

Argyll & Bute Council
Development & Economic Growth

This report is a recommended response to the Scottish Government's Energy Consents Unit (ECU) consultation on the Section 36 Consultation for Ladyfield Renewable Energy Park Ltd comprising up to 13 turbines with a maximum height of 180m and ancillary infrastructure, including a Battery Energy Storage System (BESS) on Land approximately 4.7 km north of Inveraray

Reference No: 24/00053/S36/ECU00003291
Applicant: The Scottish Government
Proposal: Section 36 Consultation for erection of 13 turbines with a maximum height of 180m, and ancillary infrastructure, including a Battery Energy Storage System (BESS)
Site Address: Land Approximately 4.7 km north of Inveraray

(A) THE APPLICATION

Section 36 Application made up of the following key elements:

- Up to 13 wind turbines (with transformers located at base), up to a maximum tip height of 180m
- Foundations supporting each wind turbine
- Battery Energy Storage System (BESS) with capacity up to 41.4 MW
- Compound containing the substation and control building, battery energy storage system (BESS) and parking
- Permanent meteorological mast, up to 112m in height
- Crane hardstandings and laydown areas at each turbine
- Underground cabling to connect the turbines to the onsite substation
- Two temporary construction compounds
- Extension to existing quarry/borrow pit
- Temporary laydown areas
- Access track to serve the construction and operation of the wind farm, consisting of a combination of upgraded and newly constructed track.
- Felling of approximately 79.3ha of forestry. There will be replanting on-site, however off-site compensatory planting of 48.7 ha will be required.
- 20 new watercourse crossings and 10 existing crossing points require to be upgraded
- Access from public road A819 at two points – formation of new access and upgrading of existing access
- Site signage
- Vehicle turning heads

The expected operational life is 40 years from the date of commissioning.

Connection to Electricity Grid - The grid connection would be routed through existing forest tracks and within the A819, to a new substation on the transmission system located at Creag Dubh, approximately 3km to the north of the site, on the

western side of the A819. The grid connection would be the subject of a separate planning application.

(B) RECOMMENDATION:

That the ECU be notified accordingly that:

- (1) Argyll & Bute Council objects to the proposal on the grounds that there are unresolved noise issues, and it is not possible to reach a conclusion on the proposal's acceptability in this regard at this time. If these matters are resolved Argyll & Council will withdraw this objection.**
- (2) Argyll & Bute Council does not object on landscape and visual grounds, however, recommends the following advice is considered by the Energy Consents Unit:**

Mitigation - Consideration should be given to the mitigation recommended by the Council's Consultant Landscape Architect:

- There is scope to reduce effects on views from Glen Aray and from Dun na Cuaiche by removing or substantially reducing the heights of Turbines 11 and 13. This measure would also reduce intrusion from Loch Fyne, particularly in the Strachur area and would negate adverse impacts (particularly if woodland were to be removed in future) close to Inveraray at Viewpoint 4. It is additionally recommended that off-site planting should be undertaken to extend screening along the A819 and mitigate effects on views.
- The applicant should also consider more ambitious landscape and biodiversity mitigation and enhancement proposals in line with the aims of NPF4 Policy 3. The proposed wind farm should form a catalyst to effect quicker and more far-reaching improvement to uniform and, in places, poorly designed forestry. The proposed Wind Farm Restocking Plan does not hugely differ from the baseline Restocking Plan (see Figures 14.4 and 14.7) and more should be done to improve the angular northern and south-eastern margins of productive forest. The planting of more extensive native woodlands should form part of the Biodiversity Enhancement Management Plan (BEMP) and Wind Farm Forest Plan. Biodiversity and landscape enhancement measures should not be confined to the site (which is limited by its use as a productive forest) but should extend outside the site with the aim of better integrating the forest with its surroundings and improving connectivity for wildlife.
- The effects of visible aviation lighting are concerning particularly given the considerable number of applications in Argyll & Bute where turbine lighting is proposed. While it is accepted that the day-time effects of the proposal would be of greater significance and would be likely to affect more people, consideration should be given to future mitigation of the effects of lighting on the dark skies of Argyll. It is therefore also strongly recommended that an Aircraft Detection Lighting System should be installed at the earliest opportunity as this would reduce the duration and impact of night-time lighting.

- (3) Argyll & Bute Council recommends that the recommendations of the Local Biodiversity Officer are considered by the ECU:**

- Floatation tracks must be used on areas of deeper peat to avoid disturbance.
- While the impact to bats is unlikely to be significant, it would be advisable to monitor any fatalities that may occur from collision as they are found to forage within the wind turbine areas.
- the applicant should include a clear plan of proposed fence siting, the type of marking to be used, the distance from known lek sites, and programme of monitoring fence for any potential black grouse carcasses.

(4) Argyll & Bute Council recommends that all conditions recommended by consultees should be included in any Consent

(C) CONSULTATIONS:

ENERGY CONSENTS UNIT RESPONSES

NatureScot (5th April 2024) – advised the ECU there are natural heritage interests of international importance on site with relation to Glen Etive and Glen Fyne Special Protection Area, but they will not be adversely affected by the proposal. Advice is also provided regarding operational, and construction impacts on Schedule 1 birds, landscape and visual impacts, and priority peatland habitats.

Applicant Response to NatureScot Consultation (29th April 2024) – response was provided to NatureScot's comments.

Loch Lomond & The Trossachs National Park (LLTNP) (15th March 2024) – advised the ECU they do not object.

RSPB Scotland (4th March 2024) – advised the ECU they do not object and welcome the siting of most of the infrastructure within commercial forestry plantation. They consider proposals for the delivery of biodiversity enhancement require further work in respect to the following issues: cumulative development pressures and grid connection route; and delivering biodiversity enhancement in line with NPF4.

Applicant response to RSPB Scotland (29th April 2024) – relating to the grid connection and the outline Biodiversity Enhancement Management Plan (oBEMP).

Historic Environment Scotland (HES) (27th March 2024) – advised the ECU that the proposals do not raise historic environment issues of national significance, and they do not object.

Scottish Forestry (26th February 2024) – initially recommended to the ECU that further consideration should be given to addressing the following issues: restock species; ancient native woodland felling and loss; a native woodland plan; relocation of temporary works; compensatory planting condition; and consenting routes.

Applicant response to Scottish Forestry (24th July 2024) – relating to the matters raised including restock species; ancient woodland; and compensatory planting.

Scottish Forestry updated advice (8th August 2024) – advised the ECU that no outstanding action is required regarding restock species; ancient native woodland; a native woodland plan; and relocation of the temporary works. Previous advice

regarding consenting routes still applies. Compensatory planting of 48.7ha should be secured by a planning condition.

Transport Scotland (TS) (28th February 2024) – advised the ECU they have no objection subject to conditions to secure approval of: the proposed route for any abnormal loads; details of any accommodation measures required to facilitate the abnormal load route; signing or temporary traffic control measures; blade lifter technology (to include risk assessment and method statement); a Construction Traffic Management Plan. Advisory notes are also provided setting out requirements relating to works within the trunk road boundary.

Network Rail (1st March 2024) – advised the ECU they object. They require additional information to enable them to fully assess the impacts of increased traffic movements on Annat West Level Crossing. Network Rail may be able to withdraw its objection subject to provision of satisfactory additional Traffic Assessment/Statement.

Applicant rebuttal to Network Rail (13th March 2024) – response provided to the ECU to clarify the matters raised by Network Rail.

Scottish & Southern Electricity Networks (SSEN) (6th March 2024) – advised the ECU they require more information regarding changes in levels to the access track before they can be satisfied the proposal meets their obligations.

Addendum to SSEN response (22nd April 2024) – advised the ECU that they are satisfied subject an appropriately worded condition to: secure the finished level details of the access road underneath their overhead line before development commences and to ensure the vertical ground clearance underneath the overhead line is acceptable to SSEN Transmission; and, ensure the agreed finished ground levels for the section of the access track underneath the overhead line are enforced.

SEPA (Scottish Environment Protection Agency) (15th March 2024) – initially advised the ECU they objected due to a lack of information in relation to peat. Information required included: the methodology for the peat surveys; provision of all peat depths; and resiting of the access track between T1 and T3 to avoid deep peat. SEPA also provided advice on: Private Water Supplies; Ground Water Dependent Terrestrial Ecosystems; other planning matters and regulatory advice for the applicant.

SEPA response removal of holding objection (26th June 2024) – advised the ECU that following review of information provided by the Applicant, they can remove their objection regarding peat issues and track alignment. SEPA look forward to receiving the final Biodiversity Enhancement Management Plan for full details of net gain when it is produced.

Argyll District Salmon Fishery Board (ADSFB) (19th February 2024) – advised the ECU they are mindful of the recent IUCN reclassification of Atlantic salmon in Great Britain to 'endangered'. They therefore urge that any permissions given for the development include pre, during and post construction monitoring of the water environment and fish populations of the River Aray and its tributary streams. Furthermore, that the developer maintains a line of communication with Argyll Fisheries Trust throughout the construction phase to provide them with assurances that full protection of their interests is maintained.

Scottish Water (12th January 2024) – advised the ECU they have no objection; however, the applicant should be aware that this does not confirm that the proposal can be serviced. Advice is also provided on: Drinking Water Protected Areas and Surface Water.

Ironside Farrar, Peat Landslide Hazard Risk Assessment, Stage 1 Checking Report (PLHRA) (28th March 2024) – advised the ECU that clarification was required in respect to: extent of works required to upgraded track; further probing; confirmation that the Overhead Line has been considered; and the A819 score.

Applicant Response to Ironside Farrar Stage 1 Checking Report (23rd May 2024) – the applicant provided the ECU with clarifications to the points raised.

Ironside Farrar, Peat Landslide Hazard Risk Assessment, Stage 2 Checking Report (PLHRA) (17th September 2024) - confirmed that the Applicant's response adequately addresses the queries raised. The assessment can now be considered complete with no further work/response required at this stage.

Defence Infrastructure Organisation (DIO) (29th January 2024) – advised the ECU they have no objection subject to conditions relating to secure Aviation Lighting and Aviation Charting and Safety Management. As a minimum the MOD require that the perimeter turbines and meteorological mast be fitted with 25cd visible or infra-red (IR) lighting.

NATS Safeguarding (11th January 2024) – advised the ECU they have no objection.

Glasgow Airport (15th January 2024) – advised the ECU they have no objection.

Glasgow Prestwick Airport (GPA) (11th January 2024) – advised the ECU they have no objection.

BT (16th January 2024) – advised the ECU they have no objection.

Argyll & Bute Council Consultee Responses

Consultant Landscape Architect (24th July 2024) – considers there is scope to reduce effects on views from Glen Aray and from Dun na Cuaiche by removing or substantially reducing the heights of Turbines 11 and 13. This measure would also reduce intrusion from Loch Fyne, particularly in the Strachur area and would negate adverse impacts (particularly if woodland were to be removed in future) close to Inveraray at Viewpoint 4. It is additionally recommended that off-site planting should be undertaken to extend screening along the A819 and mitigate effects on views.

The applicant should also consider more ambitious landscape and biodiversity mitigation and enhancement proposals in line with the aims of NPF4 Policy 3. The proposal should form a catalyst to effect quicker and more far-reaching improvement to uniform and, in places, poorly designed forestry. The proposed Wind Farm Restocking Plan does not hugely differ from the baseline Restocking Plan and more should be done to improve the angular northern and south-eastern margins of productive forest. The planting of more extensive native woodlands should form part of the BEMP and Wind Farm Forest Plan. Biodiversity and landscape enhancement measures should not be confined to the site (which is limited by its use as a productive forest) but should extend outside the site with the aim of better integrating the forest with its surroundings and improving connectivity for wildlife.

The effects of visible aviation lighting are concerning particularly given the considerable number of applications in Argyll & Bute where turbine lighting is proposed. While it is accepted that the day-time effects would be of greater significance and would be likely to affect more people, consideration should be given to future mitigation of the effects of lighting on the dark skies of Argyll. It is therefore also strongly recommended that an Aircraft Detection Lighting System should be installed at the earliest opportunity as this would reduce the duration and impact of night-time lighting. Key visualisation for the Committee to review are also recommended:

Applicant response to advice of Consultant Landscape (12th September 2024)

– in summary advise that they have sought to take a positive and reasoned position in their response to the LVIA consultation response. They have explained why they consider the reduction or removal of turbines is not proportionate considering the mitigation work already undertaken and the consequences of taking further action. However, they have taken further steps to provide additional mitigation in the form of micro-siting and aviation lighting reductions. They commit to revisiting habitat restoration opportunities during detailed design.

