

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 11/00937/PP

Planning Hierarchy: Local

Applicant: Mr Jonathan Waxman, Genesis Energy Ltd

Proposal: Erection of wind turbine (60m to hub, 84m to blade tip), with associated substation, crane pad and temporary hardstanding and the upgrading of 550m of existing forestry track.

Site Address: Land North East Of Redesdale House, Skipness, Tarbert

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of wind turbine, hub height 60m and rotor diameter of 48m (84m to blade tip);
- Formation of crane hardstanding area;
- Upgrading of 550m of existing forestry track;
- Erection of electrical substation building;
- Erection of temporary construction compound.

(ii) Other specified operations

- Borrow pit working to provide the aggregate required during construction (to be subject of separate planning application);
 - Connection to existing 33kV overhead line.
-

(B) RECOMMENDATION: This proposal is recommended for refusal for the reasons stated in this report. As a significant amount of representation overwhelmingly in support of Officers recommendation has been received it is considered that there is no added value to holding a Hearing. However, in the event Members are minded to approve the application Members should give consideration to holding a Discretionary Hearing.

(C) HISTORY:

There is no relevant planning history

(D) CONSULTATIONS:

Area Roads Manager (29th June 2011) – No objection subject to conditions relating to the dimensions of the connection with the public road; construction of the connection with the public road; provision of a turning facility large enough to accommodate an articulated lorry within the site; and no offloading of materials directly from the public road to be permitted.

Area Roads Manager (15th July 2011) – a revised response was issued by the Area Roads Manager recommending deferment, following submission of further information from the applicant, which highlighted the requirement for a Transport Plan. The conditions detailed in the previous response of 29th June 2011 continue to be recommended, with the addition of a condition requiring that no work commences on site until a Transport Plan (including materials, plant, equipment and labour) has been submitted for the approval of Roads & Amenity Services.

Scottish Natural Heritage (SNH) (30th August 2011) - do not object but have serious landscape, visual and cumulative concerns regarding the introduction of a turbine of the scale proposed in this location. SNH cannot comment on the impacts of the proposal on specially protected bird species until further information, has been submitted by the applicant.

SNH (1st November 2011) – advises the applicant in writing that having looked at the results of the ornithology survey work again and seeing the lack of activity in the area from target bird species SNH are of the view that there is unlikely to be a significant impact on bird species around the site. SNH are therefore satisfied that the 6 months of completed bird survey work is sufficient and that no further information will be required.

SNH (29th December 2011) – in response to a request for further comments by Development & Infrastructure, in respect to matters raised by contributors in regard to the ornithological appraisal of the proposal. Having considered the points raised by contributors SNH reiterate that they have no ornithological concerns and that they agree with the conclusions of the ornithological report.

Ministry Of Defence (MOD) (5th August 2011) – no objection, however, in the interests of air safety the turbine is required to be fitted with aviation lighting, which should be secured by condition should the Council determine to grant planning permission.

National Air Traffic Services (NATS) (24th June 2011) – no objection.

Glasgow Prestwick Airport (Infratil) (13th July 2011) – no objection

Public Protection (29th June 2011 and 13th July 2011) – no objection. The information submitted regarding the location of the site and its proximity to any sensitive noise receptors, as well as the predicted sound levels outlined in the Environmental Report show that the predicted wind turbine noise levels should not adversely affect the residential properties nearby.

RSPB (6th September 2011) – no objection but recommend a condition is attached to any grant of planning permission which ensures that a permanent block of forestry is maintained between the turbine site and the open habitat used by eagles to ensure that they are not attracted into open ground areas closer to the turbine. Within this area the RSPB would suggest that funding forest fringe management through a turbine trust fund would benefit local biodiversity. The RSPB further advises that, submission of the results of the survey work (as agreed with SNH) would provide an opportunity for detailed assessment of this application.

Access Officer (10th January 2013) – no objection. Part of the access track is recorded in the Scottish Paths Record. Although it is not proposed as a Core Path it would appear that access rights are exercisable along it. Any closure of the access to facilitate construction would need to be agreed in advance with the Council's access team.

Tarbert and Skipness Community Council (26th July 2011) – can see no mitigating factors that would render the proposal acceptable and can see no adequate advantage to the community that might offset the significant negative impact. Particular concerns include: proximity to the road, houses and areas of settlement; proposal will do nothing to enhance the living space or environment of those who are settled close to it and; the proposal does not add anything to encourage settlement in this area. These are considerations which are at the very heart of the common vision for the development of Tarbert & Skipness (as expressed in the Community Plan), and this particular proposal is quite contrary to these objectives in this regard, as would any further developments which might result from the establishment of precedent. The Community Council are very mindful that, whether or not it is a material consideration, this is an external commercial development not a domestic one, and is one with no community involvement.

(E) PUBLICITY:

Regulation 20 Advert (Local Application) - expired 5th August 2011

(F) REPRESENTATIONS:

At time of writing a total of 39 representations have been received comprising 1 letter of support, objections on behalf of 49 individuals and 1 general representation (regarding procedure).

Councillor Anne Horn, 4 Lochgair Place, Tarbert, PA29 6XH has raised an objection to the proposal and does not regard this as an appropriate site for the installation of a wind turbine.

Full details of representees are given at Appendix B. Due to the level of correspondence received, the key issues raised are summarised below and are addressed in the assessment at Appendix A.

IN SUPPORT OF THE PROPOSAL

Location, Siting, Design & Layout

- *I have read with interest the application and related environmental statement for a wind turbine approximately 1000metres from the Skipness Road in Spion Kop woodland. This is an area I, in my professional capacity as a land management consultant, arranged to drain and plant in 1976 and which is now reaching maturity; in fact some of the trees have been felled and will be replanted around 2015.*

Sustainability

- *In some recent wind farm developments considerable areas have been cleared of forest and will not be replaced. This is a significant reduction in the commercial forest in Scotland and is also a loss of future timber production and of carbon sequestration through forest cover. The turbine proposal at Spion Kop is a small 'key-hole' clearing inside the forest with minimal loss of forest cover and carbon sequestration. In this way the proposal will provide diversity and an increase in overall land use for renewable and sustainable production.*

Visual & Landscape Impact

- *The visual impact in this landscape will quickly become acceptable and not have an adverse impact due to the location being some distance from the public road and not in the main view corridor to Arran or onto Islay/Jura.*

Scale of Development

- *I support this application and in general this type of small scale renewable development within forest areas of Scotland.*

AGAINST THE PROPOSAL

Settlement Strategy & Wind Farm Proposals Map

- *The site lies within a 'Potentially Constrained Area' as defined by the Argyll & Bute Local Plan proposals map;*
- *The site for the proposal is located in 'sensitive countryside'.*

Location, Siting, Design & Layout

- *We find it hard to believe that the erection of a 273 foot high metal wind turbine in this location can be acceptable in the current planning climate;*

- *The size and position of the turbine is wholly inappropriate for this site and after full consideration, this application is completely without merit.*

