

This report is a recommended response to the Scottish Government's Energy Consents Unit (ECU) consultation on the Section 36 Consultation for proposed High Brenfield Wind farm.

Reference No: 25/00984/S36 / ECU00004961
Applicant: High Brenfield Wind Farm Ltd (Angus Thomson)
Proposal: Section 36 Consultation for erection of up to 10 wind turbines with a maximum blade tip height of up to 200 metres
Site Address: Land approximately 2km southwest of Ardrishaig

(A) THE APPLICATION

Section 36 Application made up of the following key elements:

- Up to 10 wind turbines each with a maximum tip height of 200m
- Approximately 5km upgraded existing access tracks
- Approximately 7.45km new access tracks (of which approximately 7km will be cut and approximately 450m will be floated)
- Construction of turbine foundations and crane hardstandings
- Installation of Underground cabling;
- Substation compound containing a substation and control building and other grid equipment
- Up to thirteen watercourse crossings (eight upgraded existing crossings and five new crossings)

Temporary works will include

- Temporary construction compound
- Temporary construction laydown compound and concrete batching plant;
- Temporary construction access junction bellmouth
- Up to two borrow pits

Connection to Electricity Grid - The electrical power produced by the individual turbines will be fed to an on-site electrical substation through underground cables. This substation will connect to the National Grid at Craig Murrail Substation which is currently under construction by SSEN north of Lochgilphead.

The site will be accessed from the A83 using the existing Brenfield Farm access junction which will be upgraded to allow deliveries of the large turbine components (turbine blades and sections of the towers). A new access track will be formed from the A83 junction to the wind farm using upgraded sections of the existing Brenfield Farm track where possible. The turbine components are expected to arrive by sea at Campbeltown Harbour and will travel to the site along the A83 as far as Tarbert. Just before reaching Tarbert, the vehicles will turn left onto the

B8024, to bypass the village, before rejoining the A83 and travelling a further 12km, to reach the Site Access Point north of Inverneill and south of Ardrishaig.

The construction of the Proposed Development is anticipated to take approximately 18 months with environmental impacts controlled through implementation of a Construction Environmental Management Plan (CEMP). This document will be produced before construction starts in line with the principles which are presented within the outline CEMP included as an Appendix to the EIA Report.

Once the turbines are operational, the access tracks, turbine foundations, substation, met mast and crane hardstand areas around the turbines will remain in place. The temporary construction compound, laydown areas, borrow pits, and working areas of hardstands will be restored.

The Proposed Development will have an operational lifespan of 40 years after which it will be decommissioned.

(B) RECOMMENDATION:

That the ECU be notified accordingly that:

(1) Argyll and Bute Council, having particular regard to the Objection raised by NatureScot and deferring to their expertise, object to the proposal on landscape and visual grounds, as the proposed wind farm would result in significant adverse landscape and visual effects on Knapdale National Scenic Area (NSA), Kilmartin Glen and Loch Fyne, contrary to NPF4 Policy 4, NPF Policy 11, LDP2 Policy 30 and LDP 2 Policy 70.

(2) Argyll and Bute Council object to the proposal in respect of potential impact of aircraft safety as set out in the NATS Safeguarding objection letter and therein referenced report dated 20.06.25. The objection by NATS confirms that the proposals are not currently considered to be in accordance with the requirements of NPF 4 Policy 11 (aircraft safety).

For the avoidance of doubt, should the NATS Objection to this application be withdrawn then the objection of the Planning Authority should also be regarded as withdrawn.

(3) Peat Landslide Hazard Risk Assessment - Argyll and 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). Argyll and Bute Council object unless this issue is resolved to the satisfaction of Ironside Farrar prior to the 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 that the application is referred to the DPEA for examination.

(4) Archaeological Impact - Argyll and Bute Council has been unable to reach a conclusion within the time afforded in respect to Archaeological Impact as no response has been received from the West of Scotland Archaeology Service. Argyll and Bute Council are therefore not in a position to confirm whether the proposal is consistent with the relevant provisions of

NPF4 Policy 7 and LDP2 Policy 21 and would recommend that the ECU consider these matters prior to determination.

(5) Argyll and Bute do not object on noise impact grounds, subject to the imposition of appropriate condition(s) to ensure operational noise and amplitude modulation matters are satisfactorily addressed, as recommended by the Council's Noise Consultant, Mott MacDonald, specified in their Review of Evidence – Noise, dated August 2025.

(6) Argyll and Bute Council do not object on Public Access grounds, subject to the inclusion of a condition requiring the developer to prepare an Access Plan for approval by the Council prior to the commencement of construction.

(7) Argyll and Bute Council do not object on Roads access or safety grounds, subject to the inclusion of relevant conditions, as specified by Transport Scotland in their consultation response to the ECU dated 31.07.25 and as set out in this report.

(8) Argyll and Bute Council do not object on Flooding and/or Drainage impact grounds subject to the inclusion of the conditions as set out in the response of the Councils Flooding advisor dated 03.07.25.

(9) Argyll and Bute Council in accordance with the views of the Council's Local Biodiversity Officer Objects to the proposals as it is considered that the applicant has failed to provide necessary biodiversity evaluation and weighting to trees within the area of Ancient Woodland which will be adversely affected by the proposals.

It should also be noted that any further necessary bat surveys must be undertaken in respect of these trees, and any European Protected Species mitigation measures submitted and agreed by the Scottish Ministers prior to the granting of any deemed planning consent to ensure any consent is issued in compliance with all legislative requirements.

(10) Argyll and Bute Council do not object in relation to impact on peat or proposed peat management issues subject to the imposition of appropriate conditions to address these matters as advised by SEPA and NatureScot in their consultation responses.

(11) Argyll and Bute Council requests that all other conditions recommended by consultees are included in any Consent.

(C) CONSULTATIONS:

ENERGY CONSENTS UNIT RESPONSES –

Relevant extracts from consultation responses are set out below. All consultation responses and other documents can be viewed in full on the ECU site at the following Link:

Consultation Responses to ECU

Members are requested to note that the original EIAR was supported by further (FEI) submissions dated 03.12.25 and therefore some consultees have provided updated responses based upon this additional information and reconsultation by the ECU.

NatureScot (13.10.25 & 19.01.26) – advised the ECU that NatureScot **object**

13.10.2025 Response Extract.

Summary

The location, size and scale of the proposed development would result in significant adverse effects on some of the special landscape qualities (SLQs) of the Knapdale National Scenic Area (NSA).

*We consider that the proposal would have significant adverse effects on two of the SLQs of the NSA, such that the objectives of the designation and overall integrity would be compromised. We advise that the proposed development may therefore not meet Policy 4 c) of National Planning Framework 4 (NPF4) due to the extensive nature of the effects on the low remote summits, slopes, ridges and landmarks within the Knapdale NSA. We therefore **object** to this proposal. We have considered other interests and taken them into account in reaching our conclusions on this proposal.*

The landscape advice presented in Annex 1 focuses on the potential for significant adverse effects on the SLQs of the NSA.

*We provide **advice** on designated sites and ecology in Annex 2.*

(Members are requested to note that further commentary on the referenced Annex 1 will be provided at a later stage in this report).

19.01.2026 FEI Response

Landscape and Visual

We refer to our response 13th October 2025 and continue to advise that the location, size and scale of the proposed development represents a step change in prominence and proximity of wind farms to the Knapdale National Scenic Area (NSA), Kilmartin Glen and Loch Fyne.

We consider that the proposed development would significantly adversely affect two Special Landscape Qualities (SLQs) of the Knapdale NSA and would significantly adversely affect the experience of areas of Kilmartin Glen and extensive landscapes and seascapes of Loch Fyne.

These impacts would be to a degree that would result in an evident and noticeable material change to the SLQs of the Knapdale NSA such that the objectives of this designation and overall integrity would be compromised. While the turbine height and number could be reduced, accounting for the site's location within the western hills of Loch Fyne close to the sensitive coast, which is intervisible from highly

sensitive areas of the Knapdale NSA, Kilmartin Glen and across a widespread extent of Loch Fyne, it is considered unlikely that the significant effects identified could be notably reduced. We therefore consider that given the proposed siting, scale and type of development, it would not be feasible to overcome the significant adverse effects identified within the site parameters.

Accounting for the anticipated significant adverse effects on the Knapdale NSA we advise that the proposed development may therefore not meet Policy 4 (c) of National Planning Framework 4 (NPF4).

Therefore, we maintain our outright objection, as expressed in our previously submitted response

Ornithology

Based on our professional knowledge and experience and local understanding of the ornithological interest of this specific site, we are able to make a reasoned judgement that, in this case, this is unlikely to have affected our conclusions in respect of the predicted effects on birds arising from this particular proposal.

However, the Applicant and those they engage to undertake such work must note that the submission of survey work that does not follow our published guidance in the future is likely to result in the need for additional survey work to fill any such gaps in survey effort, and consequent delays to their project timeline. We emphasise the importance of engaging competent persons and following all our published guidance, in spirit and to the letter, when undertaking ornithological survey work.

Collision Risk Modelling

In respect of Collision Risk Modelling (CRM), we would note that confidence in the results of such modelling is entirely dependent upon the input of high quality data gathered in accordance with best practice and current guidance (see point above). The Applicant states that “flights were recategorised according to the average height recorded for those individual flight segments”. Averaging flight heights recorded in the field could mask flight time spent at collision risk height. Our guidance advises that the bird’s flight height is estimated at the time of detection and then at 15 second intervals thereafter to inform CRM.

Again, only based on our professional knowledge and experience, and local understanding of the ornithological interest of this specific site are we able to make a reasoned judgement that, in this case, this is unlikely to have affected our conclusions in respect of the predicted mortality of birds showing flight activity with this particular proposal.

Further Environmental Information (Peatland comment)

In both the Executive Summary and at 3.2 of the submitted Further Environmental Information (FEI) the Applicant states that “Consultation responses have been received from both SEPA and NatureScot. Both consultees have confirmed that they have no objections based on the impacts of the Proposed Development on peatland or the mitigation proposed”. This misrepresents our position, given that our submitted consultation response was silent on the aspect of impacts on peatland.

In respect of these matters, having reviewed the supporting information for the proposed development, we do not consider that it would raise issues of National Interest in relation to its effects on peatland. This is not to say that the development would not result in significant effects, rather that NatureScot does not judge these effects to meet our threshold in respect of our national remit for peatland.

Historic Environment Scotland (HES) (04.09.25, 28.10.25 & 29.01.26) No Objection

Response dated 04.09.25 commented that,

Our Advice

Based on the information supplied within the EIA report there is the potential for significant adverse impacts on a number of assets in our remit. There is currently insufficient information provided within the EIA report, and we are unable to reach a view on the potential impacts of the proposed development including any mitigation measures which may be required to reduce significant impacts. We require the submission of further visualisations and assessment to be able to fully understand and assess the potential effects on the setting of the following assets:

- Dunchragraig, cairn 280m NW of
(Scheduled Monument SM90111 & Property In Care)*
- Ballymeanoch, henge, 390m WNW of Ballymeanoch Cottage
(Scheduled Monument SM176)*
- Ballymeanoch, standing stones 450m NW of
(Scheduled Monument SM4301)*

*We therefore **object** to the proposed application until sufficient information is provided to allow us to properly assess and understand the potential effects of the proposals.*

The provision of this information will allow the applicant to adequately assess the impact of the proposals, and allow us to provide advice that will allow the Scottish Ministers to reach a fully informed decision on the application. We have provided further information regarding the application in the annex to this letter.

Response Dated 28.10.25 Commented that:

Our Comments

HES objected to the application on the 4 September 2025, based on insufficient information contained within the EIA report. In our objection we stated that we were unable to reach a view on the potential impacts of the proposed development including any mitigation measures which may be required to reduce significant impacts. We stated that we required the submission of further visualisations and assessment to be able to fully understand and assess the potential effects on the setting of the following assets:

- Dunchragraig, cairn 280m NW of
(Scheduled Monument SM90111 & Property In Care)*
- Ballymeanoch, henge, 390m WNW of Ballymeanoch Cottage
(Scheduled Monument SM176)*
- Ballymeanoch, standing stones 450m NW of
(Scheduled Monument SM4301)*
- Ballymeanoch, kerb cairn 430m NW of
(Scheduled Monument SM3749)*

Additional visualisations

We welcome the applicant's commitment to produce additional visualisations – including a suite of night-time photomontages. We have reviewed the nature and location of the visualisations proposed and are content with these, however we reiterate our previous request for the applicant to identify monuments on these additional visualisations. We have no additional comments to make on this element of the applicant's response....

.... Within the applicants scoping report and subsequent pre-application consultation, there was no indication of a preference to depart from standard practices for the assessment of nationally important heritage assets which is why we were not able to pick up on this issue at an earlier stage. There is additional confusion and confliction introduced within the EIA report, as the applicant's methodology states:

'As such a qualitative descriptive narrative is provided for each asset to summarise and explain each of the professional value judgements that have been made in establishing sensitivity and magnitude of impact for each individual asset.' (Page 22)

This is not the case within the current EIA submission. With regards to the 'Ballymeanoch Asset Group', the applicant's assessment should consider each asset in the grouping and it's setting individually to determine whether its setting and cultural significance may be affected by the proposed development.

We therefore maintain our objection to the proposed application until further visualisations and assessment is provided to enable a full understanding of the potential impacts of the proposals.

Response Dated 29.01.26

*The proposals would impact the setting of two scheduled monuments: **Ballymeanoch, henge, 390m WNW of Ballymeanoch Cottage** (Scheduled Monument SM176) and **Ballymeanoch, standing stones 450m NW of** (Scheduled Monument SM4301). The turbines would appear over the skyline in wider views over the monuments and in views out from them. Having considered the additional information provided, we conclude that whilst the turbines would be visible in views from, and of, both monuments, the impact would not be sufficient to warrant an objection. **Our objection to the proposed development is therefore removed.***

Lochgilphead Community Council (19.08.25): No Objection. Stated Neutral Stance

Acknowledging the significant efforts of Low Carbon to engage with the community on the High Brenfield windfarm proposal and mindful of the significant financial community benefit which would be forthcoming if consent was granted, the Lochgilphead Community Council are in favour. However we do understand that not all in the local community are supportive. Accordingly our response is neutral.

Ardrihaig Community Council (24.08.25 & 22.01.26) : Objection.

Extracts from 24.08.25 Objection

Members are requested to note that the extracts set out below are taken from a more comprehensive document which can be found on both the Council and the ECU website.

A Community at Risk of Being Locked In

Ardrishaig is already constrained by flood risk. Loch Gilp and the A83 form a hard barrier at the village's foot, while the Crinan Canal cuts through its centre. With SEPA projecting a rise in water levels in the loch, the only safe direction for the community to grow and adapt is uphill. Yet the proposed High Brenfield Wind Farm would occupy that very land.

This would not only prevent Ardrishaig from thriving — it risks forcing the community into shrinkage and decline, trapped between flooding below and turbines above. Such an outcome runs directly against:

- NPF4 Policy 16 (Quality Homes) – which requires sufficient land and flexibility for future housing and community growth.*
- NPF4 Policy 22 (Rural Places) – which seeks to enable rural places to thrive, not to be spatially constrained to the point of decline.*

A National Transport Lifeline at Risk

The A83 is equally vulnerable. As the sole vehicular artery linking Mid Argyll to Kintyre, it is vital to regional and national resilience. Yet at Ardrishaig and Inverneill, it runs at lochside level, already prone to flooding. With the canal behind and turbines above, the corridor would be locked in, with no flexibility for adaptation or reinforcement.

Jeopardising the A83 in this way would compromise the future of Kintyre itself, cutting across the Scottish Government's responsibility to safeguard essential infrastructure.

1.3 A Site Repeatedly Found Unsuited

This site has already been the subject of previous wind farm proposals, including EDF's 2014 application, which were withdrawn after planning and community objections. The reasons remain unchanged: proximity to homes, overwhelming visual impact, and harm to heritage and landscape.

That the current application is being brought forward under Section 36 does not alter the fundamentals. Planning has already shown this site to be unsuitable — and the same grounds for refusal remain today.

1.4 Policy Must Be Read as a Whole

The developer's own representatives admitted at the first public consultation that the site was chosen "because it was available, with no planning constraints", not because it was the most appropriate or least harmful. That opportunistic siting cannot be justified by net-zero targets alone.

NPF4 is a statutory development plan and must be applied in full, not cherry-picked. Whilst Policy 11 (Renewables) supports wind energy, it does not override other equally binding policies:

- Policy 4 (Natural Places) – protection of valued landscapes and visual amenity*
- Policy 16 (Quality Homes) – safeguarding space for housing*
- Policy 22 (Rural Places) – supporting rural regeneration and resilience*

*· Policy 1 & 3 – addressing the climate and nature crises together
Approving High Brenfield would reduce NPF4 to a single-issue framework,
contrary to both the spirit and the letter of the policy.*

1.5 Additional Grounds for Objection

Community Opposition – An April 2025 survey of 750 households (170 responses) shows 67% of respondents opposed to the windfarm, citing noise, visual intrusion, ecological damage, property devaluation, and wellbeing impacts. Even amongst those supporting the proposal, there were concerns about the proximity to residences, noise and ecological harm.