Consultant Landscape Architect (Review of Applicant's response on the Council's landscape and visual review of the proposal), October 2024 (31st October 2024) – reinforced their previous position of 24th July 2024.

Applicant further response to advice of Consultant Landscape Architect (4th November 2024) – reinforced position, and provided information on design mitigation, Du na Cuaiche, Historic Environment Scotland (no objection), reduced aviation lighting scheme and community engagement. Furthermore, they advise that should Scottish Ministers feel that a reduction of T11 and T13 to 150m to tip be necessary to make the scheme acceptable, they would accept such a scheme change.

West of Scotland Archaeology Service (25th January 2024) - advised they have no objection subject to a condition to secure a programme of archaeological works in accordance with a written scheme of investigation to be submitted by the applicant for the written approval of the Planning Authority in consultation with WoSAS.

Local Biodiversity Officer (23rd January 2024) - advised unable to respond and that statutory consultees such as NatureScot and SEPA are best placed to provide advice on biodiversity, natural heritage, and peat issues.

Local Biodiversity Officer (4th October 2024) – has responded in relation to biodiversity interest, surveys, mitigation, an outline Construction Environmental Management Plan (CEMP), a draft Species Protection Plan (SPP) and an outline Biodiversity Enhancement Management Plan (BEMP).

Noise Consultant (23rd October 2024) – concludes that, in general, good practice has been adopted by the Applicant, with a few minor issues identified: Omission of photos for the noise monitoring location at Maam House; The calibration certificates are omitted; Omission of a description of the windshields that were fitted to the noise monitoring equipment (photographs in Appendix 12.1 'Baseline Noise Survey Records' indicate the windshields used were Rion WS-15 type, which is suitable for surveys of this nature); Omission of charts showing wind speeds and directions; and

The results of the comparative model are not in consistent agreement with the results presented by the Applicant and the reasons for this could not be confirmed. It is recommended that the calculations are checked. Further information on these aspects should be sought from the Applicant, or a suitably worded planning condition included. Following a satisfactory response to the above issues from the Applicant, it is considered that there would be no reasons to object to the scheme on noise grounds. A suitably worded condition to limit the noise levels, tonality and amplitude modulation should be applied to control noise levels from the proposed development. It is expected that conditions relating to approve the final turbine selection will already be included as it relates to other aspects than noise alone.

Response from Applicant – currently awaited

Area Roads (3rd April 2024) – no objection subject to conditions to secure: full details for all locations of carriageway widening for over run areas; a detailed condition survey of the A819 between the A85 Tyndrum - Oban Trunk Road / A819 Inveraray - Dalmally Road junction and the A83 Tarbet - Campbeltown Trunk Road / A819 Inveraray - Dalmally Road junction (recorded by means of video and photographs); Traffic Management Plan; all street furniture that has to be removed, to be replaced with new; site access constructed as per the Council's standard detail drawing SD 08/001 Rev a, after all abnormal loads have stopped; and connection of site access to public road, sightlines to be 160 x 2.40 x 1.05 metres. Notes for intimation to the Applicant include the requirement for a Road Opening Permit and that no surface water should be discharged onto the public road.

Flood Risk Assessor (7th November 2024) – no objection subject to conditions to ensure that watercourse crossings are designed so there is no reduction in pre-development channel cross sectional area ideally to pass the 1 in 200 year plus climate change flood event; and, surface water drainage is designed in accordance with CIRIA C753 and ensures that post development runoff is attenuated to the 1 in 2 year greenfield runoff rate. The surface water drainage should be in operation prior to the start of construction.

Access Officer – at time of writing no response has been received.

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

(D) HISTORY:

23/01459/SCREEN - Section 37 Screening Request for construction of 132kV overhead line, Proposed Blarghour Wind Farm Substation to the Proposed Creag Dhubh Substation, approximately 6km West of Inveraray, Argyll & Bute – Opinion Issued 3rd November 2023.

23/00072/PNWAY - Formation of forest track, Land West of Glenshira Cemetery Inveraray, Argyll & Bute - Prior Approval not Required 6th March 2023.

21/01557/SCOPE - S36 Scoping consultation for proposed wind farm (22 turbines up to 200 meters high to blade tip), Ladyfield Wind Farm, Inveraray, Argyll & Bute – Opinion Issued 15th February 2022.

21/00402/PNFOR - Upgrade of existing forest track and formation of new track, Dunderave Forest, Inveraray, Argyll & Bute - Prior Notification - no objection, 19th March 2021.

20/02178/PP - Erection of meteorological mast (up to 100 metres high), Land 1.5km Northwest of Ladyfield Cottage, Ladyfield Forest, Inveraray, Argyll & Bute - Application Approved, 11th March 2021.

18/01706/PNFOR - Formation of ATV Track, Ladyfield Forest, Inveraray, Argyll & Bute - Prior Notification - no objection 23rd August 2018.

17/00024/PNFOR - Formation of ATV Track, Ladyfield Forest, Inveraray, Argyll & Bute - Prior Notification - no objection 30th January 2017

16/02609/PNFOR – Formation of ATV Tracks, Ladyfield Forest, Inveraray, Argyll & Bute - Prior Notification - no objection 28th October 2016

16/00144/PNFOR - Construction of ATV track (1500 metres in length), Ladyfield Forest, Inveraray, Argyll & Bute - Prior Notification - no objection 24th February 2016.

14/00246/RDCRP - Rural Development Contract, Ladyfield Forest, Inveraray, Argyll & Bute - Application Permitted 28th February 2014.

(E) PUBLICITY:

As the Council is not the Determining Authority the ECU oversees the Publicity of the application.

Public Consultation – Whilst not a statutory requirement for Section 36 applications, the applicant has undertaken Public Consultation. Further information on this is contained in the Ladyfield Renewable Energy Park Pre-Application Consultation Report (October 2023) available on the ECU website (reference: ECU00003291).

(F) REPRESENTATIONS:

As the Council is not the determining Authority any letters of representation are considered by the Energy Consents Unit. At time of writing, 12 representations in support have been received by the ECU. The key issues raised are summarised below:

- Ten of these letters of support are from people who own and occupy land adjacent to the proposal that simply confirm that they have no objection.
 - Inspire Inveraray fully support the application for the Ladyfield Renewable Energy Park Development. RCE have held consultations with the community offering an opportunity for questions and discussions, with regular updates on changes to planning. We are of the opinion that RCE will be a good 'neighbour' throughout the project's lifetime, working with and benefiting the community.
 - On behalf of Inveraray Senior Citizens Committee, I wish to make a representation in support of the above application. Ridge Clean Energy Ltd have
-

been active in the Inveraray community for some time now and have been very generous towards our Group by funding our broadband connection for 24 months, which has been a great boost to us, freeing up our own funds to use for the benefit of the senior citizens in the town - much needed more than ever since the Pandemic. We, the Committee, fully support this application as it would be of tremendous benefit to the area and to the town of Inveraray and we hope you will give it your careful consideration and ultimate approval.

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

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

(G) SUPPORTING INFORMATION

Has the application been the subject of:

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

EIAR (October 2023) presented in 4 volumes:

- Volume 1 – EIA Report Text
- Volume 2 – EIA Report Figures
- Volume 2a – Figures excluding LVIA
- Volume 2b – LVIA Figures
- Volume 2c – LVIA Visualisations
- Volume 3 – EIA Report Technical Appendices; and
- Volume 4 – EIA Report Non-Technical Summary (NTS)

Key topics covered in the EIAR include: Introduction; Development Description; Site Selection & Design; Planning Policy; EIA Methodology; Landscape & Visual Impact Assessment (LVIA); Ornithology; Ecology; Archaeology & Cultural Heritage; Hydrology & Hydrogeology; Geology & Peat; Noise; Traffic & Transport; Forestry; Land Use, Socio-Economics, Tourism & Recreation; Climate Change & Carbon Balance; Other Issues: Shadow Flicker, Aviation, Telecommunications, Television Reception & Utilities; Intra-Project Cumulative Effects; and Schedule of Mitigation.

In addition, the following documents are also provided in support of the application:

- Planning Statement
- Design and Access Statement, and
- Pre-Application Consultation Report;

(ii) An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994: NatureScot will advise the ECU

- (iii) **A Design or Design/Access statement:** Yes
 - (iv) **Sustainability Checklists (with reference to the requirements of LDP2 Policy 04):** Not required proposal accompanied by full EIAR.
 - (v) **A report on the impact of the proposal e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** All relevant reports are encompassed within the EIAR
-

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

- (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 considered in the assessment of the application**

- (i) **List of all Development Plan Policy considerations considered in assessment of the application.**

[National Planning Framework 4 \(Adopted 13th February 2023\)](#)

NPF4 Policy 1 – Tackling the Climate and Nature Crises
NPF4 Policy 3 – Biodiversity
NPF4 Policy 4 – Natural Places
NPF4 Policy 5 – Soils
NPF4 Policy 6 – Forestry, Woodland, and Trees
NPF4 Policy 7 – Historic Assets and Places
NPF4 Policy 11 – Energy
NPF4 Policy 22 – Flood Risk and Water Management
NPF4 Policy 33 – Minerals

Annex B – National Statements of Need

3. Strategic Renewable Electricity Generation and Transmission Infrastructure

[Argyll & Bute Local Development Plan 2 \(Adopted 2024\)](#)

Policy 02 – Outwith Settlement Areas
Policy 04 – Sustainable Development
Policy 15 – Protection, Conservation and Enhancement of Our Historic Environment
Policy 16 – Listed Buildings
Policy 19 – Scheduled Monuments
Policy 20 – Gardens and Designed Landscapes
Policy 21 – Sites of Archaeological Importance
Policy 30 – The Sustainable Growth of Renewables

Policy 31 – Minerals
Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
Policy 43 – Safeguarding of Aerodromes
Policy 55 – Flooding
Policy 56 – Land Erosion
Policy 57 – Risk Appraisals
Policy 58 – Private Water Supplies and Water Conservation
Policy 59 – Water Quality and the Environment
Policy 60 – Private Sewage Treatment Plants and Wastewater Drainage Systems
Policy 61 – Sustainable Drainage Systems (SuDS)
Policy 62 – Drainage Impact Assessments
Policy 63 – Waste Related Development and Waste Management
Policy 70 – Development Impact on National Scenic Areas (NSA's)
Policy 71 – Development Impact on Local Landscape Areas (LLA's)
Policy 73 – Development Impact on Habitats, Species and Biodiversity
Policy 74 – Development Impact on Sites of International Importance
Policy 77 – Forestry, Woodland, and Trees
Policy 78 – Woodland Removal
Policy 79 – Protection of Soil and Peat Resources

(ii) List of all other relevant planning considerations considered in the assessment of the application, having due regard to Annex A of Circular 3/2013.

- Draft Energy Strategy and Just Transition Plan (January 2023)
- Onshore Wind Policy Statement (OWPS) (December 2022)
- Historic Environment Policy for Scotland (HEPS, 2019)
- Managing Change in the Historic Environment
- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
- Scottish Government Good Practice Principles for Shared Ownership and Community Benefit of Onshore Renewable Energy Developments (May 2019)
- Argyll & Bute Landscape Wind Energy Capacity Study (2017) (LWECS)
- Siting and Designing Wind Farms in the Landscape, SNH (August 2017)
- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
- Onshore Wind Turbines: Planning Advice, Scottish Government (May 2014)
- Guidance for Landscape and Visual Impact Assessment, 3rd Edition, Landscape Institute, and Institute of Environmental Management & Assessment, (2013)
- PAN 1/2011: 'Planning and Noise' (March 2011)
- The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- Views of statutory and other consultees
- Planning history of the site
- Legitimate public concern or support expressed on relevant planning matters

(G) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No - Environmental Impact Assessment was required.

(H) Has the application been the subject of statutory pre-application consultation (PAC): No - PAC is not required for S36 applications.