Landscape Character & Landscape Impact

- *The proposal will have an adverse impact on the character of the landscape. Do not let greedy developers destroy the beautiful Kintyre peninsula.*
- *The proposal will be a blot on the landscape in a very unspoilt area, which visitors currently enjoy on their passage between these islands.*
- *Redesdale Forest was recently purchased by the applicants and already timber extraction has begun. All harvestable trees close to the proposed site will be removed to improve the efficiency of the turbine, exposing local residents to the noise of the blades. As well as enduring visual scars left by commercial timber operations, we are now being asked to live with a 257ft wind turbine right in the middle of the former forest.*

Visual impact

- *The proposal will produce a loss of visual amenity to local residents, tourist and visitors alike;*
- *The proposed site is adjacent to the B8001 road, which is the main route between the Arran/Cloanaig ferry and Kennacraig Islay ferry terminal;*
- *I live in Skipness and am against the introduction of this turbine for a number of reasons, the most relevant being the visual effect over a large area of Kintyre and South Knapdale;*
- *It will have a significant adverse visual impact on the surrounding area and in particular those several houses including ourselves whose lands and houses overlook the area. Wherever we are in our house or grounds we will see this turbine;*
- *The visual impact of the proposed turbine will be borne by the three dwellings very close to the site and any benefit will be enjoyed by the applicant living 500 miles away in Central London;*
- *The section of the Environmental Appraisal dealing with visual impact makes insufficient reference to the effect on the opposite side of West Loch Tarbert.*

Cumulative impact

- *There is already undue proliferation of wind farms in Kintyre and the surrounding areas that leads to unacceptable cumulative impact;*
- *Allowing the erection of single turbines which could become dotted over the remaining clear hills will cause a severe degradation of the visual amenity of the area;*

- *Cumulative Impact is important - There is now a large number of turbines in Kintyre, mostly so far sited within the carefully thought out guidelines contained in the local plan, but still visible from some pits, Adding individual machines would fundamentally change the character of the area.*

Natural Heritage & Ecological impact

- *The proposal will have an adverse impact upon the natural diversity of wildlife in the area;*
- *Huge amounts of concrete are needed as the base for a wind turbine. Concrete releases contaminants into the soil. This is not environmentally friendly.*

Ornithological impact

- *The proposal will have a detrimental effect on the wildlife habitat and the bird populations in an area important to a number of rare birds, including golden eagles, hen harriers and black grouse;*
- *It is believed that a very successful pair of Golden Eagles fly over this area;*
- *The siting of this turbine surely contravenes the Wildlife and Countryside Act 1981 amended by the Nature Conservation (Scotland) Act 2004 which to intentionally or recklessly disturb a raptor while on or near a nest;*
- *This proposal would be central to the hunting area of a pair of Hen Harriers which have been here for at least five years, I think the siting of this turbine would be an act of vandalism;*
- *Hen Harriers have decreased over the last eight years by 27% leaving 483 pairs in Scotland, every pair of these birds are special. Every effort should be made ensure their survival and we are lucky they chose to live here;*
- *The ornithology report only covers 6 months of the year and since it was produced 27 hectares of woodland has been cleared. No proper evaluation of the impact to birdlife has been made due to the study quoted not having taken into account a whole year, thus including any migratory birds to the area.*

Sustainability

- *The applicant states that he wishes to help save the planet for his children and to leave a green legacy. It is a shame that he also feels the need to scar the natural landscapes we already have in order to do this, yet he and his children will not get to see much of this scar, only the profits from the feed in tariffs generated, whilst we the villagers of Whitehouse and the surrounding area get the gift of the visual impact.*

Tourism, Recreation & Access to the Countryside Impact

- *The proposal is very close to two main tourist routes and the Kennacraig Ferry;*
- *We currently provide accommodation for tourists (especially cyclists who use this route) whose feedback on the scenic views is very encouraging. We do not want to deter people returning to the area. A lot of work has been done to encourage tourism (Kintyre Way etc) which must be a major factor;*
- *The visual impact for tourists (one of the main economic lifelines to the area) expecting to see rugged remote landscapes is unacceptable.*

Noise, Air Quality, Vibration, Lighting & Adverse Health Impacts

- *The noise of the proposed turbine will be borne by the three dwellings very close to the site and any benefit will be enjoyed by the applicant living 500 miles away in Central London;*
- *Due to the proximity of the turbine to dwellings the noise level experienced by these dwellings will be considerable;*
- *The proximity of the turbine to residential properties may pose health risks for those residents*

Shadow Flicker

- *Moving shadows would be distracting and visible over a considerable area.*

Road Traffic Impact

- *The access road (Skipness Road) is not at all suitable for the heavy construction vehicles needed to build such a turbine*

Economic Impact & Property Value

- *It is a huge mistake to allow this monstrosity to reduce local income and de-value property whose residents currently enjoy this peaceful setting;*
- *The proposal will have an adverse impact on local businesses.*

Profit/Community Benefit

- *Our environment is already challenged with developments, most of which bring some benefits to the residents. This proposal is without any benefit to the local communities;*
- *The only beneficiary is the applicant, who freely admits that the objective is to generate wealth for himself through his wholly owned company and pension fund.*

Community Support

- *The proposal does not have widespread community support. The only people who benefit from this are the developers.*
- *It seems amazing that the applicant Mr Waxman hasn't realized that "Whitehouse the village" is not Tarbert and has its own community, perhaps it would have been sensible of him to ask for a village meeting to put his ideas to those most affected.*

Grid Connection

- *No mention appears to have been made by the applicant as to how he will feed into the national grid – does this mean yet more pylons need to be erected?*

Decommissioning

- *There are no conditions attached to the end of the project's lifespan regarding dismantling the structure and site clean-up, and no penalties prescribed for failure to do so.*

Technology & Efficiency

- *Wind power is the most expensive form of power. It survives on subsidies paid for by you and me through inflated electricity bills;*
- *Having recently visited two offshore wind farm operations, from the data provided it seems onshore and small scale efforts like this are already becoming obsolete, ineffective, and inefficient due to air turbulence on land and lifespan of turbines in reducing rapidly due to new technology. It seems unnecessary to encourage individual commercial ventures such as that proposed.*
- *Taking the construction and transport of the turbines and their attendant machinery into consideration there will be no savings in carbon emissions.*

Precedent

- *Sites that initially plan a single turbine always end up with more;*
- *The proposal would set a dangerous precedent of allowing the building of a single, very tall turbine on an otherwise empty hillside;*

Decision-making

- *Planning permission for turbines of this size should only be considered as part of a wind farm development. The wind farms of Kintyre have been developed only after rigorous scrutiny and consultation and have been sited to maximise electricity production and minimise visual and noise impact on the local community. These*

developments are of national, strategic significance to reduce dependence on fossil fuels and CO2 production and I am sure the people of Kintyre are happy to see their natural resources used in this way;

- *In recent times we have seen small-scale turbines erected by local landowner, encouraged by the feed-in tariff scheme, who wish to reduce their energy costs and impact on the environment. They are usually positioned close to the developers house or farm, so any noise or visual impact is borne by the developer. The benefits stay within the community by reducing business or household energy costs;*
- *The supporting information is of a poor standard*

Planning Policy

- *The siting of the turbine is it appears, outwith the preferred areas of development for wind turbines shown on the local plan;*
- *The proposal conflicts with the Local Plan, specifically LP REN 1.*

Scottish Government Policy & Advice

- *The proposal is contrary to the provisions of Scottish Planning Policy;*
- *Current policy suggests a minimum distance of 2km between wind turbines and the closest dwellings. The proposal dramatically contravenes this well considered separation.*

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in this report, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at [Error! Hyperlink reference not valid.](#)

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) Environmental Statement: No**
- (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: No**
- (iii) A design or design/access statement: No**
- (iv) A report on the impact of the proposed development e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: Yes –**

Environmental Appraisal (June 2011); Annex 1: Viewpoint visualisations (June 2011); and Route Access Report (September 2011).

