

**Argyll and Bute Council
Planning and Regulatory Services**

This report is a recommended response to the Scottish Government's Energy Consents and Deployment Unit (ECDU) Section 36 consultation regarding the proposed Killean wind farm, on Land at Killean, Tayinloan, Argyll and Bute

Our Reference No: 16/03400/S36

Applicant: RES Ltd (via Scottish Government Consents Unit)

Proposal: Section 36 consultation relative to Killean Wind Farm

Site Address: Land at Killean, Tayinloan, Argyll and Bute

(A) Section 36 application made up of the following elements:

- Erection of 17 three-bladed horizontal axis wind turbines of up to 149.9 m tip-height;
- Modifications to existing Killean Estate access junction and modifications to the A83(T), to facilitate access for abnormal loads;
- Upgrading of existing and creation of new access tracks;
- On-site electrical and control network of underground (buried) cables;
- Crane hardstanding areas x 17;
- Communications mast;
- Sub-station compound containing: control and sub-station buildings, and battery storage
- Temporary construction compound;
- Turbine foundations;
- Temporary concrete batching plant and compound;
- Drainage management;
- Associated ancillary works;
- Engineering operations; and
- Forestry felling, restocking (including compensatory onsite planting) and management.

Associated works, but which do not form part of this application, include a connection from the on-site sub-station to the grid network, and borrow pits.

(B) RECOMMENDATION:

It is recommended that the Council as Planning Authority objects to this proposal for the reasons detailed below and that the Scottish Government be notified accordingly

(C) CONSULTATIONS:

Scottish Natural Heritage (SNH) (3rd March 2017 & 2nd August 2017) SNH do not object. They provide advice on significant landscape, visual and cumulative effects of the proposal. The following summarises their advice:

- SNH advise that there will be an adverse effect on peoples' appreciation and enjoyment of the scenic views experienced from part of the North Arran National Scenic Area (NSA).
- SNH advise that the scale and location of Killean wind farm would result in significant adverse landscape effects; in particular, in relation to the character of/ from the Isle of Gigha, the Sound of Gigha, and the west coast of Kintyre.
- SNH advise that there will be significant adverse visual effects due to its scale, high visibility and prominence / intrusion in key views to and from west Kintyre including recreation areas, tourist destinations, key routes and offshore.
- SNH advise that there will be significant strategic adverse cumulative landscape effects, due to the cumulative effect of the addition of Killean wind farm to the western edge of the Upland Forest Moor Mosaic (UFMM).
- SNH advise that the proposal will have specific significant adverse cumulative visual effects from onshore and offshore including potential sequential effects from key routes.
- SNH advise that there will be adverse effects upon landscape character and qualities of Gigha and the west Kintyre coast and the perception and experience of the landscape / seascape.

In SNH's opinion, the proposal is also contrary to the guidance set out in the Argyll and Bute Landscape Wind Energy Capacity Study (LWECS) commissioned jointly by SNH and the Council in 2012 (now superseded by the updated 2017 document). The proposal could have an impact on the Kintyre Goose Roosts Special Protection Area (SPA) due to what SNH believe is an error in the mitigation suggestions. SNH offer a corrected mitigation proposal which, if accepted, leads to their view that the proposal will not adversely affect the integrity of the site. SNH also provide advice about impacts on other aspects of the natural heritage.

SNH have recently been supplied with further information from the applicant to help them assess the potential effects of the proposed Killean wind farm. This related to the Landscape and Visual impact Assessment section of the ES. SNH can confirm that they have looked at the information provided and can also confirm that they have no further advice to make on this proposal, subsequent to their previous response, dated 3rd March 2017.

Royal Society for the Protection of Birds (3rd March 2017) – no objection subject to conditions relating to: timing of construction works outwith the bird breeding season; timing of construction/decommissioning and distance from roosting loch; a Habitat Management Plan; employment of an appropriately qualified Ecological Clerk of Works to oversee construction and mitigation; and post-construction monitoring of bird populations. Whilst RSPB do not object they express concerns that some potential impacts may have been underestimated. RSPB also provide advice in relation to

habitat management to restore peatland and native woodland in order to minimise the carbon and biodiversity impacts of the proposal.

Forestry Commission Scotland (FCS) (28th February 2017) – no objection subject to a condition to secure compensatory planting.

Transport Scotland (8th February 2017) – no objection subject to conditions relating to approval of the proposed route for abnormal loads; accommodation measure required including removal of street furniture, junction widening, traffic management; delivery of construction materials to be overseen by recognised QA traffic management consultant; approval of the details of the proposed means of access to the trunk road; and provision of wheel washing facilities;

Scottish Rights of Way and Access Society (8th February 2017) – object on the grounds that they find the proximity of some of the proposed turbines to the Kintyre Way to be unacceptable.

Council's Roads Engineer (13th February 2017 & 11th July 2017) – does not object to the proposal.

Council's Archaeological Advisors, the West of Scotland Archaeologist Service – no response at time of writing.

Council's Access Officer – no objection subject to a conditions relating to access to the Core Path C094 b Kintyre Way during construction; closures being agreed in advance; and an Access Plan.

Council's Local Biodiversity Officer (18th January 2017) – no objection subject to conditions relating to: Construction Environment Management Plan (watching brief to be included); Peat Management Plan; Construction of Access tracks; and employment of an Ecological Clerk of Works (ECoW) to carry out pre-start habitat and species checks and to ensure that none of the Ecological or Ornithological interests on the site are compromised.

Council's Environmental Health Officer (1st February 2017) – no objection subject to conditions relating to control noise of immissions; noise complaints and assessment by independent consultant; remedial action following complaint; continuous logging of wind speed, wind direction and power generation data; an appraisal to demonstrate the wholesomeness and sufficiency of the private water supply or any other supply in the vicinity shall not be compromised; and provision of a nominated representative to act as a point of contact in connection with noise complaints.

Council's Flood Risk Assessor (28th September 2017) – no objections subject to a condition to secure additional details on surface water drainage and SuDS.

Historic Environment Scotland (HES) (1st February 2017) – do not object to the proposal, but, recommend that any trees forming the woodland backdrop to the Killean Estate that are damaged or removed by works to upgrade the wind farm access tracks are replaced.

Marine Scotland (3rd February 2017) – no objection to the proposal but consider that additional fish surveys should have been carried out and the results recorded in the ES.

SEPA (3rd February 2017) - no objection subject to conditions to secure the submission of the finalised Construction Environment Management Plan for their written approval. If this condition is not to be applied, then their representation should be considered an objection.

Scottish Water (1st February 2017 & 8th September 2017) – no objection subject to conditions to secure a detailed site specific Construction Method Statement, including a Construction Environment Management Plan, Risk Assessment, Pollution Prevention and Contingency Plan; Drainage Plan and Peat Management Plan; and mitigation for activities within the Carradale Water catchment to prevent water pollution. Scottish Water have also confirmed that they are satisfied with the additional information and protection measures provided by the applicant, in regard to their comments on mitigation for activities within the Carradale Water Catchment.

Ministry of Defence (MOD) (2nd February 2017) – no objection subject to conditions to secure aviation safety lighting.

Civil Aviation Authority (CAA) (31st January 2017) – no objection, advice provided regarding consultation with appropriate aviation consultees; emergency service helicopter support units; requirement for aviation safety lighting; and requirement for structures of 300 feet to be charted on aeronautical charts.

British Horse Society (BHS) (2nd February 2017) – do not object to the proposal. Advice provided on access to the Kintyre Way during construction; provision of access to any new paths and roads; width of access gates; surface drain construction; provision of safe alternatives to cattle grids; path surfaces and visitor parking.

District Salmon Fishery Board (27th January 2017) – no objection.

National Air Traffic Services (NATS) (20th December 2016) – no objection

VisitScotland (15th October 2015) – no objection, their response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors and strongly recommend any potential detrimental impact of the proposal on tourism - whether visually, environmentally and economically - be identified and considered in full.

South Knapdale Community Council (16th January 2017) – object on the grounds of: the adverse impact of the proposal on the South Knapdale Area of Panoramic Quality (APQ); Tourism; Cumulative Impact; and adverse impact on seascape.

West Kintyre Community Council (14th February 2017) – object on the grounds of: visual, landscape, and cumulative impact; impact on tourism and recreation; impact on the environment and an increased risk of flooding; and impact on the local transport network.

BT (6th January 2017) – no objection

Peat Landslide Hazard and Risk Assessments Checking Report Prepared for Energy Consents Unit by AM Geomorphology Ltd (February 2017) – concludes that minor revisions and clarification are required on certain aspects of the Peat Slide Risk Assessment. Overall, the conclusions of the assessment are acceptable.

(D) REPRESENTATIONS:

There have been 9 representations made to the Scottish Government's Energy Consents Unit at time of writing of this report.

As this is not a planning application the Energy Consent Departments web page is where the full and formal record of representations must be recorded and not the Council's public access system. All representations can be found on the Scottish Government Webpage related to this application which provides the up-to-date listing of third party representations and other submissions relating to this S36 application.

At time of writing the number of representations in support is 2 and the number of objections is 7. These figures were provided by the case officer from the Scottish Energy Consents Unit. Scottish Government Energy Consents Unit policy is not to publish any personal details: Name/s, Address, email address, telephone number and signatures The content of the letters may be summarised as follows:

Supporters:

- Killean could generate up to 56MW of clean, green electricity, which equates to the supply for more than 45,000 homes.
- Killean Wind Farm will make a vital contribution to the local economy in Argyll and Bute estimated to be worth approximately £4.7 million.
- RES have demonstrated through the construction of Freasdail near Whitehouse that they are a responsible developer and that they are willing to use local suppliers where the skills exist locally

Objectors:

Braids

- Concern has been raised regarding the impact of the development on the dwelling at Braids which has planning permission for redevelopment as a single residential house (Planning Permission Reference 16/02779/PP), particularly in regard to: the scale and number of turbines; proximity of the turbines to the property; landscape & visual impact; impact on heritage assets in Braids Park; impact on the private water supply; noise impact; visual amenity; separation distances; dust and light flicker; inability to carry out construction work, during construction of the wind farm; security risk arising from increased volume of traffic associated with construction/management of the wind farm; traffic management; shadow flicker (closest turbine less than 5 rotor diameters away); and the relocation of the batching plant.

Moratorium

- It is hoped that an end is in sight for a moratorium on the continued approval of schemes against the will of the vast majority of the local populace.

Scale & Alternatives

- Even if developers claim they are motivated by concerns about global warming, wind farms are not the only way to help fight the causes and impacts of climate change. Trees can do that. Scottish Government has failed to meet its target of 10,000 hectares of woodland planting. In 2015/16 only 18 square miles [4,600

hectares] were planted, the lowest level of planting in 6 years. This proposal is an opportunity for the Scottish Government to direct a landowner looking for ways to use his 'unproductive' land to plant trees instead of turbines.

- The colossal height of each one of the 17 wind turbines proposed is 150 metres to blade tip. The turbines would be 50% higher than the hills on which they stand.