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

(J) Requirement for a pre-determination hearing: No

(K) Is the proposal consistent with the Development Plan: Yes

**(L) Need for notification to Scottish Ministers or Historic Environment Scotland:
No**

Author of Report: Arlene Knox

Date: 6th November 2024

Reviewing Officer: Sandra Davies

Date: 6th November 2024

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

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 24/00053/S36

COMMITTEE REPORT

PLANNING LAND USE AND POLICY ASSESSMENT

1. THE SECTION 36 CONSENTING REGIME

- 1.1 In Scotland, any application for an onshore power generating station with an installed capacity of over 50 megawatts (MW) requires the consent of Scottish Ministers under Section 36 of the Electricity Act 1989. Any authorisation given includes a deemed planning permission. Consequently, there is no need for a planning application to be made to the Council. The Council's role in this process is one of a consultee.
- 1.2 The Development Plan is not the starting point for considering S36 applications. The reason for this is that the sections of the Planning Act which establish the primacy of Development Plan Policy in decision making are not engaged. NPF4 and LDP2 now form the Development Plan. Whilst they do not have primacy in S36 decision making, they remain an important consideration to inform the Council's consultation response.
- 1.3 Schedule 9 of the Electricity Act requires the applicant and the decision maker to have regard to the preservation of amenity. It requires that in the formulation of proposals the developer shall have regard to:
- (a) the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiological features of special interest and of protecting sites, buildings and objects of architectural, historical or archaeological interest; and
- (b) shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings, or objects.
- 1.4 It obliges the Scottish Ministers as decision maker to have regard to the desirability of the matters at (a) and the extent to which the applicant has complied with the duty at (b).
- 1.5 Assessment of the proposal against the policies of NPF4 and LDP2 will ensure that proper consideration is given by the Council to the extent that the proposal satisfies these Schedule 9 duties.
- 1.6 The Council can either support or object and recommend conditions to be imposed if consent is granted by Scottish Ministers. If an objection is raised by the Council, Scottish Ministers are obliged to hold a Public Local Inquiry (PLI) if they are minded to grant consent. They can also choose to hold a PLI in other circumstances at their own discretion. Any Inquiry would be conducted by a Reporter appointed by the Directorate for Planning and Environmental Appeals. If consent is granted the Council as Planning Authority is responsible for the agreement of matters pursuant to conditions, ongoing monitoring and enforcement.

- 1.7 This report considers the relevant policy considerations, planning merits, views of consultees and representations. It recommends views to be conveyed to the Energy Consents Unit (ECU) for consideration before a decision is made.

2. SPATIAL AND SETTLEMENT STRATEGY

- 2.1 Policy 02 – Outwith Settlement Areas establishes acceptable scales of development in three different zones. The main wind farm site is located with Remote Countryside Area, which only supports specific categories of development. This includes renewable energy related development. In principle, Policy 02 supports renewable energy and ancillary development in these areas, providing they are consistent with all other relevant LDP2 Policies. With respect to the requirement for developments to accord with all other relevant policies, particular attention is drawn to Policies 70 to 76 with respect to landscape and the natural environment. Proposals must also demonstrate that there will be no unacceptable adverse effects (individual or cumulative) on natural heritage, built and/or cultural heritage, and landscape and visual amenity.
- 2.2 Policy 04 – Sustainable Development requires that in preparing new proposals developers should demonstrate the following sustainable development principles (where relevant) such as: maximise the opportunity for local community benefit; support existing communities and maximise the use of existing infrastructure and services; conserve and enhance the natural and built environment and avoid significant adverse impacts on biodiversity, natural and heritage assets; respect the landscape character of an area and the setting and character of settlements; avoid places with significant risk of flooding, or ground instability and avoid having significant adverse impacts on land, air and water environment. This application is supported by an Environmental Impact Assessment Report (EIAR) which sets out in detail the measures proposed to ensure the proposal is ‘Sustainable Development’.
- 2.3 Policy 11 – Energy of NPF4 and Policy 30 – Sustainable Growth of Renewables LDP2 provide the primary policy framework for assessing renewable energy proposals. In this case, subject to consideration of the mitigation recommended by the Council’s consultant landscape architect it is considered that the landscape & visual impact of the proposal is acceptable, and that all other matters can be suitably mitigated by planning conditions. Considering this, it is concluded that the proposal is consistent with development plan policy relating to the spatial and settlement strategy, which requires proposals to be consistent with all relevant policies.
- 2.4 For the reasons detailed in this report, it is considered that this proposal satisfies Development Plan Policy and associated guidance in respect of renewable energy development in Argyll & Bute.
- 2.5 **Having due regard to the above, subject to consideration of the mitigation recommended by the Council’s Consultant Landscape Architect and recommended planning conditions it is considered that this proposal is consistent with the provisions of LDP 2 Policy 02 – Outwith Settlement Areas and LDP Policy 04 – Sustainable Development.**

3. ENERGY & SUPPORTING THE SUSTAINABLE GROWTH OF RENEWABLES

- 3.1 Argyll & Bute Council is keen to ensure that Argyll & Bute continues to make a positive contribution to meeting the Scottish Government's targets for renewable energy generation. These targets are important given the compelling need to reduce our carbon footprint and reduce our reliance on fossil fuels, reinforced by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. The Council will support renewable energy developments where these are consistent with the principles of sustainable development, and it can be adequately demonstrated that there would be no unacceptable significant adverse effects.
- 3.2 This proposal has been assessed primarily against the two lead Statutory Development Plan policies relating to renewable energy, Policy 11 – Energy of NPF4 and Policy 30 – the Sustainable Growth of Renewables of LDP2. Other policies are referred to where relevant.

4. LOCATION NATURE, AND DESIGN OF PROPOSAL

- 4.1 The proposed site covers an area of approx. 790 ha and is located approx. 4.7km north of Inveraray. The proposed development would be operational for up to 40 years, and thereafter would be decommissioned.
- 4.2 The elevation of the site ranges from 470m AOD in the east and falls to around 100m AOD in the west. There are several hilltops and ridges within and surrounding the site with the ridge Ceann Chreagan located in the south of the site. Hills in the vicinity include Stuc Scardan (487m AOD) directly east and Tom an Fheidh (237m AOD) directly north.
- 4.3 Five watercourses traverse the site, including the River Aray, as well as numerous unnamed tributaries draining into the River Aray. Additionally, several small lochans can be found within and surrounding the site.
- 4.4 The predominant land use within the site consists of private forestry plantation used for commercial purposes with area of upland moorland also present in the south and east of the site.
- 4.5 No public roads are located within the site. Nearby major roads include the A819 directly to the west and the A83 to the south. The B840 also joins the A819 approx. 4.9km to the north.
- 4.6 The path C201 – Dun Na Cuaiche is the nearest Core Path to the site and is located approx. 2.7km to the south.
- 4.7 The closest settlement is Inveraray, approx. 4.7km to the south. While there are several dispersed residential properties surrounding the site, there are no residential properties within it and no properties within 1km of the proposed turbine locations. The closest residential property is Ladyfield Farm, which lies 1.1km northwest of the nearest turbine (T11).
- 4.8 Proposed Development – the main components are:

- **Turbines** - Up to 13 turbines, each with a maximum tip height of up to 180 m, with an overall capacity up to 58.5 MW. Each turbine may require a small transformer located at its base. Each turbine will have a foundation.
- **Site Access** - The site will be accessed via two access points off the A819. A new access junction is proposed to be constructed in the north of the Site, as part of the Development. Secondly, an existing access junction would be upgraded and the existing crossing over the River Aray would be removed and a new bridge installed.
- **Access track** - to serve the construction and operation of the wind farm, this will consist of a combination of upgraded track and newly constructed track. The length of onsite access tracks will total approximately 13.7 km which consists of localised upgrades to 4 km of existing forestry track and 9.7 km of new track
- **Electrical Infrastructure** - A substation and control building. The substation and control building will be located within a compound, shared with the BESS which will also include any external electrical infrastructure and vehicle parking. Underground cabling, laid where possible alongside the access tracks, will link the turbine transformers to the onsite substation.
- **Battery Energy Storage System** - The project will have a BESS with a capacity up to 41.4 MW.
- **Crane Hardstanding** - Crane hardstandings will be required adjacent to each turbine.
- **Temporary Construction Compound** - Two Temporary Construction Compounds will be required during the construction of the Development, forming an area of hardstanding providing space for temporary welfare, parking, lay down areas and potentially concrete batching.
- **Existing Quarry** - The project will include a 50m x 40m extension to the existing quarry
- **Forestry Felling** - The Development will require the felling of approximately 79.3 hectares (ha) of existing forestry. There will be replanting on-site, however off-site compensatory planting of 48.7 ha will be required.
- **Watercourse Crossings** - 20 new watercourse crossing points will be required. 10 existing crossing points will require upgrading.
- **Met Mast** - A permanent mast is proposed. The met mast will be a free-standing lattice tower up to 112 m in height.
- **Site signage**

Infrastructure

- 4.9 Connection to Electricity Grid – the grid connection would be routed through existing forest tracks and within the A819, to a new substation on the transmission system located at Creag Dubh, approx 3km to the north. This would be subject to further appraisal work and a separate planning application.
- 4.10 Scottish & Southern Electricity Networks – have advised the ECU they are satisfied subject to an appropriately worded condition to secure the finished level details of the access road underneath their overhead line, to ensure the ground clearance underneath the line is acceptable, and to ensure any agreed finish ground levels for the access track underneath the overhead line are enforced.
- 4.11 Scottish Water – have advised the ECU that they have no objection, however this does not confirm that the proposal can currently be serviced. Advice is also provided on Drinking Water Protected Areas and Surface Water.

- 4.12 Drinking Water Protected Areas – they have confirmed there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposal.
- 4.13 Surface Water – for reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water have advised that they will not accept any surface water connections into their combined sewer system.
- 4.14 Private Water supplies (PWS) – SEPA have advised the ECU there are no private water supplies within the site boundary. One PWS for domestic use was identified 138m west of the site boundary which supplies Ladyfield farm. The PWS source is described as a spring with intake drawing from the Allt a Mhadaidh burn. It is located outside the relevant buffer zones as set out in SEPA guidance with the closest wind farm infrastructure, access track and T13 located approx. 900m east of the spring. Overall SEPA agree with the applicant's risk assessment for the PWS sources and the proposal to monitor Ladyfield PWS.

5. NET ECONOMIC IMPACT, INCLUDING LOCAL AND COMMUNITY SOCIO-ECONOMIC BENEFITS

- 5.1 Policy 11 – Energy of NPF4 states that proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities. Policy 30 – the Sustainable Growth of Renewables of LDP 2 requires all applications for wind turbine developments to be assessed in terms of net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities.
- 5.2 During the construction phase, there is anticipated to be a moderate (beneficial) effect on the regional and Scottish economy because of capital expenditure in the local area from the proposal. A minor (beneficial) effect is predicted for local employment, and a negligible effect on skill development and indirect employment.
- 5.3 During the operational phase, a minor beneficial effect is anticipated for the local and regional economy, as well as a negligible effect on local employment opportunities.
- 5.4 The Applicant has stated they will contribute £5000 per MW of installed capacity per annum into a community benefit fund. This equates to a maximum of £429,000 of income per annum, or over £17.1 million over the 40-year operation life of the proposal, subject to the eventual turbines and capacity installed. A moderate (positive) effect is therefore predicted in relation to direct economic benefits.
- 5.5 The Applicant has been involved in community initiatives including working with Inspire Inveraray and Inveraray Community Council to restore Inveraray Pier and supporting Inveraray Senior Citizens 'Warm Spaces' project in partnership with Inveraray Community Council and The George Hotel. Both Inspire Inveraray and Inveraray Senior Citizens Committee have written to the ECU in support of this proposal (included in the 12 letters of support at Section F)

- 5.6 The economic benefits associated with this proposal relating to job creation and benefits to the local economy from the influx of construction workers, by spending on accommodation, eating out and visiting local attractions are a relevant consideration, which has been considered. Community Benefit is not however, a 'material planning consideration' in the determination of planning applications, as there is no planning mechanism available to secure it. If consent were to be granted, the negotiation of any community benefit either directly with the local community or under the auspices of the Council, would take place outside the application process.
- 5.7 **Having due regard to the above it is considered a degree of net economic impact including local and community socio-economic benefits typical of such developments will be provided. It is therefore concluded that the proposal is consistent with the provisions of Policy 11 – Energy of NPF4 and Policy 30 – The Sustainable Growth of Renewables of LDP2 in this regard.**

6. IMPACTS ON COMMUNITIES AND INDIVIDUAL DWELLINGS, INCLUDING RESIDENTIAL AMENITY, VISUAL IMPACT, NOISE AND SHADOW FLICKER

- 6.1 Policy 11 – Energy of NPF4 requires that project design and mitigation will demonstrate how impacts on communities and individual dwellings, including residential amenity, visual impact, noise and shadow flicker have been addressed. Policy 30 – the Sustainable Growth of Renewables of LDP2 requires all applications for renewable developments to be assessed in terms of impacts on communities and individual dwellings, including visual impact, residential amenity noise and shadow flicker (including cumulative).

