptor locations.

Noise - The EHO has no objection to the proposal, subject to noise conditions being attached to any consent the ECU is minded to give. These conditions relate to: noise during proposed works; site noise plans (Construction Noise Management Plan); noise immissions; noise immissions; report demonstrating compliance with noise limits; complaints & independent noise monitoring; provision of independent consultants assessment; logging of wind speed, wind direction and power generation data; and a nominated representative/point of contact for local residents for noise complaints. Note: there are two typos in the EHO response: reference is made to a blade tip height of 230m this should be 200m and condition 2 of the recommended conditions begins “Prior to the installation of any turbines” this should read “Subject to the wind farm being commissioned”.

Air Quality – the EHO has not made any comment in respect to air quality

Lighting – the EHO has not made any comment in respect to lighting.

Shadow Flicker – Scottish Government guidance states that shadow flicker is only a concern for residential properties that are 10 rotor diameters from a turbine or less. Furthermore, due to the angle of the sun in this part of the world, only properties lying 135 degrees either side of geographic north are affected. Since the rotor diameter of the turbines studied in the EIA Report is 155m, properties within 1.55km of a turbine could experience effects from shadow flicker. A study of the area surrounding the proposed development has shown that there are no properties in any direction within 1.55km of a turbine. Shadow flicker is therefore not a concern. The EHO has not made any comment in respect to Shadow Flicker.

Private Water Supplies – The EHO has advised that a condition should be attached in the event that consent is granted to secure the submission of a Private Water Supply Action Plan prior to the commencement of development. This plan should detail all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties which are served by private water supplies which may be affected by the development.

The Scottish Environmental Protection Agency (SEPA) initially advised the ECU that they objected to the proposal on the grounds of insufficient information in regard to private water supplies. In response the Applicant provided “the Rowan Wind Farm - Review of Private Water Supplies (dated 15 April 2022) prepared by Ramand Environmental. SEPA considered this, and have since informed the ECU that their objection in respect to private water supplies is withdrawn. SEPA further advise that should the ECU be minded to grant consent that conditions are attached relating to: micrositing; an updated Peat Management Plan; and water crossings.

Residential amenity – as detailed in summary of representations earlier in this report, concerns have been raised by the owner of Mullach Ghlas in respect to the impact of this proposal on their residential amenity. These concerns relate to: length of construction; construction and operational noise; visual amenity; and private water supplies. It is understood that the Applicant has been in discussion with the owner of this property, in respect to these matters.

The construction period is estimated to be 18 months. In terms of construction noise the Applicant has estimated that the owner would likely receive 41.9dB at their property during the noisiest and closest element of construction work which would involve breaking rock at the eastern borrow pit approx 800m away. This is within a limit of 65dB. Track will require upgrading/widening in places – the closest part of track to the closest part of Mullach Ghlas is approximately 172m and approximately 155m from the edge of the garden. Given the borrow pit is predicted to be the noisiest activity, it is assumed that works to the track would be below the 41.9dB referred to above. The Applicant understands that works under this limit may still cause issues to the owner of Mullach Ghlas and have advised that they would be happy to commit to construction noise monitoring at Mullach Ghlas (and other nearby) properties from an independent 3<sup>rd</sup> party. It is understood that the Applicant may also be in discussion with their noise consultants and other potential noise attenuation measures.

In terms of operational noise the nearest turbine is T4, which is approximately 2.6km from Mullach Ghlas. The Applicant has calculated that this would be 25.9dB against a limit of 35dB and therefore there would be no significant effect.

In terms of visual amenity the Applicant has advised that the owner of Mullach Ghlas won't see the turbines because of topography. Furthermore, that there should be an element of forestry retention that will screen Mullach Ghlas from most of the construction work (i.e. substation (approximately 800m away), borrow pit (approx 1.5km away, turbines). The owner may see some of the track upgrade at the closest point to Mullach Ghlas, and the grading of the initial slope and entrance from the road/golf club. During operation, the Applicant has advised that they do not foresee the privacy of Mullach Ghlas being an issues from drastically increase use of the paths, but they would be open to further discussion with the owner on this once they are at the detailed design stage (should they get consent).

In terms of private water – it is understood that discussions are ongoing between the Applicant and the owner of Mullach Ghlas.

**Having due regard to the above subject to the recommended conditions being applied in the event that consent is granted by the ECU it is concluded that the proposal will not have any adverse impacts on communities and individual dwellings, including, residential amenity, noise and shadow flicker and subject to the recommended conditions is consistent with the provisions of SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; SPP (2014); and the Onshore Wind Policy Statement (2017) in this regard.**

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for wind turbine developments to be assessed against any landscape and visual impacts including wild land.

Argyll & Bute Council's landscape consultant provides the following advice:

Introduction – A review of the landscape and visual effects of the proposal has been undertaken by Argyll & Bute Council's landscape consultant and is based on examination of the Environmental Impact Assessment Report (EIA-R) dated December 2021 and a field visit undertaken in March 2022. This review was originally issued in April 2022 but revised in June 2022 to take account of changes made by the applicant to the visibility aviation lighting strategy.

The Proposal - The Rowan Wind Farm proposal comprises 13 turbines, 200m to blade tip and ancillary infrastructure including an energy storage compound. Access to the development would be from the B8024 and 11.88km of new track would be constructed. The description of the proposed development set out in Chapter 3 of the EIA-R dated December 2021 does not address the requirements for visible aviation lighting with the specification for this contained in the LVIA. The applicant issued a revised aviation lighting strategy and assessment in June 2022.

Information provided in Landscape and Visual Impact Assessment (LVIA) - The LVIA has been undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition. The level of detail provided is appropriate and the Council's landscape consultant agrees with the majority of the judgements made with regard to significant landscape and visual effects. The figures provided to support the LVIA are clear and informative with representative viewpoint location maps, the detailed 10km Zone of Theoretical Visibility (ZTV) map and figures illustrating sequential effects from ferry routes especially useful.

2017 Argyll & Bute Landscape Wind Energy Capacity Study - The proposed wind farm lies within the Knapdale Upland Forest Moor Mosaic Landscape Character Type (LCT) 6b identified in the Argyll & Bute Landscape Wind Capacity Study (ABLWCS). This LCT covers the Knapdale peninsula between West Loch Tarbert and the southern boundary of the Knapdale National Scenic Area.

The Knapdale Upland Forest-Moor Mosaic LCT has an irregular and 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. This LCT has a simple land cover of extensive coniferous forestry and moorland; it is also sparsely populated and already accommodates wind farm development. While the scale and sparsely settled nature of this landscape presents potential opportunities to accommodate large scale wind farm development, areas of more complex smaller scale hills fringing the outer edge of this upland area and the more defined ridges and peaks within its core are sensitive to such development.

There is little settlement in this landscape and it is not notably popular for recreation. Visibility of the interior of these uplands is fairly restricted from roads and settlement within adjacent low-lying coastal areas although there are longer views from the nearby Knapdale NSA, across Loch Fyne, West Loch Tarbet and from Arran and Gigha.

The proposed turbines, which would be up to 200m high to blade tip, would fall within the 'Very Large' typology considered in the ABLWCS. The study concludes that the combined landscape and visual sensitivity of the Knapdale Upland Forest Moor Mosaic LCT to this size of turbine would be High.

The ABLWCS sets out key constraints to development in this LCT. The Council's landscape consultant considers that this proposal would be contrary to some of these constraints in respect of its effect on views across West Loch Tarbert from the A83 and cumulative effects



with other wind farms, including the operational Freasdail wind farm (and the Airigh wind farm which has been consented since the issue of the ABLWCS in 2017). While this proposal would not be located on the highly sensitive ridge between Stob Odhar and Meall Reamhar which is a scenic feature in views across West Loch Tarbert, it would detract from it in some views from the south-east side of the loch.