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: Not in the event of refusal as recommended.

(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No.

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

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

'Argyll & Bute Structure Plan' (2002)

Policy STRAT SI 1: Sustainable Development
Policy STRAT DC 5: Development in Sensitive Countryside
Policy STRAT DC 7: Nature Conservation & Development Control
Policy STRAT DC 8: Landscape & Development Control
Policy STRAT DC 9: Historic Environment & Development Control
Policy STRAT DC 10: Flooding & Land Erosion
Policy STRAT RE 1: Wind Farm/Wind Turbine Development

'Argyll & Bute Local Plan' (2009)

Policy LP ENV 1: Development Impact on the General Environment
Policy LP ENV 2: Development Impact on Biodiversity
Policy LP ENV 6: Development Impact on Habitats and Species
Policy LP ENV 12: Water Quality and Environment
Policy LP ENV 13a: Development Impact on Listed Buildings
Policy LP ENV 16: Development Impact on Scheduled Ancient Monuments
Policy LP ENV 17: Development Impact on Sites of Archaeological Importance
Policy LP ENV 19: Development Setting, Layout and Design
Policy LP BAD 1: Bad Neighbour Development
Policy LP REN 1: Commercial Wind Farm and Wind Turbine Development
Policy LP SERV 4: Water Supply
Policy LP SERV 6: Waste Related Development and Waste Management in Developments
Policy LP SERV 9: Flooding and Land Erosion
Policy LP TRAN 4: New and Existing, Public Roads and Private Access Regimes
Policy LP TRAN 7: Safeguarding of Airports

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

(ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

- EU, UK Government and Scottish Government policy,
- National Planning Framework
- Scottish Planning Policy (SPP), Advice and Circulars
- National Waste Management Plan
- Environmental Impact of the proposal
- Design of the proposal and its relationship to its surroundings
- Access and Infrastructure
- Planning History
- Views of Statutory and Other Consultees
- Legitimate Public Concern and Support expressed on 'Material' Planning Issues
- Argyll & Bute Landscape Wind Energy Capacity Study March 2012

(K) **Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** Yes. As the proposed turbine exceeds 15m in height, the proposal falls within Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011 where at the discretion of the planning authority an Environmental Statement may be called for. In this case it was concluded that no EIA was required, subject to submission of particular supporting information.

(L) **Has the application been the subject of statutory pre-application consultation (PAC):** No.

(M) **Has a sustainability check list been submitted:** No.

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

(O) **Requirement for a hearing:** As a significant amount of representation overwhelmingly in support of Officers recommendation has been received it is considered that there is no added value to holding a Hearing. However, in the event Members are minded to approve the application Members should give consideration to holding a Discretionary Hearing.

(P) Assessment and summary of determining issues and material considerations

The proposal seeks the construction of a single wind turbine with a hub height 60m and rotor diameter of 48m (84m to blade tip, with associated substation, crane pad and temporary hardstanding and the upgrading of 550m of existing forestry track.

There have been objections raised by 49 individuals, 1 letter of support, and 1 general representation.

SNH have not objected to the proposal (as formal objections are not now raised by them other than in cases where national interests are significantly prejudiced). However they have raised what they describe as 'serious concerns' relating to landscape, visual and cumulative impacts which are detailed below and which they would wish to be taken into account by the Council in reaching its decision.

Tarbert and Skipness Community Council can see no mitigating factors that would render the proposal acceptable and can see no adequate advantage to the community that might offset the significant negative impact and have therefore objected. All other consultees are satisfied with the proposal subject to the application of their recommended planning conditions.

The principal issues in this case, and reasons why the proposal is considered unacceptable are the adverse consequences of its presence in terms of: the landscape character of the site and adjoining landscape character areas; cumulative impact; adverse visual impact; and associated consequences for tourism interests. The proposal amounts to an individual outlier to the north of the established pattern of turbine development on the upland spine of Kintyre, where it will introduce an unwelcome influence over more sensitive landscapes and coastal locations contrary to the advice given in the 'Argyll & Bute Landscape Wind Energy Capacity Study 2012'.

The proposal is considered contrary to: Scottish Planning Policy; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT RE 1: Wind Farm/Wind Turbine Development; STRAT DC 5: Development in Sensitive Countryside of the 'Argyll & Bute Structure Plan' (2002); Policies Policy LP ENV 1: Development Impact on the General Environment; Policy LP ENV 19: Development Setting, Layout and Design; LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' (2009).

Notwithstanding the contribution that this proposal could make towards combating climate change, development giving rise to inappropriate environmental consequences cannot be viewed as being sustainable; consequently, the proposal is recommended for refusal.

(Q) Is the proposal consistent with the Development Plan: No.

(R) Reasons why planning permission should be refused: This proposal is inconsistent with the provisions of the Development Plan due to its adverse landscape, visual and cumulative impact. All other material issues have been taken into account but these are not of such weight as to overcome these potential adverse impacts, which cannot be overcome by the imposition of planning conditions or by way of a S75 legal agreement.

(S) Reasoned justification for a departure to the provisions of the Development Plan:

There is no justifiable reason for a departure to be made from the provisions of the Development Plan in this case.

(T) Need for notification to Scottish Ministers or Historic Scotland: None.

Author of Report: Arlene H Knox

Date: 8th January 2013

Reviewing Officer: Richard Kerr

Date: 9th January 2013

Angus Gilmour
Head of Planning and Regulatory Services

REASONS FOR REFUSAL RELATIVE TO APPLICATION: 09/00937/PP

1. The proposed turbine is located near a group of summits on an outlying series of low hills which form the upper end of the Kintyre peninsula and which are slightly set apart from the main plateau, within the 'Upland Forest Moor Mosaic' Landscape Character Type (ref 'Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) – Final main report and appendix March 2012' - SNH/Argyll & Bute Council), and the proposal will influence a number of adjacent more sensitive coastal Landscape Character Types including: 'Rocky Mosaic' and 'Coastal Parallel Ridges'.

At 84 metres in height, the turbine would be at an elevation of c230m AOD to give a total height to blade tip of 314 AOD. Development on this scale would introduce large scale development on the skyline which would be likely to alter the perception of landform scale and impinge on the setting of the summits and which would also intrude into coastal panoramas to both the west and east, including offshore locations. The proposal constitutes an outlier from the established pattern of existing wind turbine development within the Kintyre peninsula, where it would not share the locational advantages of consented locations which do not exert such a degree of influence over the appreciation of the coast and those landscapes which are characterised by the contrast between the land and the sea. Scattered development elsewhere along the length of the peninsula is likely to have a wider impact on landscape character and scenic quality than consolidating the existing focus for development by intruding, as in this case, upon the landscape setting of West Loch Tarbert for example.