Noise

- 6.2 ABC Noise Consultant – has concluded that, in general, good practice has been adopted by the applicant, with a few minor issues identified: omission of photos for the noise monitoring location of Maam House; the calibration certificates are omitted; omission of a description of the windshields that were fitted to the noise monitoring equipment (photographs in Appendix 12.1 'Baseline Noise Survey Records' indicate the windshields used were Rion WS-15 type, which is suitable for surveys of this nature); omission of charts showing wind speeds and directions; and the results of the comparative model are not consistent with the results presented by the Applicant and the reasons for this could not be confirmed. It is recommended that the calculations are checked.
- 6.3 Further information on these aspects should be sought from the applicant, or a suitably worded planning condition included. Following a satisfactory response to the above issues from the applicant, it is considered that there would be no reason to object to the scheme on noise grounds. A suitably worded condition to limit the noise levels, tonality and amplitude modulation should be applied to control noise levels from the proposed development. It is expected that conditions relating to approve the final turbine selection will already be included as it relates to other aspects than noise alone.
- 6.4 The applicant received the advice from the Council's Noise Consultant on the 24th of October and has had limited time to provide the clarification sought in

advance of completion of this report. This said they are confident that the matter can be resolved in advance of PPSL on the 20th of November and that an update could be provided to Members by way of a Supplementary Report. It should be noted that the late provision of consultation advice on noise was due to an officer error and is not the fault of the applicant. Due to the outstanding clarification, it is not possible to reach a conclusion on noise at time of writing.

Shadow Flicker

- 6.5 A shadow flicker assessment is required when any properties lie within 10 rotor diameters of a wind farm. This is in line with Scottish Government online renewables planning advice on 'onshore wind turbines' which states that: "*where separation is provided between wind turbines and nearby dwellings (as a rule 10 rotor diameters), 'shadow flicker' should not be a problem.*"
- 6.6 The EIAR identified nearby properties where shadow flicker effects might arise. Ten potential properties were identified in locations where shadow flicker effects could arise. Four were identified as actually experiencing shadow flicker effects, three of them are classed as significant: Ladyfield farm, Ladyfield replacement dwelling and Ladyfield barn conversion.
- 6.7 As significant effects have been identified for these properties' mitigation measures have been identified by the applicant, which will involve automated monitoring which will shut off the relevant turbine(s) at times and conditions when shadow flicker could arise, thus preventing significant effects. Considering this, it is recommended that if consent is granted a shadow flicker mitigation scheme is secured by a planning condition.
- 6.8 Having due regard to the above it is not possible to reach a conclusion on whether the proposal is acceptable in terms of Noise Impact. The applicant is confident that this can be resolved prior to PPSL committee and Members will be updated with a Supplementary Report. It is therefore recommended that the Council objects on these grounds until this matter is resolved, as the proposal is currently contrary to the provisions of Policy 11- Energy, and Policy 30 – The Sustainable Growth of Renewables of the LDP2 in this respect.**
- 6.9 Having due regard to the above it is concluded that the proposal is acceptable in terms of any potential shadow flicker impact subject to a condition to secure a shadow flicker mitigation scheme and is therefore consistent with the provisions of Policy 11- Energy, and Policy 30 – The Sustainable Growth of Renewables of the ABLDP2 in this respect.**

7. SIGNIFICANT LANDSCAPE AND VISUAL IMPACTS

- 7.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrates how significant landscape and visual impacts have been addressed, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered acceptable. Policy 4 a) - Natural Places of NPF4 states that proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported. Policy 30 – The Sustainable Growth of

Renewables of LDP2 requires all applications for wind turbine developments to be assessed against landscape and visual impacts.

- 7.2 The Council's Consultant Landscape Architect - has undertaken a review of the landscape and visual effects of the proposal, which is based on examination of the EIAR and visits to the area surrounding the site.
- 7.3 The proposal – comprises 13 turbines, 180m to blade tip. It would be sited in a productive coniferous forest in Glen Aray to the north of Inveraray. The A819 is aligned through this glen and two access points to the site would be created from this road. Up to 4km of upgraded existing forest tracks and 9.7km of new track would be constructed within the site. Ancillary development includes borrow pits, a substation, and a Battery Energy Storage System (BESS). Visible aviation lighting is a requirement and would be fixed to the nacelles and towers of all 13 turbines. A reduced lighting scheme does not appear to have been agreed with the Civil Aviation Authority (CAA) and the applicant has made no commitment to mitigation other than a reduction in the intensity of hub lights from 2000 candela to 200 candela in periods of good visibility. Visible aviation lighting is not addressed in the description of the proposal in Chapter 2 of the EIA. Technical Appendix 6.5 provides an assessment of the effect of visible aviation lighting.
- 7.4 The Design & Access Statement describes the design objectives and the mitigation. Chapter 3 of the EIA describes the site selection and design. At Scoping stage, the scheme comprised 22 turbines, 200m high and the southernmost turbines were omitted to minimise effects on the settlement of Inveraray, Dun na Cuaiche and Inveraray Castle. Key design objectives aimed at minimising landscape and visual effects are set out in Table 3.1 of the EIA. There are some omissions and errors in Chapter 3 of the EIA. Paragraph 3.2.2 fails to mention the presence of the Area of Panoramic Quality (APQ) designated landscape focused on the head of Loch Awe in relation to sensitive landscape receptors. The description of mitigation also implies that effects on Dun na Cuaiche would no longer be significant following removal of the southernmost turbines. This is not the case as the Landscape & Visual Impact Assessment (LVIA) concludes effects would be significant from this feature (Viewpoint 18). Table 3.1 usefully lists environmental impacts and responses but does not mention the landscape and visual effects of aviation lighting and whether consideration was given to mitigation to reduce the number of turbines requiring lights and the future implementation of an Aircraft Detection Lighting System (ADLS) which would significantly reduce the duration of lighting.
- 7.5 Chapter 14 of the EIA addresses forestry matters. The forest on the site is owned by Argyll Estates and is subject to an existing Long Term Felling Plan. It is noted that the Wind Farm Restocking Plan (Figure 14.7) does not significantly differ from the Baseline Restocking Plan. Compensatory planting of 48.7ha of woodland would be required off-site.
- 7.6 An Outline Biodiversity Enhancement Management Plan (BEMP) is set out in Technical Appendix 8.4. This sets out outline aims, objectives and prescriptions focused on mire and heath restoration, peatland restoration, semi-natural woodland enhancement and riparian woodland planting on the site. It is proposed to set up a Biodiversity Management Group (which would include Argyll & Bute Council) to oversee the delivery of the BEMP.

- 7.7 An EIA accompanies the application, the purpose of which is to provide impartial information on the potential environmental effects of a proposal. It is therefore highly unusual for EIA documents to include a cover promoting the credentials of the developer as is done for the Technical Appendices and the Design & Access Statement.
- 7.8 The Landscape & Visual Impact Assessment (LVIA) - accords with the Guidelines for Landscape & Visual Impact Assessment, Third Edition (GLVIA3). The visualisations are clear and consistent with best practice guidance although it is not clear whether the visualisations from closer viewpoints from the A819 (particularly Viewpoint 2) illustrate the forest felling proposals to accommodate the wind turbines. The Councils Consultant Landscape Architect finds the LVIA to be thorough and fair in its findings and agrees with most of its conclusions of the significance of effects.
- 7.9 The Argyll & Bute Landscape Wind Energy Capacity Study 2017 – The proposal lies within the Loch Fyne Upland Forest Moor Mosaic Landscape Character Type (LCT) identified in the Argyll & Bute Landscape Wind Energy Capacity Study (2017 Capacity Study). This landscape comprises a narrow band of hills either side of Loch Fyne. It has a varied landform with complex and pronounced hills aligning the north-west shore of Loch Fyne and occurring north of Portavadie. Broader basins and plateaux also occur particularly at the transition with the Craggy Upland LCT. This upland landscape has a simple landcover of forestry and moorland and is sparsely settled. Key sensitivities are noted as being more complex and smaller scale landform closer to Loch Fyne and the high visibility of these uplands from roads and settlement including from the A83 a major tourist route. The study concluded that this landscape would have a high sensitivity to turbines > 130m high to blade tip.
- 7.10 Constraints to development listed in the 2017 Capacity Study include the narrowness of this landscape and its high visibility across Loch Fyne, the more complex landform features which backdrop the settled shores of Loch Fyne and the proximity of parts of these uplands to highly sensitive landscapes including the Kyles of Bute and Knapdale National Scenic Areas and the coastal fringes of Loch Fyne. Potential cumulative effects with other wind farms from elevated viewpoints including from Dun na Cuaiche, the A83 and B8000 and from settlement on the south-eastern side of Loch Fyne are also noted as potential constraints. The 2017 Capacity Study additionally identified potential opportunities for wind energy development in this landscape as comprising the broader shallow basins and more gently undulating plateaux found at the transition with the Craggy Upland LCT which could provide some visual containment of turbines thus limiting effects on more settled areas and the simple landcover of forestry and moorland and absence of landscape designations within the majority of the LCT.
- 7.11 Effects on landscape character - The Loch Fyne Upland Forest Moor Mosaic LCT, within which the site is located, has a large to medium scale. The rolling hills present in the core of this LCT are largely forested and have a simple landform and landcover pattern. These key characteristics reduce the susceptibility of much of this landscape although the complexity of the landform and landscape pattern increases (and the scale reduces) at the transition of these uplands with the Rocky Mosaic LCT which occurs on the fringes of Loch Fyne. The proposal would comprise very large wind turbines which would overwhelm the scale of Glen Aray, a deeply incised glen which cuts through the

uplands to Loch Fyne (illustrated in Viewpoints 1-3). The effects of the proposal on the character of part of this LCT would be major adverse and significant.

