

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: 13/00004/PP

Planning Hierarchy: Local

Applicant: Mr John Stirling

Proposal: Erection of two 225KW wind turbines (47.02 metres to blade tip) and associated meter houses, formation of crane hardstandings and vehicular access.

Site Address: Land west of Newton Park, Toward, Dunoon, Argyll

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of 2 Norwin wind turbines (225kw); each mounted on 32 metre high monopole, three 14.5 metre blades, 47.02 metres to blade tip height;
- Associated concrete foundations (each approx 8 x 8 x 1m);
- Associated meter houses, rendered with profiled metal roof (approx. 2.5 x 2.4 x 2.6m);
- Formation of crane hardstanding areas (approx. 12 x 12 metres);
- Formation of a 4 metre wide vehicular access track from the radar mast to serve the proposed turbines.

(ii) Other specified operations.

- Underground cabling to connect turbines to meter houses;
 - Connection to grid (separate consent).
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(B) RECOMMENDATION:

Having due regard to the Development Plan and all other material considerations, it is recommended that the application be refused for the reason appended to this report.

(C) HISTORY:

A previous application (ref. 12/01536/PP) for the erection of two 225KW wind turbines (47.02 metres to blade tip) and associated meter house, formation of crane hardstanding and vehicular access for a similar proposal was withdrawn on 12 September 2012 due to issues of landscape and visual impact by virtue of inappropriate scale and siting.

An application (ref. 13/00472/PP) has just been resubmitted for a single 225KW wind turbine (47.02 metres to blade tip) west of Toward Farm, 1.5 km south-west of the proposed turbines. This is a resubmission of a previous application (ref. 12/01415/PP) that was withdrawn due to similar issues of landscape and visual impact by virtue of inappropriate scale and siting. This turbine is the same model as proposed at Toward Taynuilt Farm and submitted by the same agents VG Energy.

(D) CONSULTATIONS:

Scottish Natural Heritage (response dated 31 January 2013): Consider that the proposal will result in landscape and visual impacts which are likely to be significant and has the ability to significantly change the landscape character of the area.

Inverclyde Council (response dated 20 February 2013): Concerns raised regarding visual impact and impact on residents and tourists.

North Ayrshire Council (response dated 5 March 2013): Concerns raised regarding visual impact and impact on settlements along the Clyde Coast routes and Firth of Clyde seascape.

Scottish Environment Protection Agency (response dated 31 January 2013): Application is below consultation threshold. Advisory comments.

Council's Roads Engineer (response dated 28 January 2013): No objections subject to conditions regarding delivery routes and advisory notes.

Glasgow Prestwick Airport (response dated 24 January 2013): No safeguarding objections.

National Air Traffic Services (NATS) (response dated 23 January 2013): No safeguarding objections.

Ministry of Defence (response dated 13 February 2013): No safeguarding objections in principle, but conditions and advisory notes recommended.

Public Protection (response dated 28 March 2013): No objections regarding noise and shadow flicker but concern raised regarding potential impact on private water supplies. Recommend that a full assessment should be undertaken detailing necessary mitigation measures during construction and decommissioning.

Royal Society for the Protection of Birds (expiry date 13 February 2013): No response.

(E) PUBLICITY: The application has been advertised under Regulation 20(1) Advert Statement - publication date 1 February 2013, expiry date 22 February 2013.

(F) REPRESENTATIONS:

Twenty individuals have raised objections and four expressions of support have been received from the following parties:

Objectors

Mr. Alexander Steven, Tourism Resources Company, 2 La Belle Place, Glasgow (e-mail dated 5 February 2013);

Mr. Tony Harrison, The Huf Haus, Ascog, Isle of Bute (emails dated 10 February and 14 March 2013);

Mrs. Beryl Harrison, The Huf Haus, Ascog, Isle of Bute (emails dated 10 February and 14 March 2013);

Mr. George Morrison, Dun, Eistein, Rothesay, Isle of Bute (e-mail dated 13 February 2013);

Mrs. Christine Morrison, Dun Eistein, Rothesay, Isle of Bute (e-mail dated 13 February 2013);

Mr. Alick Noakes, Eriskay, 4A Kirn Brae, Kirn, Dunoon (letter dated 17 February 2013).

Harry Reid, Millburn Cottage, Ascog, Rothesay (email dated 28 February 2013);

Mrs. Jean Reid, Millburn Cottage, Ascog, Rothesay, Isle of Bute (email dated 1 March 2013);

Mrs. Jean Moffat, The Hermitage, Ascog, Isle of Bute (email dated 14 March 2013);

Dr. Richard Carley, Clyde House, Ascog, Isle of Bute (email dated 14 March 2013);

Mrs. Christine Carley, Clyde House, Ascog, Isle of Bute (email dated 14 March 2013);

Mr. Ronald Falconer, Hawkstone Lodge, Ascog, Isle of Bute (email dated 15 March 2013);

Mrs. Anne Kirkham, Crofton Cottage, Ascog, Isle of Bute (email dated 15 March 2013);

Mr. Philip Kirkham, Crofton Cottage, Ascog, Isle of Bute (email dated 15 March 2013);

Mrs. Marjorie Falconer, Hawkstone Lodge, Ascog, Isle of Bute (email dated 21 March 2013);

Mr Michael Burke, 2 Burnside Cottage, Straad, Bute (email dated 7th April 2013);

Mrs Karin Burke, 2 Burnside Cottage, Straad, Bute (email dated 7th April 2013).

Mr Rhod Lofting, Crossbeg, Rothesay (email dated 8th April 2013).

Mrs Elizabeth Lofting, Crossbeg, Rothesay (email dated 8th April 2013).

Ms S Alcorn, Ascog Hall, Isle of Bute (email dated 8th April 2013).

The issues raised are summarised below:

Visual Impact

- Development would be detrimental to the visual amenity of this important part of the Clyde Estuary and harmful to the areas fragile tourism economy;
- It is difficult to conceive of a location more sensitive to both residents and visitors when travelling to Bute, or walking, cycling or sailing in the environs of Cowal, the eastern shores and uplands of Bute and the nearby slopes of Inverclyde;
- Massive visual impact at a location of extreme sensitivity;
- The Clyde foreshore of Cowal and its mountainous backdrop is an inappropriate location for wind turbine schemes which could do immense and immediate damage if allowed to get a foothold;
- Views from Bute will be blighted by this development and the potential negative impact on visitors arrivals cannot be easily calculated where it is the unspoilt natural environment which draws visitors;
- High visual impact on the famous Rothesay Bay and surrounding area including Port Bannatyne and Craigmore;
- Turbines would be highly visible over a large area, in particular from the ferry access route to Rothesay and from many viewpoints on Bute. The view across Rothesay Bay towards the Cowal Hills is iconic and an essential part of the experience of tourist visitors to Bute. Quality land and seascapes are the mainstay of tourism on Bute;
- Previous applications for wind farms on Corlarach Hill and Blackcraig were rejected principally for reasons of visual impact upon Bute;
- Proximity to Kyles of Bute National Scenic Area – wind turbines only one mile from Kyles of Bute; Proposed turbines would be highly visible and dominate the views and approached top the East Kyle; Loch Striven is of the same high quality as the East Kyle;
- East and West Kyles are well known for their scenic value and tourist potential to a range of visitors and sailors;
- The incongruity of the turbines will be emphasised by the rotor motion;
- There are many walking routes in the surrounding area that are popular with visitors and locals alike where an important element is the unspoiled nature and sheer majesty of the landscape. To stick wind turbines in that environment would be obscene and destroy a much needed public amenity.