The proposed wind farm also lies close to the boundary of the Rocky Mosaic LCT. This LCT covers much of the east and west coasts of Kintyre and extends around the shores of West Loch Tarbert. Key constraints identified in the ABLWCS 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.

Landscape effects - The proposed development lies within the Kintyre Upland Forest Moor Mosaic LCT and would have direct significant adverse effects on its character. The LVIA concludes that these effects would occur within approximately 2km of the proposed wind farm due to the extent of visibility of the proposal and the Council's landscape consultant is in agreement with this judgement.

The Rocky Mosaic LCT comprises a narrow coastal strip on both the east and west coasts of Kintyre and around the shores of West Loch Tarbert. This is a small-scale, diverse and settled landscape which is highly sensitive to large wind turbines. The proposal would not be located in this LCT but would lie in relatively close proximity and be clearly seen from parts of this LCT, principally affecting the south-eastern coastal fringes of West Loch Tarbert. The LVIA concludes that effects (considered in a baseline which includes the operational Freasdail wind farm) would be significant along the southern coast of West Loch Tarbert. The Council's landscape consultant agrees that the effects of this proposal would be significant and adverse on the part of the Rocky Mosaic LCT lying on the south-eastern side of West Loch Tarbert.

The LVIA additionally considers effects on the West Loch Tarbert Local Coastal Character Area (LCCA), concluding that these would be significant. The Council's landscape consultant is in agreement with this judgement.

Effects on valued landscapes - The proposed development site is not covered by any landscape designations or other recognised landscape interests although a number of national and local landscape designations lie within 20km of the proposal.

There would be limited visibility of the proposal from the Knapdale National Scenic Area (NSA) which lies to the north and from the Kyles of Bute NSA which lies to the west.

There would also be limited visibility of the proposal from parts of the Area of Panoramic Quality (APQ) covering south-west Knapdale. While a greater degree of theoretical visibility would occur from the APQ covering the west coast of Kintyre in the Tayinloan area, this proposal would be seen in the context of the closer consented Airigh wind farm and at distances of >10km thus reducing impact. There would also be a greater degree of potential visibility of the proposal from the APQ covering the east coast of Loch Fyne and the Ardlamont peninsula area. However, screening of the site by landform reduces the visibility of the full vertical extent of the turbines and this limits intrusion from more open coastal fringes and hills.

In conclusion, the Council's landscape consultant considers that the effects of this proposal on designated landscapes lying within Argyll & Bute would not be significant.

Visual effects - The proposal sits in a shallow basin and benefits from a degree of screening by landform which particularly limits views of the vertical extent of turbines from the east across Loch Fyne, its eastern shores and the Ardlamont peninsula. The screening effect of landform

within the site is diminished however to the south-west and this proposal would be widely visible across the West Loch Tarbert area and seen in relatively close proximity to key receptors. LVIA Figure 6.4 is useful in showing the likely extent of visibility within 10km of the proposed development site.

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 the north Kintyre uplands and from the south-eastern shores of West Loch Tarbert. Significant adverse effects on views would occur on the following receptors:

- **The A83 as it is aligned to the south of West Loch Tarbert.** This is an important route for tourists, forming part of Kintyre 66 and National Cycle Network Route 78 (Caledonia Way). EIA-R Viewpoints 2, 10 and 19 demonstrate the significant adverse effects that will occur on scenic views from this route. Similar views will be experienced from settlement including from parts of Whitehouse and its surrounds as well as from dispersed residential properties.
- **The Kennacraig to Islay ferry route** – The ferry route assessment visualisations and maps set out in the LVIA are informative and help confirm that significant adverse effects would occur on views from approximately 2km of the route within West Loch Tarbert. This proposal would be seen sequentially with the operational Freasdale wind farm in views from the waters of West Loch Tarbert.
- **Footpaths in the local area**, including those to Dun Skeig and from the northern section of the Kintyre Way where significant cumulative effects with operational and consented developments will also occur. EIA-R Viewpoints 6 and 11 illustrate these effects.

Night-time lighting effects - Visible aviation lighting is proposed on the nacelles of 6 of the 13 turbines of the proposal. Reduced intensity lighting (where 2000 candela nacelle lighting would reduce to 200 candela during periods of clear visibility) and directional lighting with a focussed horizontal beam of light (limiting lighting intensity seen from lower-lying views) are both embedded features of the lighting scheme.

Night-time visualisations have been produced from 4 representative viewpoints and a lighting assessment is set out in the updated Technical Appendix 6.3. All 4 of these viewpoints are located at low elevations and between 3.7km to 13.6km from the proposal. Table 6.3.4 summarises the number of illuminated turbines that will be seen from each of the 21 representative viewpoints considered in the LVIA. The LVIA lighting assessment concludes that no significant effects would be associated with visible aviation lighting.

Roads and settlement are principally located on lower-lying coastal fringes where the intensity of light would be reduced to between 200-175cd or 20-18cd in clearer conditions which are estimated in the EIA-R to occur for 98% of the time (Figure 6.3.Cb). There are few elevated locations where the lights would be seen at greatest intensity with the Kintyre Way one of the few higher-level viewpoints in this part of Argyll & Bute. The reduced and directional intensity lighting committed to by the applicant would reduce night-time effects although in the absence of comparable visible aviation lighting on operational turbines to visit in the field it is difficult to gauge the accuracy of night-time visualisations and the LVIA lighting assessment (it is understood that there are currently no operational wind turbines which feature reduced and directional intensity of lighting mitigation. Review of the visible aviation lighting assessments undertaken for a range of recent wind farm proposals reveals a divergence in lighting specification, night time visualisations and judgements made on the likely significance of effects).

The Council's landscape consultant considers that the lighting assessment may have under-

estimated the effects of visible aviation lighting for Viewpoints N2 and N10. The Council's landscape consultant also believes that the night-time visualisations need to be treated with caution as, while they provide some indication of effects, they generally do not replicate the levels of brightness that can be experienced in the field. It is useful to note the differences between the night-time visualisations prepared for this application and the recently submitted Clachaig Glen wind farm application. Both applications feature similar lighting specifications with directional intensity mitigation accounted for in the generation of the night-time visualisations. However, while viewpoint N2 (Rowan EIA-R) and viewpoint 8 (Clachaig Glen EIAR) lie at similar elevations, the Rowan visualisations depict a much more subdued lighting scheme. This is surprising especially given the increased distance of viewpoint 8 from the Clachaig Glen proposal (8.94km as opposed to 3.7km).

The Council's landscape consultant considers that the night-time lighting would increase the duration of adverse effects and that these effects may be significant from the waters and south-eastern shores of West Loch Tarbert where lit turbines would introduce new sources of lighting into a relatively dark environment.

Cumulative landscape and visual effects - Significant cumulative landscape and visual effects would occur where this proposal would be seen together and sequentially with the operational Freasdail wind farm and the consented Airigh wind farm in views from the Kennacraig to Islay ferry and from the A83 in the West Loch Tarbert area.

The addition of this proposal to a scenario which includes the Freasdail, Airigh and the application-stage Sheirdrim wind farm would also incur significant adverse cumulative effects from the Kennacraig to Islay ferry and on views from the A83, settlement and from footpaths on the south-eastern coastal fringes of West Loch Tarbert and the north Kintyre uplands. The effect of this scenario would be one where wind turbines would form a key defining feature of the West Loch Tarbert landscape, significantly detracting from the scenic qualities of the loch and its diverse shores.

This proposal would also be seen in combination and sequentially with the operational Srondoire and Allt Dearg wind farms and the application-stage Earraghail wind farm from parts of Loch Fyne and its eastern shores. Screening by landform generally restricts the extent of visibility of the Rowan turbines in views from the east and this, together with the wide spacing between developments and intermittent screening by roadside vegetation, would limit cumulative effects from the B8000 north of Portavadie. Significant landscape and visual cumulative effects would not occur from Portavadie and the Ardlamont Peninsula.