Failure to properly assess impacts and propose adequate mitigations across the whole of the EIA – It will be evident to anyone reading the remainder of this response that, in every chapter, ACC has identified numerous and significant failures to conduct adequate assessments, comply with numerous policies in NPF4 and other regulatory requirements or offer adequate mitigations. This leads to concerns about the developer's commitment, both to the environment and the communities which will be impacted, were consent for this development to be granted.

Landscape and Visual Impact At 200m, the turbines would dwarf the landform, visually dominate Ardrishaig, Inverneill, and Lochgilphead, intrude on the Knapdale and North Arran National Scenic Areas, and overwhelm the Crinan Canal corridor. This is permanent industrialisation of an iconic coastal and cultural landscape, contrary to NPF4 Policy 4 and LDP2 ENV 9.

Heritage and Tourism – The dominance of the turbines threatens the Crinan Canal (Scheduled Monument) and Ardrishaig Harbour (Category B listed), undermining tourism built on scenic and cultural assets.

Environmental Harm – Industrialises sensitive upland habitats, disturbs peat and hydrology, and threatens biodiversity, conflicting with NPF4 Policies 1 and 3.

Cumulative Burden – Mid Argyll and Kintyre already host multiple windfarms and transmission infrastructure. High Brenfield would materially increase saturation, exceeding landscape capacity identified in the Argyll & Bute Landscape Wind Energy Capacity Study (2017).

Democratic Deficit – Section 36 removes local decision-making, undermining the Scottish Government's stated principle of a "just transition" co-designed with communities.

1.6 Conclusion

This proposal is not simply another wind farm. It is a development that would, if approved:

- Lock a community into decline because of flood risk, cutting off its only space for future housing and regeneration.*
- Compromise a nationally vital transport artery — the A83 — with direct consequences for Mid Argyll and Kintyre.*
- Ignore a planning history in which this site has already been judged unsuitable.*

- *Misapply NPF4, treating renewable generation as the sole policy test and disregarding equally binding protections for homes, places, nature, heritage, and resilience which have been largely ignored or underplayed in the EIA.*

These impacts are unique, profound, and irreversible. They provide Ministers with clear, defensible grounds for refusal.

Ardrishaig Community Council therefore urges Scottish Ministers to refuse consent for the High Brenfield Wind Farm.

Extracts from further Objection dated 21.01.26

Ardrishaig Community Council (ACC) submits this response in January 2026 in respect of the High Brenfield Wind Farm Section 36 application, following the submission by the Applicant of Additional Further Environmental Information ("FEI"), subsequent correspondence with statutory consultees, and the publication of updated policy guidance and relevant peer-reviewed evidence.

This submission must be read in conjunction with ACC's detailed representation submitted in August 2025, which remains valid in its entirety.

ACC therefore proceeds on the basis that all matters raised in August 2025 remain unresolved, except where the Applicant has clearly and expressly demonstrated otherwise through its subsequent submissions. In the absence of such demonstration, those matters should be treated as outstanding at the point of determination.

....Accordingly, ACC does not accept that the Applicant's late response resolves, negates or diminishes the concerns set out in ACC's August 2025 representation. All matters raised therein which remain unaddressed, partially addressed, or reliant on post-consent controls should continue to be treated as live and unresolved issues in the determination of this application.

The purpose of this further submission is not to restate ACC's August objections in full, nor to duplicate material already before Ministers.

Instead, it examines whether the Applicant's Additional FEI and subsequent correspondence materially change the position previously set out by ACC; identifies where statutory consultees continue to raise objections or unresolved concerns; highlights where the Applicant asserts that matters have been resolved but significant uncertainty, evidential gaps or reliance on future conditions remain; and draws attention to new policy guidance and peer-reviewed evidence published since submission of the application where this reinforces or sharpens existing concerns.

Where issues raised in August are not revisited in detail in this submission, that should not be taken to imply that they have been resolved or abandoned. In addition, where ACC has not responded in detail to specific points raised for the first time in the Applicant's response dated 19 January 2026, this should not be taken as agreement or acquiescence, but reflects the procedural constraints created by the timing of that submission.

ACC's position is that the proposed development is unacceptable in principle and that the Section 36 application should be refused.... The Applicant's proposed conditions repeatedly proceed on the assumption that unresolved objections or

concerns can be addressed through future agreement with statutory consultees. As demonstrated in the accompanying Appendix, that assumption is not supported by the evidential record in this case and cannot lawfully substitute for resolution of substantive planning issues at the point of determination

In particular, the application seeks consent for a development which would result in fundamental and irreversible change to landscape character and setting; unacceptable harm to heritage assets and their setting; unresolved risks to public and private water supplies; permanent loss and fragmentation of sensitive habitats and carbon-rich soils; and cumulative impacts on communities and infrastructure which exceed what can reasonably be absorbed.

These matters go to acceptability in principle, not to the adequacy of management plans or mitigation detail.

ACC recognises that planning conditions can play a legitimate role in controlling and mitigating development impacts. ACC bases this submission on the established principle that planning conditions cannot remedy fundamental deficiencies in environmental assessment. Ministers cannot use conditions to defer the assessment of significant effects or to substitute for information required under the EIA Regulations.

Where impacts go to acceptability in principle, the appropriate planning response is refusal rather than conditional approval.

ACC draws Ministers' attention to the accompanying Appendix, which provides a structured analysis of the Applicant's proposed planning conditions and explains why key issues cannot be cured through conditional consent. That analysis demonstrates that the conditions framework is being relied upon not merely to regulate implementation, but to defer assessment, assume future agreement, and transfer unresolved impacts into post-consent processes. In ACC's submission, the Appendix shows that the proposed conditions do not provide a lawful or decision-ready basis on which consent could properly be granted.

Taken together, the Applicant's proposed conditions would transfer unresolved environmental, amenity and public health risk from the Applicant to regulators, affected communities and Ministers themselves. Granting consent in these circumstances would not resolve those risks.

Argyll District Salmon Fisheries Board (20.06.25); No Objection

We have gone through the application and are satisfied that this development will not have any impact on fish habitat.

British Horse Society (19.06.26) No Objection

The BHS is here to help and can provide guidance on suitable surfaces and infrastructure to accommodate equestrians and other access takers. We would be very willing to work with the applicant on these aspects. We can advise on matters including but not limited to: Access Management Plans, Core Paths, potential to create circular routes, gates, cattle grids.

BT Radio Networks (25.06.25 & 17.12.25) : No Objection

The conclusion is that the Project indicated should not cause interference to BT's

current and presently planned radio network.

MOD Defence Infrastructure Organisation (07.07.25 & 18.12.25): No Objection

In this case the development falls within Low Flying Area 14 (LFA 14), an area within which fixed wing aircraft may operate as low as 250 feet or 76.2 metres above terrain features to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

To address this impact, and given the location and scale of the development, the MOD require conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. Suggested condition wordings are set out in Appendix A.

Appendix A

Condition - Aviation Lighting

Prior to commencing construction of any wind turbine generators, or deploying any construction equipment or temporal structure(s) 50 metres or more in height (above ground level) the undertaker must submit an aviation lighting scheme for the approval of the Scottish Government in conjunction with the Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence.

This should set out: details of any construction equipment and temporal structures with a total height of 50 metres or greater (above ground level) that will be deployed during the construction of wind turbine generators and details of any aviation warning lighting that they will be fitted with; and the locations and heights of all wind turbine generators and any anemometry mast featured in the development identifying those that will be fitted with aviation warning lighting identifying the position of the lights on the wind turbine generators; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

Reason for condition.

To maintain aviation safety.

Condition - Aviation Charting and Safety Management

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) the date of the commencement of the erection of wind turbine generators;*
- b) the maximum height of any construction equipment to be used in the erection of the wind turbines;*
- c) the date any wind turbine generators are brought into use;*
- d) the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).*

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason for condition.

To maintain aviation safety.

NATS Safeguarding (20.06.25) – Objection

The proposed development has been examined by our technical safeguarding teams and conflicts with our safeguarding criteria.

Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NATS's objection are outlined in the attached report TOPA SG36445.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are obliged to follow the relevant directions within Planning Circular 2 2003 - Scottish Planning Series: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003 or Annex 1 - The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002.

These directions require that the planning authority notify both NATS and the Civil Aviation Authority ("CAA") of their intention. As this further notification is intended to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission.

It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause serious safety risks for air traffic.

It is noted that the applicants have provided further information by submission dated 19.01.26 on these matters to seek the withdrawal of the current NATS objection. However, at time of writing the objection by NATS has not been withdrawn and remains in force.

Members are requested to note that it is considered procedurally necessary for the Planning Authority to maintain an objection unless NATS withdraw their objection.

Prestwick Airport (04.12.25) No Objection

On behalf of Glasgow Prestwick Airport, I have reviewed the updated site information with regards to the Section 36 Application for High Brenfield Wind Farm (ECU00004961).

The new layout and tip height does not introduce any aviation safety impact upon

Airport, and as such we would have nothing further to add to our removal of objection dated 01 May 2024

Glasgow Airport (19.06.25) No Objection

This proposal is located outwith the radar consultation area and is below the height that requires assessment against instrument flight procedures (300m AGL) for Glasgow Airport. We therefore have no comment to make and need not be consulted further.

Highland and Islands Airport Ltd (28.07.25 & 23.01.26) No Objection

*Highlands and Islands Airports Limited has been consulted on the above proposed development, received by this office on **4 Dec 2025**.*

This proposal is located out-with our safeguarding criteria. As such we have no comment to make and need not be consulted further.

Joint Radio Company (02.07.25) No Objection

*This proposal is **cleared - subject to 50m Micrositing** - with respect to radio link infrastructure operated by the local energy networks.*

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements. In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

SSEN (08.01.26) No Objection

Thank you for giving us the opportunity to comment on the additional information submitted with this Section 36 ELA 1989 application. Upon review of the additional information, we have "no comments" to make on this additional material.

More broadly, we have no concerns about the location of the proposed wind turbines relative to our existing 132kV An Suidhe - Crossaig overhead transmission line, but given the site access would run underneath our critical national infrastructure asset, we ask the ECU to apply an informative note to the decision notice, if approval is granted, asking them to contact SSEN Transmission's Asset Management team at transmission.asset.management@sse.com at least 30 day prior to commencing on site works to obtain relevant HSE GS6 safety information for undertaking works near our overhead line.

Scottish Forestry (28.06.25 ,22.10.25 & 22.01.26) No objection (subject to conditions)

Conclusion

*Scottish Forestry is broadly supportive of the embedded design approach to **minimise woodland impact** through track reuse and peat-sensitive engineering.*

However, **clarification, additional mapping, and documentation** are required before Scottish Forestry can confirm compliance with national and local woodland policy and best practice standards. We look forward to collaborating with the applicant and planning authority to resolve these matters

Response Dated 22.10.25

We advise that:

The proposals demonstrate full compliance with UKFS. The UK Forestry Standard 5th edition was published on 3 October 2023 following the completion of an extensive review process. The 5th edition applies from 1 October 2024 for all woodland creation and management activity. This followed a 12-month transition period to allow relevant guidance to be updated and draft woodland plans to be finalised.

The Applicant considers their Felling and Restocking in the context of the Argyll and Bute Local Development Plan 2 and associated policies on Forestry and Forestry Removal in line with the adopted Forest and Woodland Strategy.

The applicant clarifies the total area of permanent woodland loss to ensure that the correct area of compensatory planting is applied.

Compensatory planting for the woodland lost should be secured by a condition, a draft of which is attached in Annex 1.

Annex 1: Compensatory Planting Condition

(1) No felling or development shall commence, including site and ground investigations until a woodland planting scheme to compensate for the removal of **61.94ha plus** hectares of existing woodland (“the Replanting Scheme”) has been submitted to, and approved in writing by, the Scottish Ministers in consultation with the Planning Authority.

(2) The Replanting Scheme shall provide:

(a) details of the location of the area(s) to be planted, including a map and description of current land use;

(b) the nature, design/layout, species composition, purpose and specification of the proposed woodland to be planted;

(c) the phasing and associated timescales for implementing the Replanting Scheme;

(d) proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary consents and thereafter implementation of the Replanting Scheme;

(e) proposals for the maintenance and establishment of the woodland to be planted, including annual checks, replacement planting, fencing, ground preparation and drainage; and

(f) details evidencing compliance with The UK Forestry Standard and the Scottish Government’s Policy on Control of Woodland Removal (as amended or replaced from time to time).

(3) The Replanting Scheme approved under part (1) of this condition shall be implemented in full, unless otherwise agreed in writing by the Scottish Ministers in consultation with the Planning Authority.

Reason: To secure replanting to mitigate against effects of deforestation arising from the Development

Forestry Felling Plan

(1) No felling shall take place until a Forestry Felling Plan (FFP) has been submitted to and approved in writing by the Planning Authority in consultation with Scottish Forestry. The FFP shall cover the Development site and shall provide:

- (a) details of felling and restocking proposals;*
- (b) details of the management measures to reduce the amount of felling required to accommodate the Development;*
- (c) measures to deal with forest waste including brash in line with the UK Forestry Standard;*
- (d) timelines for implementing the plan;*
- (e) details setting out annual monitoring of the felled area and reporting procedures to be carried out by a qualified expert;*
- (f) details of forestry management practices; and*
- (g) details demonstrating compliance with The UK Forestry Standard and the Scottish Government's Policy on Control of Woodland Removal (as amended or replaced from time to time) and Argyll and Bute Local Development Plan 2 and associated policies on Forestry and Forestry Removal in line with the adopted Forest and Woodland Strategy.*

(2) The approved FFP shall be implemented in full upon Commencement of Felling.

Reason: *to minimise and manage the effects of forestry felling required to accommodate the Development.*

Annex 2: Note on the Consenting Route

- Consenting Route - the appropriate consenting route for the management felling required to accommodate construction of the Development, including infrastructure and management felling, totalling 191.7ha would be the Section 36 consent.*
- Restocking of management felling areas and compensatory planting relating to permanent woodland loss (61.94ha) would also be via the Section 36 consent.*
- Any felling and restocking not required for the development should follow the usual consenting routes under the Forestry and Land Management (Scotland) Act 2018.*

Response Dated 22.01.26

Upon review of the additional information, we have no further comments to make on the FEI. The response from Scottish Forestry dated 22nd October 2025 remains extant and both appendices have been attached for ease of reference.

Transport Scotland (31.07.25 & 05.12.25) No Objection

Response dated 31.07.25 extract

Noting the observations set out in this response, based on the information provided, Transport Scotland would offer no objection to application ECU00004961 subject to the application of appropriate conditions to any consent that may be awarded.

As requested, Transport Scotland has reviewed the Onshore Wind Standard Conditions and has provided comments and proposed amendments to address matters within its remit (in addition to proposed amendments suggested by the applicant). These are provided in the Table 3 appended to this response.

In addition to the Conditions, the applicant should also be informed of the following advisory notes setting out requirements relating to works within the trunk road boundary:

i The applicant should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Roads Directorate.

ii Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation.

iii Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

iv The road works which are required due to the above Conditions will require a Road Safety Audit as specified by the Design Manual for Roads and Bridges.

v Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.

vi To obtain permission to work within the trunk road boundary the developer should contact the Area Manager through the general contact number 0141 272 7100.

vii The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

We trust the above is sufficient. However, should you require any further information please do not hesitate to contact us.

Members are requested to note that Transport Scotland have in their response provided a series of proposed conditions which they request are attached to any consent with the following main headings.

- Enabling Works
- Traffic Management
- Abnormal Loads
- Trunk Road Mitigation Measures
- Decommissioning, Restoration and Aftercare
- Site Decommissioning, Restoration and Aftercare

FEI Response Dated 05.12.25 extract

We can confirm that our response dated 31 July 2025, including the comments and proposed modifications to the standard suite of conditions outlined therein, remains valid and should continue to be taken into consideration in

determining the application.

SEPA (Scottish Environment Protection Agency) (07.08.25,10.10.25 & 26.01.26) No Objection (subject to conditions)

Response dated 07.08.25 Extract

We ask that the planning conditions in the Appendix below be attached to any consent if granted. If these will not be applied, then please consider this representation as an objection.

Detailed and lengthy conditions covering the following main issues are required by SEPA;

Proposed Conditions

12 Micro siting
14 Enabling Works
18 Geotechnical Clerk of Works

Response dated 03.08.25 extract

I can confirm that we are in agreement with the proposed wording for planning condition 31 and have no other issues to raise at this point.

The final response indicates that SEPA are content with the proposals and the intended wording of conditions through discussions with ECU.

Response Dated 26.01.26

Thank you for consulting us on the additional information and updated draft conditions for this application.

We have no additional comments to offer on the Further Environmental Information (November 2025) documents, but we confirm that we support the latest updated draft conditions (Version 3) which are listed on the ECU portal as: High Brenfield WF_Standard_Onshore_Wind_Cond_V3_15.01.2026

Scottish Water (30.06.25, 08.09.25 & 19.09.25) –No objection

Advice provided on technical and procedural requirements to safeguard Protected Water Catchment Area and drinking water supplies. These matters would be controlled outside the Planning Legislative Framework by Scottish Water and/or SEPA.