Impact on Tourism and Sailing

- The important sailing market that accesses the famous Kyles of Bute using routes past this site may decide not to use the Rothesay Marina;
- Rothesay Marina regeneration project part funded by the Council and other tourist ventures may be compromised by the proposed development;
- Anything which may harm Bute's fragile economy should not be considered as an appropriate form of development on this sensitive and highly visible site;
- Proposed turbines would have an adverse impact on the main ferry route to Bute including views for the paddle steamer Waverley;
- Obsession to cover the country with wind turbines would seem to be at odds with the official government tourism agency Visit Scotland and its TV ads proclaiming this as The Year of Natural Scotland 2013 !;
- There must be better locations to locate these behemoths than the central tourist trails for Argyll and the islands.

Contribution to Renewable Sector

- These two turbines do not make any strategic contribution to Scotland's renewable sector nor are they key to achieving targets. Other forms of renewable development in more appropriate locations will have greater positive contributions to make with less negative impacts on the environment or local economies than these proposals which are driven by the concerns of the developer;
- The power generated by turbines of this size is minimal at best, and unreliable, necessitating back-up generation by gas power leading to the elimination of supposed carbon emission reduction benefit;
- If wind turbines are so good at producing electricity, I challenge the Government to withdraw the subsidy (at the same time reducing consumers fuel bills);

Financial Benefit

- Proposed turbines will despoil the scenery and provide no proven benefits other than financial to the developer;
- Another attempt to industrialise the beautiful Clyde land and seascape of benefit only to the finances of the developer and his agent;
- These types of schemes serve only to line the pockets of pushy developers and can do immense damage to communities under the false concept that they are helping global warming;

Impact on Wildlife

- Potential detrimental impact on wildlife;

Supporting Information

- Wireframe and photomontages give a misleading impression.

Impact on surrounding Settlements

- Proposed wind turbine development could blight adjacent land for residential development opportunities.

Supporters

Councillor Michael Breslin, Marchfield, Toward (email dated 1 February 2013) who supports the proposal due to the agricultural and community benefit; and from

Mr. Paul Adams, Seabourne, Shore Road, Innellan (email dated 12 March 2013);

Mrs. Helen Joss, North Lasts Farmhouse, Peterculter, Aberdeen (email dated 11 March 2013);

Mrs. Pamela Harrison, 65 Oathills Drive, Tarporley (email dated 11 March 2013).

The comments made in support are summarised below:

- Green energy should be encouraged to meet future electricity demands;
- Far better windmills than nuclear power with associated risks;
- The view of the turbines on the other side of the Clyde is not detrimental to the landscape and believe that the scale of these proposed turbines will blend well with the surrounding forestry, pylons and masts already present;
- As a supporter of Green Sustainable Energy, pleased that this is being considered in this hilly windy area.

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 www.argyll-bute.gov.uk

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) Environmental Statement (ES):** 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 –

The applicant's agents VG Energy have submitted an Environmental Report dated December 2012 including project description, relevant planning policy, socio-economic assessment, landscape and visual study, hydrological assessment, ecology, cultural heritage and archaeology, noise assessment, shadow flicker, aviation effects, traffic and transport, delivery and construction access route, existing infrastructure, general safety and appendices including submitted drawings, noise report and wireframe/photomontage images.

The report indicates that the previous application was withdrawn due to landscape and visual reasons but this revised scheme positions the two turbines further down the slope to reduce the dominance of the turbines within the landscape. The agents have taken on board previous comments from residents of Bute and the photomontages submitted are intended to demonstrate reduced visual impact from these locations.

The report states that the site is likely to have a good wind resource and the location was chosen for a number of reasons including existing field operations, forestry and existing telecommunication structures. The agents suggest that the turbines have been sited further down the hill to increase back-grounding opportunities and to be less elevated. The height fits with existing telecommunication towers in terms of their scale and follows guidance in the 'Argyll and Bute Landscape Wind Energy Capacity Study'.

The Environmental Report contains within Appendix B, a Noise Study dated December 2012 with findings carried out by Carl Bro for a previous standard report on the Norwin 29/225 kw wind turbine model similar to the Norwin 225 model proposed. The study concludes that, based on a nearest neighbour some 300 metres distant, this particular type of wind turbine does not generate clear audible tones nor impulses.

(H) PLANNING OBLIGATIONS

Is a Section 75 (S75) agreement required: No.

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

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- (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)

STRAT DC 5 Development in Sensitive Countryside;
STRAT DC 6 Development in Very Sensitive Countryside;
STRAT DC 7 Nature Conservation and Development Control

STRAT DC 8 Landscape and Development Control;
STRAT DC 9 Historic Environment and Development Control;
STRAT RE 1 Wind Farm/Wind Farm Turbine Development.

'Argyll & Bute Local Plan' (2009)

LP ENV 1 Development Impact on the General Environment;
LP ENV6 Development Impact on Habitats and Species;
LP ENV 10 Development Impact on Areas of Panoramic Quality (APQs);
LP ENV 11 Development Impact on Historic Gardens and Landscapes;
LP ENV 13(a) Development Impact on Listed Buildings;
LP ENV16 Development Impact on Scheduled Ancient Monuments;
LP ENV 19 Development Setting, Layout and Design (including Appendix A Sustainable Siting and Design Principles);
LP BAD 1 Bad Neighbour Development;
LP REN 1 Wind Farms and Wind Turbines;
LP SERV 4 Water Supply.

(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;
- Argyll & Bute Landscape Wind Energy Capacity Study, March 2012;
- 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.

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment (EIA): Yes.