This proposal will contribute to significant sequential effects on views from the Kintyre Way but would generally have a lesser effect than operational and consented wind farms, and the application-stage Narachan and Earraghail wind farms, which are sited closer to this long-distance route.

The application-stage Narachan wind farm, which also features visible aviation lighting, would be principally seen together in more distant views from parts of north Arran, Gigha and the largely unsettled Kintyre uplands. In terms of cumulative night-time effects, this proposal would have a lesser and minimal effect when seen together with the Narachan wind farm in views from these locations due to its greater distance (the Earraghail wind farm Applicant is committing to an Aircraft Detection Lighting System (ADLS) and, as this would significantly reduce the duration of night-time lighting, this scheme is therefore considered unlikely to contribute to significant cumulative lighting effects).

Conclusions - the proposed development site lies within the Knapdale Upland Forest Moor Mosaic LCT which covers much of the Knapdale area between West Loch Tarbert and the southern edge of the Knapdale National Scenic Area. This landscape has a simpler landform

in the south-west but is complex and craggy in the north-east. The operational Allt Dearg and Srondoire wind farms occupy a prominent location in the LCT. The consented Airigh wind farm, while comprising larger turbines, is associated with the more subdued terrain occurring in the south-west of this LCT.

This proposal, which comprises very large turbines of up to 200m, would be sited in a basin which reduces its prominence and intrusion seen from Loch Fyne and from the settled eastern 2 The Earraghail wind farm applicant is committing to an Aircraft Detection Lighting System (ADLS) and, as this would significantly reduce the duration of night-time lighting, this scheme is therefore considered unlikely to contribute to significant cumulative lighting effects coastal fringes of this loch. The containment provided by landform is diminished in views from the south around West Loch Tarbert however where turbines would be visible in closer proximity and where their scale would be more appreciated due to greater visual exposure and because they would be seen in close conjunction with the smaller scale settled loch fringes.

Visibility from the northern shores of West Loch Tarbert will be minimal and while this proposal would be visible from parts of Gigha, the Ardpatrik Point area and from the west Kintyre coast, it would not have a significant effect due to the greater distances involved and also because of the presence of the consented Airigh wind farm which is more prominent in some of these views. The greatest degree of visibility (and intrusion) would occur from the waters of West Loch Tarbert, from its south-eastern coastal fringes and from parts of the northern Kintyre uplands.

Significant adverse effects would occur on the following landscape/seascape character areas:

- The Knapdale Upland Forest Moor Mosaic LCT extending approximately 2km from the proposed wind farm site
- The Rocky Mosaic LCT where it covers the south-eastern shores of West Loch Tarbert
- The West Loch Tarbert Local Coastal Character Area.

The significant adverse visual effects associated with the proposal would principally affect views in the West Loch Tarbert area as follows:

- The A83 where it is aligned on the south-eastern coastal fringe of West Loch Tarbert. This road is an important tourist route forming part of National Cycle Network 78 and the Kintyre 66.
- The Kennacraig to Islay ferry route within inner West Loch Tarbert
- Footpaths in the Dun Skeig area and from a section of the Kintyre Way.

In the above views, this proposal would be seen simultaneously or sequentially with the operational Freasdail and consented Airigh wind farms.

This proposal would be one of the first wind farm proposal to introduce lighting to the dark skies of Kintyre and while the intensity of lights will reduce when seen from lower elevation coastal fringes, the Council's landscape consultant considers that they would still be clearly seen from these more settled and frequented areas and that they may extend the duration of significant adverse effects on views from the West Loch Tarbert area. The potential cumulative effects of visible aviation lighting on character and views are a concern given the number of recent applications for turbines >150m in Argyll & Bute requiring such lighting although it should be noted that the recent Earraghail wind farm application is committed to the adoption of an Aircraft Detection Lighting Strategy (ADLS) which would substantially reduce the duration of night-time lighting.

Cumulative landscape and visual effects with the application-stage Sheirdrim wind farm are a

key concern. If the Sheirdrim proposal is consented on appeal the Council's landscape consultant considers that the addition of this proposal would result in a major adverse combined cumulative effect on the West Loch Tarbert area significantly affecting its character and views from the A83, settlement, footpaths and the Islay ferry.

It is recommended that this proposal should be objected to on landscape and visual grounds principally because of its prominent location in relation to West Loch Tarbert and its sensitive coastal fringes, including impacts on views from key transport routes which are important for visitors.

Key visualisations for the Committee to see include:

- Figure 6.4 Detailed ZTV 10km
- Figure 6.9 ZTV with Landscape Planning Designations
- Viewpoint 9 Portavadie (note that fewer turbine hubs would be visible when compared with the Earraghail wind farm proposal)
- Viewpoint 12 Kilfinan (demonstrates the siting of the wind farm in a dip provides greater screening of turbine bases in views from the east)
- Viewpoint 10: A83 near Gartnagrenach (a scenic view across West Loch Tarbert)
- Viewpoint 19: A83 Whitehouse (effects on views to the high ridge on Knapdale)
- Viewpoint 11: Dun Skeig
- Clachaig Glen EIA-R – Viewpoint 8 Night-time visualisation Figure 8.5 and Viewpoint N2 in the Rowan EIA-R (to enable comparison between night-time visualisations)

Applicant's response to ABC Landscape Comments - the Applicant advised the ECU that they wished to provide further comment on the landscape objection provided by the Council's landscape consultant. Furthermore, that they have prepared four documents in response: a written request to the objection, which gives their view on the intermittent nature of significant effects (as quoted in the objection) with evidence from the EIAR, and places the objection in the context of the adopted LDP, SPP and tilted balance; a new ZTV which shows the extent of theoretical visibility to blade tip out to 15km when incorporating forestry. This fully demonstrated the screening afforded to this site; a new ZTV which shows the above, but for hub height; and a revised Figure 6.17a which places the sequential assessment for the A83 into categories of where you can see it (in green), and where you cannot. The Applicant has advised that they wish the committee to consider this response prior to reaching a decision on this proposal. It is available on the ECU website by following this link: [Rowan WF Landscape response\\_May2022\\_final\\_\(004\)\\_\(1\).pdf](#)

Argyll & Bute Council Landscape Consultant - was consulted further on the Applicant's rebuttal to the Landscape & Visual review and has provided the following further advice:

The Landscape and Visual Review (LV Review) focusses on identifying the principal landscape and visual effects of the proposal. It was undertaken on the basis of field assessment and its conclusions were informed by comparison of the landscape and visual effects of similar wind farm proposals across Argyll & Bute and other parts of Scotland. The LV Review does not provide a detailed Landscape and Visual Impact Assessment as an alternative to that included in the Environmental Impact Assessment Report (EIA-R) for the Rowan wind farm proposal. This would not be possible or appropriate given limited resources and time constraints. It provides an overview of the key landscape and visual effects of the proposal on Argyll & Bute and is one of many other sources of information which will be considered by Argyll & Bute Council when determining the acceptability of the proposal in terms of the planning balance.