SEPA (07.08.25, 10.10.25& 26.01.26) No Objection subject to imposition of conditions

07.08.25 Response Extract

Advice for the determining authority

*We ask that the planning conditions in the Appendix below be attached to any consent if granted. If these will not be applied, then please consider this representation as an **objection**. Please note the advice provided below.*

For all other planning matters, please see our triage framework and standing advice which are available on our website at sepa.org.uk/environment/land/planning/.

10.10.25 Response Extract

I can confirm that we are in agreement with the proposed wording for planning condition 31 and have no other issues to raise at this point.

26.01.26 Response Extract

Thank you for consulting us on the additional information and updated draft conditions for this application.

We have no additional comments to offer on the Further Environmental Information (November 2025) documents, but we confirm that we support the latest updated draft conditions (Version 3) which are listed on the ECU portal as: High Brenfield WF_Standard_Onshore_Wind_Cond_V3_15.01.2026

Please also refer to our previous response under SEPA ref: PCS-20005847.

Argyll and Bute Council Consultee Responses

Consultant Landscape Advisor (05.09.25 & 22.01.26) - No objection Raised.

The Council's Landscape Advisor has examined both the initial EIAR submission and the FEI additional information requested by HES. It is his opinion that although some significant localised adverse impacts will occur, there will be no overall unacceptable adverse impacts caused by the proposals which would merit objecting on Landscape Impact grounds. The conclusions of his landscape Impact evaluation report are set out below.

11. Conclusions

This proposal would have significant localised effects on landscape character within and around the site, significant effects on LLAs (on "views across and along Loch Fyne"). There would also be significant effects on views from locations within a 10km radius mainly to the northeast and east of the wind farm site and the summits of nearby hills to the north and west.

Whilst the site is close to the Knapdale NSA, effects on its Special Landscape Qualities would not be significant as there would be limited visibility of turbines from within the NSA due to the screening effects of landform.

Whilst the scale of the proposed turbines does not align with the ABLWECS, in general the scale of the turbines fits the scale of the large scale landform reasonably well.

Significant landscape effects are predicted for:

- Knapdale Upland Forest Moor Mosaic (LCT 6b) (localised effects in and in the environs of the proposal site)*
- West Loch Fyne (Coast) LLA (indirect effects on "views across and along Loch Fyne")*
- East Loch Fyne (Coast) LLA (indirect effects on "views across and along Loch Fyne")*

The overall cumulative effect of wind farms on the character of Knapdale Upland Forest Moor Mosaic is assessed not to be significant due to the relatively limited combined visibility and the wide spacing between the schemes.

Significant visual effects are predicted for:

- *Cruach Breacain and Cruach Lusach (hills close to the site)*
- *Lochgilphead and Blarbuie Woodland Park*
- *Sections of the A83/ Argyll Coastal Trail between Ballibeg and Lochgilphead*
- *B8000/ Otter Ferry (across Loch Fyne)*
- *Section of core paths C111(a & b) - Creag Ghlas, Cairnbaan to Kilduskland Reservoir, C140(a & b) - The Corran to Kilmory Gardens and C406 - Otter Ferry Circular, Loch Fyne*
- *Argyll Paddle Trail (kayak route on Loch Fyne/Loch Gilp)*

Although Ardrishaig and Inverneil are both close to the wind farm site, visual effects are not predicted to be significant for either settlement where visibility to turbines would be limited by topography, some screening is provided by trees and woodland, the orientation of views is generally to the east, away from the proposal and the existing overhead power lines are already visible on the skyline.

The proposal is assessed not to introduce a significant cumulative visual effect and the additional effects introduced by the proposal are predicted not to lead to a significant sequential effect alongside the other developments. It is assessed that the addition of the proposal would not result in the overall cumulative visual effect of wind turbines being dominant or oppressive in views experienced at various points within the area.

Permanent removal of 61.13ha of coniferous plantation within Ardrishaig Forest would be required to facilitate the construction of the proposal. A further 129.76ha would be felled to the wind farm boundaries to avoid foreseeable wind blow and replanted up to a 226m diameter 'wind protection zone' around turbines. The loss of a small area (0.59ha) of non-native AWI woodland is also required to construct the access track.

Compensatory planting to comply with the Scottish Government's Control of Woodland Removal Policy of at least 67.25ha is proposed to be delivered as part of the proposal to be arranged in consultation with Scottish Forestry post-consent. In addition the applicant proposes to restore an area of AWI within the Attichuan Forest equal to that being disturbed by the construction of the access track (0.59ha).

From a landscape and biodiversity perspective it would be desirable for the compensatory planting to be native woodland rather than single species non-native conifer plantation.

It is recommended that 'smart' aviation lighting activated by approaching aircraft (as referenced in the Design Statement, but not the current proposal) is implemented if it is approved for use in UK airspace before construction of the wind farm.

From a review of the photomontages the layout design of the proposed wind farm appears to have been carefully considered, with minimal 'stacking' of turbines and well balanced overall composition, making use of landform to limit visual impacts.

There would be benefits in reducing the turbine size and spacing (though of course this would reduce the capacity of the wind farm). However, there are no individual turbines that are especially prominent or are 'outliers' seen from multiple directions, the removal or repositioning of which would be likely to appreciably reduce landscape or visual impacts.

Review against NPF4 Policies 4 and 11

Policy 4 c) states that development proposals that will affect a National Scenic Area will only be supported where:

- i. The objectives of designation and the overall integrity of the areas will not be compromised; or*
- ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.*

The EIAR predicts effects on the Knapdale NSA's Special Landscape Qualities to be not significant. I consider the assessment to be reasonable and that the objectives of the designation and the overall integrity of the NSA would not be compromised.

Policy 4 d) states that development proposals that affect a site designated as a local landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.*

The proposals are predicted to have a significant effect on the West Loch Fyne (Coast) and East Loch Fyne (Coast) LLAs through indirect effects on "views across and along Loch Fyne" which are qualities identified in the ABLWECS for LCT6a Loch Fyne Upland Forest Moor Mosaic which overlaps the designated areas.

The LVIA argues that while the proposals would have significant adverse effects on the qualities of the LLAs identified within the ABLWECS, given their localised nature and the limited geographical extent of the LLAs affected, the effects are not of such a scale to prevent an understanding or appreciation of the key qualities of the LLAs and their overall integrity would be maintained. I consider this to be a fair assessment, and it would be difficult to argue with it, particularly as the LLAs do not have formal citations or qualities for which they have been identified.

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 generally be considered acceptable. NPF4 provides no guidance on the definition of what constitutes localised effects.

Details in relation to the iterative design process and embedded mitigation, relevant to the LVIA are provided in the Design and Access Statement. It is stated

that decisions taken to refine through turbine size reduction and removal and re-siting from the preliminary design (17 turbines, 220m high) to the current proposal (10 turbines, 200m high) were driven by landscape and visual and cultural heritage considerations including visibility from the Knapdale NSA (including Tayvallich), Scheduled Monuments within the Kilmartin Glen and the settlements of Lochgilphead, Ardrishaig and Inverneil. The EIAR does demonstrate that impacts have been reduced through appropriate design mitigation and the design layout appears to fit reasonably well into the landscape limiting significant landscape and visual effects.

The significant residual landscape effects of the proposals can be considered localised, occurring mainly within up to around 7km from the proposed wind farm. Significant visual effects, though extending as far as Otter Ferry approximately 10km away can be considered localised with the greatest visual impacts on communities occurring in parts of Lochgilphead relatively close to the proposals, so it may be difficult to argue that the proposals do not comply with Policy 11e.

Whilst significant visual effects are predicted for travellers on sections of the A83/Argyll Coastal Trail, visibility would be intermittent and localised to relatively short stretches of the route with other infrastructure including overhead power lines and other wind turbines are already visible.

12. Key viewpoints to be considered by the planning committee.

1. Inverneill (Viewpoint 2)
2. Ardrishaig Pier (Viewpoint 3)
3. Lochgilphead Conservation Area Waterfront (Viewpoint 6, turbines visible in combination with Srondoire/ Allt Dearg)
4. A83 (Viewpoint 7, Argyll Coastal Trail, close to East Loch Fyne (Coast) LLA)
5. Otter Ferry (Viewpoint 12, within West Loch Fyne (Coast) LLA)
6. Tayvallich (Viewpoint 19, within Knapdale NSA)
7. B8024 (Viewpoint 21, within Knapdale NSA)
8. Moine Mhor minor road (Viewpoint 18, within Knapdale NSA)
9. Standing Stones Stockavullin (Viewpoint 15, within Knapdale/ Melfort LLA)
10. Core Path C137a – Port Ann Circular (Viewpoint 22, within West Loch Fyne (Coast) LLA)

Further comment related to FEI submissions Dated 22.01.26

The Council's Landscape advisor has provided additional comments in response to the submitted FEI information requested by HES as set out below;

The four FEI photomontages provide useful additional evidence of the potential landscape and visual effects of the proposal experienced at Kilmartin Glen within the Knapdale/ Melfort LLA but do not raise any new concerns that landscape or visual effects have been underestimated within the LVIA. I therefore stand by the conclusions of the High Brenfield Wind Farm Landscape and Visual Review (Jacobs, August 2025).

Local Biodiversity Officer (10.10.25 & 10.02.26)

Response Dated 10.10.25 Extracts

Ancient Woodland

Ancient Woodland is present on site and an area of 0.59ha will be impacted upon by the proposed development, although it has been subject to felling and planting of Sitka Spruce. I note the applicant is in discussions with Scottish Forestry regarding the woodland onsite and I ask these discussions continue.

Comment:

It is not clear if there are native trees within the Ancient Woodland that require felling. I request this information please. If any are proposed to be felled, I request a tree survey be submitted to include information on their biodiversity value. I also request a bryophyte and lichen survey be submitted to understand the potential impact on them.

3.3 Peatland

I note the applicant is in discussions with SEPA and NatureScot. I ask these discussions continue. As per NPF4 Policy 5, the mitigation hierarchy should be adhered to, with areas of deep peat avoided in the first instance.

3.4 Summary of European Protected Species

....Comment: I note Locations 5, 6, 10 and 11 have been removed. Soprano and common pipistrelle are both calculated as Medium risk at Location 2. It is not clear if there are any roosts within the Ancient Woodland. Can the applicant please clarify?

Bats

Recommendation: There are a number of wind farms within the area which will be cumulatively impacting upon bats. As a matter of caution and due to bats being present within the site, it would be advisable to reduce the rotation speed while idling. Please see NatureScot guidance for further information <https://www.nature.scot/doc/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation>..... I ask the applicant to monitor any fatalities that may occur from collision, as bats are found to forage within the wind turbine areas. I also ask that post-construction surveys are carried out to aid the monitoring process. This information will feed into further mitigation measures which can be altered accordingly to ensure any negative impacts to foraging / commuting bats is minimal. Bats should be included in the Species Protection Plan (SPP).

The cumulative effects of wind farms are having a negative impact on bird species. Appropriate mitigation measures must be implemented to reduce potential impact of bird collision. Research has shown that painting one of the blades black can reduce fatalities. A programme of monitoring should be implemented with results provided to NatureScot, RSPB and Argyll Raptor Study Group. This information will feed into further mitigation measures which can be altered accordingly to ensure any negative impacts to birds is minimal.

A Bird Protection Plan (BPP) will be drafted and agreed with NatureScot. I ask that discussions with NatureScot continue. No works should begin until this has been submitted and agreed upon.

4.0 Biodiversity Enhancement Management Plan (BEMP)

I ask that peatland compensation and enhancement measures are agreed with NatureScot and SEPA.

5.0 Species Protection Plan (SPP)

I note one is yet to be submitted. I ask that the following species are included:

- *Bats*
- *Badger*
- *Red squirrel*
- *Pine Marten*
- *Protected invertebrates including small heath and small pearl-bordered fritillary butterfly*

No works should begin until this has been submitted and agreed upon.

7.0 Comments

I am satisfied with the proposed mitigation measures, including:

- *Appointment of an Ecological Clerk of Works (ECoW)*
- *Pre-construction surveys by a suitably qualified ecologist*
- *Best practice measures implemented*
- *Post-construction monitoring of pine marten by suitably qualified ecologists*
- *Toolbox Talks to all onsite staff*

I am submitting a Holding Objection until I receive further requested information.

(The applicant provided additional information in response to these matters on 19.01.26).

Response Dated 10.02.26 Extract

Tree Survey report:

20 native tree species are proposed to be felled within ancient woodland.

T1-T9, T11, T20-22, T26 and T30-31 - mature oak

T10 and T29 – dead oak

T12-13 – mature beech

T15 – mature birch

It should be noted that the biodiversity value of the trees and not their category should be considered. Although not clear, the photos appear to show evidence of lichens and bryophytes present on the trees.

The presence or absence of bats within these trees must be determined and appropriate surveys undertaken by a suitably qualified ecologist where necessary.

I therefore maintain my Holding Objection in the absence of this information being provided.

Noise Consultant (Mott McDonald) (05.08.25 & 1.10 25) – No Objection subject to conditions.

Mott MacDonald Ltd has been commissioned by Argyll and Bute Council to undertake a peer review of the noise assessment for the proposed High Benfield Wind Farm. This review includes a desktop assessment against current good practice, a check of the predicted noise levels from the wind farm, and a site survey of the area surrounding the wind farm site including the nearest residential receptors. This report summarises the findings of the review.

The desktop review and site survey conclude that, in general, good practice has been adopted by the Applicant, with a few issues identified. The most significant of these issues are:

- *The correction of the predicted LAeq receptor noise level to the LA90 parameter is not confirmed and the comparison of the reported receptor noise levels with the results of the Mott MacDonald comparative model suggests that a correction was not applied. In accordance with best practice, 2 dB is usually subtracted from the LAeq values obtained as an output of the noise modelling. Consequently, the receptor noise levels presented by the Applicant are expected to be 2 dB greater than they should be.*
- *Confirmation that there are no derelict residential properties within the study area is not given*

Following a satisfactory response to the above issues from the Applicant, it is considered that there would be no reasons to object to the Proposed Development on noise grounds.

3.3 The Applicant does not propose a condition on operational noise impacts.

It is suggested that a lowered fixed limit on quiet amenity hours and night-time noise from the Proposed Development alone of 35 dB LA90 for all non-financially involved properties is adopted and is expected to be achievable at all receptors including both night-time and quiet amenity hours, and at all wind speeds.

For financially involved properties, a lowered fixed limit on quiet amenity hours and night-time noise from the Proposed Development alone of 45 dB LA90 is proposed at all wind speeds.

A suitably worded condition such as that included in Section 4 of this report to limit the noise levels, tonality and amplitude modulation should be applied to control noise levels from the Proposed Development.

Further Response following clarification by Applicant on above (01.10.25)

In response to the clarifications:

- *We have done a detailed check on our calculations and found that there was an error in our spreadsheet, which has now been corrected. Our results now align with those of the applicant. Apologies for the confusion.*
- *We note the applicant's belief that there are no derelict buildings within the study area with residential status.*

Having considered both points, we would confirm that the clarifications are satisfactory, and therefore our original conclusions are valid.

The proposed condition is set out in detail at section 4.2 of the original consultation response and as set out in Table 1, Table 2 and Table 3 of the consultation response.

Guidance Notes are also referenced at Notes 1-5 (inclusive) relating to methodology which Officers would also wish to see attached in any deemed consent as part of an approved method statement should the Scottish Ministers determine to approve the current proposals.

Advice has also been provided at paragraph 4.1 in relation to Amplitude Modulation recommending that;

Given the evolving position regarding amplitude modulation, it is considered particularly important that wind farm planning consents include a condition to control such impacts, and that following the principles in ETSU-R-97, the burden of that investigation should fall to the developer. The UK Government is currently consulting on updates to the ETSU-R-97 guidance, which includes the proposed AM condition as proposed by A&BC. Should future government guidance regarding amplitude modulation conditions be at variance from the condition recommended in this report, an application can be lodged with the Planning Authority to amend or remove said condition. However, should government guidance advise that amplitude modulation conditions should be attached, and none existed, there would be no mechanism for applying such a condition in retrospect.

We would therefore recommend a noise condition to control amplitude modulation from the wind farm. There are a number of ways that this could be applied, such as the one cited in the November/December 2017 issue of the Institute of Acoustics' Acoustics Bulletin magazine (McKenzie et al., 2017).

The proposed condition has not been subjected to a legal review, as that is outside of the current remit. It is expected that one would be undertaken by the decision maker as part of the granting of planning permission if the proposed development is successful.

It is the opinion of officers that this matter should be addressed by the Scottish Ministers/ECU who, as the decision maker, should take expert advice in relation to Amplitude Modulation Impacts and potential condition wording to ensure that this matter, raised by the Council's Noise advisor, is both properly considered and appropriately addressed by the Determining Authority should the decision be taken to approve the current application.

Area Roads Manager. No response received.

It is considered that local road network matters can be adequately addressed by the imposition of appropriate suspensive conditions requiring the submission and approval of the following;

- Cumulative Traffic Impact Assessment,
- Construction Traffic Management Plan
- Junction/access road design details to required standard of the Area Roads Engineer

It is noted by Officers that Transport Scotland have not raised objection to the proposals and the majority of the route used to deliver equipment will be along the Trunk Road Network. (Transport Scotland have responded to the ECU with recommended conditions to address envisaged the Trunk Road Network movements).