As the proposed turbines 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. A 'screening opinion' dated 7 March 2012 (ref. 12/00371/PREAPP) confirmed that in this instance, a formal EIA would not be required for two wind turbines in this general location 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: No

In deciding whether to hold a discretionary hearing, the Council will consider:

- How up to date the Development Plan is, the relevance of the policies to the proposed development, and whether the representations are on development plan policy grounds which have recently been considered through the development plan process.
- The degree of local interest and controversy on material considerations, together with the relative size of community affected set against the relative number of representations and their provenance.

In this case, the balance of the representation received is from objectors and many of their concerns are shared by the Planning Officer assessment. Only four expressions of support have been received. As the application is being recommended for refusal, it is not considered that a hearing would add value to the determination process and therefore it is recommended that Members do not undertake a hearing prior to the application being determined.

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

- The proposal seeks the construction of two wind turbines with hub heights of 32m and rotor diameter of 29m (47m to blade tip), the formation of a new access track and ancillary development. The application has been submitted by the owner of Toward Taynuilt Farm, which is located 1km south of the proposed wind turbines. The current application has been submitted and very slightly revised following withdrawal of a previous application (ref. 12/01536/PP) due to landscape and visual concerns.
- SNH have not objected to the proposal. Formal objections are not now raised by them other than in cases where national interests are significantly prejudiced. However, they have raised concerns and consider that the proposed wind turbines would result in 'significant' landscape and visual impacts which are detailed in the report and which they would wish to be taken into account by the Council in reaching its decision.
- Concerns have been raised by adjacent Planning Authorities namely Inverclyde Council and North Ayrshire Council. Both councils consider that the visual impact of these large wind turbines would be significant to the detriment of existing settlements and to residents and visitors to the Firth of Clyde. Twenty individuals have raised objections and four expressions of support have been received.
- 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, associated consequences for tourism interests and built heritage and ecological impacts.
- The agents have been advised that the particular wind turbine model and high siting is inappropriate in this location but smaller wind turbine typologies (i.e. less than 35m closer to the existing farm cluster or lower down the hillside in the more transitional zone) may reduce landscape and visual impact and provide better prospects for permission being granted. The 'Argyll & Bute Landscape Wind

Energy Capacity Study' suggests that "turbines less than 35m high could be sited on smoother lower hill slopes where they would benefit from a backdrop of rising ground. Darker coloured turbines may reduce visibility where seen predominantly against a backdrop of forestry or moorland".

- The proposal is considered contrary to: SPP; 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 6: Development in Very Sensitive Countryside; and STRAT DC 9: Historic Environment & Development; of the 'Argyll & Bute Structure Plan' (2002); Policies Policy LP ENV 1: Development Impact on the General Environment; LP ENV6 Development Impact on Habitats and Species; LP ENV 10: Development Impact on Areas of Panoramic Quality; Policy LP ENV 11 Development Impact on Historic Gardens and Landscapes; LP ENV 13(a) Development Impact on Listed Buildings; LP ENV16 Development Impact on Scheduled Ancient Monuments; LP ENV 19 Development Setting, Layout and Design (including Appendix A Sustainable Siting and Design Principles); LP REN 1 Wind Farms and Wind Turbines and LP SERV 4 Water Supply of the 'Argyll & Bute Local Plan' (2009).
- It is considered that the contribution that this proposal could make towards combating climate change would be negligible. The proposal would result in development giving rise to inappropriate environmental consequences which cannot be viewed as being sustainable and 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 potential adverse landscape and visual impact and insufficient information on potential impact to protected species and to private water supplies. 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: N/a

(T) Need for notification to Scottish Ministers or Historic Scotland:

There is no requirement for notification to Scottish Ministers.

Author of Report: Brian Close

Date: 9th April 2013

Reviewing Officer: David Eaglesham

Date: 9th April 2013

Angus Gilmour
Head of Planning and Regulatory Services

REASONS FOR REFUSAL RELATIVE TO APPLICATION: 13/00004/PP

1. The proposed wind turbines, inclusive of the means of access required, are located on the southern slopes of Innellan Hill on the eastern side of the Cowal -Toward peninsula, within the 'Steep Ridgeland and Mountains' Landscape Character Type (ref '*Argyll & Bute Landscape Wind Energy Capacity Study* (LWECS) – Final Main Report and Appendix March 2012' - SNH/Argyll & Bute Council) and in very close proximity to the highly sensitive 'Rolling Farmland With Estates' Landscape Character Type.

The LWECS identifies that 'medium scale' typology turbines of between 35m and 50m will be difficult to assimilate in areas of smaller scale landform, with smaller scale patterns of land use, as they are likely to exert visual influence over wider landscape settings. It cautions against the introduction of larger scale turbines which could be seen on the skyline of the 'Steep Ridgeland and Mountains' LCT or against the most prominent coastal edge and promontories of this character type from the wider Firth of Clyde basin. The study concludes that the presence of larger scale turbines would adversely affect the strong sense of Cowal forming the threshold to the 'Highlands' and the point where the Glasgow conurbation is left, and that the present contrast of the landscapes of Cowal with the more developed Inverclyde and North Ayrshire coast could also be diminished. Turbines greater than 35m high would be likely to dominate the small scale and more diversely patterned settled valleys and coastal edges of this character type and the study considers that there is only potential for the smaller typologies, less challenging in scale, where there are may be opportunities to locate them on smoother lower hill slopes where they could benefit from a backdrop of rising ground.

At 47m in height to the blade tip and with rotor diameters of 29 metres, the proposed wind turbines would be wholly out of scale with their immediate and wider landscape context, where such large rotating structures would dominate the scale of the South Cowal hills which fall gradually towards the Firth of Clyde. The scale and motion of the proposed wind turbines would also impinge on adjacent small scale and settled landscapes and adversely affect the highly sensitive coastal edge including key coastal panoramas and views. The western side of the South Cowal peninsula is designated as an Area of Panoramic Quality (APQ) in recognition of the regional value and scenic qualities of this sensitive coastal landscape. The proposal impinges on the sensitive coastal skylines which frame and provide a setting for the Firth of Clyde, where development on this scale would undermine these qualities to the detriment of landscape character contrary to Local Plan Policy LP REN 1 by virtue of visually dominating a currently undeveloped and prominent landscape. Approval of the proposal could establish a harmful precedent for such large wind turbines in a relatively small landscape setting, where smaller turbines already exist and 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.

The proposal by virtue of its scale, its elevated location in the landscape and the motion associated with a large diameter rotor will adversely alter the setting and views from adjacent small scale and settled areas including Toward, Toward Point, Port Bannatyne, Rothesay and Ascog. It will also impinge on views from many settlements along the A78 from Largs to Gourock and sea views including the main ferry crossing from Wemyss Bay to Rothesay by virtue of the turbines becoming an identifiable skyline feature on the prominent Cowal peninsula tip. The scale of the wind turbines proposed results in sky-lining from a number of key viewpoints (Photomontage nos. 02, 03, 05, 06, 07, 08, 14, 15, 18, 20) that cannot be mitigated against by surrounding topography or plantation forestry. Other viewpoints rely on the presence of existing plantation woodland to provide a suitable backdrop to avoid sky-lining but this woodland is scheduled for felling thereby increasing the sky-lining effect further.