Policy

- The proposal is contrary to the provisions of the Local Development Plan.

Ornithological & Ecological Impact

- There is no doubt that these machines kill birds and bats and the more there are the more they will kill.
- One of the area's delights is its prolific bird life, again an attraction for both tourists and inward migration, which will suffer as a result of the proliferation of these devices.
- Killean is the winter home of Kintyre's Greenland White-fronted Geese, an endangered species in UK where its numbers have declined by 41% in the last decade. The proposed farm at Killean has highlighted the fact that the environment of the geese is not just their protected feeding grounds or their protected roosting lochs, it is also the area in between. It is in this very 'area in between' that the applicant proposes to erect 17 wind turbines almost 150 metres high. Each turbine will have 3 rotating blades, with a diameter of 100 meters, giving a swept area [aka capture area] of almost 8,000 square metres. This poses an alarming threat to the geese. These geese have protected roosting and feeding sites, but that protection has to be extended to cover their flight movements in the area. The western hills between Muasdale in the South and Clachan in the North should be excluded from all windfarm development.
- To estimate, from very limited research, as this developer has done, that one bird will be killed every 25 years, borders on absurdity. Such estimates assume that geese never stray from the recorded flight paths, never fly when rain and mist have reduced visibility, and never fly at night. Now is the time for the Scottish Government to recognise that the whole area where the geese over-winter is their environment, and to take steps to protect it.
- Although golden eagles may not have nested in this place in recent times it should be noted that the proposal is located in habitat which has previously supported and been populated by golden eagles.

Landscape Impact

- The proposal would have a major impact on the local landscape and environment. This area is designated as an Area of Panoramic Quality and the proliferation of wind farm proposals, is going to cause it to become a 'Wind Farm Landscape'.
- This is an area of renowned outstanding natural beauty and should not be permitted to become an industrialised landscape. This proposal, would occupy a position on the rising western side of the peninsula, rather than on the more suitable spine. The western side is incapable of hosting this scale of development.

- The proposal is contrary to the advice contained in the SNH Landscape Wind Energy Capacity Study which recommends keeping all development away from the slopes around the central plateau area of Kintyre.

Visual Impact

- The proposal would have very pronounced adverse visual impact over a large area, including from the sea, with proposed turbine heights of 150m
- The visual impact of such a proposal on the surrounding area would be significant. It would be visible from Kintyre's ferry routes to Gigha, Islay, Jura, Arran, from West Kintyre's "Areas of Panoramic Quality", from all the southern inner Hebridean islands, especially Gigha, and from the Kintyre Way which runs through the area proposed for wind farm development.
- The wind farm would be sited only 3km from the coast, making its detrimental visual impact even more significant. No wind farm should be sited this close to the coast in Kintyre.
- The area to the west of the Kintyre Way must be kept free of turbines, so that the spectacular views to the sea and the islands are not interrupted.
- The height of the turbines, 150m to blade tip, represents a height 50% higher than the coastal hills they would be sited on, totally dominating the skyline, and compounding the visual impact of the proposal. This height is unacceptable in this location.

Cumulative Impact

- The applicant's own study states that the visual impact on the viewpoints they tested will be even greater when other Kintyre wind farms either existing, consented, currently being built, or within the planning system are taken into account.
- The Kintyre peninsula is approximately 40 miles long and 8 miles wide. Within this relatively small area, there are more than 12 wind farms/wind farm proposals.
- As the folly of allowing the Freasdail wind farm (on appeal, against Argyll and Bute Council's refusal of permission) becomes apparent, the idea of more, visible industrial installations of this kind is even more unacceptable in landscape terms than it was before.
- A small and sensitive peninsula like Kintyre cannot accommodate such an inordinate number of wind farms without its landscape character being destroyed.

Archaeology & Historic Impact

- Turbines T14 and T17 and the proposed Batching Plant are too close to and would dominate the cup and ring marked stones, former lime kiln, rig and furrow grassland, grass banking and other heritage features close to those turbines.
- Argyll is famous for its prehistoric rock carvings, and the area around Braids, Killean, at the very centre of the proposed wind farm, has a number of cup-marked

and cup and ring marked stones. The proposal would sever any connection which might exist between the stones. It is quite apparent that the developers have taken no account whatsoever of the existence of these prehistoric carved rocks, or their heritage value. While the purpose of these prehistoric rocks is still being studied, to site a wind farm in an area where there are several of them displays a reckless disregard for their potential significance.

- In terms of matters of Cultural Heritage the applicant should take account of and seek to preserve the following: the marked grave of the former owner of Killean, James Macalister Hall and his infant child sited in a small and steep glen adjacent to the South Eastern face of Borrow Pit 1 (buried here on account of his fondness for this scenic spot, the Nephew of the earlier James Macalister Hall who built the Library and Museum building in Campbeltown); The hilltop / stones forming Cruach a Bhodaidh which was always a noted local landscape feature although less visible as the forestry has grown; there are signs of old wall structures which may be old shielings lying adjacent to the small burn lying to the SW / W of proposed turbine T15 and whilst unlikely to be disturbed it is probably worth noting these features.
- Due to its proximity to the grave and the former eagles nest mentioned above and also the visual impact for users of the glen road approaching from the west Borrow Pit 1 should not be exploited in preference to the other 2 options

Tourism & Recreation

- This proposal is sited in very close proximity to the Kintyre Way, a walk which brings many tourists to Kintyre each year. Those people come to admire and appreciate the natural beauty of the peninsula, bringing a lot of business to hotels, shops & taxis etc., revenue much needed and relied upon by local businesses.
- Argyll and Bute is currently trying to attract people to come and live in this area. Those who have moved here say that the attraction for them is our unspoiled environment, its wildlife, and the range of outdoor activities available. The Scottish Government must acknowledge that tourism and an increased population are the lifeblood of rural areas like Kintyre and recognise the threat to our economic survival posed by ill-considered wind farms like Killean.
- The local economy is struggling with population decline and the paucity of employment especially for young people; tourism is hugely important together with inward migration. The continued destruction of the landscape which makes Kintyre special will adversely affect both of these issues and contribute to the area's decline.

Flooding & Land Erosion

- The extensive invasion of non-permeable surfaces created by roads, hard standing areas, concrete turbine bases and all associated works must dramatically affect water absorption and increase surface run-off with the inherent flood risk. If this proposal went ahead, it would pose a major threat of flooding to the areas below it.

Private Water Supplies

- This proposal would pose a threat to the stability and purity of local private water supplies.

Public Consultation Exercise

Members should also note that the applicants have held community engagement events in order to present details of the scheme and receive feedback from the local community. This included newsletters which were posted out to 1,530 houses and businesses within the West Kintyre, Tarbert & Skipness and South Knapdale Community Council Areas and a public exhibition held in Tayinloan Village Hall.

(E) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Statement:** Yes

An Environmental Statement dated 2016 was submitted in support of this S36 application. The ES considers the following key issues:

- Introduction
- Proposed Development
- Design Evolution and Alternatives
- Landscape and Visual Impact Assessment
- Ornithology
- Cultural Heritage
- Ecology
- Geology, Hydrology & Hydrogeology
- Transport & Access
- Noise
- Potential Grid Connection

- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** A Habitat Regulation Appraisal is required to be undertaken by Scottish Government for this proposal.

- (iii) **A design or design/access statement:** Yes

- (iv) **A report on the impact of the proposed development e.g. retail impact, transport impact, noise impact, flood risk, drainage impact etc:** Yes

(F) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

Members are asked to note in the context of the development plan and planning process that this application has been submitted to the Scottish Government under

s.36 of the Electricity Act 1989. As part of the s.36 application process, the applicant is also seeking that the Scottish Ministers issue a Direction under s.57 (2) of the Town and Country Planning (Scotland) Act 1997 that deemed planning permission be granted for the proposed development.

In such instances the Development Plan is not the starting point for consideration of Section 36 applications, as Sections 25 and 37 of the Town & Country Planning (Scotland) Act 1997, which establish the primacy of development plan policy in decision-making, are not engaged in the deemed consent process associated with Electricity Act applications. Nonetheless, the adopted Argyll & Bute Local Development Plan 2015 still remains an important material consideration informing the Council's response to this proposal.

Schedule 9 of the Electricity Act does require both the applicant and the decision-maker to have regard to the preservation of amenity. It requires that in the formulation of proposals the prospective developer shall have regard to:

- (a) *the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic 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.*

Similarly, it obliges the Scottish Ministers in their capacity 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).

Consideration of the proposal against both the effect of 'Scottish Planning Policy' 2014 (SPP) and the adopted Argyll & Bute Local Development Plan 2015 will ensure that proper consideration is given by the Council to the extent to which the proposal satisfies these Schedule 9 duties.

(i) List of all Development Plan Policy considerations taken into account in assessment of the application.

'Argyll & Bute Local Development Plan' (2015)

LDP STRAT 1 – Sustainable Development

LDP DM 1 – Development within the Development Management Zones. The site is located within a Rural Opportunity Area, a Countryside Zone and a Very Sensitive Countryside Zone.

LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

LDP 4 – Supporting the Sustainable Development of our Coastal Zone

LDP 5 – Supporting the Sustainable Growth of our Economy

LDP 6 – Supporting the Sustainable Growth of Renewables

LDP 8 – Supporting the Strength of Our Communities

LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising our Resources and Reducing our Consumption

LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance to the Argyll and Bute Local Plan 2015' (2016)

SG LDP ENV 1 – Development Impact on Habitats, Species and our Biodiversity
SG LDP ENV 2 – Development Impact on European Sites
SG LDP ENV 4 – Impact on Sites of Special Scientific Interest (SSSIs) and National Nature Reserves
SG LDP ENV 6 – Development Impact on Trees / Woodland
SG LDP ENV 7 – Water Quality and the Environment
SG LDP ENV 9 Development Impact on Areas of Wild Land
SG LDP ENV 10 Geodiversity
SG LDP ENV 11 – Protection of Soil and Peat Resources
SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs)
SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs)
SG LDP ENV 14 – Landscape
SG LDP ENV 15 Development Impact on Historic Gardens and Designed Landscapes
SG LDP ENV 16(a) Development Impact on Listed Buildings
SG LDP ENV 19 – Impact on Scheduled Ancient Monuments (SAMs)
SG LDP ENV 20 – Impact on Sites of Archaeological Importance
SG LDP Sustainable Siting and Design Principles
SG LDP SERV 2 – Incorporation of Natural Features/SuDS
SG LDP Sustainable – Sustainable Siting and Design Principles
SG LDP SERV 3 – Drainage Impact Assessment
SG LDP SERV 5(b) Provision of Waste Storage and Collection Facilities within New Development
SG LDP SERV 6 – Private Water Supplies and Water/Waste Conservation
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP TRAN 1 – Access to the Outdoors
SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes
SG LDP TRAN 6 – Vehicle Parking Provision
SG LDP TRAN 7 – Safeguarding of Airports
Supplementary Guidance 2 (December 2016)
Supplementary Guidance 2 - Windfarm map 1
Supplementary Guidance 2 - Windfarm map 2

Note: The above supplementary guidance has been approved by the Scottish Government. It therefore constitutes adopted policy.