The remainder of the spine is therefore sensitive in landscape terms to further development given that the ends of the peninsula are visually important as focal points in views up and down the coast and along the Sounds which increases their sensitivity. The proposal would therefore adversely affect the character, key views and qualities of this local landscape contrary to the advice given by the 'Argyll and Bute Wind Energy Capacity Study', which seeks to steer new turbine development involving Larger Typologies (80 – 130m) away from the more complex irregular small hills found on the outer edge of the Kintyre Peninsula, so as to avoid intrusion on the setting and views from the adjacent settled and small scale 'Rocky Mosaic'. The presence of an isolated turbine on this scale would therefore give rise to disproportionate cumulative landscape impacts contrary to Local Plan Policy LP REN 1.

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

Having due regard to the above, it is considered that this proposal would have a significant adverse impact on Landscape Character and contribute to the cumulative impact of wind turbine development in Kintyre. It is therefore inconsistent with the provisions of the Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside, Policy STRAT DC 8: Landscape & Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' (approved 2009) and Policies LP ENV 10: Development Impact on Areas of Panoramic

Quality; LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' (adopted 2009); and the 'Argyll & Bute Landscape Wind Energy Capacity Study' (LWECS) – Final main report and appendix March 2012.

2. The proposal would have relatively high visibility, compared to other wind farm development on the peninsula, which benefits from the effects of the elevated topography of the spine of Kintyre which successfully restricts views of approved turbines from habitation, transport routes and more sensitive and scenic coastal locations. It would also break the skyline of Kintyre, spreading the extent of development on the skyline to the northern end of the peninsula which currently benefits from an absence of large scale turbine development.

This proposal will result in an unacceptable level of visual impact due to its vertical scale; blade rotation and the fact that from certain sensitive receptors it will be skylined; out of scale with the landscape; and, will introduce an element which is uncharacteristic with the attributes of the landscape to be developed. This will result in a noticeable change to the visual character, composition and quality of views as experienced by the people associated with the sensitive receptors including: properties in close proximity; settlements; such as Whitehouse, the B8001 and National Cycle Route 73, the Kintyre Way, locations on the south coast of Knapdale along the B8024 and National Cycle Route 78, and parts of the North Arran NSA. It is considered that due to the absence of other structures of this magnitude in the immediate locality this development would be conspicuous and distinct and would dominate and control these views.

The proposal would therefore represent an unwelcome intrusion in available views from coastal locations and other locations of scenic importance to the detriment of the character and tourism potential of the area.

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

Having due regard to the above, it is considered that the proposal would have a significant adverse visual impact contrary to the provisions of the Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside; Policy STRAT DC 8: Landscape & Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' (approved 2009) and Policy LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' (adopted 2009).

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 11/00937/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. SETTLEMENT STRATEGY & WIND FARM PROPOSALS MAP

The site is not subject to any spatial zoning for wind farm development by the local plan Wind Farm Proposals Map, as this is restricted to proposals over 20MW, whereas this scheme is 0.9MW. Consideration is thereby by way of a criteria based approach established by local plan Policy LP REN1 which is applicable to commercial turbines not intended to produce electricity for local consumption.

The turbine, part of the internal access track, crane hardstanding, electrical control building and temporary construction compound are all to be located within 'Sensitive Countryside' (subject to the effect of Structure Plan Policy STRAT DC 5), as designated by the Local Plan Proposals Maps.

In special cases Policy STRAT DC 5 states that development in the open countryside and medium or large scale development may be supported if it accords with an area capacity evaluation (ACE). This proposal constitutes large scale development in the open countryside. However, it is not normal practice for an ACE to be undertaken for a wind turbine which has been subject to separate detailed landscape and visual impact assessment. In this case, it has not been demonstrated that the scale and location of the proposal will integrate sympathetically with the landscape, without giving rise to adverse consequences for visual impact and landscape character.

Policy STRAT DC 5 also requires proposals to be consistent with all other Development Plan Policies. For the reasons detailed below in this report, it is considered that this proposal would have significant adverse Landscape, Visual, and Cumulative Impacts.

Having due regard to the above it is considered that the proposal is inconsistent with the provisions of SPP (2009); Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT DC 5: Development in Sensitive Countryside; and STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policy LP REN 1: Wind Farms & Wind Turbines of the 'Argyll & Bute Local Plan'.

B. LOCATION, NATURE & DESIGN OF PROPOSED DEVELOPMENT

The proposal is for the erection of a single wind turbine and ancillary development within a mature non-native conifer forest, extending from the B8001 near Spion Kop, up to the lower south facing flanks of Cnoc a'Bhaile-shios, and broadly following the Whitehouse burn and its tributaries. The wind turbine would have a capacity of 0.9MW. The maximum height to blade tip would be 84m and the maximum hub height 60m, giving a rotor diameter of 48m. The following elements are included in the planning application: wind turbine; crane hardstanding adjacent to turbine; partial upgrading of existing forest track; temporary construction compound and laydown area; and a control building.

The Environmental Appraisal indicates that the grid connection for the turbine would be via a new control building located on-site; furthermore that the proposal benefits from a location immediately adjacent to the 33kV overhead lines with capacity to accommodate a development of this scale. Consequently, no new overhead distribution infrastructure will be required to facilitate grid connection.

The general design of the turbine and ancillary structures follows current wind energy practice. The 'portacabin' flat roofed design of the substation building is considered unsympathetic in the landscape were permission to be granted. As it is only an ancillary aspect of the wider proposal, it is not considered that it is appropriate to be included in the reasons for refusal as design could be controlled by means of a condition in the event of an approval.

Whilst the design of the proposal is appropriate for a wind farm of this scale, its intended location is not due to the adverse impacts upon the receiving environment detailed in this report, and therefore in terms of the overall sustainability of the proposal, it is considered that the turbine would have adverse Landscape, Visual, and Cumulative Impacts.

Having due regard to the above it is considered that the proposal is inconsistent with the provisions of SPP and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policy STRAT SI 1: Sustainable Development of the 'Argyll & Bute Structure Plan'; and, Policies LP ENV 1: Development Impact on the General Environment and LP ENV 19: Development Setting, Layout & Design of the 'Argyll & Bute Local Plan'.

C. LANDSCAPE CHARACTER & LANDSCAPE IMPACT

Scottish Natural Heritage has considered the landscape implications of the proposal. SNH advises that the proposed turbine is located near a group of summits directly south of Tarbert on an outlying series of low hills which form the upper end of the Kintyre peninsula and are slightly set apart from the main plateau, within the 'Upland Forest Moor Mosaic' Landscape Character Type (ref 'Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) – Final main report and appendix March 2012' - SNH/Argyll & Bute Council), and the proposal will influence a number of adjacent more sensitive coastal Landscape Character Types including: 'Rocky Mosaic' and 'Coastal Parallel Ridges'. At 84m the turbine constitutes a 'Larger Typology' model (80 – 130m) for the purposes of the capacity study. It would be sited at an elevation of c230m AOD to give a total height to blade tip of 314 AOD. This is of a similar overall elevation to a number of the nearby summits; with the highest point at 422m. In some of the visualisations it appears that the proposal is likely to alter the perception of landform scale and impinge on the setting of the summits. It also intrudes into coastal panoramas in both the west and the east including offshore locations. It will introduce relatively large scale development on the skyline of the hills resulting in intrusion in both coastal and inland views, which will adversely affect the character, key views and qualities of this local landscape.