Flood Risk Assessor (03.07.25) – No objection subject to conditions.

Conditions recommended:

. 1. Surface water drainage design calculations are provided at detailed design stage demonstrating that post development surface water runoff does not exceed the pre-development surface water runoff.

2. Sections 2 to 3 of the checklist above are addressed at detailed design stage and the surface water drainage system should be in operation prior to the start of construction

Access Officer (20.01.26) No Objection.

Recommends production of access plan and seeks improvements to footpath network in local area. These matters can be addressed/finalised by appropriate conditions on any future consent.

West of Scotland Archaeology (WoSAS) – at the 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:

The Planning History below relates to applications within the general locality of the currently proposed windfarm.

14/00258/PAN – EON renewables windfarm proposal . Site 3 miles south of Ardishaig.

14/01342/S36 – EDR Energy Renewables application for a wind farm on the High Brenfield site (ECU00002094). Application was withdrawn.

16/00983/PAN – EDF Proposal of Application Notice for proposed wind farm

16/02699/PAN – EDF Proposal of Application Notice for proposed wind farm

17/02188/SCOPE - Proposed Section 37 application for the proposed Inveraray to Crossaig overhead line reinforcement

18/01700/S37 – Section 37 application for the proposed Inveraray to Crossaig overhead line reinforcement. Approved and constructed

20/01520/FDP - Long term forest plan. No Objection.

23/02159/SCOPE – High Brenfield Windfarm (related to current application)

25/00629/FELLIC – Scottish Forestry Felling Application. Undetermined

Members are requested to note that although there has been considerable historic interest in windfarm provision in the general area of the proposal, no formal applications have been either approved or refused.

(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 available on the ECU website and the Pre Application consultation details have also been provided as part of the application submission details on the Council's website.

(F) REPRESENTATIONS:

As the Council is not the determining Authority any letters of representation are considered by the Energy Consents Unit. A link to these is provided below:

[Scottish Government - Energy Consents Unit - Application Details](#)

At time of writing, 36 third party responses have been submitted to the ECU at time of writing as follows:

Objections : 21

Support : 16

The main issues raised in objecting to the current proposals set out in these responses are summarised below:

Summary of Objections

- The 200m tall turbines on lowland hills will significantly alter the visual character of the area and will have significant adverse landscape impacts
 - The scale is too big for the sensitive coastal hills and seascape setting
 - The proposal would dominate distant views of 5 National Scenic Areas and historical sites of Kilmartin Glen
 - Existing wind farms are generally located further inland in less settled areas, with turbine heights significantly lower than this proposal and are not considered to dominate the views along the Loch Fyne coastline. When combined with existing turbines nearby, the High Brenfield scheme risks visual confusion and discordance.
 - While NPF4 is broadly supportive of green energy developments it does provide some protection for the National Park Area, National Scenic Area, Sites of Special Scientific Interest or a National Nature Reserve and local populations in the vicinity of these developments. I would suggest the developer for the High Brenfield Wind Farm proposal has failed consider the long lasting impacts this development will have.
 - There is no effective mitigation for this in terms of the landscape and visual impacts associated with these proposals, particularly in light of the proximity of the proposed development to the two largest settlements in Mid-Argyll, Lochgilphead and Ardrishaig.
 - The Skyline is already dominated by SSEN transmission line which has considerable impact. The local landscape is not capable of absorbing the current proposals in combination with the impacts of the SSEN line.
-

- There is no scope to accommodate turbines over 150m high anywhere in Argyll and Bute and very limited capacity for turbines 80–130m in height, only in specific upland areas, set back from sensitive edges.
 - The proposed site includes or borders important semi-natural habitats, including peatland, heath, SSSI sites and ancient woodland. There is a real risk of disturbance or loss of habitat for protected species, including but not limited to golden eagles, bats, red-throated divers, otters, pine martins, adders and red squirrels. The submitted Environmental Impact Assessment (EIA) does not provide sufficient assurance that these impacts can be avoided or meaningfully mitigated.
 - Impact of the High Brenfield Wind Farm on the Inverneil Burn SSSI
 - Proposal is a risk to Regional Bird Populations
 - Peat Disturbance and adverse impacts on carbon store characteristics
 - Noise pollution - The proposed turbines are close to property. Noise already carries down from the proposed site. The turbine noise will be amplified causing noise pollution.
 - The environmental and landscape costs of the High Brenfield Wind Farm significantly outweigh any potential benefit. Under NPF4 and the Argyll and Bute Local Development Plan, wind energy developments must be sited in appropriate locations and avoid unacceptable environmental harm. In this case, the scale and setting of the development are wholly inappropriate, and the proposal fails to align with key planning principles of sustainability and landscape protection
 - The proposals are contrary to LDP 2 Policy 30 and the terms of the Argyle and Bute Landscape Wind Energy Capacity Study (2017)
 - The issue of shadow flicker caused by rotating blades is of concern
 - The building of the proposal will cause a risk on local roads and the A83 as there are no alternative routes. A83 will be significantly affected.
 - The EIA acknowledges the risk of the development lying within a Drinking Water Protected Area (DWPA) which feeds the Kilduskland Reservoir. This is a primary source of drinking water and a non-negotiable public asset for much of Mid Argyll. This reservoir is small, it has a sensitive catchment and cannot easily absorb sudden changes in water quality. Therefore, any activity that poses even a small risk to this supply may be viewed as inherently unacceptable.
 - Turbines 1 and 2 sit inside the Drinking Water Protected Area (DWPA) for Kilduskland Reservoir and that Scottish Water has repeatedly asked for them to be moved. We further understand that erection of these turbines within the water catchment area could cause earth/peat upheaval on the hillside and debris being able to enter the works, damaging the ability to produce sufficient drinking water for many homes throughout Mid Argyll. If Scottish Water feels the safest option is to move the turbines outside this area, we concur with that option. For the developer to say they would deal with protection after approval is given is unacceptable.
 - Water contamination associated with the proposals is a danger to wildlife
 - Argyll is overwhelmed by windfarms
 - This is the wrong Place to build a windfarm
 - Potential adverse impact on tourism
 - While the proposal may bring economic benefits at the national or regional scale, the EIA underplays localised social, recreational, and tourism impacts,
-

offering insufficient assurance to nearby communities who bear the most immediate burden

- The Landscape Wind Energy Capacity Study 2017 has This guidance has been superseded by National Planning Framework 4 (NPF4) and the 2017 guidance is now considered alongside NPF4 in planning decisions. As such we point to the recent decision of the proposed wind farm at Skipness where the minister concluded that the significant landscape harm was not justified by the renewable energy benefits—requiring developments to be in “the right places”.
- The green credentials of building wind turbines is already highly debatable with so much steel, concrete and non-recyclable turbine blades in use but the gearboxes and transformers require 200-800 litres of oil per turbine every 3 to 7 years.
- What chance is there of any decommissioning including the restoration of our natural environment? We will be left with huge pads of concrete seeping toxins into the soil and ugly tracts of roads winding up our previously scenic hillsides.
- Mitigation measures are not guarantees and community stakeholders understand that best-practice mitigation (e.g. buffer zones, drainage plans, pollution monitoring) reduces risk but does not eliminate it. Past experience and industry data show that failures do happen.
- Flooding. Water running down from the hills is already causing flooding in Ardrishaig/inverneil and on the A83. Clearing trees to make way for the turbines will increase the potential for flooding.
- Risk of landslides. Disturbing the amount of land needed to build the turbines will increase the risk of land slides.
- Traffic disruption- with the new 20mph speed limits which have been imposed in Tarbert/Ardrishaig the lorries carrying equipment/materials will be running at higher revs in order to maintain the new speed limit and keep moving with the weight of the load they are hauling. Higher revs equal more noise, more pollution as the exhausts will put out more in emissions.
- Lack of affordable housing- There is already a lack of affordable housing in the area. Specialist workers will be needed to work on the construction, running and maintenance of the turbines. This will put a strain on an already stretched housing market, possibly pricing local people out of rentals and purchasing.
- Proposals will cause low frequency ultrasound impacts detrimental to human health of residents and of wild animals in the area.

Matters Raised in Support of the Proposals

- Commercial forestry sites seem a good choice for siting windfarms in general and the additional access opportunities for many in the community which utilise this forest for walking, biking and horse-riding would surely be welcomed.
 - Green energy needs to have its place and this particular project seems to have been well-considered. While the site is in close proximity to the village of Ardrishaig, the site has been well designed to mitigate the landscape impact.
 - Low Carbon's representatives have been very forthcoming in engaging with us all through their presentations and on a more individual level, and have been very willing to work through matters and concerns arising throughout the preapplication process.
 - This is a well sited proposal that will become a productive part of the countryside
-

- The development also offers significant economic benefits for our community, including: the creation of jobs during both construction and ongoing operations; increased support for local businesses and generation of long-term revenue through land leases and tax contributions. Job creation for local contractors will be beneficial.
- The windfarm will make a significant contribution to national and international decarbonisation targets. Scotland has the capacity to play a major part in the transition from fossil to renewable energy this proposal supports our nations endeavours to be at the forefront of renewable energy generation to benefit our future generation.
- There has been detailed community consultation, the positive interaction from this particular developer has been very well presented and opportunities for the local stakeholders to raise questions, and concerns, have been provided.
- Relationship with High Brenfield has been nothing short of positive. They have shown a deep understanding of the needs of our rural community and a sincere interest in how they can contribute to its social, environmental, and economic wellbeing. We are confident that their project has the potential to bring long-term benefits—not only in terms of clean, renewable energy but also in the form of local investment, partnership opportunities, and community development.
- The community benefits of windfarm development such as this can be seen in many areas such as investment in Argyll College to support engineering courses, presence in local schools highlighting skilled jobs and career pathways that don't involve net migration to the central belt and an engaged workforce that represent the wind industry in clubs/groups throughout Argyll.
- Improved access tracks associated with the proposals would be a benefit for the local community
- Use of local accommodation by contractors during building would benefit local community

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

Matters Raised in Submissions/Objections not considered material to the consideration of this application:

- No compensation proposed for residents and their homes would become uninhabitable.
 - Turbines are made from Poisonous substances and cause nanoplastics in water systems. Concrete retained after use has ceased.
 - Community Money/Fund payments and the voluntary nature of these. Such payments could be regarded as bribery. It would be wrong to consider any payment at this stage.
 - This project is unnecessary.
 - Turbines have a lifespan of an average 25 years but the technology will be obsolete well before this. We are on the cusp of developing much better energy capture technology which will be much less intrusive and unpalatable than on-shore wind turbines. The Scottish Government should be halting all new developments to future proof our green electricity production and protecting us from the greed of multi-national companies.
-

- By reason of the proposal going directly to Ministers and bypassing Argyll and Bute's planning committee and the changes to planning consents brought about by NPF4. How can our democratically elected MSPs believe that this is fair and just?
- This part of Scotland currently pays the most for electricity with the highest daily standing charge in the whole of the UK and no option for mains gas. It seems doubly cruel that we would also have to live in the shadow of enormous pylons and even larger wind turbines. The owner of the site is a hedge fund company in London so no locally recyclable profit from the sale of the land either.
- The Ardshealsch residential property adjacent to Brenfield Point has access rights to take water from a spring located in the field to the south of the property. This field forms part of the proposed 80 mtr blade transporter site access option B. The occupants of this property have not been consulted regarding the potential impact caused during site set up and beyond.
- Potential for injury to people/animals and damage to property. When these turbines break falling parts and blades can travel. As the proposed site is close to property/grazing farm animals, walkers cyclists, horse riders there is a significant risk.
- These turbines are close to properties. Should there be a fire given the dry spells we have had the risk of wild fires quickly spreading to surrounding properties/ Inverneil and Ardrishaig is already high. Our emergency services are already stretched. Our fire service would be unable to cope with this and if one were to break out at the proposed High Brenfield wind farm.

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

[Scottish Government - Energy Consents Unit - Application Details](#)

(G) SUPPORTING INFORMATION

Has the application been the subject of:

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

EIAR (November 2024) presented in five volumes:

- Volume 1 : Non-Technical Summary
- Volume 2 : Main EIAR and associated methodology and subject Chapters (Chapters 1-17)
- Volume 3 : Technical Appendices
- Volume 4 : Design and Access Statement, with Associated Appendices and Figures
- Figures 1 to 17
- Confidential Appendices (These relate to protected species and by law are not allowed to be made publicly available)

Key topics covered in the EIAR and subsequent FEI include: Introduction; Site Description; Alternatives and Design Evolution; Description of Proposed Development; EIA Process and Methodology; Landscape and Visual; Cultural Heritage; Ornithology; Ecology; Biodiversity; Hydrology and Hydrogeology; Geology Ground Conditions and Peat; Access, Traffic and Transport; Forestry; Noise; Aviation; Shadow Flicker; Telecoms; Climate Change Impact Assessment; Climate Change and Carbon Balance Schedule of Mitigation and Summary of Residual Effects

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

- Planning and Energy Policy Statement; Including submissions on community consultation, carbon payback, Habitat and biodiversity enhancement proposals, Peat enhancement, Recreation and access benefits, and Socio Economic Benefits.

This document also sets out a more detailed commentary and evaluation on both the planning and wider policy framework supporting renewable energy proposals.

- Pre-Application Consultation Report;

The applicants have also provided the following additional supporting submissions which can be found on the ECU website

08.08.25 – Comments to Scottish Water
08.08.25 – Comments to Joint Radio Company (JRC)
19.08.25 – Clarification to Scottish Forestry
22.08.25 – Submission to A&B in respect of Noise
18.09.25 – Response to SEPA
22.09.25 – Clarification to HES
11.11.25 – Further Letter to JRC
02.12.25 – Response to NatureScot Landscape and Ornithology Comments
19.01.26 - Response to Ardrishaig CC submissions/objection
20.01.26 – Comments to A&B Biodiversity Officer

- (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 and FEI submissions to the ECU.
-

(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 2 – Climate Mitigation and Adaptation

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

NPF 4 Policy 25 -Community Wealth Building

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 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

- **List of all other relevant planning considerations considered in the assessment of the application, having due regard to Annex A of Circular 3/2013.**
- Scottish Energy Strategy (2017)
- Onshore Wind Policy Statement (2022)
- Draft Energy Strategy and Just Transition Plan (2023)
- Good Practice Principles for Shared Ownership of Renewable Energy Developments, Scottish Government, 2019
- Onshore Wind Turbines: Planning Advice, Scottish Government (May 2014)
- The Argyll & Bute Landscape Wind Energy Capacity Study, 2017 (LWECS)
- Landscape Institute and Institute of Environmental Management and Assessment – Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013)
- Scottish Natural Heritage – Visual Representation of Wind Farms Guidance (Version 2.2, 2017)
- Scottish Natural Heritage - Siting and Designing Wind Farms in the Landscape Guidance (Version 3a, 2017)
- Historic Environment Policy for Scotland (2019)
- Scottish Government, Draft Planning Guidance: Biodiversity, 2023
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2024
- Managing Change in the Historic Environment
- PAN 1/2011: 'Planning and Noise' (March 2011)
- Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009)
- UK Forestry Standard (UKFS)
- 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

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

(L) Has the application been the subject of statutory pre-application consultation (PAC): PAC is not required for S36 applications. However details of

pre-application consultations undertaken have been provided by the applicant to the ECU in accordance with recommended best practice.

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

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

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

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

Author of Report: David Moore

Date: 01/02/26

Reviewing Officer: Sandra Davies

Date: 02/02/26

Fergus Murray
Head of Development & Economic Growth

COMMITTEE REPORT	
APPENDIX A – RELATIVE TO APPLICATION NUMBER:	25/00984/S36
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 on or after 18.02.26, (due to changes brought in by the Planning and Infrastructure Act 2025) the Scottish Ministers are no longer obliged to automatically hold a Public Local Inquiry (PLI) if they are minded to grant consent as was previously the case. The application will be referred to the DPEA, and the appointed Reporter would determine whether a Public Inquiry, Hearing or Written Representation Procedure is considered by them to be the appropriate procedure.** If consent is granted the Council as Planning Authority is responsible for the agreement of matters pursuant to conditions within any deemed planning permission, 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 a 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. 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.
- 2.4. In this case, it is currently not possible to conclude that the proposal is consistent with development plan policy relating to the spatial and settlement strategy as this requires proposals to be consistent with all relevant policies. This is due to the outstanding adverse landscape impacts and the Objection to the proposals by NatureScot detailed later in this report.

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 Development is located approximately 2km southwest of Ardrishaig, Lochgilphead (the ‘Proposed Development Site’ or the ‘Site’). The Proposed

Development Site which is centred on National Grid Reference (NGR) (NR 82427 83636), as illustrated in Figure 1-1: Site Location (provided in Volume 4 of the EIA Report) and is located entirely within the Argyll and Bute Council (ABC) Planning Authority area.