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, would adversely affect a number of key views and would degrade designated scenic assets including the Firth of Clyde coastline and adjacent 'Area of Panoramic Quality'. 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, STRAT DC 6: Development in Very Sensitive Countryside; Policy STRAT DC 8: Landscape & Development Control; STRAT DC 9: Historic Environment & Development; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' (approved 2002), to Policy LP ENV 1: Development Impact on the General Environment; LP ENV6 Development Impact on Habitats and Species; LP ENV 10: Development Impact on Areas of Panoramic Quality; Policy LP ENV 11 Development Impact on Historic Gardens and Landscapes; LP ENV 13(a) Development Impact on Listed Buildings; LP ENV16 Development Impact on Scheduled Ancient Monuments; LP ENV 19 Development Setting, Layout and Design (including Appendix A Sustainable Siting and Design Principles); LP REN 1 Wind Farms and Wind Turbines; of the 'Argyll & Bute Local Plan' (2009) and the Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) – Final main report and appendix March 2012.

2. Insufficient ecological and biodiversity information has been submitted in respect of potential impacts to protected species including otter, bats and bird species. Notwithstanding the general nature of the ecological mitigation proposed, the Environmental Report is considered to lack site-specific survey information for otters, bats and birds. It is therefore considered that the methodology, findings and conclusions in the Ecology section of the Environmental Report are of a general nature only and cannot be relied upon in terms of a reliable assessment of potential impacts of this development upon protected species.

The proposal is therefore considered to be contrary to Policies STRAT DC 7 and STRAT RE 1 of the Argyll and Bute Structure Plan 2002, and to Policies LP ENV 1, LP ENV 2, LP ENV 6 and LP REN 1 of the adopted Argyll and Bute Local Plan (2009).

3. No information on existing private water supply has been submitted in respect of potential impacts to existing registered (and un-registered) private water supplies in the vicinity of the development site. The Environmental Report is considered to lack appropriate information on existing private water supplies any mitigation measures to protect these supplies during construction and decommissioning. It does not therefore enable a reliable assessment of potential impacts of this development upon existing water supplies.

The proposal is therefore considered to be contrary to Policy STRAT RE 1 of the Argyll and Bute Structure Plan 2002, and to Policies LP ENV 1, LP REN 1 and LP SERV 4 of the adopted Argyll and Bute Local Plan (2009).

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 13/00004/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 turbine development by the local plan as this only applies to schemes in excess of 20MW and consideration is therefore by way of a criteria based approach established by local plan Policy LP REN1.

Whilst the two wind turbines, the upper part of the access track, crane hardstandings and electrical control buildings are all to be located within Very Sensitive Countryside (subject to Structure Plan Policy STRAT DC 6), the lower part of the access track will be located within Sensitive Countryside (subject to Structure Plan Policy STRAT DC 5) as designated by the Local Plan Proposals Maps.

STRAT DC 6 states that the Very Sensitive Countryside zone corresponds to the countryside and coastal areas which are very vulnerable to adverse development impact and which have extremely limited capacity to successfully absorb development. The designation applies to most upland and mountain areas but also low-lying coastal areas and requires that development is strictly controlled and carefully managed. Provision is made for wind energy proposals to be supported provided that they are located on well-chosen sites that comply with STRAT RE 1. Developments that fail to meet these tests and/or involve incongruous or unacceptable siting, scale and design characteristics or breach the overall carrying-capacity of the wider landscape, coastscape and natural environment will be found contrary to the policy.

In this case, it has not been demonstrated that the scale and location of the proposed wind turbines will integrate successfully or sympathetically with the landscape, without giving rise to adverse consequences for visual impact and landscape character.

Policies STRAT DC 5 and STRAT DC 6 also require 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, economic and built environment 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; STRAT DC 6: Development in Very 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 two wind turbines and ancillary development on high grazing farmland north of Toward Taynuilt Farm and west of Newton Park. The turbines would be located on the southern slopes of Innellan Hill overlooking the settlements of Toward and Toward Point. There are currently two mast installations north of Toward Taynuilt Farm that are reached by access track from the A815. The proposal is to extend this access track and erect two wind turbines on land at the northern boundary of the farmland close to plantation forestry which covers the hillside (but due for felling and replanting in the near future).

Turbine T1 would be located on the western side of a small watercourse and turbine T2 located some 200 metres to the north-east. Each wind turbine would have a maximum generating capacity of 225kw, with a maximum height to blade tip of 47m, hub height 32m and rotor diameter of 29m. The towers will be constructed from galvanised steel with a light grey matt finish and similar colour for the blades. The wind turbines will require concrete foundation pads of approx 8 x 8 x 1 metres and constructed in Type 1 hardcore.

Two associated meter houses, rendered with profiled metal roof (approx. 2.5 x 2.4 x 2.6 metres) will be located adjacent to the wind turbines. Each turbine will require the formation of crane hardstanding areas (approx. 20 x 30 metres). The existing farm track will be extended with a new 4 metre wide track winding its way up the hillside to the two turbine locations. The track will be approx. 300mm thick and constructed in Type 1 hardcore. Only indicative drawings have been submitted at this stage but a detailed site access plan would be produced prior to works taking place.

The Planning Statement indicates that the grid connection for the turbines would be via two new control buildings located adjacent to the turbines. Connection to the national grid from the control buildings falls outwith the scope of this application and would be consented separately.

The design of the turbines and ancillary structures follows current wind energy practice. The general design of the control buildings are considered acceptable and sympathetic to the receiving landscape were permission to be granted, subject to the standard of finishing materials being controlled by condition in the event of Members determining to grant planning permission. The applicants have offered the prospect of the turbines being completed in a dark colour rather than the usual light finish normally adopted for wind turbines, in order to help integrate them with a landscape backdrop in those views where back-clothing would be attainable.