Many of the points raised in the applicant's response can be attributed to differences in professional opinion and are therefore not argued further here. There are three matters

addressed in the Applicant's response which merit further comment and clarification as follows:

- Effects on the Rocky Mosaic Landscape Character Type - The LV Review states that 'The LVIA concludes that effects (considered in a baseline which includes the operational Freasdale wind farm) would be significant along the southern coast of West Loch Tarbert. The Council's landscape consultant agrees that the effects of this proposal would be significant and adverse on the part of the Rocky Mosaic LCT lying on the south-eastern side of West Loch Tarbert'. While it is accepted that the LVIA does not judge the effects of the proposal on this LCT to be significant, either 'individually' or cumulatively with the operational Freasdale wind farm, it is the view of the Council's landscape consultant that this proposal would incur a significant adverse additional cumulative effect on the character of part of the Rocky Mosaic LCT (broadly equating to Unit B identified in the LVIA).
- With reference to paragraph 2.12, just because the author of the Applicant's response deems the effects to be 'localised' this does not mean that they are not important. There are very few wind farm proposals which have, what could be termed as, more widespread 'regional' effects.
- Visible Aviation Lighting - This is a rapidly changing technology with no similar specification of lighting on operational wind turbines to enable judgements as to likely night-time effects to be made in the field. The examples stated in paragraph 1.3.28 of the updated Technical Appendix 6.3 as having been visited by the LVIA team are also acknowledged as not having the same specification of visible aviation lighting as the proposal. Comparison of the night-time visualisations produced in a cross-section of current EIA-Rs reveal a divergence in the nature of visualisations and the findings on the significance of effects. In particular, review of the recently submitted Clachaig Glen II wind farm proposal demonstrates the disparity between the depiction of lighting effects despite directional intensity mitigation having also been taken into account in the generation of the visualisations and visualisations produced from similar viewpoint elevations. It is only correct that a precautionary approach should be taken in appraising wind farm applications with visible aviation lighting given the low-lighting levels present in Argyll & Bute and the potential for cumulative effects to arise with other proposed wind farms featuring such lighting.

Conclusion – it is acknowledged that all wind farms will have significant adverse landscape and visual impacts but what is important to consider is the nature and degree of severity of these effects in making recommendations to the Council. The LV Review provides an impartial analysis of likely significant adverse landscape and visual effects but also the mitigating features of the proposal are clearly noted, for example the limited visibility of turbines in views from the east across Loch Fyne. It is not appropriate for the Applicant to determine the acceptability of the proposal in landscape and visual terms, as this can only be determined by the decision maker (the Council in this instance) upon receipt of the full range of information which needs to be considered in the planning judgement.

NatureScot - have advised the ECU that the nature and scale of the proposal in this location cannot be accommodated without significant adverse landscape and visual effects, including cumulative effects and night time effects. Significant adverse effects of the proposal are predominantly in relation to the West Loch Tarbert (WLT) area, in particular the waters of WLT and the southeast coast (west coast and uplands of northern Kintyre). In NatureScot's view, turbines of this scale in this location, would detract from the character, scenic views and experience of West Loch Tarbert area as currently enjoyed by tourists and residents. NatureScot consider the proposal would also have some significant effect on the appreciation of the relatively dark skies in this area as a result of the introduction of turbine lighting with the potential for significant cumulative effects with the wind farm proposals (>149.9m high) requiring aviation lighting on nearby Kintyre.

North Ayrshire Council have advised the ECU that in this instance, they leave the comments relating to impacts on North Arran NSA and the Wild Land Area to NatureScot.

West Kintyre Community Council have advised the ECU that they object to this proposal on the grounds of Landscape and Visual Impact.

Tarbert & Skipness Community Council have advised the ECU that they object to the proposal on the grounds that the proposal will have an adverse landscape and visual impact.

East Kintyre Community Council have advised the ECU that they object to the proposal on the grounds of visual amenity due to cumulative harmful visual impacts contrary to Argyll & Bute Council's LDP 6 and proposed Local Development Plan 2, Diagram 7.

Representations have been received by the ECU objecting to the proposal in this regard, including: It is the landscape of Kintyre and Knapdale which represents the area's future economic wellbeing. Wind farms, new power lines and the miles of tracks they seem to need are destroying the landscape and the special feel of remoteness of the area. They contribute almost nothing to anyone locally but do enrich landowners who almost all live elsewhere. Visitors to the area cannot understand the lack of value accorded the special quality of the area. When it is gone perhaps some of those involved in its destruction may come to appreciate what they have done?; and the adverse visual impact on the view north along West Loch Tarbert from Gartnagrenach (special often photographed and commented on by visitors and enjoyed by locals). This proposal would be visible from very many places especially in Kintyre and especially from Gartnagrenach.

Representations have been received by the ECU in support of the proposal in this regard including: whilst there are other wind farm schemes in Argyll & Bute, the Applicant has demonstrated that another wind farm can be accommodated in this location; and whilst perhaps not every wind farm is well placed, it is our view that this wind farm brings more benefits than harm to our local area.

All of the above consultee advice and representations have been considered, as well as the Applicant's rebuttal to the advice of the Council's landscape consultant. Officers concur with the expert advice of NatureScot and the Council's landscape consultant in respect to landscape and visual impacts (including cumulative).

**Having due regard to the above it is concluded that the proposal will have adverse landscape and visual impacts (including cumulative) 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); and the Onshore wind policy statement, (2017).**

**It is therefore recommended that Argyll & Bute Council object to the proposal on the grounds of adverse: Landscape Impact, Visual Impact, and Cumulative landscape and visual effects.**

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

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

### Designated Sites

NatureScot have advised the ECU that at the scoping stage, they considered that the site would have hydrological connectivity with the Glen Ralloch to Baravalla Woods SSSI (designated for its bryophyte and lichen assemblages and upland oak woodland) and the Tarbert Woods SAC (designated for Western acidic oak woodland). A key feature of importance for this woodland habitat is the well-developed Atlantic bryophyte communities it supports. The numerous streams which traverse the SAC have in places cut deep ravines, and together with the sheltered north-east aspect, these provide very humid conditions which support up to 180 species of bryophyte species, many of which are nationally and internationally important.

As such, NatureScot asked that the Applicant provide a construction method statement alongside the EIA Report (EIAR) which would set out specific measures to prevent sedimentation and contamination of watercourses within the site. However, this information was not provided when the EIAR was submitted in February 2022. As a result, NatureScot requested further information from the Applicant on the 14th April 2022 to help complete their appraisal of the proposal on the SSSI and SAC. A draft Construction Environmental Management Plan (CEMP) was received on the 26th May 2022.

NatureScot's advice is that this proposal is likely to have a significant effect on the western acidic oak woodland feature of the Tarbert Woods SAC. Consequently, the Energy Consents Unit, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interest. To help the ECU do this, they advise that on the basis of the information provided to date, if the proposal is carried out strictly in accordance with the mitigation outlined in the draft CEMP, their conclusion is that the proposal will not adversely affect the integrity of the site. NatureScot also consider that the measures provided in the draft CEMP will also prevent any adverse effects on the objectives of the Glen Ralloch to Baravalla Woods SSSI or the overall integrity of the area. NatureScot also advise that they should be consulted on the final CEMP produced ahead of construction works commencing.

### Ornithology

NatureScot - have advised the ECU that they are generally content with the assessment of the proposal on the key ornithological receptors and the proposed embedded mitigation measures. NatureScot note that survey work was undertaken from 2018 to 2020 whilst the EIAR was not submitted until 2022. This has resulted in no breeding season checks for 2021 which is disappointing given the sensitivity of the site for breeding osprey and red-throated divers in particular. They also note that the vantage points (VP) for flight activity surveys do have significant overlap and that there are some VPs located within the turbine array which is contrary to their guidance. There is some use of overlapping VPs being surveyed at the same time which is also contrary to their guidance and which could mean that the collision risk modelling calculations may not be 100% accurate, however the incidents of this appear to be low level.

Golden Eagle - NatureScot welcome the provision of GET modelling provided in support of the application and they agree that the proposal is unlikely to result in a significant loss of suitable golden eagle range. They note that there is a potential deer poaching issue on the site which may be making gralloch more available to eagles. It's important that poaching is



preventing from within the wind farm site as gralloch could attract eagles into the wind farm area thereby increasing the risk of turbine collision.

Osprey - NatureScot are aware of details of a number of osprey collisions to date (10 events), which is surprising as they were largely from wind farm sites with lower osprey activity than this proposal. As a result, there may be some, as yet unexplained, issue whereby ospreys collide more with turbines than expected. In this location, it appears that the ospreys will be feeding in the shallows of West Loch Tarbert in addition to Loch Chaorainn and some of the variation in activity at Loch Chaorainn may be due to weather conditions /fish availability at other feeding sites rather than failed or successful breeding.