- 4.2. The Site lies between 10m and 318m Above Ordnance Datum (AOD) and is largely sloping west to east with various small watercourses and two high points; Cruach Brenfield (318m AOD) and Cnoc nam Muc (255m AOD), both of which are in the southern part of the Site.
- 4.3. The Site is currently operated as a commercial forestry plantation of predominantly non-native species with a network of forestry grade tracks. The existing forestry is subject to a long-term felling and re-stocking forest plan. The recently constructed Inverary to Crossaig 275 kV overhead electricity transmission line (OHL) crosses the eastern part of the Site from north to south.
- 4.4. Approximately 3.3km of access tracks within the Site were constructed/upgraded to facilitate the installation and ongoing operation of the OHL, which are proposed to be reused within the Site for the construction and operation of the Proposed Development. This section of upgraded track forms part of the Site access route and main track from the OHL to the northern half of the turbine array.
- 4.5. A borrow pit for the extraction of 60,000m³ of material for the purposes of the OHL project was formed and worked in accordance with a granted planning permission and is located within the Site boundary, approximately 250m north of the proposed substation location.
- 4.6. The nearest major road to the Proposed Development is the A83 trunk road which runs to the west of the Site. This will serve as the primary access route, while the B8024 runs south of the Site and connects to the A83 southeast of the Site boundary. There is one core path (C128(b) Inverneil to Ardrishaig via 39 Steps) which crosses the Site boundary within the access corridor and three core paths (C128(a), C127(d) and C295(e)) within 1km of the Site boundary. Three of these Core Paths are designated National Cycle Network forming part of National Cycle Route 78 (C128(b), C128(a) and C295(e)) and pass within 500m of the Site boundary.
- 4.7. The settlement pattern in the wider area is characterised by commercial forestry with pockets of open moorland. Loch Fyne lies adjacent to the Site entrance on the opposite side of the A83. There is a pattern of scattered dwellings along the shoreline of Loch Gilp and Loch Fyne with the nearest substantial settlement being the Ardrishaig and Lochgilphead located approximately 2km and 4.6km north-east of the Site boundary. The smaller settlement of Inverneil lies approximately 1.8km southeast of the Site boundary.
- 4.8. The closest commercial scale wind farms to the Site are the operational Allt Dearg and Srondoire Wind Farms situated approximately 5.9km and 5.6km south of the Proposed Development Site, respectively. The operational A' Chruach lies approximately 12km to the northeast of the Proposed Development Site.
- 4.9. The Proposed Development will comprise the following
 - Up to 10 wind turbines each with a maximum tip height of 200m
 - Approximately 5km upgraded existing access tracks

- Approximately 7.45km new access tracks (of which approximately 7km will be cut and approximately 450m will be floated)
- Construction of turbine foundations and crane hardstandings
- Installation of Underground cabling;
- Substation compound containing a substation and control building and other grid equipment
- Up to thirteen watercourse crossings (eight upgraded existing crossings and five new crossings)

4.10 The applicant submits that once operational, the Proposed Development will generate approximately 211,817 Mega Watt hours (MWh) per year which is equivalent to the annual electricity required for around 66,192 households in Scotland, and will displace an equivalent amount of fossil fuel generated electricity amounting to a reduction in the release of greenhouse gases equal to 91,081 tonnes per year.

4.11 In addition to the above, the Applicant is proposing areas of habitat management and biodiversity improvements, as set out in an Outline Habitat Management Plan (OHMP), submitted as Technical Appendix 6-5 of the EIA Report.

4.12 **Connection to Electricity Grid –**

The electrical power produced by the individual turbines will be fed to an on-site electrical substation through underground cables. This substation will connect to the National Grid at Craig Murrail Substation which is currently under construction north of Lochgilphead.

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. A Socio-Economic Statement in support of this application has been provided at Chapter 13 of the EIAR. This estimates that the following benefits will arise as a result of this proposal:

- *There is a strong fit with NPF4 Policy 11c, in terms of maximising net economic benefit, both in terms of the employment and GVA effects of construction and operation of the Proposed Development, as well as the substantial community benefit package;*
- *There is strong support across other national and regional policy areas, including the National Strategy for Economic Transformation, the Onshore Wind Vision and Sector Deal for Scotland, the Draft Energy Strategy and Just Transition Plan, Argyll and Bute Economic Strategy and the Highlands and Islands Regional Economic Strategy;*
- *Pre-development investment and planning fees, benefitting a range of Scottish based companies and organisations;*

- *Total expected CAPEX investment of £79.2 million, of which £28.5 million potentially benefitting Scottish companies and £9.5 million potentially benefitting local companies. This includes opportunities for local businesses to support in terms of groundwork, landscaping, civil engineering, and construction contracts;*
- *Up to 69 construction jobs and GVA of £4.1 million in Argyll and Bute, and 207 construction jobs and GVA of £12.3 million at the Scottish level;*
- *Total annual operating and maintenance expenditure of £3.6 million per annum, of which £2.1 million potentially benefitting Scottish companies and £1.5 million benefitting local companies;*
- *Up to 12 operation and maintenance jobs and GVA of £0.7 million in Argyll and Bute, and 17 construction jobs and GVA of £0.9 million at the Scottish level;*
- *An expected £12,766 per MW in business rates, equating to approximately £766,000 per annum in business rates at 2022 levels. Adjusted to 2025 prices this equates to £875,000 per annum in business rates.*
- *Wider financial benefits linked to community benefit funding, with a total community benefits funding of £300,000 per annum or £12.0 million (2025 prices) over the proposed 40-year operational life.*
- *A robust and equitable community benefits delivery package, developed in conjunction with the local communities; The opportunity for a community shared investment in the development, which has been explored with interested community groups and an Memorandum of Understanding (MOU) has been provided by the Applicant;*
- *A range of wider qualitative benefits such as supply chain impacts, perception benefits, community wealth building effects and enhancements in local community infrastructure; and*
- *Overall, the secondary research completed to date confirms that the tourism sector is not adversely affected by onshore wind farms. In fact, the tourism sector has continued to grow across Scotland as more wind farms have been developed.*

5.3. Officers would ask members to note that Voluntary Payments of funds to communities should not be regarded as material to the determination of the current application.

5.4. However, NPF 4 Policies 11 and 25 would in the opinion of Officers allow jobs created during construction and operation to be considered as a material benefit , and also opportunities for local contractors to undertake work and secure or expand local employment. These positive benefits should be given weight in the determination of the application.

5.5. There is no authoritative information that officers are aware of which confirms that the development of windfarms causes an adverse impact on tourism and therefore this point is accepted by officers.

5.6. 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 and Policy 25 Community

Wealth Building of NPF4 and Policy 30 – The Sustainable Growth of Renewable 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).
- 6.2. Chapter 15 of the EIA Report assesses the potential effects of the Proposed Development arising during construction, operation and decommissioning phases on aviation and telecommunications as well as the potential for shadow flicker effects on sensitive receptors. The chapter also considers the risks to human health and safety

Residential Amenity Assessment

- 6.3. The Residential Visual Amenity Assessment (RVAA) – is set out at Volume 4 if the EIAR and more particularly at Figures 5-7-1 to 5-7-19. Visibility of the nearest proposed turbines from individual residential properties is examined. It is the contention of the applicant that no properties would suffer an amenity impact which would be unacceptable.
- 6.4. The applicants submit within Volume 2:Chapter 5 of the EIAR that there are eight residential properties within 2km of the Proposed Development as follows:
- Achabraid – located approximately 1.7km to the southeast;
 - Brenfield House – located approximately 1.8km to the east;
 - Middlehill – located approximately 1.6km to the southeast;
 - Redrock – located approximately 1.7km to the southeast;
 - Springhill – located approximately 1.75km to the southeast;
 - Strath Brenfield – located approximately 1.8km to the southeast;
 - Tara – located approximately 1.6km to the southeast; and
 - Upper Brenfield – located approximately 1.9km to the east.
- 6.5. The location of these properties is illustrated on Figure 5-7-1 and the effects on these properties are considered further within the RVAA in Technical Appendix 5-7 (Volume 3 of the EIA Report).
- 6.6. Having reviewed this information, the Council's Landscape and Visual Impact advisor is in agreement with the Applicant's conclusions on these matters that no unacceptable adverse impacts on the amenity of individual residential properties in closest proximity to the proposals will occur. At Section 9 of his consultation response he states:

The RVAA (Technical Appendix 5-7 of the EIAR) of residential properties within 2km of the proposed turbines concludes that of six properties and one group of properties assessed, none would experience greater than a minor moderate effect that is Not Significant. The assessment concludes that visual effects experienced at each property are not of such a scale that the Residential Visual Amenity Threshold is reached and consequently no residents experience an overbearing or overwhelming effect on their visual amenity that their property would become an unattractive place to live.

Visual Impact

- 6.7. A detailed viewpoint assessment of the operational effects resulting from the Proposed Development is presented at Technical Appendix 5-6 (Volume 3 of this EIA Report) and this considers the long-term visual effects during the operational phase of the Proposed Development for each of the 24 viewpoints.
- 6.8. The applicants submit that with reference to the Viewpoint Assessment at Technical Appendix 5-6, when considered against the existing baseline, it is assessed that significant visual effects will be experienced at six of the 24 representative viewpoints during daylight hours. These are as follows:
- Viewpoint 1 - Cruach Breacain;
 - Viewpoint 5 - Cruach Lusach;
 - Viewpoint 6 – Lochgilphead;
 - Viewpoint 7 – A83;
 - Viewpoint 8 - Lochgilphead, Blarbuie Woodland Park; and
 - Viewpoint 12 – Otter Ferry. It is assessed that during the hours of darkness, significant visual effects are experienced at two of the 24 representative viewpoints. These are:
 - Viewpoint 1 - Cruach Breacain; and
 - Viewpoint 5 - Cruach Lusach.

Assessment of Effects on Visual Receptor Groups

- 6.9. The submissions also consider the effects of the Proposed Development on the visual receptor groups brought forward into detailed assessment. Principal visual receptors within the initial 45km LVIA study area overlaid with the blade tip ZTV are illustrated on Figure 5-20 and within the detailed 20km LVIA study area overlaid within the blade tip ZTV at Figure 5-21 (Volume 4 of this EIA Report).
- 6.10. The submissions evaluate visual impacts from individual properties and settlements as well as transportation routes and other referenced points of visibility. The general conclusions and impact analysis are accepted by the Council's advisor who considers that the Visual Impact of the proposals is not so significant as to merit objection on these matters. The A&B advisor concludes that

Details in relation to the iterative design process and embedded mitigation, relevant to the LVIA are provided in the Design and Access Statement. It is stated that decisions taken to refine through turbine size reduction and removal and re-siting from the preliminary design (17 turbines, 220m high) to the current proposal (10 turbines, 200m high) were driven by landscape and visual and cultural heritage considerations including visibility from the Knapdale NSA (including Tayvallich), Scheduled Monuments within the Kilmartin Glen and the settlements of Lochgilphead, Ardrishaig and Inverneil. The EIAR does demonstrate that impacts have been reduced through appropriate design mitigation and the design layout appears to fit reasonably well into the landscape limiting significant landscape and visual effects

The Significant visual effects, though extending as far as Otter Ferry approximately 10km away can be considered localised with the greatest visual impacts on communities occurring in parts of Lochgilphead relatively close to the proposals, so it may be difficult to argue that the proposals do not comply with Policy 11e.

Whilst significant visual effects are predicted for travellers on sections of the A83/Argyll Coastal Trail, visibility would be intermittent and localised to relatively short stretches of the route with other infrastructure including overhead power lines and other wind turbines are already visible.

6.11. Noise Impacts

6.12. ABC Noise Consultant – has concluded that, in general, good practice has been adopted by the applicant and the submissions, following clarification, are acceptable. It is concluded that following a satisfactory response to some issues raised, that there would be no reasons to object on noise grounds subject to the application of conditions which covers operational noise levels as set out in their response report and updated response.

6.13. A&B Noise Consultants have recommended that operational noise control and monitoring conditions are placed upon any grant of consent and this has been recommended to the Scottish Ministers.

6.14. Officers note the specific commentary provided in respect of Amplitude Modulation. Where the Councils Noise consultant states,

Given the evolving position regarding amplitude modulation, it is considered particularly important that wind farm planning consents include a condition to control such impacts, and that following the principles in ETSU-R-97, the burden of that investigation should fall to the developer. The UK Government is currently consulting on updates to the ETSU-R-97 guidance...We would therefore recommend a noise condition to control amplitude modulation from the wind farm. There are a number of ways that this could be applied, such as the one cited in the November/December 2017 issue of the Institute of Acoustics' Acoustics Bulletin magazine (McKenzie et al., 2017).

The proposed condition has not been subjected to a legal review, as that is outside of the current remit. It is expected that one would be undertaken by the decision maker as part of the granting of planning permission if the proposed development is successful.

6.15. Officers note the advice that the consideration of this matter rests with the decision maker, however officers consider that such matters require to be properly addressed by the Determining Authority for the reasons set out in the A&B Noise consultants response.

6.16. It is considered that there would be no reasons to object on noise grounds, subject to the application of a condition(s) recommended by the Council's Noise Consultant which cover operational noise levels, tonality and Amplitude Modulation.

6.17. Shadow Flicker

6.18. 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.*" Shadow Flicker can arise from the passing of the moving shadow of a wind turbine rotor-blade over a narrow opening such as the window of a nearby residence. A similar effect can occur when the gloss blades of a rotating turbine reflect the sun causing a flashing light.

6.19. Shadow Flicker can arise from the passing of the moving shadow of a wind turbine rotor-blade over a narrow opening such as the window of a nearby residence. A similar effect can occur when the gloss blades of a rotating turbine reflect the sun causing a flashing light. There is one property within the potential shadow flicker effect distance of the proposed turbines. The applicants submit that , *modelling of the proposed turbine locations without climate adjustments and therefore representative of a worst case, has demonstrated there are no significant effects anticipated on receptors. No significant effects or cumulative effects relating to shadow flicker are identified as a result of the Proposed Development.*

6.20. **Having due regard to the above it is concluded that the proposal is acceptable in terms of any potential shadow flicker impact, residential amenity impacts, Visual Impacts and Noise Impacts and is therefore consistent with the provisions of Policy 11- Energy, and Policy 30 – The Sustainable Growth of Renewables of the ABC LDP2.**

7. 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. No statutory designations lie within the Proposed Development Site boundary. The following landscape designations lie within 5km of the Site boundary:

- Knapdale National Scenic Area (NSA); and
- West Loch Fyne (Coast) Local Landscape Area (LLA) (2.4 km northeast from the Site boundary).

The following landscape designations lie between 5km and 10km of the Site boundary:

- East Loch Fyne (Coast) LLA (6.2 km northeast from the Site boundary); and
- Knapdale Melfort LLA (8.9 km northwest from the Site boundary).

7.3. Full details of all designations have been set out by the applicants at Volume 2 Chapter 5 of the EIA Report. Chapter 5 of the EIA Report further evaluates the likely significant effects arising from the Proposed Development on landscape character and visual amenity during construction, operation and decommissioning. It also details the relevant legislation, policy and guidelines and the consultation carried out to inform the assessment.

7.4. There are no international, national or local landscape designations covering the Site itself. The Knapdale National Scenic Area (NSA) is located approximately 1.1km to the northwest of the Site. Five Local Landscape Areas (LLA) overlap the detailed 20km LVIA study area, the nearest of which is the West Loch Fyne (Coast) LLA located approximately 2.4km to the east.

- 7.5. The proposed turbines and the majority of the associated infrastructure are located within the Knapdale Upland Forest Moor Mosaic landscape character type (LCT 6b) as defined in the Argyll and Bute Landscape Wind Energy Capacity Study (ABLWECS). A short section of the proposed access track overlaps the adjoining Rocky Mosaic landscape character type (LCT 20).
- 7.6. The nearest operational wind farms to the Proposed Development are Allt Dearg and Sròndòire located approximately 5.9km and 5.7km to the south respectively. Appropriate design mitigation has been embedded into the final layout of the Proposed Development that reduced the height of the blade tips of all turbines from 220m to 200m and reduced the number of turbines from 17 to 10 to minimise landscape and visual effects whilst maximising wind energy yield and, therefore, renewable energy generation.
- 7.7. The applicants submit that during operation, *the Proposed Development results in significant visual effects during daylight hours to six of the 24 viewpoints and to two of the 24 viewpoints during the hours of darkness. The Proposed Development does not result in any significant visual effects to any of the residential properties within 2km of the proposed turbines nor to the settlements of Inverneil and Ardrishaig. A significant visual effect will be experienced from the southern edge of Lochgilphead at Lochgilphead Front Green only.*
- 7.8. The evaluation examines both localised and more distant impacts in considerable detail. Perhaps of most relevance in respect of the application, and having regard to the objections NatureScot is the submission that:

The Proposed Development does not result in any direct effects to the physical attributes of the Knapdale National Scenic Area. The Proposed Development results in indirect effects that are Not Significant to the perception of the six Special Landscape Qualities (SLQs) assessed in detail and the overall integrity of the NSA will not be compromised.

The Proposed Development introduces some localised indirect significant effects to views experienced to the West of Loch Fyne (Coast) and the East of Loch Fyne (Coast) LLAs but the effects would not prevent an understanding or appreciation of their qualities and their overall integrity would not be compromised.

In relation to cumulative effects, the Proposed Development does not introduce a significant landscape or visual effect and in terms of the overall totality of effect, the High Brenfield Wind Farm May 2025 | High Brenfield Wind Farm Limited 9 combined effect will not be significant due to the relatively limited combined visibility and the wide spacing between the cumulative schemes.