Note: The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk

(i) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A

- National Planning Policy Framework 3 (NPF3) (June 2014)
- Scottish Planning Policy (SPP) (June 2014)
- Scottish Government Advice Note on Onshore Turbines (2014);
- 'Argyll and the Firth of Clyde Landscape Character Assessment' SNH (1996);
- 'Argyll and Bute Landscape Wind Energy Capacity Study' SNH and A&BC (2017)

- 'Guidance on Siting and Designing Windfarms in the Landscape 'SNH (2009);
 - Cumulative Landscape & Visual Assessment of Wind Energy Development in Kintyre, prepared by LUC for Argyll & Bute Council, December 2015;
 - 'Control of Woodland Removal Policy' (FCS 2009)
 - Scottish Historic Environment Policy (SHEP)
 - 'Scottish Energy Strategy: The Future of Energy in Scotland' (consultation draft) January 2017
 - 'Onshore Wind Policy Statement' (consultation draft) January 2017
 - Views of statutory and other consultees;
 - Legitimate public concern or support expressed on relevant planning matters
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G) Does the Council have an interest in the site: No

(H) Is the proposal consistent with the Development Plan: No

(I) Summary of reasons why planning authority should object to this Section 36 application:

- In summary, the proposal is considered contrary to government policy expressed in SPP; adopted Local Development Plan policy and associated Supplementary Guidance, and guidance published by the Council & SNH in the 'Argyll & Bute Landscape Wind Energy Capacity Study' (2017); insofar as it does not reinforce the established pattern of wind farm development in Kintyre without giving rise to unacceptable landscape, visual and cumulative impacts. The full recommended reasons for refusal appear on the following page.
- The proposal would become the dominant landscape characteristic of this part of Kintyre causing significant adverse impact to its landscape quality and its primary viewpoints, due to its scale and dominance in the landscape from key visual receptors including residential properties, leisure/commercial tourist related facilities and key transportation routes.
- The proposal would extend the influence of wind farms in an unacceptable manner to more sensitive locally designated and protected landscapes, and in particular into land on the widely visible and important western slopes which contextualise this high quality landscape designated as an Area of Panoramic Quality in the Local Development Plan 2015. The proposal would also have a significant adverse impact on the North Arran National Scenic Area, designated for its outstanding scenery.
- The proposal will result in cumulative landscape impact which will have an adverse impact upon the wider landscape.

- In respect of the above, the proposal conflicts with SPP, the adopted Local Development Plan, and the Council's Landscape Wind Energy Capacity Study (2017) and SNH design and siting guidance for windfarm developments.

Note: This is a summary please refer to recommended reasons for objection on the following page.

Author of Report: Arlene Knox **Date:** 04/10/17

Reviewing Officer: Sandra Davies **Date:** 04/10/17

Angus Gilmour
Head of Planning and Regulatory Services

RECOMMENDED REASONS FOR OBJECTION TO 16/03400/S36

1. At 149.9m in height to the blade tip, the proposal would be out of scale with its landscape context, and the turbine size would not be in keeping with other wind farm developments close by. This size of turbine would dominate the scale of the smaller more complex edge hills on the western edge of the upland area and would be an unwelcome intrusion in coastal landscapes. The west coast of Kintyre is designated as an Area of Panoramic Quality (APQ) in recognition of its scenic qualities of regional value. The proposal impinges on the sensitive coastal skylines which frame and provide a setting for the coast which is characterised by the contrast between the land and the sea, and development on the scale proposed would undermine these qualities to the detriment of landscape character.

From elevated locations, including very popular hill walks, as represented by VP10 Beinn Bharrain in the North Arran NSA, there will be a significant adverse visual effect. Views are focused towards Kintyre and the islands of Gigha and the Paps of Jura beyond. Killean wind farm would form a new distracting focus on the Kintyre skyline, interrupting scenic views towards the islands/Sound of Gigha. The turbines would visually link the Kintyre skyline to Gigha, interrupting the stretch of water important to the setting of the islands from high elevation views. The proposal will be visible above Deucheran Hill (76m) which appears in scale with the landscape and clearly associated with the interior of the peninsula; but will read as a separate and contrasting scheme due to its much greater scale (149.9m) almost double the height. The applicant's ES accepts that significantly adverse visual effects will be experienced over a relatively widespread area of the NSA across the west facing slopes, below the Pirnhill Hills, across several kilometres.

The proposed wind farm, inclusive of the means of access required, is located on the small edge hills on the outer western edge of the uplands of the Kintyre peninsula, within the 'Upland Forest Moor Mosaic' Landscape Character Type (ref 'Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) (SNH/Argyll & Bute Council 2017) in very close proximity to the smaller scaled and highly sensitive coastal 'Rocky Mosaic' Landscape Character Type. Sensitivity increases at the transition between these two landscape character types due to the smaller scale of the hills on the western edge of the upland area, proximity to settled and farmed landscapes and to the coast, where sensitive receptors are concentrated. The proposal will intrude significantly on views of the peninsula from the coastal edge ('Coastal Plain' Landscape Character Type) and from offshore, in particular from the Isle of Gigha ('Coastal Parallel Ridges' Landscape Character Type) and the ferry route to/from Islay. The proposal is not associated with the larger scale, simple upland interior where development of this scale has better prospects of being assimilated successfully in its landscape setting.

The 'Argyll and Bute Wind Energy Capacity Study' states that: *'larger turbines/more extensive wind farm developments sited on the outer edges of the Kintyre Uplands where they would be likely to significantly increase landscape and visual impacts on the settled coast edge of Kintyre and on views from Arran and Gigha and would also further erode the established pattern of developments largely associated with the less sensitive core of these uplands'*

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including the achievement of climate change related commitments.

Having due regard to the above, it is considered that this proposal would have a significant adverse impact on Landscape Character, would adversely affect a number of key views and would degrade designated scenic assets including an 'Area of Panoramic Quality'. It is therefore inconsistent with the provisions of the Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies LDP STRAT 1 - Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design; of the 'Argyll & Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); and the Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) (2017)

2. The proposal would present relatively high visibility, compared to other wind farm development on the peninsula, would increase the prominence of wind farms in Kintyre and would have significant visual effects upon: the coast, including key recreation areas/tourist destinations/beaches. For example, Rhunahaorine Point area as represented by e.g. VP4 (Point Sands), and Southern Knapdale/ West Loch Tarbert area as represented by VP11 (B8024 Knapdale), and promoted walks to the archaeological features of Dun Skeig as represented by VP9 (A83 at Clachan); Key routes often in close proximity including: the Kintyre Way as represented by e.g. VP4 (Point Sands); A83 as represented by VP9 (A83 at Clachan); B8024 as represented by VP11 (B8024 Knapdale); the Gigha ferry; the Arran ferry (Lochranza routes); and the Islay ferry (West Loch Tarbert area as represented by VP12 Islay Ferry); Offshore including Gigha as represented by VP6 (Ardminish Bay), VP8 (Creag Bhan) and the Sound of Gigha (a popular sailing route, no viewpoint provided); and Hill views (as represented by, for example, VP5 Beinn Bhreac)

The turbines would extend large scale wind turbine development on the skyline of the coastal edge of the peninsula, where it would exert an unwelcome influence over locations within the adjacent West Kintyre Area of Panoramic Quality. The development would also necessitate the formation of an extensive area to provide a means of access incorporating a turning area on the shoreside of the A83 (T), which in itself would constitute an intrusive form of development presenting adverse consequences for visual amenity.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including the achievement of climate change related commitments.

Having due regard to the above, it is considered that this proposal would have a significant adverse impact on visual amenity by introducing prominent large scale development into a number of key views, and would degrade designated scenic assets including the adjacent 'Area of Panoramic Quality'. It is therefore inconsistent with the provisions of the Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies LDP STRAT 1 - Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design; of the 'Argyll & Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); and the Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) 2017.

3. The proposed development at Killean is not visually associated with the existing clusters of wind farm development, being a location more closely associated with the

coast. The addition of this proposal to the western edge of 'Upland Forest Moor Mosaic' character type would erode the established pattern of wind energy development on the Kintyre peninsula, and would spread the influence of large scale turbine development away from the interior hills to the smaller scale and more sensitive coast and seascape. The existing focus of development around the central part of the spine of Kintyre is now well established, so the proposal would represent an outlier with influence over the coast, which would present a disproportionate cumulative impact upon both landscape character and scenic quality.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make, including the achievement of climate change related commitments.

Having due regard to the above, it is considered that this proposal would contribute disproportionately to adverse cumulative impacts arising from the presence of wind farm developments in Kintyre. It is therefore inconsistent with the provisions of the Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies LDP STRAT 1 - Sustainable Development; LDP DM 1 – Development within the Development Management Zones; LDP 6 – Supporting the Sustainable Growth of Renewables; and LDP 9 – Development Setting, Layout and Design; of the 'Argyll & Bute Local Development Plan (adopted 2015) and Supplementary Guidance: SG LDP ENV 13 – Impact on Areas of Panoramic Quality (APQs); and the Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) 2017.

APPENDIX A - PLANNING LAND USE AND POLICY ASSESSMENT

A. THE SECTION 36 CONSENTING REGIME

In Scotland, any application to construct or operate an onshore power generating station, in this case, a wind farm, with an installed capacity of over 50 megawatts (MW) requires the consent of Scottish Ministers under Section 36 of the Electricity Act 1989. Any ministerial authorisation given would include a 'deemed planning permission' and in these circumstances there is then no requirement for a planning application to be made to the Council as Planning Authority. The Council's role in this process is one of a consultee along with various other consultation bodies. It is open to the Council to either support or object to the proposal, and to recommend conditions it would wish to see imposed in the event that authorisation is given by the Scottish Government. In the event of an objection being raised by the Council, the Scottish Ministers are obliged to convene a Public Local Inquiry (PLI) if they are minded to approve the proposal. They can also choose to hold a PLI in other circumstances at their own discretion. Such an inquiry would be conducted by a Reporter(s) appointed by the Directorate for Planning and Environmental Appeals.

In the event that consent is given, either where there has been no objection from the Council, or where objections have been overruled following PLI, the Council as Planning Authority would become responsible for the agreement of matters pursuant to conditions, and for the ongoing monitoring and enforcement of such conditions. This report reviews the policy considerations which are applicable to this proposal and the planning merits of the development, the views of bodies consulted by the Scottish Government along with other consultations undertaken by the Council, and third party opinion expressed to the Scottish Government following publicity of the application by them. It recommends views to be conveyed to the Scottish Government on behalf of the Council before a final decision is taken in the matter.