- 7.12 The relative confinement of the proposal within Glen Aray limits the extent of visibility and degree of intrusion on adjoining LCTs. The Council's Consultant Landscape Architect agrees with the LVIA however that significant adverse effects would also occur on parts of the Steep Ridgeland and Mountains LCT 1, the High Tops LCT 1 and the North Loch Awe Craggy Upland LCT 7c.
- 7.13 Effects on designated landscapes - The proposal is not located in a designated landscape. It lies within 11km of Loch Lomond and Trossachs National Park. The LVIA provides an assessment of effects on the special landscape qualities of the National Park and concludes that effects would not be significant. The Loch Lomond and Trossachs Park Authority confirm their agreement with this in their consultation response.
- 7.14 The proposal borders the North Argyll Local Landscape Area (LLA) defined in Argyll & Bute Council's Local Development Plan (formerly known as Area of Panoramic Quality). The East Loch Fyne and West Loch Fyne LLAs lie close, between 5-10km at their closest points, although it is considered that due to the limited visibility of the proposal from these designated landscapes, effects on their character and special qualities would not be significant.
- 7.15 The LVIA has provided a detailed assessment of effects on the North Argyll LLA. The assessment is hampered by the absence of any citation or other information which provides background on the reasons for designation and a description of character and/or special qualities of the designated area. The LVIA assessment of the magnitude of change associated with the wind farm focuses on the visibility of the proposal rather than providing an analysis of the effects on the character and the special qualities of the designated area. The North Argyll LLA covers an extensive area which varies hugely in its character, and this also makes it difficult to undertake a meaningful assessment of effects on special qualities. The LVIA concludes that there would be some significant adverse effects on the North Argyll LLA although is not specific as to what these effects might be apart from stating that... 'The landscape character of the south-western part of the APQ would be redefined' (paragraph 6.8, under heading significance of effect). The LVIA concludes that the remaining parts of the APQ would not be significantly affected due to the greater separation of the development combined with the influence of existing wind farms to the west of the designated area.
- 7.16 Viewpoints 1, 10, 11, 12, 15 and 17 lie within the North Argyll LLA. It is considered that there would be some significant adverse effects on views from parts of the LLA, particularly where the proposed turbines would be seen on the skyline of the hills which contain the scenic basin at the head of Loch Awe. Lower elevation views from open sections of the A85 north-west of St Conan's Kirk are particularly sensitive in this respect.
- 7.17 Comparisons have been made between the proposed Upper Sonachan wind farm which was refused on appeal in 2019 with significant effects on the North Argyll Area of Panoramic Quality (now called the LLA in the current LDP) forming one of the key reasons for its refusal. Upper Sonachan comprised 18 turbines, 136.5m high which were located within the designated area and closer than the Ladyfield proposal to key viewpoints along the A83. One of the key differences

of the Ladyfield proposal with the Upper Sonachan development is its location slightly behind the upland edge with landform screening turbine bases and consequently reducing their prominence (see Viewpoint 10 from St Conan's Kirk). Upper Sonachan, although comprising significantly smaller turbines, was located on inward facing slopes around the head of Loch Awe, appearing to 'fall down' into the basin. It was also visible from Kilchurn Castle and from other parts of upper Loch Awe. The Ladyfield wind farm proposal would not be visible from the castle and is also less prominently sited than Upper Sonachan. Based on this review, while it is considered some significant adverse effects would occur on views and on the undeveloped nature of the skyline of the scenic island-studded head of Loch Awe, it is not considered that the integrity of the designated area would be compromised given the extent and nature of those effects.

- 7.18 Visual effects - Theoretical visibility of the proposal is shown on Figures 6.5b and 6.6b of the EIAR. The location of the proposal on the eastern slopes of Glen Aray provides a degree of visual containment with visibility principally concentrated to the north across the head of Loch Awe, across part of the waters of upper Loch Fyne and with patchy areas of visibility from higher hill slopes and summits located on the western edge of the Loch Lomond and Trossachs National Park.
- 7.19 There would be limited visibility from the flatter ground on the north-west shore of Loch Fyne in the Inveraray area. Visibility would also be limited from the south-eastern shores of Loch Fyne between St Catherines and Strachur and where there are views from this area, the turbines would be seen 'end on' limiting their horizontal extent which would further minimise effects on visual amenity. Views from Strachur (Viewpoint 8) illustrate the worse-case degree of intrusion within 10km distances from this side of Loch Fyne and turbines 11 and 13 would be particularly prominent in these views. More turbines may be visible further south-west down the loch but seen at distances of >15km which would lessen intrusion.
- 7.20 Significant adverse effects on views would principally occur from the following locations:
- **The head of Loch Awe** where the proposal would be seen intermittently from the A83 (due to screening by buildings in Lochawe and woodland) and from the railway. There would be no visibility from Kilchurn Castle which is a popular visitor attraction but there would be open views from the grounds to the south of St Conan's Kirk (VP 10) and from the A83 where it is more open to the west of the Kirk where they would introduce wind turbines to views across the loch where none are presently seen. Views would be more screened from the Cruachan Power Station Visitor Centre (VP17), but open views would occur from the slopes and summit of the Munro hill of Ben Cruachan (VP 12). While a cluster of operational/consented wind farms are/will be visible from the main route/summit of Ben Cruachan either side of the narrowing form of Loch Awe to the south-west, this proposal would be closer to the more scenically rich head of the loch and comprise larger turbines which would increase intrusion when compared with these other developments.
 - **Dun na Cuaiche** where turbines 11 and 13 would be particularly prominent and seen at distances of 4.68km (the blades of other turbines at the southern end of the wind farm may also be visible although screening by trees would increase when they are in leaf). The proposal would not impact on the key

focus of views along Loch Fyne but would nonetheless impinge on the panoramic views which are a feature of this location and would also detract from long views to the Ben Cruachan massif which contributes to the mountainous landscape setting of the folly.

- **Beinn Bhuidhe summit** A Munro hill which is popular with walkers. The operational Clachan Flats wind farm is located 4.6km distance and while this proposal would be more distant at 9.3km, it would introduce turbines almost twice the height of the 93m high Clachan Flats turbines with a significantly more extensive horizontal extent of the view taken up as all 13 turbines would be seen base to tip in an open upland location. Lighting of the proposed turbines would extend the duration of significant effects for walkers who choose to wild camp overnight or arrive/leave at dawn/dusk.
- **A819 through Glen Aray** Viewpoints 1, 2 and 3 illustrate the proximity of the proposal to this road which is used by both local people and visitors to the area. Views are restricted from much of the A819 between Inveraray and Cladich by roadside vegetation. However, where open views occur close to the proposal, the turbines would appear very close and would overwhelm the viewer because of the way they would fill and dominate views. Turbine 11 and to a lesser degree Turbine 13 would be particularly dominant in Viewpoints 2 and 3. Nearby residential properties will experience similar views. The northern access point created off the A819 is likely to require some clearance of vegetation and could increase visibility. Lighting on hubs and towers will extend the duration of effects experienced from the A819 and from some residential properties in Glen Aray. There are no other turbines of this size located so close to public roads in Argyll. This route is popular with visitors to the area, and this is not acknowledged in the LVIA where a medium level of sensitivity is accorded to road users.

- 7.21 The Residential Visual Amenity Assessment (RVAA) - identifies 12 residential properties lying within 2km of the proposal. It concludes that significant effects would occur on all 12 of these properties. The Residential Visual Amenity threshold is judged likely to be reached for 4 of these properties, the existing dwellings of Ladyfield Farm and North Tullich and two properties with planning permission for conversion to dwellings at Ladyfield Farm.
- 7.22 Night-time lighting effects - Technical Appendix 6.5 of the EIA provides an assessment of night-time effects. Visualisations have been generated to show night-time effects from four representative viewpoints at VPs 1, 4, 10 and 15. The assessment concludes that significant adverse effects would arise at VPs 1 (A819) and VP 15 (Beinn Bhuidhe). The conclusions to Technical Appendix 6.5 additionally note that significant effects would arise on night-time views from Dun na Cuaiche. Effects of night-time lighting on residential properties are mentioned on pages 9 and 10 of Technical Appendix 6.5 and (using VP 1 as representative views) it appears to be concluded that residents in Glen Aray would be likely to experience significant effects. It is noted that the detailed assessments of residential visual amenity in Technical Appendix 6.4 do not reference potential night-time effects from residential properties.
- 7.23 There is an error in the headings and formatting within section 6 of Technical Appendix 6.5 which makes it difficult to understand where the detailed assessment for VP 4 from the track above Inveraray begins.
- 7.24 Cumulative landscape and visual effects with other proposed wind farms - This proposal has greatest potential to incur significant adverse cumulative effects

with the consented Creag Dubh wind farm affecting views from Dun na Cuaiche within the Inveraray Castle GDL, from the Strachur area and views from some of the higher western peaks within the Loch Lomond & Trossachs National Park.

- 7.25 There are many application-stage wind farms within the LVIA study area. It is considered that the Blarghour Revision proposal and An Carr Dubh wind farms have greatest potential to incur significant adverse cumulative effects with this proposal particularly affecting views from Dun na Cuaiche and from Ben Cruachan.
- 7.26 Conclusions - NPF4 Policy 11e requires project design and mitigation to demonstrate how impacts on communities and significant landscape and visual impacts are addressed. In terms of significant landscape and visual impacts, 11e ii states that such impacts are to be expected for some forms of renewable energy and where impacts are localised and/or appropriate design mitigation has been applied, they will be acceptable. NPF4 provides no guidance on the definition of what constitutes 'localised' effects.
- 7.27 This proposal would have significant adverse effects on landscape character and on views although its location within Glen Aray would limit the extent and degree of intrusion. The most significant effects would be on views from the A819 where the wind farm would be seen in very close proximity and where views would affect visitors to the region who frequently use this route. There would be some significant adverse effects on views and on the special qualities of part of the North Argyll LLA and views from Dun na Cuaiche and from the Munro hill of Beinn Bhuide would also be significantly affected.
- 7.28 **The Councils Consultant Landscape Architect considers that there is scope to reduce effects on views from Glen Aray and from Dun na Cuaiche by removing or substantially reducing the heights of Turbines 11 and 13. This measure would also reduce intrusion from Loch Fyne, particularly in the Strachur area and would negate adverse impacts (particularly if woodland were to be removed in future) close to Inveraray at Viewpoint 4. It is additionally recommended that off-site planting should be undertaken to extend screening along the A819 and mitigate effects on views.**
- 7.29 The applicant should also consider more ambitious landscape and biodiversity mitigation and enhancement proposals in line with the aims of NPF4 Policy 3. The proposal should form a catalyst to effect quicker and more far-reaching improvement to uniform and, in places, poorly designed forestry. The proposed Wind Farm Restocking Plan does not hugely differ from the baseline Restocking Plan and more should be done to improve the angular northern and south-eastern margins of productive forest. The planting of more extensive native woodlands should form part of the BEMP and Wind Farm Forest Plan. Biodiversity and landscape enhancement measures should not be confined to the proposed site (which is limited by its use as a productive forest) but should extend outside the site with the aim of better integrating the forest with its surroundings and improving connectivity for wildlife.
- 7.30 The effects of visible aviation lighting are concerning particularly given the large number of applications in Argyll & Bute where turbine lighting is proposed. While it is accepted that the day-time effects of the proposal would be of greater significance and would be likely to affect more people, consideration should be

given to future mitigation of the effects of lighting on the dark skies of Argyll. **It is therefore also strongly recommended that an Aircraft Detection Lighting System should be installed at the earliest opportunity as this would reduce the duration and impact of night-time lighting.**

- 7.31 The Applicant provided a response to the key points raised by the Councils Landscape Consultant. In summary, they advise that they have sought to take a positive and reasoned position in their response to the LVIA consultation response. They have explained why they consider the reduction or removal of turbines is not proportionate considering the mitigation work already undertaken and the consequences of taking further action. However, they have taken further steps to provide additional mitigation in the form of micro-siting and aviation lighting reductions. They commit to revisiting habitat restoration opportunities during detailed design.
- 7.32 The Consultant Landscape Architect – advised that the application comprises 13 turbines, 180m high to blade tip. The scheme comprised 22 turbines, 200m high at scoping and the southern-most turbines were omitted with the aim of minimising effects on the settlement of Inveraray, Dun na Cuaiche and Inveraray Castle. Like many wind farm proposals in their initial stages, the number of turbines originally proposed was overly ambitious and appears not to have been informed by analysis of landscape and visual constraints. The 22 turbines proposed was clearly an inappropriate scheme in terms of the site and its context. This approach to siting and design, is adopted by many wind farm developers and gives the impression that subsequent mitigation appears generous. The applicant stresses the ‘improvements’ made to early proposal in their letter and the absence of local objection to the design, both factors are considered irrelevant. It is not considered the applicant has gone far enough in sensitively designing this application as required by NPF4.
- 7.33 The July 2024 review of the proposal noted key design objectives aimed at minimising landscape and visual effects are set out in the EIA. It also noted that there were some omissions and errors in Chapter 3 of the EIA. The description of mitigation in 3.4.2 is of relevance in that it implies that effects on Dun na Cuaiche would no longer be significant following the removal of southern-most turbines within the scheme; this is not the case as the LVIA concludes that effects would be significant from this feature (Viewpoint 18). The applicant’s response does not correct or even mention this error.
- 7.34 The applicant’s response notes that the review ‘makes no reference to unacceptable impacts’. It is not clear what is meant by this statement. It is not appropriate for a landscape professional to provide a view on the acceptability or unacceptability of a proposal. Acceptability can only be determined by the planning/consents authority once all the benefits and disbenefits of a proposal are considered i.e.) not just landscape and visual impacts.
- 7.35 The applicant considers it ‘unsuitable’ to reduce the heights of Turbines 11 and 13 due to availability issues. If this is truly the case, then these turbines should be omitted. It is not considered that micro-siting these turbines would achieve adequate mitigation in terms of negating significant adverse effects on Dun na Cuaiche. Omission of these turbines would result in a scheme comprising 11 wind turbines. There are many similarly sized schemes in Scotland which are obviously considered to be viable else they would not be proposed. It is inappropriate for the applicant to raise the matter of disbenefits to the local

community. This is obviously trying to sway local opinion in the same way demonstrated using the cover to the Design & Access Statement which promotes the developer's credentials in providing community benefit.