- 7.9. The findings of the Applicant's Landscape Advisor in general terms reflect the findings of the Council's own Landscape Advisor who has undertaken a review of the landscape and visual effects of the proposal. The conclusions of the A&B Landscape Advisor are that:

This proposal would have significant localised effects on landscape character within and around the site, significant effects on LLAs (on "views across and along Loch Fyne"). There would also be significant effects on views from locations within a 10km radius mainly to the northeast and east of the wind farm site and the summits of nearby hills to the north and west.

Whilst the site is close to the Knapdale NSA, effects on its Special Landscape Qualities would not be significant as there would be limited visibility of turbines from within the NSA due to the screening effects of landform.

Whilst the scale of the proposed turbines does not align with the ABLWECS, in general the scale of the turbines fits the scale of the large scale landform reasonably well.

Significant landscape effects are predicted for:

- Knapdale Upland Forest Moor Mosaic (LCT 6b) (localised effects in and in the environs of the proposal site)*
- West Loch Fyne (Coast) LLA (indirect effects on “views across and along Loch Fyne”)*
- East Loch Fyne (Coast) LLA (indirect effects on “views across and along Loch Fyne”)*

The overall cumulative effect of wind farms on the character of Knapdale Upland Forest Moor Mosaic is assessed not to be significant due to the relatively limited combined visibility and the wide spacing between the schemes.

Significant visual effects are predicted for:

- Cruach Breacain and Cruach Lusach (hills close to the site)*
- Lochgilphead and Blarbuie Woodland Park*
- Sections of the A83/ Argyll Coastal Trail between Ballibeg and Lochgilphead*
- B8000/ Otter Ferry (across Loch Fyne)*
- Section of core paths C111(a & b) - Creag Ghlas, Cairnbaan to Kilduskland Reservoir, C140(a & b) - The Corran to Kilmory Gardens and C406 - Otter Ferry Circular, Loch Fyne*
- Argyll Paddle Trail (kayak route on Loch Fyne/Loch Gilp)*

Although Ardrishaig and Inverneil are both close to the wind farm site, visual effects are not predicted to be significant for either settlement where visibility to turbines would be limited by topography, some screening is provided by trees and woodland, the orientation of views is generally to the east, away from the proposal and the existing overhead power lines are already visible on the skyline.

The proposal is assessed not to introduce a significant cumulative visual effect and the additional effects introduced by the proposal are predicted not to lead to a significant sequential effect alongside the other developments. It is assessed that the addition of the proposal would not result in the overall cumulative visual effect of wind turbines being dominant or oppressive in views experienced at various points within the area.

Permanent removal of 61.13ha of coniferous plantation within Ardrishaig Forest would be required to facilitate the construction of the proposal. A further 129.76ha would be felled to the wind farm boundaries to avoid foreseeable wind blow and replanted up to a 226m diameter ‘wind protection zone’ around turbines. The loss of a small area (0.59ha) of non-native AWI woodland is also required to construct the access track.

Compensatory planting to comply with the Scottish Government's Control of Woodland Removal Policy of at least 67.25ha is proposed to be delivered as part of the proposal to be arranged in consultation with Scottish Forestry post-consent. In addition the applicant proposes to restore an area of AWI within the Attichuan Forest equal to that being disturbed by the construction of the access track (0.59ha).

From a landscape and biodiversity perspective it would be desirable for the compensatory planting to be native woodland rather than single species non-native conifer plantation.

It is recommended that 'smart' aviation lighting activated by approaching aircraft (as referenced in the Design Statement, but not the current proposal) is implemented if it is approved for use in UK airspace before construction of the wind farm.

From a review of the photomontages the layout design of the proposed wind farm appears to have been carefully considered, with minimal 'stacking' of turbines and well balanced overall composition, making use of landform to limit visual impacts.

There would be benefits in reducing the turbine size and spacing (though of course this would reduce the capacity of the wind farm). However, there are no individual turbines that are especially prominent or are 'outliers' seen from multiple directions, the removal or repositioning of which would be likely to appreciably reduce landscape or visual impacts.

Review against NPF4 Policies 4 and 11

Policy 4 c) states that development proposals that will affect a National Scenic Area will only be supported where:

- i. The objectives of designation and the overall integrity of the areas will not be compromised; or*
- ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.*

The EIAR predicts effects on the Knapdale NSA's Special Landscape Qualities to be not significant. I consider the assessment to be reasonable and that the objectives of the designation and the overall integrity of the NSA would not be compromised.

Policy 4 d) states that development proposals that affect a site designated as a local landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.*

The proposals are predicted to have a significant effect on the West Loch Fyne (Coast) and East Loch Fyne (Coast) LLAs through indirect effects on "views across and along Loch Fyne" which are qualities identified in the ABLWECS for LCT6a Loch Fyne Upland Forest Moor Mosaic which overlaps the designated areas.

The LVIA argues that while the proposals would have significant adverse effects on the qualities of the LLAs identified within the ABLWECS, given their localised nature and the limited geographical extent of the LLAs affected, the effects are not of such a scale to prevent an understanding or appreciation of the key qualities of the LLAs and their overall integrity would be maintained. I consider this to be a fair assessment, and it would be difficult to argue with it, particularly as the LLAs do not have formal citations or qualities for which they have been identified.

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 generally be considered acceptable. NPF4 provides no guidance on the definition of what constitutes localised effects.

Details in relation to the iterative design process and embedded mitigation, relevant to the LVIA are provided in the Design and Access Statement. It is stated that decisions taken to refine through turbine size reduction and removal and re-siting from the preliminary design (17 turbines, 220m high) to the current proposal (10 turbines, 200m high) were driven by landscape and visual and cultural heritage considerations including visibility from the Knapdale NSA (including Tayvallich), Scheduled Monuments within the Kilmartin Glen and the settlements of Lochgilphead, Ardrishaig and Inverneil. The EIAR does demonstrate that impacts have been reduced through appropriate design mitigation and the design layout appears to fit reasonably well into the landscape limiting significant landscape and visual effects.

The significant residual landscape effects of the proposals can be considered localised, occurring mainly within up to around 7km from the proposed wind farm. Significant visual effects, though extending as far as Otter Ferry approximately 10km away can be considered localised with the greatest visual impacts on communities occurring in parts of Lochgilphead relatively close to the proposals, so it may be difficult to argue that the proposals do not comply with Policy 11e.

Whilst significant visual effects are predicted for travellers on sections of the A83/Argyll Coastal Trail, visibility would be intermittent and localised to relatively short stretches of the route with other infrastructure including overhead power lines and other wind turbines are already visible.

12. Key viewpoints to be considered by the planning committee.

1. Inverneill (Viewpoint 2)
2. Ardrishaig Pier (Viewpoint 3)
3. Lochgilphead Conservation Area Waterfront (Viewpoint 6, turbines visible in combination with Srondoire/ Allt Dearg)
4. A83 (Viewpoint 7, Argyll Coastal Trail, close to East Loch Fyne (Coast) LLA)
5. Otter Ferry (Viewpoint 12, within West Loch Fyne (Coast) LLA)
6. Tayvallich (Viewpoint 19, within Knapdale NSA)
7. B8024 (Viewpoint 21, within Knapdale NSA)
8. Moine Mhor minor road (Viewpoint 18, within Knapdale NSA)
9. Standing Stones Stockavullin (Viewpoint 15, within Knapdale/ Melfort LLA)
10. Core Path C137a – Port Ann Circular (Viewpoint 22, within West Loch Fyne (Coast) LLA)

- 7.10. No objection has been raised by the Council's Landscape Advisor and therefore his overall conclusions are that although there will be localised significant landscape and visual impacts, his overall conclusion is that the development should be regarded as acceptable in terms of Landscape and Visual Impacts and no objection should be raised.

Nature Scot: Objection Extracts

7.11. The above views contrast with the views of NatureScot as set out in their consultation responses of 13.10.25 and 19.12.25. Detailed evaluation of Landscape and Visual Impacts is contained within Annex 1 of their 13.10.25 response which sets out their objection to the application having regard to the following matters:

The introduction of the proposed development would result in significant adverse effects on some of the special landscape qualities (SLQs) of the Knapdale National Scenic Area (NSA), areas of the profound, ancient and evocative Kilmartin Glen and across extensive areas of the landscapes and seascapes of Loch Fyne.

From within the Knapdale NSA the introduction of the proposed development would either introduce new visibility of wind farm development or would extend the presence of wind farm development north of operational Allt Dearg / Sròndòire wind farms and south of consented Glasvaar bringing development of this nature notably closer to the NSA (within 1.1 km). We consider individual significant adverse effects resulting from the introduction of the proposed development on SLQ 2: "A landscape of skylines" and SLQ 4: "A profoundly evocative, ancient place" would result in an evident and noticeable material change such that the objectives of this designation and overall integrity would be compromised.

We advise that the proposed development may therefore not meet Policy 4 c) of National Planning Framework 4 (NPF4) due to the extensive nature of the effects on the low remote summits, slopes, ridges and landmarks within the Knapdale NSA and therefore we object to this proposal. These effects would result from the proposed siting, scale and type of development, which we consider would not be feasibly overcome within the site parameters.

2. Focus of this advice

This advice focuses on the significant adverse effects on the SLQs of the Knapdale NSA and the distinctive landscape of Kilmartin Glen and the distinctive landscapes and seascapes of Loch Fyne. This advice refers to relevant Argyll & Bute Council (ABC) Local Landscape Areas (LLAs). However, we defer to ABC with regards to the potential for significant adverse effects on these local landscape designations.

The proposed development would be located approximately 1.1 km east of the Knapdale NSA. The high sensitivity of parts of other nearby landscapes are acknowledged by ABCs locally designated landscapes the West Loch Fyne (Coast) Local Landscape Area (LLA) approximately 4.4 km to the east, the East Loch Fyne (Coast) LLA approximately 8.1 km to the east, the Knapdale/Melfort LLA approximately 9.2 km to the south and 10.2 km to the north, the Bute & South Cowal LLA located approximately 12.5 km to the southeast and the Jura LLA – located approximately 16.6 km to the northwest.

The site forms in part the skyline of the Knapdale NSA to the west and the skyline, setting and views experienced from much of Loch Fyne and settled loch shores to the east. From areas of Kilmartin Glen the hills north of the site form part of the wider skyline and help contain southward looking views from areas including Moine Mhòr and Slockavullin.

Other wind farm developments within 45 km and 20 km are shown on LVIA Figures 5.22 and 5.23. The closest operational wind farms include:

- Sròndòire (one turbine 100 m blade tip height, two turbines 120 m blade tip height) approximately 5.7 km south;*
- Allt Dearg (12 turbines, 81 m blade tip height) approximately 5.9 km south; and*

- *A Chruach (21 turbines, 126.5 m blade tip height), approximately 15.9 km northeast.*

Consented wind farms closest to the site include:

- *Rowan (13 turbines, 200 m blade tip height) approximately 11.8 km south;*
- *Glasvaar (12 turbines 149.9 m blade tip height) approximately 16.5 km northeast; and*
- *Airigh (two turbines, 138.5 m blade tip height, four turbines 131 m blade tip height, eight turbines 149.5 m blade tip height), approximately 17.1 km to the southwest.*

The Inveraray to Crossaig 275 kV overhead line is located approximately 1 km east of the site associated steel lattice towers have an average tower height of 50.7 m above ground level.

From some areas within the Knapdale NSA, Kilmartin Glen and from areas across Loch Fyne and its settled shores existing wind farms and other elements of energy infrastructure are visible. From within the Knapdale NSA and Kilmartin Glen these are largely seen as distant or very distant features on the periphery of view often partly screened by intervening landform. From areas of Loch Fyne and its settled shores the presence and influence of operational Allt Dearg / Sròndòire wind farms and the Inveraray to Crossaig 275 kV overhead line have some notable influence when seen in closer proximity near the eastern side of the loch, on the perception of these small-scale coastal landscapes where these elements are generally seen partly or fully against the skyline in westward and south westward looking views.

The site was previously considered by NatureScot as:

- *Application Cruach Brenfield Wind Farm (13th May 2014), comprised 18 turbines up to 125 m to blade tip height. NatureScot objected to the proposal based on but not limited to significant adverse effects on the Knapdale NSA, and the landscape character and qualities of the Loch Fyne coast and the perception, experience and enjoyment of this landscape/ seascape. In 2015 a revised layout comprised 11 turbines up to 123.7 m to blade tip height went to scoping. The NatureScot scoping response to the revised layout noted that the proposal could adversely affect the Knapdale NSA. The application was withdrawn 14th March 2016.*

Other planning applications in proximity to the site:

- *Application Inverneill Wind Farm - Renamed Allt Rubha (1st December 2015), comprised 9 turbines up to 126.5 m blade tip height located approximately 0.2 km west of Cruach Brenfield Wind Farm. The NatureScot response dated 5th February 2016 noted an objection on the basis of a combined cumulative scenario with Cruach Brenfield. On its own it was noted that Allt Rubha would detract from the existing pattern of development and result in an adverse impact on the Knapdale NSA and the sensitive East Loch Fyne Coast Area of Panoramic Quality (APQ now LLA), including people's views and appreciation of the region. The application was withdrawn 31st March 2016.*

We consider that the applicant underplays the susceptibility of some landscape character types, in turn sensitivity and there is a lack of consideration of key landscape characteristics for LCTs that would be affected by the proposals are a notable omission from the LVIA and the reporting of landscape effects.

We anticipate that significant adverse landscape effects on LCT 43 Upland Parallel Ridges (within the Knapdale NSA) would extend to a wider geographical area than reported where the proposed development would notably affect the: “Dramatic, scenic upland landscape”. We consider that there would be significant adverse landscape effects on the small scale LCT 20 Rocky Mosaic extending to a minimum of 5 km where the proposed development would be seen from a widespread geographical area affecting the sense of containment and the perceived small scale of these coastal landscapes.

In terms of effects on seascape characteristics Figure 5.6 shows extensive theoretical visibility within the study area across the majority of Loch Fyne, Loch Gilp, Loch Caolisport and areas of Loch Crinan and the Sound of Jura. While the applicant identifies key waterbodies in the LVIA baseline and reports landscape and visual effects associated with some of these areas, consideration of seascape effects within the LVIA are generally limited.

In terms of night-time effects, we disagree with the applicant’s approach that visual susceptibility and sensitivity would decrease at night for a number of the visual receptors. We consider that given the low baseline light levels as shown by Figure 5.11 and that night-time skies would actively be sought from a number of areas, particularly the remote areas of Knapdale, historic Dunadd, Kilmartin Glen, and the shores of Loch Fyne that the high sensitivity of visual receptors would remain during night-time hours for a number of the assessment viewpoints.

We note that for night-time viewpoints within the Knapdale NSA while it is helpful to understand that aviation lighting is likely to be screened by intervening features from Viewpoint 19 - Tayvallich, it would have been beneficial for alternative night-time photography to be provided from Viewpoint 20 - Taynish Barr Mòr trail Core Path (C136) where aviation lights would be visible and baseline light levels are low. In terms of effects resulting from visible aviation lighting we note that Technical Appendix 5.3 Assessment of Night-time Lighting focuses solely on the effects of the visible aviation lighting on visual amenity. The applicant notes that: “Without being able to fully appreciate landscape features and components that contribute to landscape character it is not possible to carry out a meaningful landscape character assessment. This precedent was established in the Reporter’s decision for Crystal Rig IV”.

We consider that there are notable differences between the site of the proposed development and consented Crystal Rig IV in terms of landscape and seascape character, and the established and emerging pattern of wind farm development. For example, from the night-time baseline images provided for Viewpoint 17 - Dunadd Summit there is a clear visual relationship with the ridgelines that enclose the site, even at night.

6. NatureScot’s appraisal of effects on SLQs of the Knapdale NSA and Kilmartin

The Knapdale NSA comprises a variety of distinctive landscapes – the juxtaposition of ridges and volcanic plugs rising from flat expansive Mòine Mhòr in the north, and the long parallel ridges in the south, incised by sea lochs Loch Sween and Loch Caolisport. A profound sense of place and history is experienced across the Knapdale NSA with coasts and sea regularly present. Recreational resources include but are not limited to sections of the Dalriada Heritage Trail, the Argyll Coastal Route, National Cycle Network Route (NCNR) 78 the Crinan Canal / Argyll Paddle Route, Dunadd and the popular Footprint Stone, Crinan Wood, Taynish National Nature Reserve and numerous ABC Core Paths.