The 'Argyll and Bute Wind Energy Capacity Study' March 2012 states clearly that: *'New development should be sited away from the more complex irregular small hills found on the outer edge of the Kintyre Peninsula...'* Furthermore that: *'Significant intrusion on the setting and views from the adjacent settled and small scale 'Rocky Mosaic' ...should be avoided by larger turbines being set well back into the interior of these uplands – this would also accord with the*

established pattern of existing wind farm development within the Kintyre peninsula thus limiting cumulative landscape impacts'. The landscape capacity study also states that: 'Larger typologies (80 – 130m) sited on the often small and irregular 'edge' hills which form a more visible and immediate setting to the settled small scale Rocky Mosaic (20) ...would affect the presently uncluttered skyline which backdrop these areas'.

At 84m in height to the blade tip, the proposal would be out of scale with its landscape context, where it would dominate the scale of the smaller more complex edge hills on the western edge of the upland area, impinge on adjacent small scale and settled landscapes and adversely affect the highly sensitive coastal edge including key coastal panoramas and views. The proposal impinges on the sensitive coastal skylines which frame and provide a setting for the coast where development on this scale would undermine these qualities to the detriment of landscape character contrary to Local Plan Policy LP REN 1. Approval of the proposal would represent an unwelcome move away from the established location of approved wind farm/turbine developments in upland areas inland, where they do not exert such a degree of influence over more sensitive landscapes.

In previous decisions to refuse wind turbine developments at Kilchatten, Raera and Clachan Seil, Members have been particularly cognisant of the disadvantages of commercial scale turbine development being proposed to be located away from upland plateau areas where it can exert unwelcome effects over settlements and habitation, transport routes, and scenic locations of tourism importance. Although this is a single turbine rather than a wind farm, at 84m in height to the blade tip it is commercial in scale and its location would exert a disproportionate influence over its receiving environment. The proposal impinges on the sensitive skylines which frame and provide a setting for the coast and important transport routes, where development on this scale would undermine landscape character.

Having due regard to the above it is considered that this proposal is inconsistent with the provisions of SPP and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside, Policy STRAT DC 8: Landscape & Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policies LP ENV 10: Development Impact on Areas of Panoramic Quality and LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' and the 'Argyll & Bute Landscape Wind Energy Capacity Study' (LWECS) – Final main report and appendix March 2012.

D. VISUAL IMPACT

Scottish Natural Heritage have also provided the Council with advice as to the visual attributes of the proposal, concluding that the proposal would have relatively high visibility compared to other wind farm development on the peninsula, being visible from coastal roads, as well as the offshore islands and the sea. It would also break the skyline of Kintyre, spreading development to the northern edge of the peninsula. Furthermore, that the proposal will be visible from many coastal routes including from the A83 and the B8001 (in very close proximity) on the Kintyre Peninsula, the B8024 at the southern end of Knapdale, as well as from the sea, other distant coastlines and the Isles of Arran and Gigha. This is partly due to the high elevation of surrounding coastal roads and because of the physical separation of the hill from the main

plateau. In addition, views from the east coast of the peninsula extend into this part of the uplands. It is considered that the sensitivity of the receptor and magnitude of effect for some viewpoints may have been underestimated.

This proposal will result in an unacceptable level of visual impact due to its vertical scale; blade rotation and the fact that from certain viewpoints it will be skylined, out of scale with the landscape; and will introduce an element which is uncharacteristic with the attributes of the landscape to be developed. This will result in a noticeable change to the visual character, composition and quality of views as experienced by the people associated with the sensitive receptors detailed below. It is considered that due to the absence of other structures of this magnitude in the immediate locality this development would be conspicuous and distinct and would dominate and control these views. In light of this it has been concluded that significant (major and moderate) adverse visual effects are likely to arise on the following sensitive receptors:

- Properties in very close proximity - (as represented by viewpoint 1). For viewpoint 2, there is likely to be a significant adverse effect if the forestry is felled;
- The B8001 and National Cycle Route 73 - (as represented by viewpoint 1). For viewpoint 2, there is likely to be a significant adverse effect if the forestry is felled;
- Settlement such as Whitehouse - (as represented by viewpoint 3);
- Kintyre Way SE of Cruach nam Fiadh - (as represented by viewpoint 5). Walkers are of high sensitivity given their focus on the landscape;
- B8024 (near Torinturk) and National Cycle Route 78 - (as represented by viewpoint 8);
- Ardpatrik House/peninsula - (as represented by viewpoint 10);
- Catacol Bay - (North Arran NSA)

Viewpoint 7 (Skipness Parish Church) may not be representative of views from this area and SNH recommended that another location be chosen closer to the coast with a clearer view be considered although this was not provided.

The scale of the development is therefore regarded as being excessive for the location proposed as it would intrude inappropriately in key views of importance within the surrounding area.

Having due regard to the above, it is considered that the proposal conflicts with the provisions of SPP and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside Policy STRAT DC 8: Landscape & Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policies LP ENV 9: Development Impact on National Scenic Areas; LP ENV 10: Development Impact on Areas of Panoramic Quality; LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan'.

E. CUMULATIVE IMPACT

It is considered that the proposal would be both highly visible as well as being visible from areas which are not currently affected by wind development. SNH have advised that this proposal is located in an area which currently has no wind development. It is not associated with existing development and would therefore be seen as an outlier. The existing focus of development around the central part of the spine of Kintyre is now well established. Scattered development elsewhere along the length of the peninsula is likely to have a wider impact on landscape character and scenic quality than consolidating the existing focus for development. The remainder of the spine is therefore sensitive in landscape terms to further development. Indeed the ends of the peninsula are visually important as focal points in views up and down the coast and along the Sounds which increases their sensitivity. This proposal would disperse wind development along the length of the peninsula from the north of the peninsula south to Machrihanish, and would introduce wind development to a 'new area' to the north of the Kennacraig – Claonaig road which is sensitive in landscape terms. The proposal would be highly visible and visible from areas which are not currently affected by wind development, and it is considered that it would have an adverse cumulative sequential visual impact from the Kintyre peninsula and associated transport routes (road and ferry), Knapdale, and West Loch Tarbert.

A locational advantage of Kintyre is its length and the degree to which coastal locations do not generally benefit from views of the upland spine. This has enabled large scale wind farms with significant separation and only limited visibility from the A83 coast road to be assimilated successfully in their landscape setting, albeit with enhanced visibility from offshore from the sea and locations such as Gigha. The limited influence of these locations would, however, be undermined by the presence of individual turbines within influencing distance of the coast such as this, which due to their more prominent locations closer to sensitive receptors would be disproportionate in terms of their sequential and cumulative impacts.

