

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 16/01313/PP

Planning Hierarchy: Major Application

Applicant: E.ON Climate & Renewables

Proposal: Erection of 14 wind turbines (13 with a blade tip height of up to 126.5m (and hub height of up to 80m) and one with a blade tip height of up to 115.5m (and hub height of up to 69m)), upgrading of permanent access, formation of site access tracks, erection of permanent anemometer mast, control building and substation, watercourse crossings and temporary construction compound.

Site Address: Clachaig Glen wind farm, Land North East of Muasdale, Argyll and Bute

SUPPLEMENTARY REPORT NO.1

(A) INTRODUCTION

The attention of Members is drawn to the Report of Handling for the application above which is on the agenda for the Planning, Protective Services and Licensing Committee on Wednesday 20th September 2017.

Since the original Report of Handling was produced, further supporting information has been received from E.ON Climate & Renewables (EC&R) in a letter dated 18th September 2017. Also a letter dated 18th September has been received dealing with the issue of aviation lighting from the aviation specialist company Osprey on behalf of EC&R, in response to correspondence received from Highlands and Islands Airports Limited (HIAL), the Ministry of Defence (MOD) and Scottish Natural Heritage (SNH).

(B) DETAIL

The supporting letter aims to address and provide a response to the key findings of the committee report and may be summarised as follows:

- EC&R note the concerns raised over the impacts of the scheme with regards to the Argyll & Bute Landscape Wind Energy Capacity Study 2012 (LWECS 2012). They also note that in the updated 2017 study that nine key constraints are identified for turbines of the scale proposed at Clachaig Glen, which build on the original 2012 constraints, and in addition eight key cumulative constraints for the region contained in those reports.

- EC&R would like to make it known that following extensive consultation with the local community, the Council and consultees, including SNH, the project evolved into the current design. Through that process they consider that the project minimised impacts on the key constraints identified in the LWECS (2012), including impacts on: the east coast of Kintyre, the A83 tourist route, remote coast between Skipness and Tarbert, views into the higher hills of the region from the south, east and north, and views from the National Scenic Area of Arran and the seascapes around it. Equally, the site was also specifically designed, following feedback from the local community and input from the Community Liaison Group, to minimise impacts on the views from local residents on mainland Kintyre. EC&R believe the Zone of Theoretical Visibility (ZTV) clearly highlights that approach, demonstrating the limited visibility and therefore impacts on mainland Kintyre.
- In considering the two LWECS reports, the Environmental Statement (ES) indicates that the proposal would not significantly impact on the majority of the nine key constraints and eight key cumulative issues identified for the Upland Forest Moor Mosaic Landscape Character Type. The ES concluded that from these key areas the impact of the scheme is of **Low to No** impact. This is borne out by the project being placed in-between the central spine and coastal edges of this upland interior of the Kintyre Peninsula and its use of terrain shielding to hide the site from the settled mainland coast.
- As the committee report identifies, the project would be visible from locations to the west and the ES concludes that moderate visual impacts would be experienced from a small number of viewpoints on and around Gigha. The ES also identifies that impacts on the landscape character of Gigha, the Kintyre coastal landscapes, the seascape and the Area of Panoramic Quality (APQ) would be Minor. As the updated LWECS 2017 highlights, any commercial scaled wind farm in the Upland Rocky Moor Mosaic will impact on a number of the key constraints, and therefore by avoiding the vast majority of them completely, EC&R have proactively followed the guidance to minimise the impacts from this scheme.
- EC&R note only eight letters of objection have been received from local residents and they believe in part this is due to the proactive steps taken to minimise the proposals impacts. Views from Gigha and the west are referred to in the reasons for refusal, however from many of the viewpoints the vast majority of the turbines are screened from view by the hills. A small number are visible but EC&R believe these alone do not warrant an unacceptable impact.
- EC&R note no objections have been received from the Gigha community in relation to the proposal. They also note that there are no other reasons in the committee report for refusal on any other grounds, which they would argue is unique for a scheme of this type and again is borne out of the sensitive design of the site in its efforts to minimise impacts locally.
- EC&R believe the committee report places undue weight on the landscape and visual impacts, and does not properly balance these against the positive design efforts made by this scheme, or the benefits of renewable energy in addressing the threat of climate change, and the economic prosperity that a large renewables project will bring to the

local economy in terms of jobs, income, investment, business rates and community benefit, including the ability for local residents to invest in the scheme.