However, given the scale of the proposed turbines on their intended locations, it is considered that the scale of these structures together with their large rotor diameter (i.e. 62% of the maximum height of the wind turbine will be rotor blade) in such prominent and sensitive locations, would not be appropriate 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 turbines and the formation of the means of access to it would have adverse landscape and visual 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

A useful tool for assessing the visual impact of wind turbines is to incorporate the information in the Landscape Assessment for Argyll and the Firth of Clyde (1996), undertaken by Environmental Resources Management on behalf of Scottish Natural Heritage. For the purposes of this document, the application site is located within the Cowal Ridges and categorised as 'Steep Ridgeland and Mountains' which have a high-very high sensitivity to development as they are particularly prominent in important views:

"Suitable sites are usually prominent, exposed ridgetops, where wind turbines would have a significant visual impact. Within these hilly areas, infrastructure projects should

be limited as far as possible, and planned to ensure that they are as unobtrusive as possible. The character of local skylines - an open skyline, on which the wind farm might appear in silhouette, would be particularly vulnerable, while an undulating, wooded skyline could accommodate wind farm development more easily; the overall scale of the landscape - a wind farm would be a bold statement in a large scale landscape, but in a small-scale landscape it may either detract from or be absorbed within existing landscape patterns. In terms of degree of enclosure (by topography or vegetation), an open landscape will have wide visibility, whereas the visibility of a relatively enclosed landscape will be restricted; and the impact of wind farm developments will also be affected by factors such as the design, size, colour, siting and the layout of the turbines.”

The ‘Argyll and Bute Landscape Wind Energy Capacity Study’, March 2012 (LWECS) has been produced by SNH in association with the Council to identify those areas in Argyll which are likely to have capacity for wind turbines of various sizes, and those areas which do not have capacity either as a consequence of their particular qualities, or as a result of having no residual capacity given previous turbine consents. Whilst this study only addresses landscape considerations, following its approval by the Council, it is a significant material consideration in subsequent decision-making, albeit of lesser weight than development plan policy.

In the LWECS, it is suggested that:

“small/medium typology wind turbines (i.e. 35-50m) in upland areas may appear trivial in relation to the predominantly large scale of these uplands and could introduce built clutter to more remote and less developed areas. They would also have similar effects on complex landform, key views from the Firth of Clyde and Bute and on the special qualities of the Kyles of Bute National Scenic Area if poorly sited. Opportunities for smaller turbines exist however at the transition of this landscape on lower slacker hill slopes within broader valleys and coastal edges away from the less prominent peninsula tips. The introduction of wind farm and larger turbines seen on the skyline of the ‘steep ridgeland and mountains’ or against the most prominent coastal edge and promontories of this character type from the wider Firth of Clyde basin would adversely affect the strong sense of Cowal forming the threshold to the ‘Highlands’ and the point where the Glasgow conurbation is left (heightened by the ferry crossing to Dunoon). The present contrast of the landscapes of Cowal with the more developed Inverclyde and North Ayrshire coast could be diminished.

Smaller turbines are most likely to be proposed in locations closer to settlement. Turbines greater than 35m high would be likely to dominate the small scale and more diversely patterned settled valleys and coastal edges of this character type. However, turbines less than 35m high could be sited on smoother lower hill slopes where they would benefit from a backdrop of rising ground. Darker coloured turbines may reduce visibility where seen predominantly against a backdrop of forestry or moorland.

Turbines of between 35m and 50m are going to be the tallest structures in most Argyll and Bute landscapes. They are going to be taller than buildings and trees. They will also be taller than most communication masts and pylons. Understanding scale, and the relative proportions of features in the landscape, is therefore important in siting this typology. Landscape scale is made up of two factors, the scale of the landform and the scale of the pattern of land use. Turbines of this height are likely to be widely visible, as they are difficult to screen with smaller landform. Good siting is very important, as the relationship with landform and wider landscape setting will be very visible”.

Scottish Natural Heritage has advised that although this is a revised application, the proposal still lies within the 'Steep Ridglands and Mountains' Landscape Character Type. SNH consider this landscape to be very sensitive to change and the findings of the 'Argyll and Bute Wind Capacity Study' (January 2012) state that wind turbines of this nature and scale are unlikely to be accommodated in this landscape.

Although the turbines will now be sited at an elevation of 165m (as opposed to 170m in the previous withdrawn application ref. ref. 12/01536/PP), SNH still consider that the turbines are likely to dominate this currently undeveloped landscape and be highly visible from a number of key viewpoints. SNH consider that landscape and visual impacts are likely to be significant and given the scale of the proposal feel that it has the ability to significantly change the landscape character of the area

Based on the guidance contained in the Landscape Capacity Study and the conclusions expressed by SNH in respect of landscape impacts of the proposal, it is considered that approval of the proposal could establish a harmful precedent in approving wind turbines that are too large for their respective landscape settings. The Council has targeted areas for larger wind turbines, but the LWECS guidance suggests that smaller wind turbine typologies may be more appropriate in this general location, where they do not exert such a degree of influence over the appreciation of the coast and those landscapes which are characterised by the interplay between the land and the sea.

The department is very cautious in recommending approval of such large wind turbines within influencing distance of the coast, where they could exert inappropriate effects over settlements, transport routes, historic assets and scenic locations of tourism importance all of which tend to predominate in coastal locations. It is considered that the siting of these two wind turbines at 47m in height to blade tip in such prominent locations would exert a disproportionate influence over the receiving environment, where they would appear to be out of scale with their landscape context. The two wind turbines would dominate the scale of the South Cowal hill ridges gradually falling towards the Firth of Clyde with no larger hill masses behind to provide a suitable backdrop. The scale, location and motion of the wind turbines would impinge on adjacent small scale and settled landscapes and adversely affect the highly sensitive coastal edge, designated as an Area of Panoramic Quality in recognition of the regional value and scenic qualities of this sensitive coastal landscape. 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.

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 6: Development in Very 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

This 'revised' application contains photomontages from locations that were previously suggested by officers in order to be able to assess potential visual impact from key representative viewpoints. In discussion with the agents, it was suggested that some of these images should include colour options for the wind turbines and this has been done with comparisons of light grey and mid grey colouring. The agents were originally advised

that either smaller turbine models or locating existing sized turbines further down the hill to lessen high visual impact may result in an alternative recommendation. Despite the very slight change in turbine siting (at an elevation of 165m instead of 170m) it was anticipated that any change in siting may have been greater than the 5 metres currently proposed, or an alternative smaller turbine model substituted.

Unlike the original submission, the photomontages are considered to be generally representative of key viewpoints and they provide a reasonable context for an assessment to be made. It should be noted that the immediate hillsides in the South Cowal area are subject to ongoing forestry operations and any dependence on existing plantation woodland to mitigate against visual impact cannot be relied upon.

Visual Assessment

An assessment of the submitted photomontages and wireframes follows. Comments are based on the use of light grey as standard colour with mid grey as an alternative option. T1 is the westerly turbine.

Photomontage 01 A815 Toward straight

Likely existing belt of mature deciduous woodland along escarpment would provide screening of two turbines beyond. However, without these trees, both turbines would be visible as demonstrated in the corresponding wireframe image.