Having due regard to the above it is considered that in terms of Cumulative Impact the proposal is inconsistent with the provisions of SPP and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development;; STRAT DC 5: Development in Sensitive Countryside Policy; STRAT DC 8: Landscape & Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policies LP ENV 10: Development Impact on Areas of Panoramic Quality; LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan'.

F. ECOLOGICAL IMPACT

There are no designated nature conservation sites within the site boundary. SNH have noted the finding of the protected species surveys and agree that it is unlikely that the proposal will have any significant impact on protected species including European Protected Species, otter

and bats. SNH do however agree with the recommendation that a feeding sign survey be conducted for red squirrel in advance of construction and recommend that this is made a condition of any grant of planning permission. If red squirrels are found to be present a species protection plan will need to be provided to reduce the impact of the proposal on red squirrel.

Having due regard to the above, it is considered that the proposal is consistent with the provisions of Policies STRAT RE 1: Wind Farm/Wind Turbine Development and STRAT DC 7: Nature Conservation & Development Control of the 'Argyll & Bute Structure Plan' and Policies LP REN 1 – Wind Farms and Wind Turbines, LP ENV 2: Development Impact on Biodiversity and LP ENV 6: Development Impact on Habitats and Species of the 'Argyll & Bute Local Plan'.

G. ORNITHOLOGICAL IMPACT

SNH has advised that they have no ornithological concerns and that they agree with the conclusions of the applicant's ornithological report. The RSPB have no objection to the proposal but recommend a condition is attached to any grant of planning permission which ensures that a permanent block of forestry is maintained between the turbine site and the open habitat used by eagles, to ensure that they are not attracted into open ground areas closer to the turbine. Within this area the RSPB would suggest that funding forest fringe management through a turbine trust fund would benefit local biodiversity.

Having due regard to the above it is considered that the proposal is consistent, from the point of view of ornithological interests, with the provisions of Policies STRAT RE 1: Wind Farm/Wind Turbine Development and STRAT DC 7: Nature Conservation & Development Control of the 'Argyll & Bute Structure Plan' and Policies LP ENV 2: Development Impact on Biodiversity, LP ENV 6: Development Impact on Habitats and Species and LP REN 1 – Wind Farms and Wind Turbines of the 'Argyll & Bute Local Plan'.

H. HYDROLOGICAL & HYDROGEOLOGICAL IMPACT

The Environmental Appraisal states that given the nature of small-scale wind energy development, it was not possible to provide an environmental management plan or construction method statement at this time, but confirms that these will be drawn up in accordance with SEPA's guidelines. Furthermore, that protection of the water environment was a key consideration in the site selection and layout process, and it has been ensured that any potential construction works respect a 50m buffer from watercourses. Also, if appropriate a sustainable drainage solution will be implemented in consultation with the planning authority and SEPA. Consequently, should Members be minded to grant planning permission conditions to secure sustainable drainage and a construction method statement are recommended.

Having due regard to the above, it is considered that in terms of hydrology the proposal is consistent with the provisions of: Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policy LP REN 1 – Wind Farms and Wind Turbines of the 'Argyll & Bute Local Plan'.

I. MANAGEMENT OF PEAT/SOIL

There is no requirement for any peat survey work or the submission of a peat stability report in this case. Deep peat deposits are normally only encountered in the interior upland beyond the boundary of this site.

Having due regard to the above it is considered that in terms of ground conditions the proposal is consistent with the requirements of Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policy LP REN 1 – Wind Farms and Wind Turbines of the 'Argyll and Bute Local Plan'.

J. BORROW PITS

No on site borrow pits are proposed as part of this application (a separate minerals planning application would be required), although it has been indicated in the Environmental Appraisal that stone located within the boundary of the site would be unsuitable for construction and that an existing borrow pit in an adjacent forest may be used (should that stone prove suitable) to provide stone for construction of the access track and turbine foundation.

K. HISTORIC ENVIRONMENT IMPACTS

The Environmental Appraisal concludes that the proposal will not have any significant adverse impact on any scheduled ancient monuments, listed buildings, conservation areas or Historic Gardens and Designed Landscapes. Furthermore, it concludes that given the history of the site the proposal is very unlikely to have any physical impact on archaeological remains. Nevertheless, it is concluded that it may be appropriate to undertake a watching brief during soil stripping and excavation works to enable the identification and recording of any features uncovered. It is therefore recommended that an archaeological watching brief be secured by condition should Members be minded to grant planning permission.

Having due regard to the above, it is considered that the proposal is inconsistent with the provisions of Policies STRAT RE 1: Wind Farm/Wind Turbine Development and STRAT DC 9: Historic Environment & Development Control of the 'Argyll & Bute Structure Plan' and; LP ENV 13a: Development Impact on Listed Buildings; LP ENV 16: Development Impact on Scheduled Ancient Monuments and LP ENV 17: Development Impact on Sites of Archaeological Importance of the 'Argyll & Bute Local Plan'.

L. TOURISM IMPACT

The proposal would be clearly visible to sensitive receptors in locations surrounding the proposal. The image of the wind turbine will vary from full turbine, reducing to rotors and blades moving on the ridge; varying between backclothed and skylined. This will adversely impact on views and the recreational experience of the landscape. In light of this proposal's anticipated adverse impacts upon its landscape setting, it must be concluded that its presence would be likely to have some adverse impact on tourism within Argyll & Bute, much of which is resource based.

Scottish Government published research entitled 'The Economic Impact of Wind Farms on Scottish Tourism' in May 2008. This report concludes that: *"The evidence is overwhelming that wind farms reduce the value of the scenery (although not as significantly as pylons). The evidence from the Internet Survey suggests that a few very large farms concentrated in an area might have less impact on the Tourist Industry than a large number of small farms scattered throughout Scotland. However the evidence, not only in this research but also in research by Moran commissioned by the Scottish Government, is that Landscape has a measurable value that is reduced by the introduction of a wind farm"*.

It should be noted that in recent Scottish Ministers appeal decisions, in both cases, the Reporters accorded weight to the extent of the importance of tourism on the local economy in Argyll & Bute (14 turbines Corlarach Hill, east of Glen Fyne, Bullwood Road, Dunoon, PPA-130-209 dismissed 27th May 2009 and 16 turbines Black Craig to Blar Buidhe, Glenfyne, Cowal, PPA-130-214 dismissed 22nd September 2009). Given that the magnitude of the likely effect upon tourism cannot be estimated reliably, it has not been cited specifically as a recommended reason for refusal, but clearly adverse landscape visual and cumulative impacts are likely to impinge upon the tourism sector, which is of particular importance in the context of the Argyll economy.

Having due regard to the above it is considered that the proposal is inconsistent with the provisions of SPP and Policies STRAT SI 1: Sustainable Development; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policies LP ENV 10: Development Impact on Areas of Panoramic Quality; LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan'.

M. NOISE

Technically, there are two quite distinct types of noise sources within a wind turbine – the mechanical noise produced by the gearbox, generator and other parts of the drive train; and the aerodynamic noise produced by the passage of the blades through the air.

Operational noise impact from the proposal has been assessed and shows that the predicted wind turbine noise levels at all residential properties meet the ETSU-R-97 noise guidelines. It has been demonstrated to the satisfaction of Public Protection that noise (operational and construction) is unlikely to be an issue at these closest sensitive receptors.