The conclusion of this report is to recommend that objection be raised to this proposal on the grounds of significantly adverse landscape, visual and cumulative impacts. It is not necessary at this point in the process to recommend conditions in the event that the project is authorised by the Scottish Ministers, for if they are minded to approve the project regardless of an objection by the Planning Authority, there would be opportunity to suggest appropriate conditions as part of the process of Public Local Inquiry which would require to be convened in such circumstances.

B. Settlement Strategy

The proposed wind farm and access is located within a 'Rural Opportunity Area', 'Countryside Zone', and 'Very Sensitive Countryside' as defined by the Argyll and Bute Local Development Plan. Within Rural Opportunity Areas and the Countryside Zone Policy LDP DM 1 – Development within the Development Management Zones, only supports development up to 'small scale' on appropriate sites including the open countryside as well as small scale infill, rounding-off, redevelopment and change of use of existing buildings. Only in exceptional cases, will up to and including large scale development be supported if it accords with an Area Capacity Evaluation (ACE). The policy does not however require an Area Capacity Evaluation (ACE) for renewable energy related developments which are the subject of Environmental Impact Assessment. Within Very Sensitive Countryside, encouragement is only given to specific categories of development on appropriate sites, which does include renewable energy related development.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables supports renewable energy developments where they are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects, whether individual or cumulative, including on local communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses.

For the reasons detailed below in this report, it is considered that this proposal does not satisfy Local Development Plan policy, and Scottish Government policy and advice in respect of wind farm development.

Having due regard to the above it is considered that the proposal is contrary to the provisions of the SPP (2014); the Scottish Government’s Specific Advice Sheet on Onshore Wind Farms and relevant Local Development Plan Policy in this regard.

C. Location, Nature and Design of Proposed Development

The site is located approximately 2.5 km east of Tayinloan, on Killean Estate in Kintyre. It is currently used as commercial forestry plantation and open rough grazing for livestock. The access lies at around 5m AOD with the highest point within the site noted as being 336m AOD. The lowest turbine is located at 189m AOD (T17) and the highest at 327m AOD (T4).

Located approximately 2 km east of the site is E-on’s operational Deucheran Hill Wind Farm. Deucheran Hill comprises 9 turbines with a blade tip height of 93 m. E-on also submitted a planning application for a wind farm adjacent to the site ‘Clachaig Glen’ (16/01313/PP), which proposed to share the access with the Killean proposal. The proposed wind farm at Clachaig Glen (including the access/turning area) was refused planning permission at the September PPSL committee.

This proposal comprises 17 horizontal axis wind turbines, each up to 149.9 m maximum to tip height with a total installed capacity of over 50 MW. Key elements of the proposal include associated underground cabling, access tracks and turning points, crane hard standings, control building and substation compound (including an energy storage facility) and power performance masts. During construction and commissioning there would be a number of temporary works including a construction compound, welfare facilities, concrete batching plant and borrow pits.

The general design of the turbines and ancillary structures follows current wind energy practice. The design of the sub-station is generally acceptable and subject to appropriate detailing and finishing, it could integrate appropriately into the location suggested, taking the appearance of a traditional building. The various material considerations requiring to be addressed by virtue of the effect of national and development plan policy and relevant Council and SNH siting, design and landscape guidance are assessed individually below.

D. Landscape Character & Landscape Impact

The Killean wind farm proposal comprises turbine heights of 149.9m high with 100m diameter rotors; significantly larger than the tallest approved scheme on this section of the Kintyre peninsula at 111.25m (Cour wind farm). Killean is the closest wind farm proposal to the Isle of Gigha (c7km), approximately 3km from the western Kintyre coast, to the western edge of the ‘Upland Forest Moor Mosaic’ Landscape Character Type (LCT) which forms the spine of the Kintyre peninsula. From Gigha and the Sound of Gigha, Killean would be noticeably closer, more prominent and more visually

intrusive than any existing or consented development. Importantly, the ES indicates that the scale of turbines proposed together with the proximity of the proposal to the adjacent coast, would significantly adversely affect peoples' views and experience of the landscape from a widespread range of locations, to both west and east, including representative views from west Kintyre, Gigha, offshore, southern Knapdale/West Loch Tarbert area and northern Arran and its seascape. Key issues relate to height of the proposed turbines in combination with the scheme's location to the western edge of the Kintyre hills, in relatively close proximity to both Gigha and Arran.

Landscape effects - The area is characterised by fine scenic quality, and has a relatively undeveloped rural character, with a sense of seclusion and remoteness. Existing development is generally small scale and concentrated at the coast and glens. As such it does not dominate the landscape or adversely affect the enjoyment or experience of the landscape and seascape. Existing wind farm development, where visible from the west coast, offshore waters of Gigha, and the Isle of Gigha is generally not prominent. SNH notes that this may change to the south of the peninsula with the approved repowering of Tangy wind farm and the approved turbines at Auchadaduie.

When experienced from offshore and from Gigha, Killean wind farm would introduce large scale turbines and their associated movement on the defining skyline ridge at the coastal edge. In SNH's view, this scale of wind energy development in this location is likely to dominate the scale of the coast and impose on and detract from the fine scenic quality of the coastal panoramas. Killean wind farm would in SNH's view intrude upon a number of views and character types. This scale of development in this sensitive coastal landscape would result in significant adverse effects on part of the receiving landscape (Upland Forest Moor Mosaic) and wider landscape character including the Coastal Plain and parts of the Rocky Mosaic, and Coastal Parallel Ridges (Gigha only) landscape character types and associated seascape. In areas such as this, which form the transition from land to sea, SNH considers the inherent landscape character should be protected, in order to maintain overall regional landscape diversity and identity and to avoid adverse effects on adjacent landscape character types.

Upland Forest Moor Mosaic Landscape Character Type (LCT) - The proposal would increase the influence of wind farms in the Upland Forest Moor Mosaic LCT. The receiving hills have an important role to play in the setting of surrounding settlement, the coast and recreational use of the area. The undeveloped character of the hills and their important function as a simple backdrop would be compromised by the introduction of Killean. A proposal of this scale would alter the perception of landform scale such that the scale of the hills (250-320m AOD) would be diminished by the height of the turbines (149.9m). Importantly, the addition of Killean to the western edge of the hills would negate the principle of siting wind farms back from the coast in the interior (LWECS). It should be noted that the turbine size would not be in keeping with other wind farm developments close by, in particular Deucheran Hill (76m high turbines) and also other adjacent and intervisible wind energy developments on the peninsula. Based on consented and application stage proposals, wind farms could potentially become a prominent key characteristic of the Kintyre Upland Forest Moor Mosaic.

Rocky Mosaic LCT - As illustrated in views from Gigha and the Sound of Gigha, Killean wind farm's large turbines would impose on the sensitive defining skyline which forms the backdrop to the Rocky Mosaic. The turbines would adversely affect the smaller scale and settled character of the coast; especially where seen in relation to small scale elements, for example the buildings of Tayinloan. From west Kintyre, where the blades/ tips are visible above the distinctive raised beach coast, this would adversely

affect the small scale of the Rocky Mosaic coast and detract from views from the A83 and nearby coasts/beaches/settlement.

Coastal Plain LCT - This character type is of very limited extent situated between the A83 and the sea. Access is promoted along the coast on the Kintyre Way, passing through popular tourist destinations such as Rhunahaorine Point and Point Sands (caravan park), which offer panoramic views of the coast and the site. The proposal is likely to impose on the smaller scale and settled character of the coast, and significantly detract from the scenic quality and panoramic views from the beaches/Kintyre Way.

Area of Panoramic Quality (APQ) - The Coastal Plain and Rocky Mosaic LCTs are within the designated west coast of Kintyre APQ, and the south Knapdale APQ. These coastal APQs are designated in recognition of their scenic value and panoramic views and specifically visited by tourists and others for the enjoyment of the scenery within them, and as viewed to and from them. Killean wind farm is likely to detract from these scenic qualities and views, in particular panoramic coastal views. The ES does not include an assessment defining the qualities of the relevant APQs; nor an assessment of the impact of the proposal on these qualities. SNH advise that the Energy Consents Unit may wish to request this information. The proposal would have significant adverse effects on the character, key views and qualities of this valued coastal landscape. This is a result of the proposal's large scale and prominence in key views which relate to its poor landscape fit and location. Importantly the scale of the proposal does not reflect the scale and character of the landscape. SNH consider this location is unable to accommodate wind farm development of this scale and advise that if consented it may compromise the future pattern of wind farm development in the surrounding area.

Site Access – SNH advise that the proposed access arrangements could present a significant change to the landscape character at the site entrance; they note that hedging would need to be removed, and that a large sweep for access would need to be created. SNH advise that access creation would have a significant localised effect and a sequential cumulative effect with the accesses from the A83(T) required for other wind farm schemes. When considering access formation for proposals that are consented and in the planning system then there is potential for four or five engineered access ways off the A83(T). If these are not sensitively designed and restored then they could have a longer-term significant sequential landscape and visual cumulative effect along the A83(T) route through the Rocky Mosaic LCT between the Whitehouse and the Glenbarr area. This view is shared by planning officers and the impact of access works adjacent to the A83(T) is included in the recommended reasons for objection.

Following their original advice, which raises significant landscape and visual impact concerns SNH were furnished with further information from the applicant to help them assess the potential effects of the proposed wind farm. This related to the Landscape and Visual Impact Assessment section of the ES. SNH have confirmed that they considered the information provided and can also confirm that they have no further advice to make on this proposal, the advice in their original response still stands.

The updated 'Argyll and Bute Wind Energy Capacity Study, 2017' states that: '*larger turbines/more extensive wind farm developments sited on the outer edges of the Kintyre Uplands where they would be likely to significantly increase landscape and visual impacts on the settled coast edge of Kintyre and on views from Arran and Gigha and would also further erode the established pattern of developments largely associated with the less sensitive core of these uplands*'. The proposal does not satisfy this guidance.

The West Kintyre Community Council (WKCC) object to the proposal on the basis that the proposal would in their view tip the balance in a manner that will change the landscape from one that contains wind farms to one where wind farms become the dominant and defining feature of the landscape, and changing it to that of an industrialised wind farm landscape and that the proposal will damage the scenic assets of the Area of Panoramic Quality, thus diminishing its integrity, and will degrade the visual amenity valued by local residents and visitors.

Having due regard to the above it is considered that this proposal is contrary to the provisions of SPP; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; the Argyll and Bute Local Development Plan; and the Landscape Wind Energy Capacity Study.

E. Visual Impact

The Zone of Theoretical Visibility indicates potential visibility, and significant adverse visual effect from representative viewpoints, from a range of areas including the west Kintyre coast, southern Knapdale/ West Loch Tarbert area, the interior hills, the sea, the Isle of Gigha (c7km) from Arran (c13km)/ Kilbrannan Sound. There is also more distant visibility from Islay and Jura and its associated seascape. Visibility coincides with areas frequented by highly sensitive receptors, e.g. tourist destinations, recreation areas, key routes including parts of the A83, the Kintyre Way and ferry routes. Critically, the effect on views from Gigha will be significant and the turbines will appear out of scale with the relief of the hills and also the small scale features such as the settlement of Tayinloan seen in views from Gigha and the Sound of Gigha.

