

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

This Supplementary report is a recommended response to the Scottish Government's Energy Consents Unit (ECU) consultation on the Section 36 Consultation for Cnoc Buidhe Wind Energy Hub, comprising a wind farm of up to 29 wind turbines, with 14 of these up to 180m to blade tip and 15 up to 200m to blade tip, with an ancillary battery energy storage system and associated infrastructure approx. 2.5km East of Belochantuy and 10km Northwest of Campbeltown.

Reference No: 25/00600/S36/ ECU00004767
Applicant: Cnoc Buidhe Wind Energy Hub Limited
Proposal: S36 Consultation: Cnoc Buidhe Wind Energy Hub, comprising a wind farm of up to 29 wind turbines, with 14 of these up to 180m to blade tip and 15 up to 200m to blade tip, with an ancillary battery energy storage system and associated infrastructure.
Site Address: Approx. 2.5km East of Belochantuy and 10km Northwest of Campbeltown

SUPPLEMENTARY REPORT NO. 1

1. Introduction

- 1.1 The purpose of this Supplementary Report is to provide Members with an update on correspondence received from the Applicant in respect to Ornithology and also to advise Members of new consultee responses received from Scottish Forestry and Ironside Farrar.

2. Ornithology

- 2.1 Applicant (15th January 2026) – advised they have noticed something in the detail of the summary of their discussions with NatureScot, which they think has then flowed through to the Recommendation (1).
- 2.2 In paragraph 15.11 of the ROH in the summary of the Clarification Note, it is stated that Cnoc Buidhe has proposed a condition that, should Tangy IV be, or be able to be, constructed, then Cnoc Buidhe would remove 5 turbines. Just to clarify, the Clarification Note only focussed on why mitigation in response to a cumulative effect should be conditional, and did not discuss the detail of which, and how many, turbines this should be. In other words, the Clarification Note did not commit to removing the 5 turbines NatureScot had identified in their prior response.
- 2.3 The Applicant wanted to flag this as the current recommendation doesn't allow for the councillors to opine on a scenario where NatureScot's conditioned objection no longer requires the removal of all 5 turbines (which may also therefore not require re-assessment and re-consultation).
- 2.4 The Applicant asks if it is possible to amend the recommendation to be contingent on securing the changes/mitigation NatureScot require, rather than the removal of 5 turbines specifically.

- 2.5 The Ornithology recommendation in the Report of Handling is based on the advice of NatureScot as statutory advisors on such matters and the views of Officers. NatureScot object unless a condition is attached to any consent requiring the removal of 5 turbines (turbines 15, 24, 26, 28, and 29). Consideration has been given to the Applicant's proposed condition to mitigate the proposal. However, regardless of their suggested condition, the fact remains that NatureScot require the removal of 5 turbines. NatureScot have made it very clear that there is no scenario relating to this current application where they would no longer require this mitigation. It is therefore the view of Officers that there is no requirement for Members to reach a view on such a scenario if they choose to follow the advice of NatureScot, the statutory advisors on ornithology. The condition has been prepared by the Applicant based on a future scenario where Tangy IV or Tangy IV repowering may not be constructed. However, Tangy IV is an extant application and forms part of the baseline and therefore must be considered at this time.
- 2.6 NatureScot state in their response quite clearly that it is for the ECU and Argyll & Bute Council to decide how best to secure their recommended mitigation. It is the view of Officers as detailed in the Recommendation in the Report of Handling that this mitigation should not be the subject of a condition and that the proposal should be amended accordingly. Consequently, no amendment has been made to (1) Ornithology. It is appreciated that the Applicant may not wish to accept that five turbines should be removed and want to reserve their position on committing to such, with the aim of challenging NatureScot's advice at a later date. However, NatureScot's position on the need to remove these turbines has been clear and consistent.

3. Scottish Forestry

- 3.1 Since completion of the Report of Handling Scottish Forestry have provided a response to the Energy Consents Unit on the clarification provided by the Applicant.
- 3.2 Scottish Forestry (16th January 2026) - advised the ECU the clarification was helpful and they do not have any further comments to make. They reiterate that the restorability of the deep peat to a Priority Habitat does need to be demonstrated by the Applicant before they can agree the final compensatory planting area and discharge any conditions relating to offsite compensatory planting. Scottish Forestry ask the ECU to consider securing the points in bullet points 2 and 3 of the Applicant's clarification in a condition.
- 3.3 Point 2 states that alongside the Forest Plan, the Applicant will undertake an assessment using the Forestry Commission Practical Guide: "*Deciding future management options for afforested peatland (2015)*" and engage professional support from an EcoW during the delivery of restoration works to ensure these meet the assessment criteria.

Point 3 states that the total area of woodland loss will be determined prior to construction when the detailed infrastructure footprint and replanting areas are confirmed.

3.4 The ECU have confirmed to Scottish Forestry if the development is consented, the conditions can be imposed to ensure management of peat and woodland loss calculations as well as compensatory planting

3.5 Having due regard to the above subject to the conditions recommended by Scottish Forestry being attached to any consent it is considered that the proposal 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. Consequently, it is recommended that point (3) Scottish Forestry is removed from the recommendation. The conditions required by Scottish Forestry will be covered in revised point (9).

4. Ironside Farrar

4.1 Since completion of the Report of Handling Ironside Farrar have provided a response to the Energy Consents Unit on the clarification provided by the Applicant in the form of a Stage 2 Checking Report.