Having due regard to the above, it is considered that in terms of noise the proposal is consistent with the provisions of Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policies LP REN 1: Wind Farms & Wind Turbines and LP BAD 1: Bad Neighbour Development of the 'Argyll & Bute Local Plan'.

N. SHADOW FLICKER & ICE THROW (EQUIPMENT SAFETY)

Government guidance advises that if separation is provided between turbines and nearby dwellings (as general rule 10 rotor diameters), "shadow flicker" should not be a problem. The supporting documentation and plans confirm that the separation between the wind turbine and the nearest residential property is greater than 10 x rotor diameter (10 x 48m = 480 metres).

Under accepted good practice and guidance, this will ensure that shadow flicker will not present a problem and Public Protection has no objection in this regard.

The potential for ice throw is restricted to an area equivalent to 1.5 x the height to blade tip of the turbine. In this instance this equates to a distance of 126m, which would not affect the nearest residential receptor. Ice throw is not a matter which falls under the auspices of Planning or Public Protection. This said, companies supplying products and services to the wind energy industry are required to operate to a series of international, European and British Standards.

Having due regard to the above it is considered that in terms of shadow flicker the proposal is consistent with the provisions of Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policies LP REN 1: Wind Farms & Wind Turbines and LP BAD 1: Bad Neighbour Development of the 'Argyll & Bute Local Plan'.

O. TELEVISION RECEPTION

Television reception can be affected by the presence of turbines. Digital television signals are much better at coping with signal reflections and do not suffer from ghosting. Satellite TV reception is not generally affected by the installation of wind turbines (Ofcom, 2009). Consequently, due to the digital switch-over limited impact is anticipated, in the event that reception is impaired then it is the developer's responsibility to rectify the problem. This would need to be secured by condition should Members determine to grant planning permission.

Having due regard to the above it is considered that in terms of TV reception the proposal is acceptable in terms of any potential impact on television reception and is therefore consistent with the Provisions of Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policy LP REN 1: Wind Farms & Wind Turbines of the 'Argyll & Bute Local Plan'.

P. AVIATION MATTERS

The Ministry of Defence (MoD), NATS En Route Plc ("NERL"); and Glasgow Prestwick Airport were consulted in relation to any potential impacts on aviation. The MoD has no objection to the proposal, providing that in the event of Members determining to grant planning permission a condition is attached to ensure that the turbines are fitted with aviation lighting. Due to the potential adverse visual impact this type of lighting could have on what is characteristically a 'dark' area, it may therefore be advisable to secure the use of infra-red lighting (if feasible) which would not be visible to the naked eye (should Members be minded to grant planning permission for the proposal). NATS (NERL Safeguarding), and Glasgow Prestwick Airport have also confirmed that they have no objection to the proposal.

Having due regard to the above it is considered that in terms of aviation interests the proposal is consistent with the provisions of Policy STRAT RE 1: Policy STRAT RE 1: Wind Farm/Wind Turbine Development Argyll & Bute Structure Plan and Policies LP REN 1: Commercial Wind Farm and Wind Turbine Development and Policy LP TRAN 7: Safeguarding of Airports of the Argyll & Bute Local Plan.

Q. ELECTRO-MAGNETIC INTERFERENCE TO COMMUNICATION SYSTEMS

Ofcom were consulted by the applicant to determine whether their systems would be affected by electro-magnetic radiation from the turbine. This consultation indicated the presence of a Cable & Wireless Plc microwave link crossing Spion Kop forest. This, and the necessary buffer distance of 70m, have been fed into the constraints mapping and design process to ensure that impacts are avoided. A separation distance of 361m has been allowed.

Having due regard to the above it is considered that in terms of communications systems the proposal is consistent with the provisions of Policy STRAT RE 1: Policy STRAT RE 1: Wind Farm/Wind Turbine Development 'Argyll & Bute Structure Plan' and Policy LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan'.

R. ROAD TRAFFIC IMPACT

The access to the site is from the B8001. The first 600m of track from the junction with the B8001 has already been brought up to a suitable standard as a result of on-going forestry operations. The remaining 550m section is in relatively poor condition, inconsistent width and insufficient load bearing capacity to accommodate the heavy plant required for erection of the wind turbine. It will therefore require surfacing and reinforcement to meet the turbine supplier's specifications.

The Environmental Appraisal states that to maximise sustainability, and reduce impacts on users of the public road network, it is anticipated that the turbine components will be delivered by sea to Campbeltown – a precedent established by other wind farms in the area. The turbine components would then be transported to the site from Campbeltown via the A83, leaving the A83 at Whitehouse and travelling on the B8001 to the existing site access. It is not possible to conclude that this will necessarily be the chosen means of delivery.

A response was issued by the Area Roads Manager in July recommending deferment of the proposal, following submission of further information from the applicant, which highlighted the requirement for a Transport Plan. The conditions detailed in the previous response of 29th June 2011 continue to be recommended, relating to the dimensions of the connection with the public road; construction of the connection with the public road; provision of a turning facility large enough to accommodate an articulated lorry within the site; and no offloading of materials directly from the public road to be permitted with the addition of a condition requiring that no work commences on site until a Transport Plan (including materials, plant, equipment and labour) is submitted for the approval of Roads & Amenity Services.

Subsequent to the Area Roads Manager's request for a Transport Plan, the applicant submitted a Route Access Report in September 2011. The Area Roads Manager is satisfied with this subject to some localised widening at the developer's expense to avoid damage to verges due to the width of construction vehicles, and on the understanding that stone will be sourced from a location directly accessible via the forest road network, rather than being imported via the B8001. Consequently, should Members be minded to grant planning permission it is

recommended that the conditions referred to above are attached to any grant of planning permission

Having due regard to the above it is considered that the proposal is consistent with the provisions of Policies LP TRAN 4: New and Existing, Public Roads and Private Access Regimes and LP TRAN 5: Off-Site Highway Improvements of the Argyll & Bute Local Plan.

S. INFRASTRUCTURE

The planning application form states that no new or altered water supply (no connection to the public water supply is required) or drainage arrangements are required to accommodate the development. Furthermore, that the proposal does make provision for the sustainable drainage of surface water (SUDS). Public Protection has not raised any concerns in regard to the impact of the proposal on private water supplies.

Having due regard to the above it is concluded that in terms of drainage and water supply the proposal is consistent with the provisions of Policies LP SERV 1: Private Sewage Treatment Plants and Wastewater (i.e. Drainage) Systems, LP SERV 2: Incorporation of Natural Features/Sustainable Drainage Systems and LP SERV 4: Water Supply of the 'Argyll & Bute Local Plan'.

T. WIND REGIME

A wind resource analysis has been undertaken, separately from the environmental assessment work, which concludes that broadly, the exposure and aspect of the site create ideal conditions for a wind turbine of the scale proposed to operate efficiently.

U. GRID NETWORK & CABLES

Connection to the National Grid is not a matter of land use policy, however, it should be considered 'in the round' as part of the planning application process. The Environmental Appraisal of the proposal states that the proposal benefits from a location immediately adjacent to the 33kV overhead lines with capacity to accommodate a development of this scale. Consequently, no new distribution infrastructure will be required to facilitate grid connection.