From the flight activity data, NatureScot are concerned that the main flight paths for ospreys passes T4, T9 and T13 and this, coupled with the greater number of collisions than expected, does cause for some concern. NatureScot consider that T4, in its current location, also poses a likely greater collision risk for red-throated divers (see below), and therefore they strongly suggest that this turbine is either re-sited or removed from the application.

Red-Throated Divers - The EIAR indicates that red-throated divers (RTD) predominately fish on larger lochs during the breeding season, and whilst some RTDs will do this, for most birds the majority of feeding, especially when they have chicks, tends to be in the marine environment. In Argyll, it is clear from a number of wind farm proposals that the population fluctuates annually and that there is quite high use of lochs, especially from June/July onwards until early autumn by failed or non-breeding pairs plus a lot of socialising.

NatureScot consider that the interpretation made in the EIAR that Loch Chaorainn is an important feeding loch is probably not correct, especially as the consultants have identified two clear flight routes in and out of the wind farm area towards the east coast of Knapdale and to West Loch Tarbert which look typical of other Kintyre wind farm surveys for divers.

They are also aware from other wind farm work in Argyll that divers do not always get displaced from lochs close to wind farm sites. They welcome the commitment to provide a raft near the islands in Loch Chaorainn as this may limit the risk of loch abandonment. They note that Canada geese were recorded on Loch Chaorainn in April 2020 and, although no breeding evidence was recorded at that time, these geese do tend to breed on rafts which can deter RTD usage of rafts.

As with ospreys, it appears as though T4 is located on the main flight path out of Loch Chaorainn for RTDs and removal or re-siting of this turbine would likely significantly reduce the potential collision risk for these birds.

Habitat Management Plan (HMP) - NatureScot welcome the provision of draft HMP and they have a number of comments to make on some of the commitments proposed:

- Native broadleaved shelter belt at Loch Chaorainn Beag – this loch appears to be quite sheltered already and NatureScot consider that planting a shelter belt may reduce the loch's attractiveness to RTD as it can make it feel more enclosed, provides cover for predators and can make the shoreline less suitable for nest sites. As such, they do not consider that this measure will be beneficial for RTD.

- Monitoring and restocking of fish – NatureScot do not consider that Loch Chaorainn is as important a feeding loch for RTDs as the EIAR suggests. However the loch does appear to be important for feeding osprey. The HMP should demonstrate this measure and how feasible it is to achieve. The proposed restocking of fish would need to consider the species and size of fish to be restocked as RTDs would require small fish for their chicks. Restocking with larger fish may negatively impact small fish abundance if they predate them which could have a negative impact on RTDs.

- NatureScot welcome the commitment to install a diver raft on Loch Chaorainn, although they note that this loch is outside of the red line boundary and so assurances should be made in the HMP that the raft can be deployed here. One of the main reasons why rafts can fail as a measure of diver mitigation is due to a lack of maintenance and therefore the HMP should commit to a regular programme of maintenance over the lifetime of the wind farm. Control of Canada geese, if using the raft, should also be undertaken over the lifetime of the wind farm. This would involve yearly checks prior to the breeding season.

- Eagle feeding stations - NatureScot consider that the main aim of any supplementary feeding is to help improve the birds' condition over the winter, with live prey being much more important for the breeding season and rearing healthy chicks. Some supplementary food in the winter period may be of some benefit but they do not consider that it should be provided all year round. Golden eagles have a wide diet (including a large range of mammals and birds) and the typical view of grouse / lagomorphs and carrion being the main food sources for eagles is outdated. It is important to note that any carcasses provided must be lead free.

- NatureScot note that a relatively small area of wet heath / blanket bog is proposed for restoration under the draft HMP. They consider that the HMP could look to be more ambitious in its aims for habitat restoration and considers improving the open ground habitats around the west and south-west of the wind farm area within their red line boundary.

Curtailment of Turbine 4 – in response to NatureScot's advice that consideration should be given to moving or deleting turbine 4, the Applicant submitted a Technical Note: Rowan Wind Farm- Curtailment of Turbine 4 (10<sup>th</sup> July 22) to the ECU. Moving the turbine is not an option as it would introduce unwanted effects elsewhere, and based on the collision risk estimates in the EIA, the Applicant did not feel deletion is a proportionate response. As a compromise solution, the technical note sets out a rationale for curtailment of Turbine 4 during sensitive periods.

NatureScot have advised the ECU that they have considered the Technical Note on the proposed curtailment of Turbine 4 (T4) in order to minimise collision risk for ospreys and red-throated divers. NatureScot welcome the Applicant's commitment to curtail the operation of T4 so that it only operates between sunset and sunrise, thereby avoiding the more sensitive daylight hours when these species are likely to be feeding and commuting between hill lochs and West Loch Tarbert. NatureScot also advise that they would be happy to discuss possible monitoring of the effects of curtailment as part of any post consent discussions. It is considered that the curtailment of T4 should be secured by an appropriate planning condition, and this is reflected in the recommendation for the ECU.

The Royal Society for the Protection of Birds Scotland (RSPB) - has advised the ECU that it does not object to this proposal but provides advice, in relation to biodiversity and habitat management to minimise and ensure any impacts are fully mitigated and that biodiversity benefits are achieved. RSPB ask that conditions to secure: a Bird Protection Plan; Habitat Management Plan; an appropriately qualified and experienced Ecological Clerk of Works (ECoW); and, an appropriate programme of post-construction monitoring are attached to any consent.

## Ecology

NatureScot have advised the ECU that they are generally satisfied with the assessment of the impacts of the proposal on non-avian protected species and habitats and the proposed mitigation. They are also content with the proposed compensation and enhancement measures. They also note that a micro-siting allowance of 100 m has been sought by the

Applicant. Micro-siting should be utilised to avoid areas of deep peat whilst maintaining the appropriate buffer distances of sensitive ecological features within the site e.g. watercourses and woodland edges.

Bats - It is unclear from the information presented in Technical Appendix 8.4 if bat emergence surveys were undertaken for the seven trees identified as having low – high bat roost potential. These trees are located close to the proposed access to the proposal from the B8024. It's not clear how many (if any) of these trees will required to be felled, but inspection surveys must be undertaken and bat licences sought if required ahead of any felling works.

Invasive Non-Native Species - NatureScot note that the habitat surveys recorded a stand of Japanese knotweed alongside an existing track within the site as well as stands of American skunk cabbage out-with the site boundary. Measures should be included in the CEMP to ensure that these species are managed appropriately and not being allowed to spread in the wild as a result of the construction works.

The Council's Local Biodiversity Officer – has no objection to this proposal, advice is provided in relation to biodiversity interest, surveys, mitigation, construction environment management and overseeing, habitat management and restoration protocols. The Local Biodiversity Officer recommends monitoring of the condition of the structures (culverts/bridge), that silt catchment measures are effective and that a log of any incidents of contamination are kept. The Local Biodiversity Officer requests that: an ornithological watching brief is kept and any collisions are recorded and submitted to NatureScot, the planning authority and the RSPB; and the applicant drafts an eradication plan for the following species: Japanese knotweed rhododendron; montbretia; and butterfly bush and submits it to the planning authority as this supports biodiversity enhancements.

## Fish

Fisheries Management Scotland (FMS) - advised the ECU that their remit is confined to alerting the relevant local DSFB/Trust to any proposal. The proposal falls within the catchment relating to the Argyll DSFB and the Argyll Fisheries Trust. The proposals should be conducted in full consultation with the local DSFB & Trust. Due to the potential for such developments to impact on migratory fish species and the fisheries they support, FMS have developed, in conjunction with Marine Scotland Science, advice on terrestrial wind farms for DSFBs and Trusts in dealing with planning applications which should be fully considered.