4.2 **Ironside Farrar** (19th January 2026) – advised the ECU that The Developer’s response has addressed most of the queries raised in the Stage 1 Checking Report. However, there are two further queries on assessment of risks to infrastructure that require a response from the developer.

4.3 The Applicant provided a response to Ironside Farrar on the 19th January 2026. At time of writing no further response has been received.

4.3 Having due regard to the above due to the fact that there is still a final response from Ironside Farrar outstanding in regard to the Peat Landslide Hazard Risk Assessment it is not possible to reach a conclusion on whether 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. The Recommendation has been amended accordingly at point (2) to reflect Ironside Farrar’s most recent response.

5. Conclusion

5.1 The correspondence received from the Applicant regarding part (1) of the recommendation and further consultation responses from Scottish Forestry and Ironside Farrar have been considered. Officers do not consider that there is any need to change the recommendation at point (1) Ornithology. The Recommendation has been amended to take account of the advice of Scottish Forestry and Ironside Farrar and is detailed below for Members consideration.

5.2 In light of the above a revised recommendation has been prepared for Members consideration which is provided below.

6 RECOMMENDATION

That the ECU be notified accordingly that:

(1) Ornithology - Argyll & Bute Council has been **unable to reach a conclusion on ornithology** due to the **outstanding information** requested by NatureScot in respect to a kernel analysis for golden eagle and alternative raft locations for Osprey.

Furthermore, the Council **does not agree** that a suspensive condition is the best mechanism to secure the removal of five wind turbines in the interests of mitigating barrier effects on Greenland white-fronted geese. It is considered that this amendment to the proposal would constitute a material change which could have implications for the wider proposal that are unclear at this time and require to be explored e.g. environmental impacts, infrastructure re-design, and requirement for re-consultation. To apply such a condition could result in an unreasonable and unimplementable consent.

Argyll & Bute Council **OBJECT** unless the outstanding information is submitted to the satisfaction of NatureScot and the **important mitigation** to protect Greenland white-fronted geese is undertaken in advance of determining this application. It is, therefore recommended that the proposal should be amended accordingly and be subject to a further period of formal consultation prior to any determination by the ECU or Scottish Ministers.

NOTE: With regard to the mitigation, should NatureScot remove or update their objection with mitigation that is considered appropriate as part of the consideration of the current proposal, or which could be secured via planning conditions to be agreed with the Planning Authority, then Argyll and Bute Council would no longer object on these grounds.

(2) Peat Landslide Hazard Risk Assessment - Argyll & Bute Council has been **unable to reach a conclusion in respect to the Peat Landslide Hazard Risk Assessment** (NPF4 Policies 5 and 11 and LDP2 30 and 79). In their Stage 2 Checking Report, Ironside Farrar have advised they have two further queries on assessment of risks to infrastructure that require a response from the developer. It is understood that a response was provided to Ironside Farrar on the 19th of January 2026. Argyll & Bute Council **OBJECT** unless this issue is resolved to the satisfaction of Ironside Farrar prior to determination of this application by the ECU. Should this issue not be resolved the Council would defer to Ironside Farrar (or any other body appointed by the ECU to provide expert guidance on this matter) in the event of a PLI as no response has been provided by Ironside Farrar on the further information provided by the Applicant.

(3) Archaeological Impact - Argyll & Bute Council has **no objection in respect to Archaeological Impact**, subject to a condition and informative to secure the recommendations of the West of Scotland Archaeology Service being attached to any grant of consent for a Written Scheme of Investigation (WSI) for archaeological mitigation measures and an advisory note that the Applicant ensures they have all necessary legal permissions for any elements of their archaeological mitigation. Specifically, in regard to the RAF Hudson aircraft crash site mitigation proposals which may require a license from the MoD if it is to be disturbed.

(4) Public Access – Argyll & Bute Council has **no objection in respect to Public Access** subject to **advisory notes** being attached to any consent to ensure that any Access Controls i.e. gates, and cattle grids comply with the **British Horse Society**

Guidance. Furthermore, that public access during construction should comply with **NatureScot guidance ‘Good practice during wind farm construction.’**

(5) Landscape & Visual Impact - Argyll & Bute Council has **no objection in respect to landscape and visual impact** subject to a condition to secure further aviation lighting mitigation in the form of an Aircraft Detection Lighting System being attached to any consent.

(6) Biodiversity Impact - Argyll & Bute Council has **no objection in respect to Biodiversity Impact**, subject to conditions to secure the recommendations of the Local Biodiversity Officer being attached to any consent.

(7) Noise Impact - Argyll & Bute Council has **no objection in respect to noise impact**, subject to suitably worded conditions to limit the noise levels, tonality, and amplitude modulation to control noise levels from the proposal and provide appropriate noise mitigation as recommended and agreed by the Council's Noise Consultant being attached to any consent.

(8) Flood Risk - Argyll & Bute has **no objection in respect to flood risk** subject to conditions to secure the recommendations of the Flood Risk Assessor being attached to any consent:

- To ensure watercourse crossings are designed to convey the 1 in 200 year plus climate change flood event.
- Surface water drainage is designed in accordance with CIRIA C753 and ensures that post development surface water runoff does not exceed the pre-development surface water runoff. The surface water drainage should be in operation prior to the start of construction.

(9) Argyll & Bute Council requests that all conditions recommended by other consultees are included in any Consent with exception to the condition requiring removal of 5 turbines referred to at (1) above.

Author of Report: Arlene Knox
Reviewing Officer: Sandra Davies

Date: 20th January 2026
Date: 20th January 2026

Fergus Murray
Head of Development and Economic Growth