Having due regard to the above it is considered that the proposal is consistent with the Scottish Government's Specific Advice Sheet on Onshore Wind Farms.

V. COMMUNITY BENEFIT

The Environmental Appraisal details likely benefits which will arise as a result of this proposal. Community Benefit is not considered to be a 'material planning consideration'. 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.

W. DECOMMISSIONING

Should Members grant planning permission for this proposal, a requirement for decommissioning and site restoration should be included in the planning condition(s) and/or legal agreement, which will be triggered by either the expiry of the permission, or if the project ceases to operate for a specific period. This would ensure that at the end of the proposal's operational life: the turbine would be decommissioned and principal elements removed; the site would be restored to its former use leaving little if any visible trace of the turbine; the foundation, new track and hardstandings would be covered over with topsoil and reseeded; the cables would be de-energised and left in place, and any cables marker signs removed; and, the electrical control building would be demolished to ground level with the foundation covered with topsoil and reseeded.

Having due regard to the above, as decommissioning could be controlled by condition/Section 75 Legal Agreement it is considered that the proposal is acceptable in this regard in terms of Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' and Policy LP REN 1: Wind Farms & Wind Turbines of the Argyll & Bute Local Plan, SPP and the Scottish Government's Specific Advice Sheet on Onshore Wind Farms.

X. SCOTTISH GOVERNMENT POLICY & ADVICE

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

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

Having due regard to the above it is considered that the proposal is inconsistent with the provisions of SPP and the Scottish Government's Specific Advice Sheet on Onshore Wind Farms.

Y. SCOTTISH GOVERNMENT RENEWABLE ENERGY TARGETS & ARGYLL & BUTE'S CONTRIBUTION

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

The Scottish Government's Specific Advice Sheet on Onshore Wind Farms point out that nationally there are now approximately 80 operational wind farms and Planning Authorities more frequently have to consider turbines within lower-lying more populated areas, where design elements and cumulative impacts need to be managed. Whilst the 0.9 MW maximum capacity of the proposal would add to Argyll & Bute's contribution to Scotland's renewable energy commitments, it is not considered that the macro-environmental benefits of the proposal in terms of renewable generating capacity are such as to warrant the setting aside of the other development plan policy considerations identified above which have prompted the recommendation for refusal.

**APPENDIX B – LETTERS OF REPRESENTATION - RELATIVE TO APPLICATION NUMBER:
11/00937/PP**

LETTERS OF OBJECTION

Mr David Macdonald	1 Smithy Barn Whitehouse Tarbert PA29 6XR	10/06/2012	O
Councillor Anne Horn	4 Lochgair Place Tarbert Argyll And Bute PA29 6XH	15/08/2011	O
Mrs Violet Wright	7 Church View Mullavilly Tandragee Co Armagh BT62 2LT	14/08/2012	O
Owner/Occupier	An Coneas Redhouse Skipness PA29 6YG	01/08/2011	O
L E Sculthorp	Anchor Cottage Dunmore By Tarbert Argyll PA29 6XZ	01/08/2011	O
Iain Logan	Benview Tayinloan Tarbert Argyll And Bute PA29 6XG	04/08/2011	O
Kathryn Logan	Benview Tayinloan Tarbert Argyll And Bute PA29 6XG	04/08/2011	O
Mr & Mrs Derek & Margaret Pratt	Birchfield Whitehouse By Tarbert PA29 6XS	20/08/2011	O
Graham Terry	Bluebell Cottage Whitehouse Tarbert Argyll And Bute PA29 6YX	08/08/2011	O
Alex And Maud McKinlay	Burnbank West Skipness	09/08/2011	O

	Argyll		
Andrew Carnell And Claire Shorthose	Challtuin Dunmore By Tarbert Argyll PA29 6XZ	01/08/2011	O
Owner/Occupier	Clachaig By Tarbert Argyll PA29 6XZ	04/08/2011	O
Duncan And Sandy Johnstone	Cnoc Nan Craobh Torinturk Tarbert Argyll PA29 6YE	09/08/2011	O
Mrs E Partington	Craig View Skipness Road Tarbert Argyll PA29 6YG	04/08/2011	O
Shelagh And Simon Oakes	Creggan Skipness Argyll	09/08/2011	O
Stewart Robertson	Dunmore House Kilberry Road Tarbert Argyll PA29 6XZ	09/08/2011	O
Mrs Fiona Buckle	Glebe House Skipness Tarbert Argyll PA29 6XT	04/08/2011	O
Thomas J Buckle	Glebe House Skipness Tarbert Argyll PA29 6XT	04/08/2011	O
Angus Smith	Lonlia Skipness Road Tarbert Argyll PA29 6YG	09/08/2011	O
Peter Howland	Lower Crossaig Skipness By Tarbert PA29 6YQ	18/08/2011	O
Miss Louise Duncan	North Beachmore Muasdale Tarbert PA29 6XD	29/07/2012	O

Kenneth And Jennifer Gilmour	Norwest Woodside Linlithgow EH49 6QE	09/08/2011	O
Mr John Cowan	Oatfield House Campbeltown Argyll PA28 6PH	27/03/2012	O
Mrs Lesley Cowan	Oatfield House Campbeltown PA28 6PH	27/03/2012	O
David And Ann Dean	Pinmore Cottage Whitehouse Tarbert Argyll PA29 6XS	04/08/2011	O
David Bridge, Valerie Wells And Lilian Smith	Redesdale House Skipness By Tarbert PA29 6YG	01/08/2011	O
Mrs Linda Whyatt	Rhu House Tarbert Argyll PA29 6YF	04/08/2011	O
Mrs Amanda Scott	Rionnagach Dunmore Tarbert PA29 6XZ	28/07/2011	O
Alec And Moyra Logan	Rockfield House Claonaig Tarbert PA29 6YG	18/08/2011	O
Dr C J Steadman	South Crossaig Skipness Tarbert Argyll PA29 6YQ	09/08/2011	O
Mrs A W Steadman	South Crossaig Skipness Tarbert Argyll PA29 6YQ	11/08/2011	O
Mrs Marion Cleland	Spion Kop Whitehouse Tarbert PA29 6YG	18/08/2011	O
Dr N Duncan	Stonefield Farms Baravalla Tarbert Argyll PA29 6XX	04/08/2011	O
Clive And Ingrid Ainsworth	Taigh Na Cuilce Whitehouse	04/08/2011	O

By Tarbert
PA29 6YF

Mr & Mrs Hugh Macdonald	THE MANSE, WHITEHOUSE Whitehouse Tarbert PA29 6XS	08/06/2012	O
Andrew And Patricia Russell	Tigh Na Leven Tarbert Argyll PA29 6XX	11/08/2011	O
Barbara Sutherland	Tigh-na-Leven Cottage Dunmore By Tarbert PA29 6XZ	04/08/2011	O

LETTER OF SUPPORT

Mr J R Dixon	Achamore Campbeltown Road Tarbert PA29 6YF	19/08/2011	S
--------------	---	------------	---