Killean is also particularly intrusive in views from along the Kintyre Way/ beaches from the Rhunahorine Point area and potentially views from the Glenacardoch Point area. From key routes, such as the A83 the proposal will be visible on the skyline in views from e.g. Clachan area and relatively limited intermittent visibility disappearing and reappearing when traveling south and north. The ZTV indicates the proposal will impinge on some sensitive coastal views including for example from Bellochantuy area and south Muasdale area where rotating blades/ tips are likely to appear above the distinctive raised beach feature (wireline south of Muasdale).

SNH considers that Killean would be more noticeable than any other consented wind energy development on Kintyre from Islay and Jura, and the associated seascapes as experienced from the ferry routes/ recreational watercraft beyond the Sound of Gigha and within the ZTV (diminishing with distance). Killean wind farm would increase the prominence of wind farms, and would result in significant adverse visual effects from a range of places including:

- The coast, including key recreation areas/ tourist destinations/ beaches. For example, Rhunahaorine Point area as represented by e.g. VP4 (Point Sands), and Southern Knapdale/ West Loch Tarbert area as represented by VP11 (B8024 Knapdale), and promoted walks to the archaeological features of Dun Skeig as represented by VP9 (A83 at Clachan).
- Key routes often in close proximity including: the Kintyre Way as represented by e.g. VP4 (Point Sands); A83 as represented by VP9 (A83 at Clachan); B8024 as represented by VP11 (B8024 Knapdale); the Gigha ferry; the Arran ferry (Lochranza routes); and the Islay ferry (West Loch Tarbert area as represented by VP12 Islay Ferry)

- Offshore including Gigha as represented by VP6 (Ardminish Bay), VP8 (Creag Bhan) and the Sound of Gigha (a popular sailing route, no viewpoint provided),
- Hill views (as represented by, for example, VP5 Beinn Bhreac)

SNH has noted that there is potential for significant adverse visual effects from some key locations not included as assessment viewpoints. The Energy Consents Unit may wish to request further information in this regard including representative assessment viewpoints:

- Arran low elevation coastal views (no assessment viewpoints provided)
- scattered settlement; especially in close proximity (no assessment viewpoints provided)
- Glenacardoch Point area (as represented by wireline D) considering the settlement and the setting of the standing stone.

National landscape designations – SNH’s advice on national landscape designations focuses on North Arran National Scenic Area (NSA). NSA’s with their outstanding scenery represent Scotland’s finest landscapes. From elevated locations, including very popular hill walks, as represented by VP10 Beinn Bharrain in the North Arran NSA, SNH agree with the findings of the ES that there will be a significant adverse visual effect. Views are focussed towards Kintyre and the islands of Gigha and the Paps of Jura beyond. Killean wind farm would form a new distracting focus on the Kintyre skyline, interrupting scenic views towards the islands/ Sound of Gigha. The turbines would visually link the Kintyre skyline to Gigha, interrupting the stretch of water important to the setting of the islands from high elevation views such as this. The proposal will be visible above Deucheran Hill (76m) which appears in scale with the landscape and clearly associated with the interior of the peninsula; but will read as a separate and contrasting scheme due to its much greater scale (149.9m) - almost double the height. The ES confirms this effect will be experienced over a relatively widespread area “*across the west facing slopes, below the Pirnmill Hills, across several kilometres*”. Views from low elevation, including the coastal road (A841), tend to focus on Kintyre due to the containment by steep slopes to the east. The ZTV indicates Killean is a persistent presence, visible for the entire duration of the west facing section of the A841 within the NSA and beyond. In SNH’s view, the ES may underrate the significance of effect (low magnitude of change and not significant) on sequential views from this popular tourist route.

The ES provides no assessment of low elevation views from North Arran NSA; even though at pre-application stage SNH requested this information be provided. Given North Arran NSA is a nationally valued and designated landscape, and SNH consider there is potential for significant effects, SNH request assessment viewpoints from representative locations at low elevation in particular from the Pirnmill/ Imachar Point area. This would be useful to allow SNH to consider the potential visual and cumulative effects with other development in particular Cour, Killean and Deucheran Hill wind farms. The wireline from Newton Point (Fig 4.30, wireline only) indicates that Killean would appear as an extension to the existing Cour wind farm. SNH agree the views and experience from the water as represented by the cumulative assessment of the ferry crossings to Arran (Lochranza), would have a significant adverse visual effect. When considering the cumulative scenario with application/ appeal sites then SNH advise that Killean would be perceived as part of a cluster of wind farms (in combination with Deucheran Hill, Clachaig Glen and Creggan) of contrasting scale and with varying relationships to the landform. Potentially, an extensive concentrated band

of wind farms from Beinn an Tuirc 3 to Deucheran Hill and Killean could result. SNH consider that this would result in adverse, and potentially significant, cumulative landscape and visual effects; with the emergence of views from elevated areas within North Arran NSA potentially imposed on by wind farm development. Although SNH consider that the Killean wind farm development (both with the baseline and cumulatively) would not have significant adverse effects on the qualities for which the area has been designated it would however have an effect on peoples' appreciation and enjoyment of the scenic views experienced from this area of the North Arran NSA.

North Arran Wild Land Area - Although the proposal is visible from elevated areas of the North Arran Wild Land Area (WLA), such as VP10 Beinn Bharrain, SNH consider that it would be unlikely to have significant adverse effects on the qualities of the WLA.

Forestry - SNH would like to highlight that the visualisations do not appear to illustrate the effects of the proposed forestry works. Changes including proposed tracks, felling &/ or keyhole should be apparent.

Landscape and Visual Assessment – SNH have some issues regarding the quality and content of the ES. Key omissions include, for example, no assessment from low elevation views from North Arran NSA. Viewpoint assessment appears to have been limited at the outset; despite their request for further assessment to achieve a representative range of viewpoints for a wind farm of this scale in this location. SNH consider the ES may underrate some aspects of the landscape and visual assessment.

The West Kintyre Community Council (WKCC) object to the proposal on the basis that the proposal will have a major adverse visual impact over a wide area and the sea scape from Kennacraig in the North to Glenbarr and beyond in the South.

Having due regard to the above it is considered that this proposal is inconsistent with the provisions of SPP; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; the Argyll and Bute Local Development Plan; and the Wind Energy Capacity Study.

F. Cumulative Impact

Given the number of operational and proposed wind farm developments in Kintyre, it is inevitable that cumulative impacts will be of concern in this case. The following locations are relevant in terms of cumulative landscape and visual assessment: Auchadaduie, Beinn an Tuirc 1, Beinn an Tuirc 2, Beinn an Tuirc 3, Blary Hill, Cour, Deucheran Hill, Eascairt, Freasdail, Tangy 1, Tangy 2, and Tangy 3.

In view of the continuing interest by the renewables sector in exploiting the available wind resource in Kintyre, the Council has commissioned consultants to produce a 'Cumulative Landscape & Visual Assessment of Wind Energy Development in Kintyre' (LUC 2015), which in the absence of public consultation has the status of a technical working note, rather than supplementary guidance. The study suffers somewhat from being founded around a 2012 baseline, which has become somewhat out of date given the continuing prospecting for wind farm sites in Kintyre. Nonetheless, in summary, this advocates a 'cluster and space' approach in order to build upon the established pattern of wind farm development in Kintyre, but which seeks to maintain separation between clusters in order to afford some relief from excessively large numbers of turbines, and to avoid inappropriate cumulative impacts. The site is primarily located in an area where additional development could give rise to the extension of cumulative effects in relation to existing and emerging development patterns. The approach adopted by this study does not lend support to this proposal.

SNH believe that the addition of Killean wind farm to the Upland Forest Moor Mosaic to the western edge of the uplands of the Kintyre spine (which has a different character and context to the interior) is likely to result in significant adverse cumulative effects on landscape character. In this location, the proposal will erode the established pattern of wind farm developments in the upland core. It would be set apart from development on the interior of the peninsula, introducing considerably larger scale turbines into a more sensitive part of the peninsula. It would also impact on smaller scale landscapes lying in close proximity, unlike existing wind farm developments sited within the spine of the peninsula. Based on consented and application stage proposals, wind farms could potentially become a prominent key characteristic of the Kintyre Upland Forest Moor Mosaic. This view is shared by planning officers and is reflected in the recommended reasons for objection.

There will be specific significant adverse cumulative visual effects from a range of receptors including:

- Sequential views from key routes e.g. Gigha ferry, sections of the Islay ferry and Arran (Lochranza) ferry routes, sections of the Kintyre Way and possibly sections of the A83, and the A841 (Arran, west coast section).
- The sequence of views available from Gigha/ offshore, including from the road on the Isle of Gigha as represented by for example VP 6 Ardminish Bay. From Gigha/ offshore, existing wind farm development on Kintyre although present is not prominent. The contrasting scale of the much larger Killean turbines will be very apparent. It will be noticeably closer, more prominent and more visually intrusive.

When Killean is considered in combination with application/appeal stage sites, these effects will be exacerbated, and there could potentially be an extensive concentrated band of turbines of varying scales along a large section of the peninsula. In views from Gigha/ offshore, this would potentially result in visual coalescence of Killean, Clachaig Glen (refused at September PPSL), Beinn an Tuirc 1, 2 and 3, Blary Hill, Auchadaduie, and Tangy 3. Killean seen in combination with Clachaig Glen (refused but open to appeal), if consented, would be a key issue.

Landscape Wind Energy Capacity Study (LWECS) (2012) (updated 2017) - The LWECS highlights these potential adverse cumulative effects as a key issue: *“Larger turbines and/or more extensive wind farm developments sited on the edge hills and slopes of the Kintyre uplands where they would be likely to increase landscape and visual impacts on the settled coastal edge of Kintyre and on views from Arran and Gigha and would also undermine the established pattern of wind farm developments associated with the interior of these uplands.”* The study also advises: *“Potential cumulative effects with the existing and consented wind farm developments of Allt Dearg, Deucheran Hill, Tangy and Beinn an Tuirc wind farms seen sequentially from the A83 and together (in various combinations) in views from Arran and Gigha.”* could constrain development. The approach adopted by this guidance does not lend support to this proposal.

Having due regard to the above it is considered that this proposal is contrary to the provisions of SPP; Scottish Government’s Specific Advice Sheet on Onshore Wind Farms; the Argyll and Bute Local Development Plan; the Landscape & Wind Energy Capacity Study; and the Council’s ‘Cumulative Landscape & Visual Assessment of Wind Energy Development in Kintyre’ (LUC 2015).

G. Ecological Impact

There are no sites designated for ecological or ornithological sensitivity within the development area. A number of valued ecological receptors have been identified in the area, including blanket bog. Through careful siting of the development and associated infrastructure, it has been possible to avoid any significant effects. With the implementation of the mitigation proposed in the ES it is considered that there will be no significant effects.