We consider the following SLQs are those likely to experience adverse effects resulting from the introduction of the proposed development, some significant and adverse:

- SLQ 2: “A landscape of skylines”
- SLQ 4: “A profoundly evocative, ancient place”
- SLQ 6: “In the north, dramatic juxtaposition of ridges and volcanic plugs arising from the flat expanse of Mòine Mhòr bog”
- SLQ 7: “A centre of parallel ridges and secret lochans”

The proposed development would adversely affect the eastward, southward and northeast ward looking experience of this SLQ from southern areas of the NSA including many elevated locations, low moorland hills, and the open waters of Loch Caolisport and the Sound of Jura. While operational Allt Dearg / Sròndòire are already visible within a similar portion of view, from some elevated positions within the NSA as shown by Viewpoint 1 - Cruach Breacain, Viewpoint 10 - Cnoc Rhemar and Viewpoint 20 - Taynish Barr Mòr trail Core Path (C136), they are seen as relatively distant features. The proposed development would bring wind farm development notably closer, the size of the proposed turbines (200 m) and their anticipated prominence on the skyline would interrupt the experience of: “an area dominated by skyline”. Similar views to those represented by Viewpoint 5 - Cruach Lusach would be experienced from the remote low moorland hills within the southwestern part of the NSA including Corr-bhàn Mòr 407 m AOD, A’ Mhaol Odhar 352 m AOD, Cnoc Dubh 247 m AOD and An Stùchd 382 m AOD where it is anticipated that some of the turbines would be seen against the skyline.

From some lower elevations and from open waters the proposed development would introduce visibility of either wind turbine hubs, blades and blade tips where wind farm development is not currently experienced. From Loch Caolisport and the Sound of Jura it is anticipated that the proposed turbines hubs and blades would be seen to breach the skyline in eastward and northeast ward looking views where: “In lower coastal Knapdale the ridges fall to the sea”. From other areas such as around Tayvallich, while visibility of the proposed turbines is likely to be limited to blades and blade tips, associated movement would have an adverse effect on where: “the ridgelines is revealed providing a dynamic, sweeping strongly horizontal skyline enclosing the loch-filled trenches”.

In northern areas of the NSA including from Dunadd (Viewpoint 17 - Dunadd Summit) and Mòine Mhòr the proposed development would introduce visibility of either some wind turbine hubs, and blades, or blades and blade tips into southward looking views. The moving elements would detract from the experience of the skyline and would extend the presence of electricity infrastructure when seen in combination west of the Inverary to Crossaig overhead line. We anticipate similar views to those represented by Viewpoint 17 would be experienced from Duntrune Castle and popular Cruach Mòr Dunardry 214 m AOD south of Dunadd. Similar views to those represented by Viewpoint 15 - Standing Stones, Slockavullin would be experienced near Poltalloch and Ballymeanoch.

Where visible from areas of the NSA within approximately 15 km the size of the proposed turbines (200 m) and their anticipated prominence in eastward, southward and northeast ward looking views on the skyline would conflict with the current largely open experience of the Knapdale skyline. We consider that effects on SLQ 2 would be significant and adverse. We consider that significant adverse daytime effects on this SLQ would extend into significant adverse night-time effects where the turbine lights would be seen above the existing low-level lighting of settlements and along

key transport and recreational routes. While we consider that effects on SLQ 7 would be adverse they are unlikely to be significant as areas affected would largely be limited to the introduction of moving turbine blades and blade tips.

The introduction of the proposed development in proximity to the NSA would conflict with the current sense of place experienced from key areas including Dunadd Summit and Kilmartin in the north where can be found: "...some of the finest examples in Scotland of standing stones, stone circles, burial mounds, cup and ring marked slabs and other prehistoric landscape features". As shown by Viewpoint 17 the proposed development would introduce visibility of wind farm development and extend the presence and influence of electricity infrastructure north and west of the Inverary to Crossaig overhead line to the southward looking experience of the: "breathtaking 360° panorama, more spectacular than its modest height might portray" gained from Dunadd including from the popular Footprint Stone. While views of the proposed turbines would be limited to some hubs and blades, we consider that the contemporary moving elements would notably detract from this: "profoundly evocative, ancient place".

Similar views to those represented by Viewpoint 15 - Standing Stones, Slockavullin and Viewpoint 18 - Moine Mhòr minor road would be experienced when travelling between notable landmarks along the Dalriada Heritage Trail / NCNR 78, the A816 / Argyll Coastal Route and other Core Paths and minor roads within the NSA and Kilmartin. As shown by Viewpoint 15 - Standing Stones, Slockavullin the proposed development would introduce visibility of wind farm development seen against the skyline from low lying areas of Kilmartin and across much of the popular Dalriada Heritage Trail. Other similar views from this historic landscape would be experienced from Duntrune Castle and Cruach Mòr Dunardry.

Although it should be noted that while the description for SLQ 4 provides narrative for Kilmartin's ancient sites much of this landscape is located outside the Knapdale NSA within the Knapdale / Melfort LLA. Nevertheless, we consider that effects on this unique landscape would be adverse and significant and that the proposed development would be an unsympathetic addition to the experience of one of the most important prehistoric landscapes in Scotland.

We consider that the introduction of the proposed development would have a significant adverse effect on the appreciation of SLQ 4: "A profoundly evocative, ancient place". Effects on SLQ 6: "In the north, dramatic juxtaposition of ridges and volcanic plugs arising from the flat expanse of Mòine Mhòr bog" would be adverse but are unlikely to be significant given that maximum case visibility from lower elevations is likely to be limited to moving turbine blades and blade tips. We consider that significant adverse daytime effects on SLQ 4 would extend into significant adverse night-time effects where the turbine lights would be seen incongruous to the current experience of dark skies from profoundly evocative, ancient places including Dunadd and Kilmartin's ancient sites.

7. NatureScot's appraisal of effects on Loch Fyne

The SNH consultation response 23rd June 2014 to previous application Cruach Brenfield, defined Loch Fyne as: "a highly scenic and valued regional resource and contributes to the distinctiveness of the region". Our consideration of Loch Fyne, a sea loch off the Firth of Clyde as a distinctive landscape / seascape remains and we consider this to be an important area for residents, local communities and tourists, where transport, recreational routes, destinations, and settlement are concentrated on the loch sides. Our consideration of Loch Fyne includes Loch Gilp the narrow loch south of Lochgilphead which opens south towards the widest reach of Loch Fyne.

Key indicators of distinctive characteristic landscape and seascape value which are likely to experience significant adverse effects from the introduction of the proposed development are drawn from the key landscape and seascape characteristics of affected LCTs¹³ and Seascape Character¹⁴ based on Landscape Institute Technical Guidance Note 02-2115.

Characteristics are grouped in relation to the key areas of Loch Fyne with potential to experience significant adverse effects:

- *The coastal edge*
- *Relatively small-scale landscape with a diverse mix of colours and textures;*
- *Complex transitional landscape;*
- *Settlement is consistently present, varying from small linear settlements to dispersed housing;*
- *Much of the loch is visible from the A83;*
- *This coast often feels secluded, especially along the longer headlands and the intricate coastline at Silver Craigs and Castleton, where road access is limited; and*
- *The diversity of the coast is an attractive quality. The more intricate and irregular stretches of coast, the islands and the sandy bays add to visual diversity and underpin an attractive coastal experience.*

Within ZTV coverage operational windfarms, existing elements of electricity infrastructure, telecommunications masts, main transport routes and commercial conifer forest plantations have some influence on the experience of Loch Fyne, particularly the Inverary to Crossaig overhead line and operational Allt Dearg / Sròndòire when seen in closer proximity near the eastern side of the loch.

The proposed development would be located close to the sensitive coastal edge and would become a new dominant and intrusive large scale focal point (despite the presence and influence of other existing elements of electricity infrastructure), visible on the skyline formed by the enclosing hills west of Loch Fyne seen in northward, southward and westward looking views across much of Loch Fyne and its associated shores.

From settled coastal edges including from areas of Ardrishaig and Lochgilphead (Viewpoint 6), Inverneill (Viewpoint 2) and from key recreational destinations including Otter Ferry (Viewpoint 12) and an extensive section of the strategic route of the A83 (Viewpoints 7 and 23) the proposed turbines would clearly breach the skyline. The vertical height of these man-made elements would conflict with the relatively low underlying hills, the generally small scale transitional coastal landscape below and the perceived scale of settlement. The proposed development would adversely affect the current appreciation of views from key settlements, visitor attractions, roads and the key characteristic: "...attractive coastal experience" of Loch Fyne.

From the open waters of Loch Fyne itself to settled shore sides, key recreational destinations and main transport routes associated with Loch Fyne the proposed development would be regularly seen across the loch where the proposed turbines would notably breach the skyline and impinge on the coastal landscape / seascape below. Accounting for the scale of the turbines and anticipated widespread area of effect, which are considered to be significant adverse and non-localised on the experience of these characteristics from Loch Fyne and its associated shores. We consider that significant adverse day time effects would extend into significant

adverse night-time effects within a minimum of 5 km where aviation lights would be visible from settlements, roads and recreational routes.

9. Cumulative effects

We broadly agree with some of the cumulative effects reported. However, from Dunadd summit where the proposed development would introduce visibility of wind farm development seen against the skyline on the southward looking experience of the: “breathtaking 360° panorama...”, consented Glasvaar would be seen against the skyline in successive northeastern looking views.

We consider that the introduction of the proposed development would result in a significant adverse cumulative effect on the appreciation of SLQ 2: “A landscape of skylines” and SLQ 4: “A profoundly evocative, ancient place”. Where wind farm development would adversely affect both the northward and southward aspects of the: “breathtaking 360° panorama...” and would notably detract from the unique sense of place gained from the summit of Dunadd. We anticipate that some similar significant adverse cumulative effects would be experienced from some higher and lower elevations within the northern part of the Knapdale NSA within ZTV coverage as shown by Figure 5-28 Cumulative Zone of Theoretical Visibility with Consented Glasvaar including from areas of Loch Crinan, Duntrune Castle, Mòine Mhòr, Strathmore and popular elevated Cruach Mòr Dunardry.

10. Mitigation

We advise that the nature and scale of the proposals at this location are such, that it cannot be accommodated without significant widespread adverse landscape and visual effects, including significant adverse effects and night-time effects on the Knapdale NSA, areas of Kilmartin and Loch Fyne. We consider that given the proposed siting, scale and type of development, it would not be feasible to overcome the significant adverse effects identified within the site parameters.

12. Conclusion

The site comprises part of a wider area of open upland summits and plateaux which plays an important role forming in part skylines experienced from within the Knapdale NSA, Kilmartin Glen and across much of Loch Fyne and associated shores. The location, size and scale of the proposed development represents a step change in prominence and proximity of wind farms to the Knapdale NSA, Kilmartin Glen and Loch Fyne. The proposal would significantly adversely affect two SLQs of the Knapdale NSA and would significantly adversely affect the experience of areas of Kilmartin and extensive landscapes and seascapes of Loch Fyne.

These impacts would be to a degree that would result in an evident and noticeable material change to the SLQs of the Knapdale NSA such that the objectives of this designation and overall integrity would be compromised.

While the turbine height and number could be reduced, accounting for the site’s location within the western hills of Loch Fyne close to the sensitive coast which is intervisible from highly sensitive areas of the Knapdale NSA, Kilmartin and across a widespread extent of Loch Fyne it is considered unlikely that significant adverse effects identified could be notably reduced. We therefore consider that given the proposed siting, scale and type of development, it would not be feasible to overcome the significant adverse effects identified within the site parameters.

Accounting for the anticipated significant adverse effects on the Knapdale NSA we advise that the proposed development may therefore not meet Policy 4 c) of National

Planning Framework 4 (NPF4) and therefore we object to this proposal.

- 7.12. In this instance the Planning Authority has before it, as part of this consultation, differing professional opinion on the significance of Landscape Impacts. The views presented, by the applicant's Landscape advisor, the Council's Landscape advisor and NatureScot are the professional opinion of the three parties undertaking the exercise and each should be respected and considered carefully.
- 7.13. Weight must however be given to the views of NatureScot as a statutory advisor to the Scottish Ministers in respect of impacts upon National Scenic Areas and on landscape matters. It is therefore the opinion of Officers that the views of NatureScot should carry considerable weight, particularly where it relates impacts upon National Scenic Areas.
- 7.14. Given the extent and detail of the objection by NatureScot in their consultation response, Officers do not consider that it would be reasonable, as a matter of planning judgement, to take a different stance to NatureScot. Therefore, in this instance the Planning Authority defers to the views of NatureScot on Landscape Impacts as set out in their consultation responses (Annex 1 in particular) and considers that an objection, in accordance with the reasons stated by NatureScot should be the view of the Planning Authority in respect of Landscape Impacts.
- 7.15. The views of NatureScot in respect of the potential impact of nighttime aviation lighting should also be given due considered by the Determining Authority in respect of Landscape Impact.
- 7.16. Officer Conclusions on Landscape Impact
- 7.17. On large scale renewable energy proposals such as this, there is an acknowledged acceptance in policy advice that there can be unavoidable significant but localised landscape impacts which should not count, in themselves, against the approval of such developments as these can often not be avoided given the nature and scale of windfarm proposals.
- 7.18. These localised, but adverse impacts on their own would not normally outweigh NPF 4 and LDP 2 policy support for renewable proposals (and wider policy support for renewable energy proposals relating to climate change). However, in this instance, the impacts contended by NatureScot in their stated objection go beyond localised impacts and therefore an element of judgement is required, to balance the acknowledged policy support and benefits of the scheme, with any adverse impact contended by NatureScot. The additional submission of the applicant dated 19.01.26 in response to the objection of NatureScot have been considered as part of this recommendation.
- 7.19. As NatureScot are expert and authoritative advisors on landscape impacts and in respect of National Scenic Areas, significant weight must be given to their objections to the proposal in the balance of judgement. Although the Planning Authority is only a consultee and not the Determining Authority, there is still a need to come to a planning judgement on the merits of the case having regard to competing policy objectives and whether the Planning Authority should raise objection to the proposals.
- 7.20. **Given the objection by NatureScot, it is concluded that the proposal, on does not comply with the provisions of Policies 11 – Energy and 4 – Natural Places of NPF4, and Policy 30 – The Sustainable Growth of Renewables of ABLDP2**

8. IMPACTS ON TOURISM AND RECREATION

- 8.1. 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
- 8.2. 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.
- 8.3. **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. The applicants have set out by submission that they are currently exploring options to enhance opportunities for access and recreation including the provision of interpretation boards and waymarked trails represents an extension and improvement of the informal track network in the vicinity of the Site.
- 9.3. The Council's Access Manager in his response commented that'
- 9.4. With mitigation, as specified by the EIAR, in place, the EIAR concludes that the construction traffic effects would be transitory nature and not significant in terms of the EIA Regulations. No long term issues would be associated with the construction phase of the development.
- 9.5. **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. This is subject to the inclusion of a condition for an Access Plan.**

10. AVIATION AND DEFENCE INTERESTS

- 10.1. Policy 11 – Energy of NPF4 requires that project design and mitigation 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 Control (NATS). At time of writing NATS has maintained its objection to the proposals relating to potential impact on aviation safety. It is noted that the applicants have provided further information by submission dated 19.01.26 on these matters to seek the withdrawal of the current objection. However, at time of writing the objection by NATS has not been withdrawn and remains in force.
- 10.4. Officers defer to the expertise of NATS on these matters. It is considered procedurally necessary for the Planning Authority to lodge an objection unless NATS withdraw their objection. These matters will ultimately be for the Scottish Ministers/ECU to address as the Determining Authority.
- 10.5. **Having due regard to the above, subject to the conditions recommended by the Ministry of Defence and the withdrawal of the NATS objection, 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 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 that they are satisfied with the submitted EIAR and have no objections to the development in terms of environmental impacts on the trunk road network. Subject to the imposition of conditions and an advisory noted as detailed in their consultation response to the ECU dated 31.07.25 and as set out previously in this report.

12.3. ABC's Roads & Amenity Services have not at time of writing responded to the application. However, Officers are content that the use of suspensive conditions to address road capacity, road safety, cumulative impacts on the public road network and design of junctions with the public road, that the proposals can be regarded as acceptable as this is an approach consistently applied by the Area Roads Manager to proposals of this type in previous determinations of large scale infrastructure projects. The following conditions are suggested by Officers to address these matters;

Condition 01 Cumulative Traffic Impact Analysis

Prior to the commencement of development, a Cumulative Traffic Impact Analysis shall be undertaken to ensure that cumulative demands on the road network associated with these proposals and any other permitted or projected major infrastructure proposals in the area shall be provided to the Planning Authority for the approval in consultation with Transport Scotland.

Reason: To ensure accurate vehicle movement data is available having regard to other proposed infrastructure projects in area.

Condition 02 Construction Traffic Management Plan

No development shall commence until a Construction Traffic Management Plan (CTMP) and Phased Delivery Plan have been prepared and approved in writing by the Local Authority, in consultation with the Roads Authority, and Transport Scotland as the trunk roads Authority. The Plan shall details approved access routes, agreed operational practises (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, information of wheel cleansing facilities, signage to be installed as required by the Area Roads Engineer warning of construction traffic. reporting of verge damage) and shall provide for the provision of an appropriate Code of Practice to drivers of construction and delivery vehicles. The development shall be implemented in accordance with the duly approved Traffic Management Plan.

Reason: To minimise interference with the safety and free flow of the traffic on the road network, to ensure the safety of pedestrians and cycle users using the road and adjacent facilities and to be consistent with current guidance and best practice.

Condition 03 Access and Junction Design to Public Road

Any proposed adopted roads access shall be formed in accordance with the Operational Services Drawing No SD08/001a; and visibility splays of 160 metres x 2.4 metres shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter, or as may otherwise be approved in writing by the Area Roads Engineer.

Reason: In the interests of road safety.