Argyll District Salmon Fishery Board - have advised the ECU that they have no objection subject to conditions to ensure: comprehensive pre and post development monitoring (electrofishing surveys of juvenile fish populations) is undertaken to ensure Argyll DSFB that all habitat and fish populations are unaffected by the development; as part of any development, all conifer trees are to be removed from riverbanks and measures taken to regenerate native broadleaf trees; and all stream crossings are conducive to the upstream and downstream movement of all fish.

## Forestry

In Scottish Forestry (SF) consultation response to the Applicant's clarification they advised the ECU that they are content that the proposal meets the UKFS species diversity requirements and confirm that they have no outstanding issues with the proposal. Planning conditions to secure Compensatory Planting and a Long Term Forest Plan in the event the proposal receives consent are also recommended.

SEPA – Forestry Waste Management – SEPA have advised the ECI that there's no indication the proposals will involve the felling of forest material to waste at this stage although they understand the method of woodland clearance will be determined at the time of construction (including whether harvesting for the biomass market is possible). As per Chapter 14 of the EIAR, such works should follow SEPA's guidance on the Management of Forestry Waste and Use of Trees Cleared to Facilitate Development on Afforested Land.

#### Micrositing

SEPA advice on Micrositing – SEPA has advised the ECU that they note a 100m micrositing allowance is proposed and request a condition requiring that, unless otherwise confirmed by the determining authority in consultation with SEPA, any proposed micrositing be subject to the following restrictions: no micrositing shall take place within a 50m buffer distance of a watercourse; no micrositing shall take place within areas of peat of greater depth than the original location; and no micrositing shall take place within the buffers identified for PWS.

Crown Estate Scotland have advised the ECU that the assets of Crown Estate Scotland are not affected by this proposal and they have no comments.

**Having due regard to the above it is concluded that subject to the conditions recommended by NatureScot, RSPB, Argyll District Salmon Fishery Board, SEPA, Scottish Forestry and the Council's Local Biodiversity Officer the proposal is acceptable in terms of natural heritage and birds and is consistent with the provisions of SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (i.e. biological diversity); SG LDP ENV 7 – Water Quality and the Environment; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; SPP; Onshore wind policy statement, Scottish Government (January 2017); The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009);**

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

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

Spatial Framework (SPP & SG2) – In terms of the Council's Spatial Framework for wind farms (Supplementary Guidance 2: Wind Farm Map 1 - Figure 1 Spatial Framework for wind turbines over 50 metres to blade tip), the proposal lies predominately within a Group 3 area (area with potential for wind farm development subject to other policy consideration), with its western edge being in a Group 2 area (Area of significant protection) owing to its classification as an area of Class 2 Carbon Rich Soil and Peat. In Group 2: Areas of significant protection – wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. Group 3: Areas are likely to be acceptable, subject to detailed consideration against identified policy criteria.

NatureScot's advice on Peat – NatureScot have advised the ECU that they are content with the assessment of the proposal on the peat resource and note that efforts have been made in the design of the wind farm to avoid areas of deep peat. They are also content with the

measures detailed in the Outline Peat Management Plan (OHMP) with regards to the storage and reuse of peat on site.

SEPA – Disturbance and Re-use of Excavated Peat – SEPA have advised the ECU that they acknowledge and welcome the work undertaken on the peat surveys and planning of the site design to avoid areas of deep peat as reported in the EIAR. They have reviewed the Outline Peat Management Plan (oPMP) and acknowledge this covers everything expected (micrositing, floating tracks, peat storage plans). SEPA are satisfied with the assessment so far and peat management proposals in principle. The oPMP states that details of temporary peat storage locations will be provided. It would be expected that this would include a map showing the peat storage areas, demonstrating that the storage areas are not on high value habitats, or in proximity to waterbodies, or on sloping ground. SEPA request, a condition requiring the preparation and submission of an updated PMP for approval to the determining authority, in consultation with SEPA, prior to commencement of the development. This should demonstrate how also micrositing and other measures have been used to further minimise peat habitat disturbance.

Ironside Farrar on behalf of the ECU – have advised the ECU that the PLHRA requires minor revisions: although much of the PLHRA is sound, one or two key elements are considered to be insufficiently robust to support the PLHRA conclusions and minor revisions are required; areas for attention will be advised in the review findings and may be progressed by the developer through either an appendix to the original submission or by clarification letter. Technical Appendix 10.2 Peat Slide Hazard and Risk Assessment was submitted to the ECU by the Applicant on the 8<sup>th</sup> August to provide the clarification sought by Ironside Farrar in their consultee response (26 April 2022). At time of writing Ironside Farrar have not confirmed to the ECU whether or not this document addresses their comments. A response is anticipated week commencing 26<sup>th</sup> September 2022.

**Having due regard to the above, subject to the recommended conditions it is concluded that the proposal will not have an adverse impact on carbon rich soils, using the carbon calculator and is therefore consistent with the provisions of SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (i.e. biological diversity); SG LDP ENV 11 – Protection of Soil and Peat Resources; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; SPP (2014); Onshore wind policy statement, (January 2017).**

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

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

New pedestrian, cyclist and recreational use of the wind farms tracks are proposed to be provided following commissioning of the wind farm, associated facilities including a 10-vehicle informal car park, interpretive boards, benches and bins along with signage. This access is intended to be provided to at least turbines 4 and 9, and would be around a 10km walk or cycle to turbine 9 and back to the car park using the finished turbine delivery tracks. The car park, tracks and bins would be subject to a maintenance contract to be awarded locally if possible.

Having due regard to the above it is concluded that the proposal will not have any adverse physical impacts on public access, including impacts on long distance walking and cycling routes and those scenic routes identified in the NPF and is therefore consistent with the provisions of SG 2 Renewable Energy, SG LDP TRAN 1 – Access to the Outdoors; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; SPP (2014); Onshore wind policy statement, (January 2017).

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

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

Historic Environment Scotland (HES) – have advised the ECU that they have no objection to the proposal.

The West of Scotland Archaeology Service (WOSAS) – have advised that they have no objection subject to condition to secure the approval of a written scheme of archaeological investigation, to be fully implemented to the satisfaction of the Planning Authority.

Having due regard to the above it is concluded that based on the advice of Historic Environment Scotland and the West of Scotland Archaeology Service that, subject to a condition to secure a scheme of archaeological investigation that this proposal is consistent with the provisions of SG LDP ENV 15 – Development Impact on Historic Gardens and Designed Landscapes; SG LDP ENV 16(a) – Development Impact on Listed Buildings; SG LDP ENV 19 – Development Impact on Scheduled Ancient Monuments; SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan; SPP (2014); the Onshore Wind Policy Statement and Historic Environment Policy for Scotland (April 2019) in this respect.

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

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

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 & Bute, regardless of the scale of development proposed. The Council's LDP Policy LDP 6 identifies impacts on tourism and recreation as a material consideration in the assessment of renewable energy 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.

West Kintyre Community Council (WKCC) – have advised the ECU that they object on the grounds of Tourism Impact.

East Kintyre Community Council – have advised the ECU that they object to the proposal on the following grounds of Community Development Amenity due to the wholesale harmful impacts to a designated Tourism development area.

Tarbert & Skipness Community Council have advised the ECU that they object to the proposal on the grounds that the proposal will have an adverse tourism impact.

Representations have been received by the ECU objecting to the proposal in this regard, including: adverse Impact on Tourism & Recreation and associated economic impact - this application would be directly in front of Tarbert Holiday Park which extends to 50 acres. It is also close to West loch Shores and Escart Farm and Bay (200 acres approx). We are the biggest accommodation provider in Kintyre and the landscape is what attracts people to this particular area close to Tarbert. There seems to be a lot of further Wind farms proposed but I feel this one is one too many and too close to us. It will also significantly financially affect the future income of the businesses.