Protected Species and Habitats - Blanket bog and wet heath habitat - SNH note that the proposal will result in the loss of 4.01ha of blanket bog (Annex 1 Habitat Directive habitat Scottish Biodiversity List and a UK Biodiversity Action Plan Priority Habitat) and 5.22ha of wet heath (Annex I Habitat, Scottish Biodiversity List and UK BAP Priority Habitat). SPP establishes carbon-rich soils, deep peat and priority peatland habitat as nationally important environmental interests. Although the proposal includes a Peat Management Plan, there appears to be no proposals for habitat management or enhancement to compensate for the loss of blanket bog and wet heath habitat. SNH would encourage the developer to consider this as part of the proposal, should it be approved.

Non-avian Protected species - SNH are satisfied with the assessment of the impacts of the proposal on non-avian protected species and the proposed mitigation to avoid any significant impacts including European protected species bats. SNH are pleased to note that a pre-construction protected species survey would be carried out and a suitably qualified Environmental Clerk of Works (EnCow) would be appointed during wind farm construction. SNH are also pleased to note that the applicant proposes to produce a Construction Environmental Management Plan (CEMP) should the proposal be given consent. SNH advise that due to the presence of otter in the area the applicant should refer to their Otter Advice Note.

From an ecological point of view SEPA are satisfied with the detailed information submitted. All the relevant surveys have been undertaken and SEPA are content with the conclusions reached. SEPA acknowledge the presence of Groundwater Dependent Terrestrial Ecosystems (GWDTEs) at the site, however it is evident that account has been taken of the need to minimise the impact to these wetland habitats and as a consequence the application has been modified to minimise the impact/loss of these areas to an acceptable degree. The requirement to provide through drainage on tracks where they anticipate potential impact on identified GWDTEs (maintain hydraulic connectivity) has been acknowledged and if required they are also prepared to further modify their drainage proposals if they encounter additional GWDTEs during the construction phase of the process. It is SEPA's opinion that the losses of GWDTE habitat which will occur at the site is within acceptable limits.

Marine Scotland notes that the fish habitat survey concludes that European eel and resident brown trout are likely to be present in the habitats of the Killean Burn and Allt Chaltuinn surveyed within the site. Brown trout and European eel are listed as priority species for conservation in the UKBAP and in the Scottish Biodiversity List. European eel is also protected by EU Regulation. Marine Scotland advise that particular attention should be given to fish species of economic and conservation value. Marine Scotland further recommend where such species are present and the development has the potential to have an impact on the freshwater environment, a baseline site characterisation survey should be carried out to assess the presence of fish species and their abundance. Despite a number of efforts to clarify Marine Scotland's advice regarding fish surveys (in addition to fish habitat and water quality surveys - to inform appropriate site specific mitigation measures and any monitoring programmes) the ES

states: *“in line with MSS scoping advice, baseline information from the fish habitat surveys is considered appropriate to assess the impact on aquatic species at the site. Therefore a higher level of survey effort (i.e. electrofishing surveys) was not deemed necessary to inform this assessment. Due to the absence of connectivity to a freshwater SAC and the low potential for migratory protected fish species, aquatic species are considered of negligible importance and therefore have been scoped out of the assessment”*. The ES does outline possible impacts on fish populations due to indirect effects of deteriorating water quality. However, there is insufficient information in relation to fisheries related issues to adequately inform the ES, which needs actual information on the baseline fish species present and their abundance within and downstream of the site, rather than something surmised from a habitat survey. Marine Scotland also notes, from the ES, that fish populations within the proposed development area are already exposed to existing pressures from intensive forestry and modifications to the watercourses.

Sensitive periods for fish fauna within the watercourses are discussed in the ES. Marine Scotland encourage, where possible, the avoidance of in-stream works during the period from October to May. Fish movement requirements need to be considered in the design of all new watercourse crossings. Water quality monitoring is proposed which will form part of the CEMP. However, no details regarding this monitoring are provided in the ES. Marine Scotland encourages developers to include information from baseline site characterisation surveys and full details regarding proposed monitoring programmes within the ES thereby minimising the need to submit follow up information at a later date. The potential impacts on water quality associated with felling and the cumulative impacts of the proposal and adjacent developments should be considered in the water quality monitoring programme, particularly in the selection of control sites. Hydrochemical and biological monitoring are both recommended for the proposed water quality monitoring, in addition to regular visual inspections of all watercourse by the appointed Environmental Clerk of Works (EnCoW). In line with The Forests and Water UK Forestry Standard Guidelines Marine Scotland encourage the removal of all felled material from within and adjacent to all watercourses. Marine Scotland welcome the proposed hydrological buffer zone; however they note the proximity of the proposed batching plant to the buffer zone. Careful consideration should be given to the potential impacts of concrete on the water quality and aquatic biota. Additional proposed mitigation measures include the use of floating roads where peat deposits exceed 1m, the appointment of a suitably qualified and experienced ECoW and the inclusion of SuDS principles in the proposed drainage scheme.

The Argyll District Salmon Fishery Board has confirmed that they have no objections to the proposal. The Council's Local Biodiversity Officer (LBO) has no objection to the proposal but asks that a watching brief be included in the recommended CEMP (subject to condition) for those species identified as having suitable habitat with a more proactive approach employed to manage/mitigate for both Otter and Badger. The LBO asks that the developer outlines where the access route is, the type/treatment of the track and the excavations (of the various soil types including peat) along with the type of burn crossings as to protect the burns from the introduction of sediment from adjacent habitats. Finally, the LBO recommends that a CEMP and a PMP (Peat Management Plan) are drafted so as to ensure that all ecological and ornithological factors are taken care of. The LBO recommends that an Ecological Clerk of Works is employed to carry out pre-start habitat and species checks and to ensure that none of the Ecological or Ornithological interests on the site are compromised.

Having due regard to the above, it is considered that this proposal is consistent with the provisions of SPP and Scottish Government's Specific Advice Sheet on

Onshore Wind Farms; and the relevant Local Development Plan Policy in terms of its impact on ecological interests.

H. Ornithological Impact

The proposal could have an impact on the Kintyre Goose Roosts Special Protection Area (SPA) due to what SNH believe is an error in the mitigation suggestions. SNH offer a corrected mitigation proposal which, if accepted, leads to their view that the proposal will not adversely affect the integrity of the site. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters the Conservations of Habitats and Species Regulations 2010 as amended apply. Consequently, Scottish Government is required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). SNH are satisfied with the assessment and mitigation proposed for Annex 1, Schedule 1 and Red list species including red-throated diver, hen harrier, golden eagle, golden plover and black grouse and have no further concerns.

The Royal Society for the Protection of Birds does not object to the proposal subject to conditions: to ensure that construction works/vegetation clearance/tree felling or decommissioning shall be carried out during the bird breeding season (April to July inclusive) unless undertaken after a bird disturbance management plan has been agreed and implemented; that no construction /decommissioning works will be carried out between October and March within 600 m of a roosting loch (Loch a Ghlinn Bhig) between an hour before dusk until an hour after dawn; to secure the submission of a Habitat Management Plan (HMP) for approval in writing by SNH and RSPB (the HMP shall include measures for peatland restoration and shall operate for the lifetime of the development, including decommissioning); to secure the employment of an appropriately qualified and experienced Ecological Clerk of Works to oversee construction of turbines, tracks and other infrastructure and delivery of mitigation measures in order to minimise ecological impacts; and an appropriate programme of post-construction monitoring of bird populations should be established on the wind farm site and habitat monitoring on the area identified for mitigation under the HMP.

The Council's Local Biodiversity Officer has no objection to the proposal on ornithological grounds and notes that Collision Risk Modelling has not been undertaken for most of the target species recorded, as estimated collision risk would be zero or negligible based upon data collected during flight activity surveys. Collision Risk Modelling has been carried out for wintering Greenland white-fronted geese, breeding red-throated divers, breeding and non-breeding hen harriers and passage golden plovers. Each of these species was recorded with sufficient frequency at rotor swept height (RSH) so as to warrant further analysis.

Having due regard to the above, it is considered that this proposal is consistent with the provisions of SPP and Scottish Government's Specific Advice Sheet on Onshore Wind Farms (2012); and the relevant Local Development Plan Policy in terms of its impact on ornithological interests.

I. Hydrological & Hydrogeological Impact

The Energy Consents Unit commissioned AM Geomorphology Ltd to technically assess the Peat Landslide Hazard and Risk Assessment(s) (PLHRAs) submitted by developers. This 'checking report' considers whether or not adequate and appropriate field survey, peat sampling and analytical methods have been employed to provide a sound basis for assessing peat stability and the risk from peat landslides within the development envelope. On the basis of the review detailed in the checking report, the

Peat Slide Risk Assessment requires minor revisions in order to ensure the assessment is sufficiently robust. These revisions and clarifications could be addressed through minor modifications to existing text, figures and tables or by addendum with an accompanying explanation of the changes made. Given the relatively comprehensive construction methodologies, mitigation measures and preliminary Geotechnical Risk Register in the report, it is recommended that adoption of the measures in Chapter 5 and Appendix C of the ES be made a condition of consent.

SEPA have no objection to the site development and construction works subject to a planning condition to secure the submission of the finalised CEMP for their assessment and approval. If this condition is not to be applied, then their representation should be considered an objection. SEPA have no objection to the proposal on flood risk grounds. Notwithstanding this they expect Argyll & Bute Council to undertake their responsibilities as the Flood Prevention Authority. The Council's Flood Risk Assessor has no objection to the proposal on flood risk grounds subject to a condition to secure additional details on surface water drainage and SUDS to be provided.

Scottish Water advise that there are Scottish Water boreholes located downstream of the proposed site, on the Carradale Water. The boreholes are drilled into a shallow gravel aquifer within the broad valley of the Carradale Water Valley and thus recharge will be from river as well as infiltration. This could be significant and groundwater travel times are short and so the boreholes are vulnerable to pollution in the river. The development shows turbines (1-6) and associated infrastructure (including Borrow Pits 3 and 2 (partial) and the temporary construction compound (potentially) within the Carradale Water catchment and should the development go ahead, mitigation will be required for activities within the Carradale Water catchment. It is essential that water quality and water quantity in the area are protected. Scottish Water provide detailed advice on precautions to protect drinking water and Scottish Water assets during wind farm construction and operational activities, including the requirement to submit a site specific Construction Method Statement including e.g. Construction Environmental Management Plan, Risk Assessment, Pollution Prevention and Contingency Plan, Drainage Plan and Peat Management Plan prior to the commencement of development.

Subject to identified mitigation and the imposition of conditions to ensure implementation, SEPA, Scottish Water and the Council's Flood Risk consultant have no objections to the proposal in terms of its impacts on the water environment or in terms of flood risk.

Having due regard to the above, it is considered that this proposal is consistent with the provisions of SPP and Scottish Government's Specific Advice Sheet on Onshore Wind Farms (2012); and the relevant Local Development Plan Policy in terms of its impact on water environment interests.