12.4. **Having due regard to the above, subject to the conditions recommended by the Transport Scotland and the Planning Authority, 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.**

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. No statutory designated heritage assets (World Heritage Sites, Schedule Monuments, Inventory Gardens and Designed Landscapes, Inventory Battlefields, Conservation Areas, and Listed buildings) have been identified within the Site. There are no World Heritage Sites, Inventory Gardens and Designed Landscapes, Inventory Battlefields, Conservation Areas, and Schedule Monuments within the 1km Study Areas as defined in Volume 2 Chapter 10 Cultural Heritage. There are three Scheduled Monuments within the 5km radius of the Site boundary:

- Crinan Canal, Cairnbaan – Ardrishaig (SM6501) located 2km east from the Site boundary;
- Achnamara clapper bridge, Knapdale (SM10341) located approximately 4.5km northwest of the Site boundary;
- St Margaret's Church, cross; (SM10398) located approximately 4.6km northeast of the Site boundary;

Lochgilphead Conservation Area is located 4km northeast from the Site boundary, while the Crinan Canal Conservation Area lies at 5.5km northwest from the Site.

Two Inventory Garden and Designed Landscapes (GDLs) lie within 10km of the Site boundary:

- Ballimore (GDL00041), located approximately 6.4 km east of the Site boundary; and
- Stonefield Castle Hotel located approximately 9km southeast of the Site boundary.

No Category A listed buildings are present within 5km of the Site. There are three Listed Buildings (Categories B and C) within the 1km Study Area;

- The Category B Listed Walled Garden and Summer Houses Beside Inverneill House, Inverneill House;
- The Category B Listed Campbell Of Inverneill Mausoleum; and

- The Category C Listed Inverneill Bridge Over Inverneill Burn.

The following additional heritage designations are located within 10km of the Site:

- 42 Scheduled Monuments;
- 87 Listed Buildings;

13.3. Further details of all these assets can be found in Volume 2 Chapter 10: Cultural Heritage of the EIA Report.

13.4. Officers are of the opinion that the proposals will not have a significant adverse impact upon any cultural or heritage assets as would warrant an objection. No response has been received from WoSAS to date and therefore the Scottish ministers are advised to seek response from them prior to the determination of the application to ensure Archaeological matters are properly addressed, most likely by suspensive condition.

13.5. Historic Environment Scotland (HES) – initially objected to this proposal but subsequently withdrew their objection following the submission of further visualisations under FEI. They have advised the ECU that the proposed wind farm would result in adverse impacts to the settings of a number of scheduled monuments but it is considered that these impacts would be just below the level of significant adverse impact on the integrity of the setting for any individual scheduled monument. In their response dated 29.01.26 they confirm their position;

The proposals would impact the setting of two scheduled monuments: Ballymeanoch, henge, 390m WNW of Ballymeanoch Cottage (Scheduled Monument SM176) and Ballymeanoch, standing stones 450m NW of (Scheduled Monument SM4301). The turbines would appear over the skyline in wider views over the monuments and in views out from them.

Having considered the additional information provided, we conclude that whilst the turbines would be visible in views from, and of, both monuments, the impact would not be sufficient to warrant an objection. Our objection to the proposed development is therefore removed.

13.6. Officers defer to the expert views of HES on these matters.

13.7. **Having due regard to the above subject to conditions 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 to convey 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 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.

14.3. SEPA have raised no objections to the proposals in respect of flooding matters.

14.4. **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 , HABITAT & PEAT

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. Whilst no significant effects were found through the assessment of the Proposed Development on sensitive ecology and ornithology receptors as presented in Chapter 6 Ecology and Chapter 7: Ornithology in Volume 2 of the EIA Report, there remains a statutory duty to protect certain features (e.g., Priority Peatlands) and policy requirement to 'conserve, enhance and restore' such features under NPF4 Policy 3 and provide 'significant biodiversity enhancement' which is separate from mitigation under NPF4 Policy 4.

15.3. In light of this requirement, the applicant submit that the following enhancement measures are proposed:

- Compensate for the loss of M25 *Molinia-Potentilla* priority peatland habitats present on 50cm or more depth;
- Enhance the condition of peatland habitats;
- Enhance habitats to encourage Black grouse *Tetrao tetrix*; and
- Enhance nesting opportunities for pine marten *Martes martes*.

Peatland

- 15.4. Compensation and enhancement of peatland would be achieved through forest to bog enhancement within the Wind Protection Zones (WPZs) of the turbines to achieve the 10 times peatland loss to restoration ratio plus 10% Priority Peatland enhancement required by NatureScot guidance (NatureScot, 2023).
- 15.5. Both NatureScot and SEPA have confirmed that they raise no objection to the proposals in respect of any impacts on Biodiversity, Habitat or Peat matters subject to the imposition of appropriate mitigation as set out in the submitted EIAR and the use of appropriate conditions. They are content that the proposed Biodiversity, Habitat and Peat mitigation details submitted are acceptable in this instance.
- 15.6. The Council's Biodiversity Officer has raised a holding objection to the proposals and sought further clarification on some details as previously set out in this report. The applicant provided further information on these matters on 19.01.26 and at time of writing updated comments are awaited from the Council's Biodiversity Officer.
- 15.7. Peat Landslide Hazard Risk Assessment
- 15.8. This is a matter which the Planning Authority and Officers have no expertise to provide comment on. Ironside Farrer advise the Scottish Ministers/ECU on these matters and Officers are content to defer to their views on this matter which must be addressed prior to the determination of the current application.

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 have raised no objection to the proposals and in their response dated 28.06.25 Recommended that the Applicant should :
- :
1. *Submit a Woodland Impact Assessment (WIA) detailing:*
 - *Total woodland loss (native and commercial);*
 - *Ownership, species, and age class breakdown;*
 - *Any thinning or management activities required;*
 - *Justification for forest and/or woodland removal and proposed compensatory planting (location, scale, species).*
 2. *Clarify terminology around ancient woodland “disturbance” and “restoration,” and provide restoration prescriptions aligned with UKFS and native woodland policy.*
 3. *Align supporting documentation (including the Planning Statement) with the Argyll and Bute LDP and Forestry and Woodland Strategy.*
 4. *Confirm felling extent from access track centreline and validate with site-specific GIS figures (GPX files or equivalent) or track design sections.*

5. Apply UKFS-compliant buffer zones to all watercourses and consider increased protection for SSSI-linked tributaries.

6. Ensure consistency across chapters regarding forestry references and confirm if any documents have been omitted.

Conclusion

Scottish Forestry is broadly supportive of the embedded design approach to minimise woodland impact through track reuse and peat-sensitive engineering. However, clarification, additional mapping, and documentation are required before Scottish Forestry can confirm compliance with national and local woodland policy and best practice standards.

We look forward to collaborating with the applicant and planning authority to resolve these matters constructively.

16.3. Scottish Forestry provided a further response on 22.10.25 following the submission of the FEI information as follows;

We advise that:

- The proposals demonstrate full compliance with UKFS. The UK Forestry Standard 5th edition was published on 3 October 2023 following the completion of an extensive review process. The 5th edition applies from 1 October 2024 for all woodland creation and management activity. This followed a 12-month transition period to allow relevant guidance to be updated and draft woodland plans to be finalised.*
- The Applicant considers their Felling and Restocking in the context of the Argyll and Bute Local Development Plan 2 and associated policies on Forestry and Forestry Removal in line with the adopted Forest and Woodland Strategy.*
- The applicant clarifies the total area of permanent woodland loss to ensure that the correct area of compensatory planting is applied.*
- Compensatory planting for the woodland lost should be secured by a condition, a draft of which is attached in Annex 1.*

I will be happy to discuss further or make any clarifications.

16.4. As no objection has been raised the above matters are considered capable of resolution through the impositions of appropriate conditions by the Determining Authority.

16.5. **Having due regard to the above it is concluded that subject to the requirements of Scottish Forestry being addressed that this element of the proposal is 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. The EIAR notes that in order to minimise the amount of stone required to be imported on to site, up to two borrow pits may be used.
- 17.3. **Having due regard to the above taking into account that the proposed borrow pits would be 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, a decision would be made as to whether to refurbish, remove or replace the turbines. If refurbishment or replacement were chosen, then the relevant consent applications would be made. If a decision was taken to decommission the development, this would entail the removal of all the turbine components, transformers, the substation, compound fences and associated buildings. Access tracks where required for forestry use and underground cables would be left in place and foundations removed to a depth of 0.5m below ground level to avoid environmental effects from removal. Hardstandings and sections of access track no longer required would be removed or partially removed and restored in accordance with industry guidance. A Site Decommissioning Plan would set out environmental protection measures and restoration principles which should be implemented.
- 18.3. It is recommended that this matter is covered by 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 with respect to both Noise Evaluation and LVIA matters.

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. The applicant has confirmed by submission that;

Once operational, the Proposed Development will generate approximately 211,817 Mega Watt hours (MWh) per year which is equivalent to the annual electricity required for around 66,192 households in Scotland, and will displace an equivalent amount of fossil fuel generated electricity amounting to a reduction in the release of greenhouse gases equal to 91,081 tonnes per year.

When taking into consideration the potential carbon loss of various construction and operational phases, the Proposed Development is anticipated to achieve carbon neutrality within 1.8 years (with a minimum and maximum range of 0.6 years and 5 years).

The carbon intensity of the Proposed Development is expected to be 17.20g carbon dioxide (CO₂)/kWh, which is significantly below the 2030 overall carbon intensity target.

The Proposed Development is anticipated to have an overall beneficial effect on climate change mitigation.

The outputs from the Scottish Government's Offline ECU Carbon Calculator are presented in Volume 2 Chapter 14: Climate Change and Carbon Balance of the EIA Report.

20.3. **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. PERPETUITY

21.1. 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. 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 application submissions.

22. CONCLUSION

22.1. 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 by the Planning Authority, which now consists of National Planning Framework 4 and the Argyll & Bute Local Development Plan 2.

22.2. 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 planning judgement still requires to be reached in terms of the impact of the development.

22.3. 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 for such projects. 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.

22.4. NPF 4 clarifies, at Page 07, that the National Spatial Strategy has the following overall objective

*Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place (*Officer Emphasis)*

22.5. Therefore, it is fundamental to any large-scale windfarm development being considered acceptable that the site chosen and the scale and the design of the development do not have unacceptable impacts on the Natural Environment. Where this is the case, it will not deliver the outcomes of the National Spatial Strategy to support the right development in the right place.

22.6. The applicants have submitted at part 9.4 of their Planning Statement that,

The need for the Proposed Development is firmly established by Annex B of NPF4 with Policy compliance driven by the significant weight placed in favour of developments contributing to reducing emissions, the contribution to renewable energy targets and the need to tackle the nature crisis.

The Proposed Development will directly contribute to these targets through the installation of approximately 60MW of renewable energy, reducing net carbon emissions by an estimated 91,081 tonnes per year. The biodiversity enhancement measures proposed will directly contribute to tackling the nature crises.

In assessing the Proposed Development against NPF4 as a whole, the Proposed Development is closely aligned with the objectives and intent of the Policy Framework. Close attention has been paid to Policy 11 as the primary policy applicable to the Proposed Development with the assessment showing support for the development in terms of 11(a) as a renewable energy scheme and 11(c) by the measures presented by the Applicant to maximise economic benefit.

Through the conduct of the EIA and the design process as detailed in the EIA Report

and DAS, the Applicant has clearly demonstrated how the impacts listed in Policy 11(e) have been addressed with significant effects either avoided or minimised.

In terms of Policy 11 (e)(ii) in particular, significant landscape and visual effects have been demonstrated to be acceptable through both appropriate design mitigation (ultimately removing five turbines specifically to address these effects) and demonstrating the localised nature of the remaining significant effects with residual significant effects limited to a distance of less than 10.5km from the Site.

It is acknowledged that the Proposed Development will result in other residual significant effects, however, attention is drawn to the findings of the Public Local Inquiry in relation the Glendye windfarm (Reference WIN-110-3) in June 2023 in which the reporter stated in (in connection with Policy 11(e)):

“We do not agree with the interpretation of some parties that all of the items listed must necessarily be fully mitigated or resolved. We agree with the applicant that this should form part of the decision-maker’s process of weighing the planning balance.”

Taking account of the weight to be applied to the Nationally important benefits of tackling the climate and nature crises as required by energy policy, NPF4 and the OWPS and the limited extent of the determined environmental impacts, the benefits of the Proposed Development clearly outweigh any adverse effects and is therefore strongly supported by planning policy.

It is therefore concluded that the Proposed Development is consistent with both National and local planning policy.

- 22.7. There is undoubtedly a strong and supportive Planning Policy Framework in respect of windfarm proposals and acknowledged benefits which would arise from these proposals at national and local level. However, this support must be caveated upon the impacts of development being considered acceptable as a matter of judgement and weighting.
- 22.8. In this instance NatureScot have raised objection to the proposals and state that the proposed wind farm would result in *significant adverse landscape and visual effects on Knapdale National Scenic Area (NSA), Kilmartin Glen and Loch Fyne*. This objection must be balanced against both the strong policy support for renewable power generation proposals, and in this particular instance the fact that the Councils own Landscape Advisor is of the view that no objection to the proposals on landscape or visual impacts should be raised.
- 22.9. Officers have carefully considered these conflicting positions and concluded, as a matter of planning judgement, that the views of NatureScot should be preferred, and that the contended significant landscape impacts outweigh the benefits of the scheme in this particular instance.
- 22.10. Indeed NPF 4 Policy 11 and LDP 2 Policy 30 reflect this position when read in their entirety. Support for such development is clearly based upon acceptable location where unacceptable non localised impacts will not occur. Officers have therefore deferred to the views of NatureScot on these matters.
- 22.11. Given the above , Members are advised, as a matter of Planning Judgement, that Argyll and Bute Council objects to the proposal as it will have significant adverse landscape and visual effects on Knapdale National Scenic Area (NSA), Kilmartin Glen and Loch Fyne as contended by NatureScot in their consultation response and this unacceptable

landscape Impact is not outweighed by the acknowledged benefits of the scheme in this particular instance.

23. RECOMMENDATION

That the ECU be notified accordingly that:

(1) Argyll and Bute Council, having particular regard to the Objection raised by NatureScot and deferring to their expertise, object to the proposal on landscape and visual grounds, as the proposed wind farm would result in significant adverse landscape and visual effects on Knapdale National Scenic Area (NSA), Kilmartin Glen and Loch Fyne, contrary to NPF4 Policy 4, NPF Policy 11, LDP2 Policy 30 and LDP 2 Policy 70.

(2) Argyll and Bute Council object to the proposal in respect of potential impact of aircraft safety as set out in the NATS Safeguarding objection letter and therein referenced report dated 20.06.25. The objection by NATS confirms that the proposals are not currently considered to be in accordance with the requirements of NPF 4 Policy 11 (aircraft safety).

For the avoidance of doubt, should the NATS Objection to this application be withdrawn then the objection of the Planning Authority should also be regarded as withdrawn.

(3) Peat Landslide Hazard Risk Assessment - Argyll and 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). Argyll and Bute Council object unless this issue is resolved to the satisfaction of Ironside Farrar prior to the 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 that the application is referred to the DPEA for examination.

(4) Archaeological Impact - Argyll and Bute Council has been unable to reach a conclusion within the time afforded in respect to Archaeological Impact as no response has been received from the West of Scotland Archaeology Service. Argyll and Bute Council are therefore not in a position to confirm whether the proposal is consistent with the relevant provisions of NPF4 Policy 7 and LDP2 Policy 21 and would recommend that the ECU consider these matters prior to determination.

(5) Argyll and Bute do not object on noise impact grounds, subject to the imposition of appropriate condition(s) to ensure operational noise and amplitude modulation matters are satisfactorily addressed, as recommended by the Council's Noise Consultant, Mott MacDonald, specified in their Review of Evidence – Noise, dated August 2025.

(6) Argyll and Bute Council do not object on Public Access grounds, subject to the inclusion of a condition requiring the developer to prepare an Access Plan for approval by the Council prior to the commencement of construction.

(7) Argyll and Bute Council do not object on Roads access or safety grounds, subject to the inclusion of relevant conditions, as specified by

Transport Scotland in their consultation response to the ECU dated 31.07.25 and as set out in this report.

(8) Argyll and Bute Council do not object on Flooding and/or Drainage impact grounds subject to the inclusion of the conditions as set out in the response of the Councils Flooding advisor dated 03.07.25.

(9) Argyll and Bute Council in accordance with the views of the Council's Local Biodiversity Officer Objects to the proposals as it is considered that the applicant has failed to provide necessary biodiversity evaluation and weighting to trees within the area of Ancient Woodland which will be adversely affected by the proposals.

It should also be noted that any further necessary bat surveys must be undertaken in respect of these trees, and any European Protected Species mitigation measures submitted and agreed by the Scottish Ministers prior to the granting of any deemed planning consent to ensure any consent is issued in compliance with all legislative requirements.

(10) Argyll and Bute Council do not object in relation to impact on peat or proposed peat management issues subject to the imposition of appropriate conditions to address these matters as advised by SEPA and NatureScot in their consultation responses.

(11) Argyll and Bute Council requests that all other conditions recommended by consultees are included in any Consent.