Photomontage 02/02a A815 Toward at Toward Church junction with The Meadows

One of the key visual receptor areas where turbines skyline at this point, even with forestry as a backdrop. Using smaller turbine models or bringing them further down the slope would lessen this impact. The presence of the existing slim lattice MOD mast does not compare with solid rotating features within this landscape. Change of colour would make no difference to high visual impact.

Photomontage 03/03a A815 Toward within The Meadows development

As per photomontage 2 except change of colour makes a slight improvement, but the scale and siting could still be improved.

Photomontage 04/04a A815 Toward Point

One of the key visual receptor areas where turbines rely on mature forestry as a backdrop. Using smaller turbine models or bringing them further down the slope would lessen this impact. The presence of the existing slim lattice MOD mast does not compare with solid rotating features within this landscape. Change of colour makes a slight improvement but the scale and siting could still be improved.

Photomontage 05/05a A815 Toward loop road looking back towards Toward Taynuilt Farm

One of the key visual receptor areas where turbines rely on mature forestry as a backdrop. Using smaller turbine models or bringing them further down the slope may lessen this impact. The presence of the existing slim lattice MOD mast does not compare with solid rotating features within this landscape. Change of colour makes a slight difference but the scale and siting could be improved.

Photomontage 06/06a A815 near Toward School looking back towards Toward Farm

One of the key visual receptor areas along the open section of the A815 where turbines are skylining at this point, even with forestry as a backdrop. Using smaller turbine models or bringing them further down the slope would lessen this impact. The presence of the existing slim lattice MOD mast does not compare with solid rotating features within this landscape. Change of colour makes no difference to high visual impact.

Photomontage 07/07a Lunderston Bay

At a distance of 8km, both turbines skyline with potential to alter the character of the peninsula tip and impact on Firth of Clyde and approaches to Bute and the Kyles. Change of colour makes turbines more prominent with high visual impact.

Photomontage 08/08a Inverkip Memorial Bay

At a distance of 7km, both turbines skyline with potential to alter the character of the peninsula tip and impact on Firth of Clyde. Change of colour makes turbines more prominent with high visual impact.

Photomontage 09/09a Wemyss Bay Ferry Terminal

At a distance of 6km, both turbines generally contained within landscape but blades of T1 visible. Change of colour improves siting and presence of turbines.

Photomontage 10/10a A78 lay-by south of Skelmorlie Glen

At a distance of 7km, both turbines contained within wider landscape and back dropped by topography. Change of colour improves siting and presence of turbines.

Photomontage 11/11a A78 lay-by near Auchengarth

At a distance of 7.5km, both turbines contained within wider landscape and back-dropped by topography. Change of colour improves siting and presence of turbines.

Photomontage 12/12a Largs seafront

At a distance of 12km, both turbines contained within wider landscape and back-dropped by topography. Change of colour improves siting and presence of turbines.

Photomontage 13/13a Great Cumbrae north tip of island

At a distance of 11km, both turbines contained within wider landscape and back-dropped by topography. Change of colour improves siting and presence of turbines.

Photomontage 14/14a view from Bute Ferry opposite Castle Toward

At a distance of 5km, both turbines skyline with potential to alter the character of the peninsula tip and impact on sea approaches to Bute and the Kyles. Change of colour makes turbines more prominent with higher visual impact.

Photomontage 15/15a view from Bute Ferry opposite Castle Toward

At a distance of 4km, T2 turbine skylines with T1 turbine relying on aged forestry as a backdrop with impact on sea approaches to Bute and the Kyles. Change of colour makes turbines more prominent with higher visual impact.

Photomontage 16/16a view from Bute Ferry opposite Toward School

At a distance of 4km, both turbines contained within wider landscape and back-dropped by topography. Change of colour improves siting and presence of turbines.

Photomontage 17/17a view from Bute Ferry opposite Toward Point

At a distance of 3.5km, both turbines contained within wider landscape and back-dropped by topography. Lighter colour very prominent but darker colour improves siting and presence of turbines.

Photomontage 18/18a view from Bute - Ardbeg

At a distance of 5.5km, both turbines skyline with impact on sea approaches to Bute and the Kyles. Change of colour makes turbines more prominent with higher visual impact.

Photomontage 19/19a view from Bute - Craigmore

At a distance of 5km, both turbines contained within wider landscape but relying on aged forestry as a backdrop with impact on sea approaches to Bute and the Kyles. Lighter colour prominent but darker colour improves siting and presence of turbines.

Photomontage 20/20a view from Bute - Rothesay

At a distance of 5km, both turbines skyline with impact on sea approaches to Bute and the Kyles. Change of colour makes turbines more prominent with higher visual impact.

The photomontages represent the best available images to help in the assessment of the visual and landscape impact of these structures. It is evident that there are few viewpoints where the turbines would not be visible and the very large ZTV (zone of theoretical visibility) merely illustrates the number of settlements and scenic areas on both sides of the Firth of Clyde and from the Isle of Bute which would be adversely affected by the proposed wind turbines.

The proposed 4 metre wide access track to be formed from the existing radar mast to serve both turbines would be constructed of Type 1 aggregate and meander up the hillside to both turbine sites. It is considered that the access track would not in itself create an adverse feature within the landscape beyond current farming practices and other service tracks.

SNH consider that this slightly revised proposal would still result in significant visual impact on a number of key viewpoints given the scale of the wind turbines in this sensitive landscape.

Inverclyde Council consider that the views outwards from Inverclyde are important to both tourists and residents alike. In the adopted Inverclyde Local Plan 2005, the Lower Firth / Firth of Clyde are identified as a 'strategic environmental and scenic (tourism) resource' and this panoramic outlook is a significant asset for Inverclyde. Whilst smaller less obtrusive turbines might be acceptable at this visible location, two turbines 47 metres high would have too great a visual impact.

Whilst North Ayrshire Council considers that the turbines would generally be contained within the landscape, key viewpoints from Skelmorlie, Clyde Muirshiel Regional Park and the Refnfrewshire Hills SPA were not included in the assessment. North Ayrshire Council consider that the impact of wind turbine developments increasingly encircling the Firth of Clyde would in turn adversely impact on the wider seascape and landscape.

In this regard, the views expressed by SNH, Inverclyde Council, North Ayrshire Council and the objectors in respect of visual impacts are endorsed by officers. Officers consider that the impact of the development on key views would be particularly detrimental due to the inappropriate scale of the turbines relative to the character of the receiving environment, their inappropriately elevated location in the landscape and the rotating motion associated with the large rotor diameters proposed, particularly given the sensitivity and scenic value of locations within the South Cowal peninsula, the adjacent regionally important Area of Panoramic Quality and landscape setting of the Firth of Clyde. Visual impacts would also be of importance in terms of their influence over the settings of historic environment assets as well as in terms of the disproportionate contribution the development would contribute to the cumulative effects of wind turbine development, as considered below.