J. Forestry

The site is one which is substantially forested. Felling and key-holing will affect 14.64 hectares of existing woodland. Forestry Commission Scotland (FCS) does not object to the proposal provided that a condition is applied to secure compensatory planting and amendment of the Long Term Forest Plan. They expect to see forest related works satisfy the Scottish Government's Control of Woodland Removal Policy (CoWRP), to provided appropriate compensatory planting (CP) and the application of UK Forest Standard (UKFS) to the tree related activity.

Having due regard to the above it is considered that the proposal is consistent with the provisions of the relevant Local Development Plan policy in terms of forestry interests.

K. Borrow Pits

The use of borrow pits have been indicated, albeit they have not been submitted in detail. The Council would expect these to be the subject of separate planning applications.

L. Historic Environment

Historic Environment Scotland are broadly content with the conclusions presented within the ES and do not wish to object to the proposal. They would, however, recommend that any trees forming the woodland backdrop to the Killean Estate that are damaged or removed by works to upgrade the wind farm access tracks should be appropriately replaced. HES also advise that advice is sought from the West of Scotland Archaeology Service (WoSAS) on the adequacy of the assessment of the likely impacts and mitigation proposed for sites of regional and local importance identified in the ES. At time of writing no response has been received from the WoSAS.

Having due regard to the above it is considered that the proposal is consistent with the relevant Local Development Plan Policy in terms of historic environment interests.

M. Noise, Air Quality & Lighting

The main issues of concern in terms of possible amenity effects are operational noise, construction noise, air pollution (such as dust during the construction phase), lighting during the construction phase and effects upon private water supplies.

Noise - The final choice of turbine has not been made and the ES therefore adopts a Nordex N100 3.3MW candidate turbine to give a conservative assessment of potential noise impacts. An adjustment of +2dB has been made to the acoustic figures to compensate for any uncertainty in test data. The applicant has used computer modelling based on ISO 9613 Part 2 '*Acoustic – Attenuation of Sound During Propagation Outdoors*' to derive the predicted noise immissions contributions from each installation. The ES compares the predicted results with measured background data from the nearest noise sensitive dwellings, correlated to wind speed referenced to 10m height, in order to determine if the criteria contained in ETSU-R-97 '*Assessment and Rating of Noise from Wind Farms*' have been met. Planning Advice Note 1/2011 '*Planning and Noise*' provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise and refers to ETSU-R-97 in regard to wind turbine developments. At relevant properties background data measured in association with Clachaig Glen wind farm has been utilised.

The ETSU guidance states:

Noise from the wind farm should be limited to 5dB(A) above background for both day-and night-time...remembering that the background level for each period may be different' except that 'In low noise environments the day-time level of the LA90, 10min of the wind farm noise should be limited to an absolute level within the range of 35-40dB (A). The actual value chosen within this range should depend upon a number of factors:

- *The number of dwellings in the neighbourhood of the wind farm*
- *The effect of noise limits on the number of KWh generated*
- *The duration and level of exposure' and*

'The Noise Working Group recommends that the fixed limit for night-time is 43dB(A)'

'For single turbines or wind farms with very large separation distances between the turbines and the nearest properties a simplified noise condition may be suitable. Environmental Health are of the opinion that, if the noise is limited to an $L_{A90, 10min}$ of 35dB(A) up to wind speeds of 10 m/s at 10m height, then this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary'

Derivation of Noise Limits - The methodology adopted for the baseline monitoring, turbine noise prediction (and derivation of suggested limits) has been undertaken in accordance with the Institute of Acoustics Good Practice Guidance. With the exception of the property known as Braids (considered below), the closest residential property to the development is Culfuar at a distance of 2044m from the nearest turbine, T17. The average distance between all 17 turbines and this property is 3060m. The highest predicted noise level from the proposal at a currently occupied residential property is 29.1 dB (A) at Kilmory. In these circumstances the simplified 35dB(A) limit is considered to be appropriate given the ETSU guidance referred to above and would apply at all properties excepting Braids at wind speeds up to 10m/s at all times.

Since the main ES was prepared planning approval was granted for the renovation of a derelict property at Braids which is 490m south west of the nearest turbine, T17. An appendix to the ES has provided additional noise calculations for this property and separate noise limits have been recommended below based on the background noise survey undertaken by the applicant at Culfuar.

The modelled predictions of the noise impact at sensitive receptors are based on a candidate turbine which may not be the final design adopted. A condition is thus recommended which requires that a report to demonstrated compliance with the proposed limit is submitted to the Planning Authority for approval.

It is important to remember that the ETSU method (which has been accepted as Government policy) attempts to balance the need to provide a reasonable degree of protection to residents without unduly restricting wind farm developments. It does not guarantee inaudibility, particularly at lower wind speeds where the limit is allowed even though the existing background noise levels may be significantly lower.

Cumulative Issues - The ES considers cumulative noise issues at potential receptors associated with a number of operating wind farms, those with planning permission or applications currently under consideration. Calculations show that no residential receptor considered to be sensitive to this proposal is deemed to be affected by other developments such that separate cumulative noise limits are warranted.

Construction Noise - An assessment of predicted construction noise was undertaken in accordance with BS5228:2009 and the results reported in the ES. It is anticipated that the impact of construction activities on nearest residential property will not be significant outwith the limited time period that the access track is being upgraded. It is requested that any condition requiring the submission of a construction or environmental management plan should include details of measures to ensure the

occurrence of noise or vibration nuisance during the construction phase including operational hours.

The Environmental Health Officer has no objection to the proposal in regard to noise subject to conditions. It should be noted that the noise limit values for Braids may require amendment if proof of financial involvement is subsequently provided.

Air Quality - The Environmental Health Officer has confirmed that there are no matters associated with the proposal that are considered to pose a threat to ambient air quality objectives. The main potential risk to air quality nuisance during the construction phase, including dust from vehicles travelling along access tracks. The applicant has stated that a Construction Environmental Management Plan (CEMP) will be prepared and a condition to require compliance with this could be considered.

Lighting - The Environmental Health Officer has confirmed that the wind farm development itself is unlikely to require significant lighting and given that there are no known sensitive receptors within a reasonable distance of the proposed construction activities, it is not anticipated that light pollution will be a matter to control via planning condition.

Private Water Supplies - The Environmental Health Officer notes that the ES has determined that there are no active private water supplies in the area that may be potentially impacted by the proposal although it should be noted that the source of the PWS for Braids is not known. Welfare facilities during the construction and operational phases will require the provision of water which will not be available from the public supply given the remote nature of the proposal. Such a supply will need to meet the requirements of the Private Water Supplies (Scotland) Regulations. A condition has been recommended to deal with this aspect and the potential impact on any Braids supply.

Having due regard to the above it is considered that the proposal is consistent with the relevant Local Development Plan Policy in this regard.

N. Tourism & Recreation Impact

SNH advise that visitors and residents value Kintyre and Gigha for their beaches and panoramic coastal views to adjacent coasts, islands and mountains and for their sense of seclusion. On Gigha and on the west coast of Kintyre area, this combination of landscape and seascape features are valued by people for recreation, for example, the sandy beaches, the Kintyre Way, and water based activities. The Sound of Gigha is a popular sailing route, including the established ferry route and boat trips to Gigha, Islay and Jura. From Gigha, the proposal is frequently visible, in relatively close proximity and often prominent and visually intrusive to these sensitive receptors. The image of the wind farm will vary from full turbines visible along the length of the coastline; especially from offshore, reducing to the blades of the turbines moving on the skyline e.g. parts of Kintyre west coast. This will adversely affect the views and recreational experience of the landscape. Planning Officers share this view.

The Council's Access Officer has no objection to the proposal subject to the Core Path C094 b Kintyre Way being kept open and free from obstruction at all times during the construction period (12 – 18 months), and all path closures/diversions to be agreed in advance. An access plan showing the impacts of the development on Core Paths and other routes throughout the construction process will be required to be secured by planning condition. A Section 208 Order would be required for the temporary or permanent diversion of any Core Paths (28 day public consultation period).

The British Horse Society (BHS) is neither for nor against wind farms in principle they choose to concentrate on the subject of Access. Consequently, they advise that there should be alternative access to parts of the Kintyre Way during the Construction phase BHS would ask that horse riders and carriage drivers are given to access the new paths and roads once the project is completed. Access should be provided to a standard suitable for equestrian use.

Scottish Rights of Way and Access Society – object to the proposal on the grounds that they find the proximity of some of the proposed turbines to the Kintyre Way to be unacceptable.

VisitScotland's response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors. While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 – which is 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas. One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism - Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location. The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites. The VisitScotland Visitor Experience Survey (2011/12) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland.

Taking tourism considerations into account - VisitScotland suggest that full consideration is given to the Scottish Government's 2008 research on the impact of wind farms on tourism, which provides recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the ES. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised: the number of tourists travelling past en route elsewhere; the views from accommodation in the area; the relative scale of tourism impact i.e. local and national; the potential positives associated with the development; the views of tourist organisations, i.e. local tourist businesses or VisitScotland.

Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposal on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number. VisitScotland strongly

agrees with the advice of the Scottish Government – the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity. VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

SPP (2014) identifies tourism as one of the key sectors in Scotland with particular opportunities for growth which should be supported by the functioning of the planning system in the delivery of the visitor economy. It requires that development plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of this sector. In the context of onshore wind development, this has contributed to the introduction of the Spatial Framework approach set in which SPP deems wind farms to be unacceptable in National Parks and National Scenic Areas, ostensibly as a consequence of their scenic sensitivity to large scale development and their value to Scotland's tourism economy. This would indicate that at government level there is recognition that wind farms sited inappropriately in sensitive locations valued for their scenic qualities would be unlikely to be in the interests of sustaining Scotland's tourism economy.

The Council also regards landscape 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 and Bute, regardless of the scale of development proposed. The Council's Local Development Plan Policy LDP 6 identifies impacts on tourism and recreation as a material consideration in the assessment of wind turbine developments on the basis that inappropriate developments with significant adverse effects which contribute to the degradation of landscape character are unlikely to be in the interests of the Argyll tourism economy.

The response of visitors and the public across Scotland to the appearance of wind farms in the landscape appears polarised, as indeed it does towards the desirability of pursuing wind energy as a matter of principle. Therefore unlike many other sectors where there is likely to be consensus amongst the public as to the desirability or otherwise of a particular form of development, the public response to wind turbines continues to be very subjective.

There has been wide ranging and often conflicting research undertaken to establish the attitude of tourists in Scotland towards wind farms, and the extent to which their presence in the landscape might deter repeat visits. Given the relatively rapid and continuing spread of wind farm development in Argyll and Bute and elsewhere, it is questionable how much reliance can be placed on the findings of these reports, which have been based upon the experience of participants based upon the extent of wind farm development in place at the time of the research. They rely on attitudes fashioned by the experience of developments which thus far tend to have been carefully sited under the auspices of the planning system, and in most cases involving turbines of a lesser scale than those which would be contemplated in contemporary developments. If less care were to be taken in future planning decision-making over the siting of turbines in the landscape, public attitudes might shift significantly. However, given that the available evidence is inconclusive and not necessarily a reliable indicator of future attitudes, there is simply too much uncertainty surrounding this particular issue to be able to be definitive in the matter.