- 7.36 Applicant further response to advice of Consultant Landscape Architect – advise they remain firmly of the opinion that Ladyfield Renewable Energy Park would result in localised impacts, accords with NPF4 Policy 11 (and other NPF4 policies) and is acceptable. The scheme would make a valuable contribution to ambitious national climate change targets, contributing to domestic energy generation and energy security. Regarding the 22-turbine scheme, it was put forward via scoping to agree EIA methodology and survey approach. EIA is an iterative process of continued assessment and reflection of site design to reduce impacts that are identified over time, a process resulting in the submitted scheme design of 13 turbines. This in their view demonstrates appropriate 'design mitigation' – a key consideration in NPF4 Policy 11.
- 7.37 The commentary about Dun na Cuaiche in EIAR paragraph 3.4.2 is accepted, yet the technical assessment (in EIAR Chapter 6) was noted, in the consultant's original response, as "generally thorough and fair in its findings...". There would be a significant visual effect at this location, however they would highlight that the primacy of views to the south over the Loch would remain unaffected. Furthermore, Historic Environment Scotland do not object to the application. The applicant also highlights the reduced aviation lighting scheme, and advise they remain committed to revisiting restoration opportunities during detailed design.
- 7.38 Finally, they advise that their community engagement work is a key part of their ethos, and they have built genuine relationships in the local community over many years. Nevertheless, and whilst they stand behind comments made previously, should the Scottish Ministers feel that a reduction of T11 and T13 to 150m to tip be necessary to make the scheme acceptable, they would accept such a scheme change.
- 7.39 NatureScot have provided the ECU with the following landscape and visual advice. The proposal would introduce wind farm development directly southwest of the Argyll & Bute Council North Argyll Local Landscape Area (LLA), approximately 4.7km north of Inveraray. The Loch Lomond and Trossachs National Park (LLTNP) is located approximately 11km south of the proposal. The closest operational wind farm Clachan Flats (nine turbines with a blade tip height of approximately 93m) is located approximately 6.3km east of the Proposal.
- 7.40 If consented, the proposal would bring development of this nature closer to landscape and visual receptors west of Clachan Flats. This would include the introduction of views of turbines to some areas not currently influenced by the presence of operational wind farms. The proposal is likely to significantly affect:
- The North Argyll Local Landscape Area;
 - Host Landscape Character Type (LCT) 40. Craggy Upland – Argyll, neighbouring and nearby LCTs 39. Plateau Moor and Forest – Argyll to the south and LCT 53. Rocky Coastland – Argyll to the west; and
 - Visual receptors:
 - Within the North Argyll Local Landscape Area including views experienced from summit Beinn Bhuide east of the site.

- Views experienced from local landmarks including St Conan's Kirk and from Loch Awe.
- Sequential routes including views experienced from around Inveraray Core Paths and along sections of the A819.

- 7.41 However, on balance taking account of NPF4 policy; the fact that the proposal is not located within nor close to a national landscape designation (the LLTNP would not experience significant effects); and the presence of other nearby operational, consented and proposed wind farms, NatureScot advise that the impacts are unlikely to raise issues of national interest.
- 7.42 Loch Lomond & The Trossachs National Park (LLTNP) have advised the ECU that they do not object to this application.

Officer's Conclusion

- 7.43 Based on the advice of the Council's Consultant Landscape Architect, NatureScot, Loch Lomond & the Trossachs National Park and the fact that no objection has been received from Historic Environment Scotland it is concluded that the proposal does not warrant an objection on landscape and visual grounds. This however is subject to the ECU considering the recommendations of the Council's Consultant Landscape Architect in respect to further mitigation and a condition to secure an Aircraft Detection Lighting System (ADLS). In terms of the mitigation the applicant has stated in their most recent response that "should the Scottish Ministers feel that a reduction of T11 and T13 to 150m to tip be necessary to make the scheme acceptable, they would accept such a scheme change".
- 7.44 Having due regard to the above and consideration being given to the suggested mitigation (including a condition to secure ADLS (Aircraft Detection Lighting System) lighting) it is concluded that the proposal complies with the provisions of Policies 11 – Energy and 4 – Natural Places of NPF4, and Policy 30 – The Sustainable Growth of Renewables of ABLDP2 in this respect.**

8. IMPACTS ON TOURISM AND RECREATION

- 8.1 Policy 11 – Energy of NPF4 does not require impacts on tourism to be considered. Policy 30 – The Sustainable Growth of Renewables of LDP2 requires all applications for wind turbine developments to be assessed against impacts on tourism and recreation.
- 8.2 Tourism – Policy 11 of NPF4 does not include a requirement for the impact of proposals on tourism to be assessed. However, Policy 30 – The Sustainable Growth of Renewables of the LDP does. In Argyll & Bute the landscape is regarded as being a particularly valued asset both in terms of its intrinsic qualities and in terms of its value to the tourism economy. For all types of development, the maintenance of landscape character is an important facet of decision-making in the countryside in Argyll & Bute, regardless of the scale of development proposed.
- 8.3 As Tourism and Landscape & Visual matters are intrinsically linked, and there is little evidence to demonstrate whether wind farms adversely affect tourism, it is

considered that such impacts are covered in the landscape and visual impact assessment of the proposal.

8.4 Having due regard to the above it is considered that the proposal is consistent with the provisions of Policy 11 – Energy of NPF4 and Policies 04 – Sustainable Development and 30 – The Sustainable Growth of Renewables of ABLDP2 in this respect.

9. PUBLIC ACCESS

9.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrates how impacts on public access are addressed, including impact on long distance walking, and cycling routes and scenic routes. Policy 30 – the Sustainable Growth of Renewables of LDP2 requires all applications for wind turbine developments to be assessed against impacts on public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF. Policy 32 – Active Travel of LDP2 requires active travel and recreation to be integrated in developments from the start of the wider design process and existing active travel networks should be safeguarded and integrated with the development.

9.2 There are several recreational routes, paths and trails within the area, however, none of these are located within the site. The path C201 – Dun Na Cuaiche is the nearest Core Path to the site and is located approximately 4.1km to the south of the nearest turbine (T13). The EIA concludes that recreational routes and core paths will not experience any direct impacts – closures or disruptions – because of the construction of the development.

9.3 ABC Core Paths – At time of writing no response has been received.

9.4 Having due regard to the above it is considered that the proposal is consistent with the provisions of Policy 11- Energy of NPF4, Policy 30 – the Sustainable Growth of Renewables; and Policy 32 - Active Travel of the ABLDP2.

10. AVIATION AND DEFENCE INTERESTS INCLUDING SEISMOLOGICAL RECORDING

10.1 Policy 11 – Energy of NPF4 requires that project design and mitigations demonstrates how impacts on aviation and defence interests including seismological recording have been addressed. Policy 30 – the Sustainable Growth of Renewables of LDP2 requires impacts on aviation and defence interests and seismological recording to be addressed. Policy 43 – Safeguarding of Aerodromes of LDP2 stipulates that development will not be permitted where it would compromise the safe operation of an Aerodrome or Technical Site or constrain their present or future operations.

10.2 Defence Infrastructure Organisation (DIO) – have advised the ECU that, subject to conditions to secure an Aviation Lighting Scheme and Aviation Charting and Safety Management details the MOD has no objection.

10.3 National Air Traffic Services Safeguarding (NATS), Glasgow Airport, and Glasgow Prestwick Airport – have advised the ECU they have no objection to the proposal.

10.4 **Having due regard to the above, subject to the conditions recommended by the Ministry of Defence, it is concluded the proposal is consistent with the provisions of Policy 11 – Energy of NPF4 and Policies 30 – The Sustainable Growth of Renewables and 43 – Safeguarding of Aerodromes, of the ABLDP2 in this respect.**

11. TELECOMMUNICATIONS AND BROADCASTING INSTALLATIONS

11.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrates how impacts on telecommunications and broadcasting installations, have been addressed particularly, ensuring that transmission links are not compromised. Policy 30 – The Sustainable Growth of Renewables of LDP2 requires all applications for wind turbine developments to be assessed against impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.

11.2 BT have advised the ECU that they have no objection.

11.3 **Having due regard to the above it is concluded that the proposal will not have any adverse impacts on telecommunications, broadcasting installations and transmission links (including cumulative impacts) and is consistent with the provisions of Policy 11- Energy of NPF4 and Policy 30 – The Sustainable Growth of Renewables of LDP2 in this respect.**

12. ROAD TRAFFIC AND ADJACENT TRUNK ROADS

12.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrates how impacts on road traffic and on adjacent trunk roads have been addressed, including during construction. Policy 30 – the Sustainable Growth of Renewables of LDP2 requires all applications for wind turbine developments to be assessed against impacts on road traffic and impacts on adjacent trunk roads. Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes of LDP2 acceptance of development utilising new and existing public roads, private roads and private access regimes is subject to road safety and street design issues being addressed to the satisfaction of the Roads Authority and the Planning Authority. Policy 38 – Construction Standards for Public Roads requires that accesses which connect to or impact significantly on a Trunk Road require consultation with Transport Scotland.

12.2 Transport Scotland (TS) have advised the ECU they have no objection subject to conditions relating to approval of abnormal loads route; accommodation measures for abnormal load route; additional signing or temporary traffic control measures; details of blade lifter technology; and a Construction Traffic Management Plan. Advisory notes are also provided in relation requirements to undertake works within the trunk road boundary.

12.3 Network Rail have advised the ECU they object to this application in its current form, as additional information is required to fully assess and mitigate the

impacts of traffic movements - because of the proposal - over Annat West Level Crossing. Network Rail may be able to withdraw its objection, subject to the provision of an additional Traffic Assessment/Statement from the developer.

- 12.4 ABC's Roads & Amenity Services have advised they have no objection subject to conditions to secure: full details for all locations of carriageway widening for over run areas; a detailed condition survey of the A819 between the A85 Tyndrum - Oban Trunk Road / A819 Inveraray - Dalmally Road junction and the A83 Tarbet - Campbeltown Trunk Road / A819 Inveraray - Dalmally Road junction (recorded by means of video and photographs); Traffic Management Plan; all street furniture that has to be removed, to be replaced with new; site access constructed as per the Council's standard detail drawing SD 08/001 Rev a, after all abnormal loads have stopped; and connection of site access to public road, sightlines to be 160 x 2.40 x 1.05 metres. Furthermore, that a Road Opening Permit will be required and there should be no surface water discharge.
- 12.5 **Having due regard to the above, subject to the conditions recommended by the Area Roads Manager and Transport Scotland it is considered that the proposal is consistent with the provisions of Policy 11 – Energy of NPF4, Policy 30 – The Sustainable Growth of Renewables, Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes and Policy 38 – Construction Standards for Public Roads in this regard. It is recommended that the conditions required by Area Roads and Amenity Services are attached to any consent granted by the ECU.**

Note: the outstanding matter relating to Annat West Level Crossing will require to be addressed by the ECU prior to reaching a decision. It is located out with Argyll & Bute and is a Network Rail asset.

13. HISTORIC ENVIRONMENT

- 13.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrates how impacts on the historic environment have been addressed. Policy 7 – Historic Assets and Places of NPF4 intent is to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. Policy 30 – The Sustainable Growth of Renewables of LDP2 requires all applications for wind turbine developments to be assessed against impacts on the historic environment, including scheduled monuments, listed buildings and their settings. Policy 15 – Protection, Conservation and Enhancement of Our Historic Environment, Policy 19 – Scheduled Monuments, Policy 20 – Gardens and Designed Landscapes, and Policy 21 – Sites of Archaeological Importance support the key policies and provide guidance on assessing development proposals against heritage impacts.
- 13.2 Historic Environment Scotland (HES) - have advised the ECU that the proposals do not raise historic environment issues of national significance and therefore they do not object.
- 13.3 West of Scotland Archaeology Service – have advised that they have no objection subject to a condition to secure a programme of archaeological works in accordance with a written scheme of investigation to be submitted by the

applicant for the written approval of the Planning Authority in consultation with WoSAS.