EC&R go on to 'highlight' what they believe are the benefits of the scheme:

- The site would produce nearly 50MW of power into the local grid network, which will help to offset the impacts of global warming and security of supply concerns historically raised by government and supported by Argyll & Bute plan policies.
- Whilst not a planning consideration, the site will follow good practice and has proposed to set up an annual community benefit fund of £5,000 per MW installed once constructed, each year for the 25-yr life of the wind farm. This money would be invested locally in the neighbouring community providing valuable support to the local area.
- As part of the arrangements for the scheme, the local community will also have the opportunity to invest directly in the project and part own the scheme if they so wish. This would provide for a sense of ownership of the site, in line with other community schemes in the Argyll peninsula that have been built in more recent years.
- As the majority of the site is located on Forestry Commission Scotland land, it will help support this large local employer over the coming years as they continue to manage their estate. This is an additional benefit to the local area not ordinarily realised by other developments.
- To date no statutory objections on landscape grounds have been received by Argyll & Bute Council regarding the proposal from any national bodies. EC&R note only eight objectors have taken time to raise their concerns locally about the scheme, which is very low when considering the recent history of wind farm development in the locality.
- EC&R carried out extensive consultation with the local community to ensure their opinions were factored into the design. The numerous Community Liaison Group meetings enabled the local community to be kept informed of the project whilst at the same time helping to shape and inform the final design. This can be evidenced at every design stage of the proposal and can be seen within the planning application.

Given the points raised above, EC&R believe the proposal offers an excellent opportunity to provide continued growth of renewable energy in Scotland, Argyll and the local area. This industry supports many jobs locally and needs continued support. EC&R believe the ES and their interaction with consultees concludes that the proposal is an acceptable project located sensitively within the Kintyre Peninsula.

Aviation Lighting

The letter from the aviation specialist aims to clarify how the requirements of HIAL (Highlands and Island Airports Limited), MOD (the Ministry of Defence) and concerns raised by SNH are to be addressed and may be summarised as follows:

- CAA guidance indicates that there is no requirement to fit the Clachaig Glen Wind Farm with lighting unless HIAL provide robust justification of a requirement. HIAL has not provided any justification to date. The development is a significant distance from Campbeltown Airport and therefore not within the lateral confines of its associated OLS (Obstacle Limitation Surfaces) and VFR (Visual Flight Rules) flight operations area and therefore will not present any effects on Campbeltown Airports Visual VFR flight operations. In addition, the development is not within the safeguarded area of each of the communication and navigation systems in operation at the Airport and is therefore considered not to affect the systems. The significant distance of the Wind Farm from the IFP (Instrument Flight Procedures) route and the fact that other significantly higher obstacles are closer to the IFP route, e.g. Deucheran leads to the conclusion that the IFP is not affected by the Wind Farm. The MOD request for lighting of this site is in-line with its guidance. E.ON Climate & Renewables (EC&R) has indicated its intention to fit Infrared lighting on the perimeter wind turbines to meet the MOD requirement.

NOTE: Committee Members, the applicant, agent and any other interested party should note that the letter of support and the letter from the aviation expert referred to in this report, have been summarised and that the full letters are available on request or alternatively can be viewed on the Council website at: www.argyll-bute.gov.uk

(C) RECOMMENDATION:

The submitted information does not affect the recommendation contained within the original report dated 8th September 2017, namely that planning permission be refused subject to the reasons set out in the Report of Handling.

Author of Report: Arlene Knox

Date: 19th September 2017

Reviewing Officer: Richard Kerr

Date: 19th September 2017

Angus Gilmour
Head of Planning & Regulatory Services