The concerns expressed in regard to the adverse landscape and visual impact this proposal will have on tourism have been taken into account. As these two matters are intrinsically linked, and there is little evidence to demonstrate whether or not wind farms adversely affect tourism, it is considered that such impacts are covered in the landscape and visual impact assessment of the proposal and recommended reason for objection.

**Having due regard to the above, in terms of the impacts on tourism and recreation the proposal is considered to be consistent with the provisions of: SG LDP TRAN 1 – Access to the Outdoors; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP ENV 14 –Landscape; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.**

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

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

Defence Infrastructure Organisation/ Ministry of Defence (MOD) – have advised the ECU that they have no objection to the proposal subject to conditions to secure: aviation lighting and aviation charting & safety management.

Civil Aviation Authority – have advised the ECU that the proposed development has 13 turbines, with turbine heights at 200m ground to tip. This brings them into scope of the Air Navigation Order Article 222 requirements for obstacle lighting at night. Based on the information, the CAA is satisfied with the proposed lighting scheme,

Highlands and Islands Airports Limited (HIAL) have advised the ECU that at the given position, this development is in the vicinity of the Instrument Flight Procedures of both Islay and Campbeltown Airports. However, their calculations show that there is no impact to the safeguarding criteria for Islay and Campbeltown Airports. If the proposed layout of the wind farm does not significantly change and the maximum height, 200m, of the proposed wind

turbines does not increase; Highlands and Islands Airports Limited has no objections to this proposal. However, if the layout changes significantly and the turbine height increases then Highlands and Islands Ltd would object until it is determined that there is no impact to the IFPs of Islay and Campbeltown Airport.

National Air Traffic Services Safeguarding (NATS) – have advised the ECU that the proposed development has been examined by their technical safeguarding teams and conflicts with their safeguarding criteria. Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NAT's objection is that a technical impact is anticipated, which has been deemed to be unacceptable.

On the 22<sup>nd</sup> August the Applicant advised the ECU that the NATS aviation contract is in progress, and that a letter saying 'no objection' should arrive within the next few months. Furthermore, that the Council should be in a position to say that mitigation is possible (Lowther hill blanking and Tiree infill), negotiations are underway, but that contracts are unlikely to be finalised before committee. This is not a hurdle to the Council providing its response. This is a technical matter for the ECU to resolve.

Glasgow Prestwick Airport (GPA) – have advised the ECU that the development raises aviation safety concerns which have an operational impact on the Airport as an air navigation services provider. Until all technical and operational aviation safety matters are addressed to the satisfaction of the Airport, and a mitigation agreement is put in place for the life of the windfarm, the Airport must object to this proposed development

Applicant's response to Glasgow Prestwick Airport's objection (12<sup>th</sup> May 22) – the Applicant has submitted a response to this objection to the ECU, which provides comments on: Aviation Lighting; the Airport's Windfarm Safeguarding Assessment Process; and Cumulative Impact. At time of writing it is understood that this has been sent to Glasgow Prestwick Airport by the ECU and a further response confirming whether or not their concerns have been addressed remains outstanding. The ECU have asked if it would be possible to provide a response by the 12<sup>th</sup> September to enable an update to be provided to the Council in advance of committee and GPA advised that they would try. This is a technical matter for the ECU to resolve.

Glasgow Prestwick Airport – further comments in response to Applicant's 12<sup>th</sup> May email – advise the ECU that they continue to object to this proposal. They continue to have concern in regard to: airspace, airport surveillance coverage and air traffic service; air space and air traffic control; in the absence of appropriate mitigation the turbines visible to the airport's primary surveillance will generate clutter and render the airspace above the wind farm unusable to Air Traffic Control; further wind farms without appropriate mitigation will exacerbate this; and the turbines are capable of impacting VHF reception from ATV to aircraft, the airport requires to be satisfied that the proposal will not have an adverse impact upon VHF communication infrastructure (further analysis required). GPA is optimistic that appropriate mitigation of these effects will be possible and that an agreement can be reached with the Applicant in respect of mitigation measures, which would allow GPA to withdraw its objection.

Local Development Plan Policy is clear that developments that have an adverse impact on the Safeguarding of Airports should be refused.

**Having due regard to the above it is concluded that due to the fact that National Air Traffic Services Safeguarding (NATS) and Glasgow Prestwick Airport 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.**



**It is therefore recommended that Argyll & Bute Council object to the proposal due to the adverse impact it would have on Aviation. Furthermore, that the Energy Consents Unit should be advised that in the event that National Air Traffic Services (NATS) and Glasgow Prestwick Airport withdraw their objections, then Argyll & Bute Council would no longer object on these grounds. Furthermore, in the event that a Public Inquiry is held that Argyll & Bute Council does not intend to give evidence on this technical matter, and would defer to NATS and GPA in this regard.**

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and SPP require applications for renewable energy developments to be assessed against any impact they may have on telecommunications, broadcasting installations and transmission links. BT, and the Joint Radio Company have provided confirmation to the ECU that they have no objections to this proposal.

**Having due regard to the above it is concluded that the proposal will not have any adverse impacts on telecommunications, broadcasting installations and transmission links (including cumulative impacts) and is consistent with the provisions of SG 2, Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.**

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

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

Site Access Junction - Access to the site will be from the B8024 and a new junction bellmouth has been indicatively designed by Pell Frischmann. This will incorporate the grading of the junction to fit the topography and join the existing forestry track. The over-run area would become an informal car park for up to 10 vehicles when operational.

Transport Scotland (TS) – have advised the ECU that they have no objection. TS request that conditions are attached in the event that the proposal receives consent relating to: Construction Traffic Management Plan (CTMP) and Phased Delivery Plan; Road Condition Review/Assessment; Abnormal Indivisible Loads Management Plan; vehicles transporting construction material are sheeted; vehicle wheel cleaning facilities; abnormal load delivery trial-run; approval of the proposed route for abnormal loads and any accommodation measures; details of any additional signing or temporary traffic control measures deemed necessary (by Quality Assured traffic management consultant); and a Decommissioning Plan.

The Council's Roads & Amenity Services have advised that they have no objection subject to conditions to secure: a Traffic Management Plan; a detailed Method Statement; new passing places; carriageway widening; carriageway widening to be soiled and seeded; report identifying vulnerable areas of road to traffic loading (including assessment of culverts or other structures and proposed mitigation); and a detailed roads condition survey; weekly road inspections. Furthermore, the Applicant should be made aware that there will be no financial contributions from Argyll & Bute Council towards the work required to facilitate the works or to make good any damage directly attributable to the construction of the wind farm. The Applicant

should be made aware that they will be responsible for making good any damage to the public roads which is directly attributable to the construction of the wind farm. Transport Scotland should be notified as there may be work to be carried out within the road corridor of the A83 Tarbet – Campbelltown Trunk Road. A section 96 Legal Agreement will be required. The Roads Engineer has also highlighted the following notes for intimation to the Applicant: in terms of the Roads (Scotland) Act 1984 a Road Opening Permit (S56) will be required, and no surface water is allowed to discharge onto the public road. The Applicant has been made aware of the requirements of Area Roads and confirmed that they have no issues with these requirements.

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

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and SPP require applications for renewable energy developments to be assessed against effects on hydrology, the water environment and flood risk.