- 13.4 Having due regard to the above subject to the condition recommended by the West of Scotland Archaeology Service it is considered that the proposal is consistent with the provisions of Policy 11 – Energy and Policy 7 – Historic Assets and Places of NPF4, and Policies 30 – The Sustainable Growth of Renewables; 15 – Protection, Conservation and Enhancement of Our Historic Environment; 19 – Scheduled Monuments; 20 – Gardens and Designed Landscapes; and 21 – Sites of Archaeological Importance of the ABLDP2**

14. HYDROLOGY, THE WATER ENVIRONMENT AND FLOOD RISK

- 14.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrates how effects on hydrology, the water environment and flood risk have been addressed. Policy 30 – Supporting the Sustainable Growth of Renewables of LDP2 requires all applications for wind turbine developments to be assessed against impacts arising from effects on hydrology, the water environment and flood risk (including cumulative). Policy 55 - Flooding of LDP2 provides guidance on the type of development that will be permissible within specific flood risk areas. Policy 57 – Risk Appraisals requires flood risk assessments, and drainage impact assessments, to accompany applications where required.

- 14.2 The Council's Flood Prevention Officer – has advised that they have no objection subject to conditions to ensure that watercourse crossings are designed so there is no reduction in pre-development channel cross sectional area ideally to pass the 1 in 200 years plus climate change flood event; and, surface water drainage is designed in accordance with CIRIA C753 and ensures that post development runoff is attenuated to the 1 in 2 year greenfield runoff rate. The surface water drainage should be in operation prior to the start of construction.

- 14.3 Having due regard to the above, subject to the recommended conditions it is concluded that the proposal is consistent with the provisions of Policy 11 – Energy of NPF 4, Policy 30 – The Sustainable Growth of Renewables, Policy 55 – Flooding; and Policy 57 Risk Appraisals of ABLDP2.**

15. BIODIVERSITY

- 15.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrate how impacts on biodiversity, including birds have been addressed. Policy 3 – Biodiversity of NPF4 requires development proposals to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Policy 5 – Soils of NPF4 supports the generation of energy from renewable sources that optimises the contribution of the area to GHG emissions reduction targets on peatland, carbon-rich soils, and priority peatland. A detailed site-specific assessment will be required for development on peatland which will include the net effects of the development on climate emissions and loss of carbon. Policy 30 – The Sustainable Growth of Renewables of LDP2 requires all applications for wind turbine developments to be assessed against impacts arising from effects on the natural heritage, including birds and to be assessed against impacts on carbon rich soils, using

the carbon calculator (including cumulative) Policy 73 – Development Impact on Habitats, Species and Biodiversity requires proposals to incorporate, safeguard and enhance existing site biodiversity wherever possible.

- 15.2 NatureScot have advised the ECU that there are natural heritage interests of international importance on the site with relation to Glen Etive and Glen Fyne Special Protection Area, but their advice is that these will not be adversely affected by the proposal. Regarding biodiversity, they have also provided advice for the ECU regarding operational and construction impacts on ornithology (Schedule 1 birds), the outline biodiversity enhancement management plan and priority peatland habitats.
- 15.3 RSPB Scotland – have advised the ECU they do not object and welcome the siting of most of the infrastructure within commercial forestry plantation. They do however consider that proposals for the delivery of biodiversity enhancement require further work on the following issues: cumulative development pressures and grid connection route.

Groundwater Dependent Terrestrial Ecosystems (GWDTE)

- 15.4 SEPA have advised that the overall impact on GWDTE is assessed as mostly minor, the exception is a loss of 9.08% of the W4b habitat which is categorised as highly groundwater dependant wet woodland. This is due to upgrading a stretch of existing track. SEPA would prefer if this were avoided, however, they understand if it is not possible.

Peat

- 15.5 SEPA initially submitted a holding objection to the ECU in relation to peat. They requested that the applicant provide: the methodology for the peat surveys; provision of all peat depths as per their scoping requirements; and re-siting of the track between T1 and T3 to avoid deep peat. The Applicant provided a response to the ECU regarding the concerns raised by SEPA. Thereafter SEPA removed their objection regarding peat issues and track alignment.

Peat Landslide Hazard Risk Assessment

- 15.6 Ironside Farrar initially advised the ECU that clarification was required in respect to extent of works required to upgraded track; further probing; confirmation that the Overhead Line had been considered; and the A819 score. The Applicant provided clarifications. Ironside Farrar have advised the ECU that the Applicants response adequately address the queries raised. They note that commitment has been given to additional probing and site investigation at construction stage in the southwest and vicinity of the OHL out with the western boundary and consider that this is appropriate. The assessment can now be considered complete with no further work/response required at this stage.
- 15.7 The Council's Local Biodiversity Officer (LBO) – has provided the following advice and recommendations.
- 15.8 Glen Etive and Glen Fyne SPA - notes the applicant has been in discussions with NatureScot and RSPB regarding the potential impact of the proposal on the

Glen Etive and Glen Fyne SPA Qualifying Feature of golden eagles. The applicant has included results of the Habitats Regulations Appraisal (HRA) with an overall conclusion 'No adverse effects on the integrity of the SPA are predicted. 'The Local Biodiversity Officer agrees with the findings in this report and the mitigation measures to locate infrastructure at least 350m from any known nest site of Schedule 1 breeding species and locate wind turbines at least c.300m from the SPA to avoid direct habitat loss. The Local Biodiversity Officer also welcomes the aims within the outline Biodiversity Enhancement Management Plan (BEMP) to maintain or increase the productivity of locally breeding golden eagles through mire and heath restoration to enhance habitat for golden eagle prey species.

- 15.9 Predicted Habitat Losses and Impacts - welcomes the habitat and peatland enhancement aims within the outline BEMP and the continued monitoring of habitat and peatland restoration throughout the lifetime of the wind farm.
- 15.10 Peatland - welcomes the undertaking of peat probe surveys to determine where the areas of deeper peat are present and the inclusion of a Peat Management Plan (PMP) and the proposed aims within the BEMP for peatland enhancement and monitoring throughout the operational period of the wind farm. **It is recommended that floatation tracks are used on areas of deeper peat to avoid disturbance.**
- 15.11 Bats - welcomes the avoidance of bat preferred habitat features with a minimum 50m buffer maintained between wind turbine blade tips and the nearest woodland edge. I also welcome the enhancement of woodland habitats within the site to benefit bats and provision of bat boxes. **It is recommended that while the impact to bats is unlikely to be significant, it would be advisable to monitor any fatalities that may occur from collision as they are found to forage within the wind turbine areas.**
- 15.12 Otter - welcomes the inclusion of a Species Protection Plan (SPP) to include pre-construction surveys.
- 15.13 Protected Species - note there a Conservation Management Plan was prepared by Argyll Estate in 2004 to include conservation and management of estate woodlands to benefit red squirrel conservation, and welcome the following to benefit red squirrels: enhancement of woodland habitats within the site as, outlined in the BEMP provision of habitat through retainment of small extents of existing conifer plantation, provision of red squirrel boxes, and monitoring of boxes for occupancy by a suitably licensed ecologist. Also welcome the enhancement of woodland habitats within the site, as outlined in the BEMP
- 15.14 Fish - welcomes the inclusion of an outline Construction Enhancement Management Plan (CEMP) to implement appropriate mitigations including: A 50m buffer for any infrastructure or construction activity around all watercourses; no instream works to occur between October and the end of May to minimise potential impact of breeding fish; and appointment of an Ecological Clerk of Works (ECoW) to conduct appropriate surveys and assessments.
- 15.15 Ornithology - welcomes the embedded mitigations proposed in the design layout process to include siting of structures in existing forestry structure, at least 350m from any known nest site of Schedule 1 breeding bird, c.350m from the Glen

Etive and Glen Fyne SPA, and 300m from any known black grouse lekking site. They also welcome the implementation of a Breeding Bird Protection Plan (BBPP) to include pre-construction surveys by the ECoW.

- 15.16 Black Grouse - welcome pre-construction surveys for lekking black grouse to be undertaken during March to May as part of the BBPP with appropriate mitigation measures implemented. Welcome a 750m buffer between infrastructure and black grouse leks and no construction work taking place within two hours of dawn. Also welcome enhancement of suitable habitat and connectivity in the outline BEMP, as well as ongoing monitoring of black grouse populations through lek count surveys for the remainder of the operational period of the wind farm. Particular attention should be paid to the lekking site within 300m of the proposed T13 wind turbine where 2 male black grouse were observed lekking on one occasion. This would determine if the lek site is still in use and implementation of appropriate mitigation measures. It is noted fencing may be used to exclude deer to allow habitat restoration to such a time the trees and shrubs are established. Despite the mitigation measures to mark it to reduce collision risks and include a wide mesh stock fence to prevent potential trapping of young black grouse chicks, there is still a risk of collision. **It is recommended that the applicant should include a clear plan of proposed fence siting, the type of marking to be used, the distance from known lek sites, and programme of monitoring fence for any potential black grouse carcasses.**
- 15.17 Greenshank - welcome the implementation of a BBPP to include pre-construction surveys during the greenshank breeding season (April to July) and implementation of appropriate mitigation measures of a 500m buffer of any active nests, feeding lochs or dependent young and construction activity. Also welcome the proposed habitat enhancement in the BEMP to benefit breeding greenshank and ongoing monitoring of the species for the remainder of the operational period of the wind farm.
- 15.18 Biodiversity Enhancement Management Plan (BEMP) - welcome the following aims within the plan: Maintain, restore and enhance the Annex I habitats (blanket bog and dwarf shrub heath) within the site; Maintain or increase the productivity of locally breeding golden eagles; Maintain or increase the local population of black grouse and increase connectivity between lek sites; Maintain or increase the local population of breeding greenshank; Enhance woodland habitats within the site to benefit protected species such as red squirrel, pine marten and bats; and Provide an overall increase in biodiversity and increased resilience to flooding, wildfires and adverse effects of climate change within the site. Note there is a current deer management plan through the Argyll Estates which includes an annual cull of red, sika and roe deer present within the area. This would benefit natural regeneration of habitat as well as proposed new planting.
- 15.19 Species Protection Plan (SPP) - welcome the inclusion of the plan to include: Implementation of an ECoW; Provision of Toolbox talks to all construction staff and contractors; Conduction of pre-construction surveys; Implementation of appropriate mitigation measures where necessary
- 15.20 Construction Environmental Management Plan (CEMP) - welcome the appointment of an ECoW prior to construction and throughout works where necessary

15.21 Argyll District Salmon Fishery Board (ADSFB) - advised the ECU they are mindful of the recent IUCN reclassification of Atlantic salmon in Great Britain to 'endangered.' They therefore urge that any permissions given for the development include pre, during and post construction monitoring of the water environment and fish populations of the River Aray and its tributary streams. Furthermore, that the developer maintains a line of communication with Argyll Fisheries Trust throughout the construction phase to provide them with assurances that full protection of their interests is maintained.

15.22 **Having due regard to the above, subject to consideration of the recommendations made by the Local Biodiversity Officer by the ECU and the conditions recommended by consultees being attached in the event that consent is granted it is considered that the proposal is consistent with the provisions of Policies 11 – Energy, 3 Biodiversity, 5 – Soils and Policies 30 – The Sustainable Growth of Renewables of and 79 – Protection of Soil and Peat Resources of LDP2**

16. TREES, WOODS, AND FORESTS

16.1 Policy 11 – Energy of NPF4 requires that project design and mitigation will demonstrate how impacts on trees, woods and forests have been addressed. Policy 6 – Forestry, woodland, and Trees of NPF4 intent is to protect and expand forests, woodland, and trees. Policy 77 – Forestry, Woodland, and Trees of LDP2 states that there is a strong presumption in favour of protecting our woodland resources. Policy 78 – Woodland Removal of LDP2 states that proposals that would involve the removal of woodland resources will be assessed against the criteria for determining the acceptability of woodland removal, in accordance with the Scottish Government's Control of Woodland Removal Policy. Where this assessment concludes that compensatory planting would be appropriate, developers will need to provide for this in accordance with the advice in the Scottish Government's Control of Woodland Removal Policy.