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. SUGGESTED REDUCTION IN HEIGHT

Throughout the planning process of the previous application (ref. 12/01536/PP), potential adverse landscape and visual impacts were raised by officers as serious concerns and suggestions were duly made to the applicant's agents to bring the turbine locations further down the slope, but more importantly to reduce the scale of the turbines to the smaller typology which would have better prospects of being assimilated successfully in this particular landscape setting, in accordance with the advice set out in the Wind Energy Capacity Study. Whilst the agents were aware of the department's concerns, they stated that they could not utilise a different smaller wind turbine model and that the Norwin 225 model was the smallest type available to them.

Other smaller domestic type of wind turbines erected locally (under Policy LP REN 2) were suggested by the department as alternative solutions but the applicant and his agents appeared unwilling to significantly alter the scheme as originally conceived. Examples of recent permissions in similar locations are three 20kw wind turbines recently erected near Cloch Point (in Inverclyde) which are 20 metre masts, 27 metres to blade tip and 13m blade swept diameter; and three 15kw turbines erected near Ardbeg (on Bute) which are 15 metre masts, 21 metres to blade tip and 11m blade swept diameter. These smaller wind turbines are considered to be less obtrusive and more readily capable of being satisfactorily integrated with their surroundings due to appropriate scale and siting, and suitable background topography. The wind turbines proposed at Toward would be twice as large as these examples and with a blade swept diameter three times as large.

The very slight reduction in siting from 170 metres altitude to 165 metres therefore makes no real difference given the large scale of the turbine models proposed with their attendant larger rotor diameters.

F. CUMULATIVE IMPACT

It is considered that the proposal would be highly visible as well as being visible from areas which are not currently affected by wind development. Another identical wind turbine (ref. 13/00472/PP) is proposed nearby at Toward Farm by the same agents at a distance of 1.5 km from the site of the proposed two wind turbines. The original application (ref. 12/01415/PP) was withdrawn due to adverse landscape and visual impacts but has been resubmitted with no changes made.

The Toward area lies west of Inverclyde and North Ayrshire settlements occupying a central position in the Firth of Clyde. The larger windfarm development near Ardrossan is far enough away not to contribute any significant visual or cumulative impact. This proposal has the potential to spread visibility of wind turbine development along either side of the Firth of Clyde in addition to marking the eastern approaches to the Kyles of Bute, thereby creating a sense of extended wind farm/wind turbine development. The creation of a sense of extended wind farm /wind turbine development would be unacceptable and detrimental in landscape and visual terms. Whilst views close to the site are limited from the A815, it is the range of views from the A78 road from Inverkip to Largs and continual views from the A844 and back roads on Bute which could significantly influence these main coastal routes. It is not only the cumulative impact of wind turbines on road users but also on the main Wemyss Bay to Rothesay ferry route and recreational sailors. The very large Zone of Theoretical Visibility (ZTV) highlights the number of settlements and scenic areas which would be affected in a wider landscape where larger windfarm schemes are already located. These larger schemes

and potential windfarms in preferred areas 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 6: Development in Very 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.

G. ECOLOGICAL IMPACT

Scottish Natural Heritage advise that the proposal is not within or immediately adjacent to any protected sites therefore the proposal is unlikely to affect any protected sites. In terms of species, SNH note that otters and a number of bat and bird species are recorded within the area and the proposal has the potential to affect these species (possibly including Schedule 1 bird species). SNH have concerns that the mitigation section in the Environmental Report wrongly assumes that the proposal will not affect any local or regional ecology because the proposal lies outwith a designated site. It is advised that the applicant carries out a site-specific survey for otters, bats and birds and if these species could be affected then a species protection plan(s) should be submitted. SNH note that if this application is approved without following this advice, then the applicant could be in receipt of a flawed permission or risk committing an offence under protected species legislation.

The report includes general findings without site or species specific findings. Given the precautionary advice from SNH it is considered that there is inconclusive evidence submitted to determine whether there will be any significant impact on local habitats and species.

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 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.

H. HYDROLOGICAL & HYDROGEOLOGICAL IMPACT

SEPA considers that the proposal is below their consultation threshold as standing advice is given for wind turbine developments below 10MW. As the turbines are located on either side of a small watercourse the details of the design of new watercourse crossings would be required to be agreed in advance by SEPA.

Public Protection is aware of registered private water supplies in the vicinity of the identified development site (and note that not all private water supplies are required to be registered with the Council). Public Protection recommends that an assessment should be undertaken detailing all private water supplies within 1km of the proposed development, and if found necessary mitigation measures should be put in place during construction and decommissioning. The Environmental Report does not contain any information on existing private water supplies therefore any potential impact cannot be assessed at this stage due to the lack of any detailed surveys.

The Transport Statement suggests that:

“a civil engineer will be employed to examine the exact crossing points and provide recommendations and full specification details. If planning is permission is consented it is anticipated that this will be a condition upon planning consent. At this stage if there is deemed to be a significant concern for any water supplies public or private; regular monitoring of water downstream of the construction works will be carried out, residents may be contacted to explain the potential issues and an emergency plan will be created should water quality be affected. To mitigate against any potential pollution issues; excavated material will be kept well away from the water course, and pouring of concrete will not take place during heavy rainfall or when heavy rainfall is imminent”.

Whilst the Transport Statement and Environmental Report contains very limited information on potential impact to watercourses and private water supplies, there is still a lack of detailed information on which to base any assessment and mitigation.

Having due regard to the above, it is considered that in terms of hydrology the proposal would be inconsistent 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 and Wind Turbines and LP SERV 4 – Water Supply of the Argyll & Bute Local Plan.

I. MANAGEMENT OF PEAT

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 borrow pits are proposed as part of this application and it is understood that any stone required will be sourced from quarries.

K. HISTORIC ENVIRONMENT IMPACTS

The Environmental Report identifies Scheduled Ancient Monuments, Listed Buildings and a Designed Landscapes within the study area but considers that the proposed development will have low to medium impact on these buildings and structures.

However, the photomontages demonstrate that the turbines would be visually prominent in their locations where they would break the skyline from many vantage points and have the ability to alter the landscape character. The Toward Point area contains Toward Lighthouse (Grade B Listed) and Toward Quay (Grade B Listed) and the extensive Garden and Designed Landscape of Castle Toward contains Castle Toward (Grade B Listed) and Toward Castle, a Scheduled Ancient Monument.