SEPA – Impacts on the Water Environment – SEPA has advised the ECU that they support the adoption of a 50m buffer between proposed infrastructure and watercourses as shown on Figure 10.7. The Watercourse Crossing Schedule (Appendix 10.3) describes ten crossings needed to facilitate the development. Proposals to undertake alterations to, or works on, the bank or bed of a watercourse requires consent under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). While SEPA have no consentability concerns with the majority of these crossings (which are to be bottomless arch culverts) they request a bridging solution is implemented for Watercourse Crossing 4 as this is approximately 4m wide. To protect the water environment, SEPA therefore request a condition requiring that this crossing be a traditional style bridge unless otherwise agreed with SEPA. Furthermore, a Construction Run Off Licence under CAR will also be required for surface water run off from the construction site. That will require the applicant to have a Pollution Prevention Plan (PPP) in place. SEPA are content to consider detailed proposals during the CAR authorisation process

SEPA - Groundwater Dependent Terrestrial Ecosystems (GWDTEs) – SEPA has advised the ECU that they have considered the GWDTE assessment provided in the EIAR, including Technical Appendix 8.1: Habitats, and agree that there are no GWDTEs on site. SEPA acknowledge that justification for this conclusion has been provided and it seems that the habitats present are surface water fed and a result of topography. This has also been supported with water chemistry sampling. Other areas appear to be degraded habitat at the plantation forest margins and these areas have been mentioned in the Habitat Management Plan to restore degraded habitats.

The Council's Flood Risk Assessor – has advised that they have no objection to the proposal subject to conditions to ensure that: watercourse crossings not to reduce the capacity of the channel and ideally be designed to convey the 1:200 year plus climate change flow; and Surface water drainage should be designed in accordance with CIRIA C753 and ensure that post development surface water runoff does not exceed the pre-development surface water runoff. The surface water drainage should be in operation prior to the start of construction.

**Having due regard to the above, subject to the relevant conditions being attached to any consent granted by the ECU, it is concluded that the water environment and flood risk have been considered and the proposal is consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables and SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement in this respect.**

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and SPP require applications for renewable energy developments to be assessed against the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.

Following construction and commissioning, the proposal would be operational and generating electricity for a period of approximately 35 years, after which it would be decommissioned and removed, or alternatively, a further planning application could be made to extend the period of operation. If a further application is not submitted, decommissioning would involve the total removal of above-ground infrastructure. This would involve retention of existing access tracks for forestry operations. Reinstatement of the site would be carried out in accordance with an approved method statement. It is recommended that this matter is covered by planning conditions or a legal agreement consistent with other projects across Argyll & Bute in the event that the proposal obtains consent from the ECU.

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

**U. OPPORTUNITIES FOR ENERGY STORAGE (INCLUDING CUMULATIVE IMPACTS)**

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

The proposal incorporates battery energy storage to store energy from the development or excess electricity from the national grid, providing stability to the electricity supply network, meeting energy demands and providing improved energy security.

**Having due regard to the above it is recommended that the Council should not object to the proposal on the grounds of opportunities for energy storage (including cumulative impacts) in accordance with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, SPP (2014) and the Onshore Wind Policy Statement.**

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

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and SPP require applications for renewable energy developments to be assessed against the need for a robust planning obligation to ensure that operators achieve site restoration.

Following construction and commissioning, the proposal would be operational and generating electricity for a period of approximately 35 years, after which it would be decommissioned and removed, or alternatively, a further planning application could be made to extend the period of operation. If a further application is not submitted, decommissioning would involve the total removal of above-ground infrastructure. This would involve retention of existing access tracks for forestry operations. Reinstatement of the site would be carried out in accordance with an approved method statement. It is recommended that this matter is covered by planning conditions or a legal agreement consistent with other projects across Argyll & Bute in the event that the proposal obtains consent from the ECU.

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

#### **W. CLIMATE CHANGE (EMISSIONS REDUCTION TARGETS) (SCOTLAND) ACT 2019, THE SCOTTISH ENERGY STRATEGY & ONSHORE WIND POLICY STATEMENT 2017**

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 - The Scottish Government is committed to increasing the supply of renewable energy within Scotland. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 sets out stringent targets for Scotland. The primary objective of the Act is to raise the ambition of the greenhouse gas emissions reduction targets set out in the Climate Change (Scotland) Act 2009. The Act sets a legally-binding “net-zero” target of all greenhouse gases by 2045. The “net-zero” target for Scotland is five years ahead of the date set for the whole of the UK.

The Scottish Energy Strategy (SES) (2017) and SES Position Statement (2021) – The SES was published in December 2017 and sets out the Scottish Government’s strategy through to 2050, marking a ‘*major transition*’ over the next 3 decades in terms of energy management, demand reduction and generation. The SES sets 2 new targets for the Scottish energy system by 2030: The equivalent of 50% of the energy for Scotland’s heat, transport and electricity consumption to be supplied from renewable sources; and, an increase by 30% in the productivity of energy use across the Scottish economy. The SES recognises that reaching the 50% target by 2030 ‘*will be challenging*’ but the target demonstrates ‘*the SG’s commitment to a low carbon energy system and to the continued growth of the renewable energy sector in Scotland*’. These energy and climate change goals mean that onshore wind must continue to play a vital role in Scotland’s future – helping to decarbonise our electricity, heat and transport systems, boosting our economy, and meeting local and national demand. The Statement goes on to state that: ‘*This means that Scotland will continue to need more onshore wind development and capacity, in locations across our landscapes “where it can be accommodated”*’. The 2021 Position Statement states that: “*The Scottish Government is committed to supporting the increase of onshore wind in the right places to help meet the target of Net Zero.*”

‘Onshore Wind Policy Statement’ (2017) – the onshore wind policy statement sets out the Scottish Government’s position on onshore wind and supports the aims of the Scottish Energy Strategy. Paragraph 74 states that: “*The Scottish Government believes that our ambitious*

*renewable energy goals are very much in the interests of Scotland's citizens and environment. We also believe that developments can and must strike the right balance between utilising Scotland's significant renewable energy resources whilst protecting our finest scenic landscapes and natural heritage".*

#### SPP, NPF3 and NPF4

Despite now being seven years old, NPF3 and SPP are extant statements of Scottish Government planning policy and will remain in place until such time as NPF4 is adopted. The status of NPF3 and SPP has not changed and they are significant material considerations in the determination of the present application.

The SPP introduced a presumption in favour of development that contributes to sustainable development. Paragraph 28 states: *"The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost"*

Renewable energy generation targets are supported by NPF3 but that support is qualified as mirrored in SPP. It is stated at paragraph 4.7: *"The pressing challenge of climate change means that our action on the environment must continue to evolve, strengthening our longer-term resilience. A planned approach to development helps to strike the right balance between safeguarding assets which are irreplaceable, and facilitating change in a sustainable way."* Paragraph 4.4 of NPF 3 recognises that Scotland's landscapes are spectacular, contributing to our quality of life, national identity and visitor economy. Landscape quality is found across Scotland and all landscapes support place-making.

**Having due regard to the above subject to the recommended advice and conditions it is considered that the proposal is inconsistent with the provisions of: SPP, NPF3, the Scottish Energy Strategy 2017 and Onshore Wind Policy Statement 2017, in this regard, which represent the Scottish Governments most up to date position on this type of development.**

## **X. CONCLUSION & RECOMMENDATION**

Both SPP and the Argyll & Bute Local Development Plan support renewable energy developments provided it has been adequately demonstrated that there would be no unacceptable significant adverse effects.

The determining issues in relation to this case are: Landscape & Visual Impact (including cumulative), and Aviation. It is accepted that the proposal would make an important contribution to the Scottish Government's renewable energy targets and reduce greenhouse gas emissions and these matters are important benefits which have been carefully considered. However, taking all of the above into account, overall it is considered that the unacceptable: Landscape & Visual Impact (including cumulative), and outstanding Aviation technical issues would outweigh the benefits of the proposal. Officers therefore conclude, for the reasons set out above, that the proposed development does not accord overall with the relevant provisions of the Scottish Planning Policy and the Argyll & 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 this report. Should the objections raised by National Air Traffic Services and Glasgow Prestwick Airport be withdrawn, then it is also recommended that Argyll & Bute Council would no longer object on these grounds, and that the Energy Consents Unit should treat these aspects of the Councils overall objection as withdrawn.