16.2 Scottish Forestry initially advised the ECU that they required further information from the applicant in relation to restock species; ancient native woodland; a native woodland plan; reconsideration of temporary works; and compensatory planting, Advice was also provided on the consenting route. The Applicant provided further clarification and Scottish Forestry have since confirmed that they are satisfied with the proposal subject to a condition to secure compensatory planting.

16.3 **Having due regard to the above it is concluded that subject to the condition recommended by Scottish Forestry being attached in the event that the proposal receives consent it is consistent with the provisions of Policies 11 – Energy and 6 – Forestry, woodland and Trees of NPF4, and Policies 30 – The Sustainable Growth of Renewables; 77 – Forestry, Woodland and Trees and 78 – Woodland Removal of the LDP2**

17. MINERALS

17.1 Policy 33 – Minerals of NPF4 states that development proposals for borrow pits will only be supported where: the proposal is tied to a specific project and is time-limited; the proposal complies with the mineral extraction criteria in Policy 33 taking into account the temporary nature of the development; and

appropriate restoration proposals are enforceable and Policy 31 – Minerals of LDP2 states that proposals for mineral extraction will generally be supported for borrow pits where the proposal is found to be acceptable after being assessed against National Planning Framework 4 Policy 33 criterion e).

17.2 It is the intention to source aggregate for the construction of site access tracks, crane hardstanding areas, and upgrades of existing forestry tracks from the on-site borrow pit, rather than an off-site quarry, which has the advantage of reducing the number of Heavy Goods Vehicles (HGV) on public roads. An existing quarry is located on site and has been identified for extension.

17.3 **Having due regard to the above taking into account that the proposed borrow pit is tied to the proposal it is concluded that the proposal is consistent with the provisions of Policy 33 – Minerals of NPF4 and Policy 31 – Minerals of the ABLDP2 in this regard, subject to a condition to secure details of the borrow pit and a borrow pit restoration plan.**

18. DECOMMISSIONING, SITE RESTORATION AND QUALITY OF SITE RESTORATION PLANS

18.1 Policy 11 – Energy of NPF4 requires that project design and mitigation demonstrate how proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration have been addressed. It also requires that project design and mitigation demonstrate how the quality of site restoration plans have been addressed including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans. Policy 30 – The Sustainable Growth of Renewables of the LDP2 requires consideration to be given to the long-term environmental management of the site.

18.2 The proposal would have an operational life of up to 40 years from the date of commissioning. At the end of the operational period, it would be decommissioned and the turbines and electrical equipment dismantled and removed. Any alternative to this action would be subject to a further consenting process.

18.3 Decommissioning would involve dismantling and removal of the wind turbines and electrical equipment; reinstatement of the turbine areas and associated hardstanding; and; demolition and removal of control building and compound. The access tracks will be retained in situ at decommissioning for use by the landowner. The cables will also be left in situ. Overall, it is estimated that the decommissioning period would be 12 months. It is recommended that this matter is covered by planning conditions consistent with other projects across Argyll & Bute in the event that the proposal obtains consent from the ECU.

18.4 **Having due regard to the above it is concluded that subject to an appropriate condition being attached if the proposal receives consent the proposal is consistent with the provisions of Policy 11 – Energy of NPF4 and Policy 30 - The Sustainable Growth of Renewables of the LDP2**

19. CUMULATIVE IMPACTS

19.1 Policy 11 – Energy of NPF4 requires that project design and mitigation will demonstrate how cumulative impacts have been addressed. Policy 30 – The Sustainable Growth of Renewables of the LDP2 also requires cumulative impacts to be addressed. Any cumulative impacts which have been identified are covered in the preceding sections of this report.

20. RENEWABLE ENERGY GENERATION TARGETS AND GREENHOUSE GAS EMISSIONS REDUCTION TARGETS.

20.1 Policy 11 – Energy of NPF4 requires that, in considering the impacts of the proposal, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets. Policy 1 – Tackling the climate and nature crises of NPF4 requires that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 30 – The Sustainable Growth of Renewables of LDP2 require all renewable developments to be assessed against the scale of contribution to renewable energy generation targets and greenhouse gas emissions.

20.2 Renewable Energy Generation Targets - The proposal would consist of up to 13 wind turbines, each with a rated capacity of approximately 4.5 MW (based on candidate turbine), therefore the overall installed capacity of the wind farm would be approximately 58.5MW, as well as including up to 41.4MW of storage capacity with a Battery Energy Storage System (BESS), which could contribute to the Scottish Governments minimum targets for having 20GW of onshore wind operational by 2030.

20.3 Greenhouse Gas Emissions Reduction Targets -. The Proposed Development would result in the production of approximately 6,641,482 MWh over its operational lifetime (40 years), displacing approximately 2,869,120 tonnes of fossil-fuel mix generation equivalent carbon dioxide (CO₂) emissions, and therefore causing a positive environmental effect. Balancing this with the carbon losses associated with the proposal (from turbine manufacture, forestry felling, peatland disturbance, for example), the estimated payback period for the Proposed Development is approximately 4.7 years if it displaces energy generated from grid-mix electricity generation (plus an additional 0.52 years if the BESS capacity is included in the calculations). Over this time, the carbon dioxide emissions of the proposal are cancelled out by the carbon savings, and through the rest of the operational period would result in a net saving of carbon dioxide emissions, thereby mitigating climate change.

20.4 Having due regard to the above it is considered that the proposal is consistent with the provisions of Policies 1 – Tackling the climate and nature crisis and 11 – Energy of NPF 4, and Policies 30 – The Sustainable Growth of Renewables and 04 – Sustainable Development of LDP2

21. GRID CAPACITY & ENERGY STORAGE

21.1 Policy 11 – Energy of NPF4 requires that grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. Furthermore, that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, which include energy storage. Policy 30 – The

Sustainable Growth of Renewables of LDP2 requires the Council to have regard to the opportunities for energy storage.

- 21.2 Grid Capacity - Connection to Electricity Grid - The grid connection would be routed through existing forest tracks and within the A819, to a new substation on the transmission system located at Creag Dubh, approximately 3km to the north of the site's northern boundary, on the western side of the A819. The grid connection does not form part of this Application and is subject to a future application subject to the development receiving planning consent.
- 21.3 Energy storage – The project will have a BESS with a capacity up to 41.4 MW located adjacent to the on-site substation on the same compound. This will be able to store excess power generated by the wind farm and release the power on to the grid when the wind drops. Inclusion of a battery within the scheme increases the sustainability of the power generated. Energy storage enables renewable integration, helps to balance supply and demand, and enhances the security of supply.
- 21.4 Having due regard to the above it is considered that the proposal is consistent with the provisions of Policy 11 – Energy of NPF 4, and Policy 30 – The Sustainable Growth of Renewables of the ABLDP2 in respect to Grid Capacity and Energy Storage.**

22. PERPETUITY

- 22.1 Policy 11 – Energy of NPF4 requires that consents for proposals may be time limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity. It is acknowledged that areas identified for wind farms are expected to be suitable for use in perpetuity. However, as the expected operational life of the proposal is 40 years from the date of commissioning, should consent be granted, Officers would expect it to be time limited to 40 years to reflect the life of the wind farm as detailed in the EIAR.

23. CONCLUSION

- 23.1 This proposal is classed as “Strategic Renewable Electricity Generation” - a National Development, in terms of the Spatial Strategy given its capacity to generate and store more than 50MW. In principle, there is support for this scale of development given its importance in the delivery of Scotland's Spatial Strategy. However, such projects are still required to be assessed against the provisions of the Development Plan, which now consists of National Planning Framework 4 and the Argyll & Bute Local Development Plan 2.
- 23.2 The lead Development Plan policies support renewable energy development in principle but require that proposals be assessed against the criterion detailed in this report. While the weight to be given to each of the considerations is a matter for the decision maker, NPF4 is clear that significant weight will require to be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emission reduction targets. However, a balance still requires to be reached in terms of the impact of the development.
- 23.3 In relation to landscape and visual impacts NPF4 advises that where impacts are localised and/or appropriate design mitigation has been applied such effects

will be considered acceptable. However, NPF4 must be read as a whole, and detailed consideration given to linked policies. Policy 4 (Natural Places) – sets out that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported. Whilst it is considered that this proposal will have a significant landscape and visual impact, it is not considered that it warrants an objection from the Council subject to consideration of the mitigation suggested by the Councils Landscape Consultant by the ECU. In relation to Biodiversity, it is also considered that the recommendations of the Local Biodiversity Officer should also be considered.

- 23.4 The Scottish Government gives considerable commitment to renewable energy and encourages Planning Authorities to support the development of wind farms where they can operate successfully in appropriate locations. This is not however blanket support without qualification. In considering the appropriateness of the development, significant weight has been given to these matters.
- 23.5 In conclusion, it is recommended by Officers that the Council does not object to this proposal. Prior to reaching a decision the Energy Consents Unit should consider the mitigation recommended by the Councils Consultant Landscape Architect and the recommendations of the Councils Local Biodiversity Officer. Any conditions recommended by consultees should be included in any consent granted by Scottish Ministers.

24. RECOMMENDATION

24.1 That the ECU be notified accordingly that:

(1) Argyll & Bute Council objects to the proposal on the grounds that there are unresolved noise issues, and it is not possible to reach a conclusion on the proposal's acceptability in this regard at this time. If these matters are resolved Argyll & Council will withdraw this objection.

(2) Argyll & Bute Council does not object on landscape and visual grounds, however, recommends the following advice is considered by the Energy Consents Unit:

Mitigation - Consideration should be given to the mitigation recommended by the Council's Consultant Landscape Architect:

- There is scope to reduce effects on views from Glen Aray and from Dun na Cuaiche by removing or substantially reducing the heights of Turbines 11 and 13. This measure would also reduce intrusion from Loch Fyne, particularly in the Strachur area and would negate adverse impacts (particularly if woodland were to be removed in future) close to Inveraray at Viewpoint 4. It is additionally recommended that off-site planting should be undertaken to extend screening along the A819 and mitigate effects on views.
- The applicant should also consider more ambitious landscape and biodiversity mitigation and enhancement proposals in line with the aims of NPF4 Policy 3. The proposed wind farm should form a catalyst to effect quicker and more far-reaching improvement to

uniform and, in places, poorly designed forestry. The proposed Wind Farm Restocking Plan does not hugely differ from the baseline Restocking Plan (see Figures 14.4 and 14.7) and more should be done to improve the angular northern and south-eastern margins of productive forest. The planting of more extensive native woodlands should form part of the Biodiversity Enhancement Management Plan (BEMP) and Wind Farm Forest Plan. Biodiversity and landscape enhancement measures should not be confined to the site (which is limited by its use as a productive forest) but should extend outside the site with the aim of better integrating the forest with its surroundings and improving connectivity for wildlife.

- The effects of visible aviation lighting are concerning particularly given the considerable number of applications in Argyll & Bute where turbine lighting is proposed. While it is accepted that the day-time effects of the proposal would be of greater significance and would be likely to affect more people, consideration should be given to future mitigation of the effects of lighting on the dark skies of Argyll. It is therefore also strongly recommended that an Aircraft Detection Lighting System should be installed at the earliest opportunity as this would reduce the duration and impact of night-time lighting.

(3) Argyll & Bute Council recommends that the recommendations of the Local Biodiversity Officer are considered by the ECU:

- Floatation tracks must be used on areas of deeper peat to avoid disturbance.
- While the impact to bats is unlikely to be significant, it would be advisable to monitor any fatalities that may occur from collision as they are found to forage within the wind turbine areas.
- the applicant should include a clear plan of proposed fence siting, the type of marking to be used, the distance from known lek sites, and programme of monitoring fence for any potential black grouse carcasses.

(4) Argyll & Bute Council recommends that all conditions recommended by consultees should be included in any Consent