Without immediate impact on SAMs, Listed Buildings and the Designed Landscape of Castle Toward, it is the longer range views of these historic buildings and sites contained within the wider landscape, and in particular from sea views and from Bute, which would be likely to be adversely affected by unacceptable visual impact from the wind turbines. Such

unacceptable impact could alter the setting within the overall landscape within which these historic assets are located, especially where larger scale developments such as this exert influences over considerable distances.

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 Landscape Assessment for Argyll and the Firth of Clyde (1996), undertaken by Environmental Resources Management on behalf of Scottish Natural Heritage comments that:

“Tourism is a very important part of the rural economy throughout the Argyll and the Firth of Clyde and in some areas may be the largest single sector of employment. Most visitors come to enjoy the region’s stunning scenery and there is a close relationship between the development of tourist activity and the environment. Developments related to tourism and recreation are generally concentrated on narrow coastal areas, often in the region’s most scenic and sensitive landscapes. Most tourists are car-based and the vehicular traffic generated by new developments is an important consideration. All developments are subject to the formal development control policies set out in the Structure and Local Plans, with particular consideration given to safeguarding landscape quality and scenic interest”.

The proposal would be clearly visible to sensitive receptors in locations surrounding the proposal as demonstrated in the ZTV. The image of the wind turbine will vary from full turbine, reducing to rotors and blades moving on the hillside; varying between back-dropped, partially back-dropped and sky-lined. This will adversely impact on views and the recreational experience of the landscape and the settings of important historical features. 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. Whilst this relates to multiple turbine windfarms, proliferation of individual turbines and small groups of turbine such as this would cumulatively exert similar influences. 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.

No objections have been received regarding noise or safety issues.

The Environmental Report contains within Appendix B, a Noise Study dated December 2012 with findings carried out by Carl Bro for a previous standard report on the Norwin 29/225 kw wind turbine model similar to the Norwin 225 model proposed. The study concludes that, based on a nearest neighbour some 300 metres distant, this particular type of wind turbine would not generate clear audible tones nor impulses.

In this case, the closest noise sensitive receptors are actually residential properties on South Campbell Road, some 6000 metres to the east of the turbines and separated by forested slopes. On this basis, it is unlikely that noise (operational and construction) is unlikely to be an issue at these closest sensitive receptors.

Public Protection has no objections in terms of potential noise impact to nearest noise sensitive properties.

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 29m = 290 metres). Under accepted good practice and guidance, this will ensure that shadow flicker will not present a problem.

The Planning Statement advises that the nearest residential property is located approximately 560m to the south-east, but the nearest property to the wind turbines appears to be 600 metres to the east. 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 71m, which is well within the distance to 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.

Public Protection has no objections in terms of shadow flicker effect on the nearest sensitive properties.

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. AVIATION MATTERS

The MoD has no objection to the proposal, providing that in the event of Members determining to grant planning permission a condition is attached advising date construction starts and ends, maximum height of construction equipment and the latitude and longitude of every turbine.

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.

P. ROAD TRAFFIC IMPACT

The main access to the site is from the A815 via an existing road serving Toward Taynuilt Farm. A new track will be required at the termination of the existing track at the radar mast. The proposed track will generally be 4m wide (wider at bends) and will be created using stone aggregate (Type 1). The track will lead to both turbines where crane pads will be created. The permeable design of the track will allow for surface water run-off.

The applicant was requested to submit further details regarding site delivery arrangements and a Transport Statement and Vehicles Inventory (April 2013) has been submitted which includes:

“the intended delivery route for the turbine components; the intended delivery route for materials to construct the on-site access tracks; the materials used to construct the on-site access tracks; and the likely specifications of vehicles used to deliver the turbine components. The turbines will be delivered to the UK from the USA, however at this time the delivery point is unknown but will be delivered to the nearest suitable large port. From the delivery point, the turbine components will be delivered via the public road network, then the existing access road to Toward Taynuilt Farm, and finally on the proposed access track to the construction site. The A815 and local access will be used reach the existing access route, joining the route branching from the A815 at Buachailean and Tolland House (a secondary southern access from Toward Taynuilt Farm). The existing access track is maintained for maintenance to telecom masts, and as such it is expected that it will be in appropriate condition for transportation of the proposed turbine. The existing route from the A815 was used to install telecommunication masts of a similar scale to the proposed turbines. The access route

has been designed with the gradient tolerances of the delivery vehicles and type 1 surface in mind, and as such will be suitable for use for this development”.

The Area Roads Engineer considers that the information contained in the Transport Statement suitably addresses the delivery route issues and the practicalities of delivering large scale components to the site via the local road network.

Generally, the Area Roads Engineer has no objection to the proposal, but notes that the delivery details and timings of bulk materials and turbine components will need to be agreed beforehand due to the configuration of the local road network. Any improvements to the existing accesses serving Toward Point Farm will require a Road Opening Permit for works on or adjacent to the A815. All construction traffic including those used to access the site daily during this period must not be parked on the A815 and parking provision to be made available adjacent to the site.

Given the above, it is considered that the access and delivery route is acceptable in principle but may be subject to advice from Roads in terms of actual delivery details and timings.

On the basis of the above, the proposal is considered to satisfy 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.

Q. 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 connection would be made by overhead line in a manner consistent with existing 33kv infrastructure in the area. The nearest primary substation is 3.4km from the site.

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.

R. COMMUNITY BENEFIT

Community Benefit is not 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.

S. DECOMMISSIONING

The Environmental Report states that the operational period will be set at 25 years and provision for the turbines to be decommissioned will take place on the expiration of the planning permission and the site restored within 6 months unless planning permission is sought for an extension. The de-assembled turbine parts can all be recycled or refurbished and sold. Turbine foundations will be removed and the area above this reinstated. Only cable ducting would be left in situ and the access track will either be covered by topsoil or left if they are beneficial to the landowner.

Should Members determine to grant planning permission for this proposal, a requirement for decommissioning and total 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 will ensure that at the end of the proposal’s operational life: the turbines would be decommissioned and principal elements removed; the site would be restored to its former use leaving little if any visible trace of the

turbines; the foundations, new tracks and hardstandings would be covered over with topsoil and reseeded; the cables would be de-energized and left in place, and any cables marker signs removed; and, the electrical control buildings would be demolished to ground level with the foundations 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.

T. 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.

Given all of the foregoing, it is considered that this proposal will have an adverse impact in regard to landscape and visual considerations. The small amount of electricity generated by these two turbines does not outweigh the significant visual impact that they would create on the surrounding landscape and coastscape which could also establish a harmful precedent for the erection of wind turbines that are of an inappropriate scale for their sensitive countryside locations.

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.

U. 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 0.45 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 this relatively small project 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.