In this case the presence of adverse landscape, visual and cumulative impacts, would suggest that, if granted, the development may influence public attitudes to a point where tourists might become dissuaded from visiting Kintyre due to the proliferation of wind farms. The proposal would undoubtedly have some impact on the experience of users of the Kintyre Way, an asset already influenced by existing turbine development and other man made influences, such as forestry and electricity lines, so they cannot be regarded as being within a pristine landscape, and it is considered that there remains limited scope to assimilate this additional wind farm in the landscape without presenting any serious quantifiable threat to the tourism economy in Kintyre.

O. Shadow Flicker & Ice Throw (Equipment Safety)

Government guidance advises that if separation (10 x rotor diameters) is provided between turbines and nearby dwellings 'shadow flicker' should not generally result in adverse effects. Under accepted good practice and guidance, this will ensure that shadow flicker will not present a problem. The nearest turbine to any inhabited dwelling is located at a distance of more than 2.0 km (20 rotor diameters) and therefore there is no potential for shadow flicker effects to occur. The Environmental Health Officer has not raised any concerns in this regard.

Ice throw is not a matter which falls under the auspices of Planning or Public Protection. This said, companies supplying products and services to the wind energy industry are required to operate to a series of International, European and British Standards and the operator has a duty of care not to prejudice the health and safety of site operatives or other persons frequenting the site.

Having due regard to the above, in terms of shadow flicker and ice throw, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Specific Advice Sheet on Onshore Wind Farms (2012); and the relevant Local Development Plan Policies in this regard.

P. Television Reception

Television reception can be affected by the presence of turbines although this has become less of a problem since the switchover from analogue to digital broadcasting. In this location due to poor reception properties tend anyway to rely on satellite signals so no measures are required to address any deterioration in conventionally broadcast signals.

Having due regard to the above, in terms of television reception, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; and the relevant Local Development Plan Policies in this regard.

Q. Aviation Matters

The MOD has no objection to the proposal. In the interests of air safety the MOD request that the development should be fitted with MOD accredited aviation safety lighting. CAA provided clarification of procedural matters relating to: consultation with NATS, the MOD, Campbeltown Airport and Emergency Service Helicopter Support Units; aeronautical charting; and aviation lighting. National Air Traffic Services has confirmed that the proposal has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. SNH note that turbine lighting is required for turbines of 150m high or greater. Given the proposed turbines are 149.9m, should visible lighting be required, they ask to be

consulted in advance of the application being determined to agree assessment requirements and provide advice on the potential landscape and visual effects.

Having due regard to the above, in terms of aviation interests, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; and the relevant Local Development Plan Policies in this regard.

R. Electro-Magnetic Interference to Communication Systems

The relevant operator (BT) has been consulted to determine whether their systems would be affected by electro-magnetic radiation associated with electricity generation. SPP (2014) and Local Development Plan Policy highlights telecommunications interference as a material consideration in considering the acceptability of wind turbines. No interference with UHF or microwave telecommunication links has been identified in this case and there have been no objections from relevant consultees.

Having due regard to the above, in terms of communication interests, it is considered that the proposal is consistent with the provisions of SPP; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; and the relevant Local Development Plan Policies in this regard.

S. Road Traffic Impact

Permanent access to the development will be taken from the Killean Estate junction with the A83(T) and will follow the existing Cross-Kintyre Timber Haul Route towards the site. This access point will be permanently widened to facilitate access for abnormal roads. Significant works are also proposed on the shoreward side of the A83(T) to enable large vehicles to turn into the site when travelling north from Campbeltown. This is acceptable to Transport Scotland in traffic safety terms, but would present a significant impact upon users of the A83 in visual terms. Members will be aware that the proposed Clachaig Glen Wind Farm which was intended to share this access/turning area arrangement was refused planning permission at the September PPSL committee (16/01313/PP), and that the adverse visual impact of the intrusive access works required was a contributory factor in that decision..

Traffic and Transport issues associated with the proposal are dealt with in the ES. This indicates that the proposed port of delivery for turbine components is Campbeltown. The delivery route for abnormal loads will be from Campbeltown Harbour heading north on the A83 (T) to the site entrance which is also on the A83 (T). The ES includes a Site Access Assessment Report prepared by Aecom within Technical Appendix 9.2. This indicates that an Abnormal Load Assessment has been carried out, using both the blade and the tower transporter vehicles as the most onerous loads. A swept path appraisal has been provided which considers the route between Campbeltown Harbour and the site access. The appraisal indicates that the route has been previously upgraded for other wind farm developments and, as such, there is no requirement for mitigation works along the route in order to accommodate Abnormal Indivisible Loads. The report concludes that access from Campbeltown to Killean Wind Farm is perceived as being a Low risk for turbine deliveries.

Transport Scotland in its capacity as Trunk Roads Authority has no objection to the proposal subject to conditions to secure approval of the proposed route for any abnormal loads on the trunk road network, to secure approval of any accommodation measures required including the removal of street furniture, and traffic management and to ensure acceptable additional signing or temporary traffic control is undertaken by a recognised Quality Assured traffic management consultant; that prior to

commencement of works on site details of the proposed turning area at the access to the trunk road are to be submitted for their approval, and that wheel washing facilities be provided. The Council's Area Roads Engineer has no objection to the proposal subject to Transport Scotland being notified.

Having due regard to the above, it is considered that in access and traffic terms (but not in visual impact terms), the proposal is consistent with the provisions of SPP and Scottish Government's Specific Advice Sheet on Onshore Wind Farms and relevant Local Development Plan Policy in this regard.

T. Infrastructure

The proposal will not be connecting to public water or drainage infrastructure.

Having due regard to the above, it is concluded that, in terms of drainage and water supply, the proposal is consistent with the provisions of SPP; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; and the relevant Local Development Plan Policies in this regard.

U. Grid Network & Cables

Connection to the National Grid is not a matter of land use policy, however, it should be considered 'in the round' as part of the planning application process. No objections have been raised in respect of these matters by any consultees.

Having due regard to the above it is considered that the proposal is consistent with the Scottish Government's Specific Advice Sheet on Onshore Wind Farms.

V. Community and Economic Benefit

Community Benefit is not considered to be a 'material planning consideration' in the determination of planning applications. In the event that permission were to be granted, the negotiation of any community benefit, either directly with the local community or under the auspices of the Council, would take place outside the application process.

Economic benefit is a material planning consideration and arises from procurement construction, employment and indirect benefits associated with the supply chain. Office for National Statistics data for 2014 shows that direct and indirect economic activity associated with the deployment of onshore wind energy in Scotland amounted to £3.2 billion in turnover, and that Scotland employs 46% of all UK renewables employment. Experience of wind farm development elsewhere in Kintyre, and with the previous Scottish Power developments at Beinn and Tuirc, indicates that local employment of contractors, hauliers and so on, will be of significance during the construction period (12 – 18 months) and that accordingly economic benefit should be regarded as a factor weighing in favour of the development in the planning balance.

Based on experience across the UK, the minimum likely spend on local contractors and suppliers during the construction of Killean wind farm is likely to be in the order of £4.7m. Over and above this, business rates are likely to generate a further £1m income per annum. This local spend figure can be considered a minimum target figure with the experience at Freasdail being that this could be exceeded by up to 107%. This figure also excludes any potential spend on wind turbine towers that could be supplied by C S Wind in Machrihanish and the applicant continues to engage with this important local employer to identify ways that they can work together. Aligned to any local expenditure, economic multipliers will cause further local expenditure to be generated

with the net effect, that Net Economic Benefits as a direct and indirect result of the construction and operation of Killean Wind Farm could be at least £38m and potentially over £63m. The construction of Killean Wind Farm is expected to support up to 40 full time equivalents for the 18 month period. Local contractors have growing experience in assisting in the construction of wind farms. In addition, there remains a commitment to engage with any relevant local community body to explore shared ownership opportunities at Killean Wind Farm. The applicant continues to have dialogue with the West Kintyre Community Council on the establishment of the West Kintyre Community Trust and how the Company could assist in the long term community investment that the Trust may bring forward in due course. The Applicant has also supported the Kintyre Way for the past 4 years with funding of over £40,000 having been provided to date. The Applicant continues to work with the management company for the Kintyre Way and remains prepared to provide appropriate financial support to this important initiative.

W. Decommissioning

Should Scottish Ministers be minded to support the proposal a requirement for decommissioning and site restoration should be included in the conditions recommended by the Council, which would be triggered by either the expiry of the permission, or if the project ceases to operate for a specific period. This would ensure that at the end of the proposal's operational life the turbines would be decommissioned and principal elements removed; the site would be restored to its former use leaving little if any visible trace of the turbines; the foundations, new tracks and hardstandings would be covered over with topsoil and reseeded; the cables would be de-energised and left in place, and any cables marker signs removed; and the electrical substation building would be demolished to ground level with the foundation covered with topsoil and reseeded.

Having due regard to the above, it is considered that the proposal is acceptable in terms of SPP (2014); the Scottish Government's Specific Advice Sheet on Onshore Wind Farms; and the relevant Local Development Plan Policies.

X. Scottish Government Policy & Advice

The commitment to increase the amount of electricity generated from renewable sources is a vital part of the response to climate change. Renewable energy generation will contribute to more secure and diverse energy supplies and support sustainable economic growth (SPP). The current target is for 100% of Scotland's electricity and 11% of heat demand to be generated from renewable sources by 2020 (2020 Routemap for Renewable Energy in Scotland).

The Scottish Government recently published two consultation documents namely the 'Scottish Energy Strategy: The Future of Energy in Scotland' and the associated 'Onshore Wind Policy Statement' (January 2017) both of which had consultation deadlines at the end of May this year. These seek to increase the drive to secure zero carbon energy sources, with a stated ambition to meet half the country's energy needs across all sectors (including electricity generation) by 2030. Onshore wind is anticipated to continue to represent a significant contributor to the attainment of what is an ambitious overall target. Stated policy is to support deployment of onshore wind, whilst protecting the environment (landscape and visual, ecological and other environmental impacts); protecting residential amenity; and maximising local benefits, including through promoting shared ownership and community benefits. The Scottish Government's intention is to continue to support further development of onshore wind in order to achieve the targets set by the Climate Change (Scotland) Act at the lowest cost. The Scottish Government's position is that wind offers the best opportunity to

secure low carbon renewable electricity at scale and sustains growth and employment in the Scottish supply chain.

SPP 2014 advises that wind farms should only be supported in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. Furthermore, that criteria for determining wind farm proposals varies depending on the scale of proposal and its relationship to the characteristics of the surrounding area, but usually includes: landscape and visual impact, effects on the natural heritage and historic environment, contribution of the development to renewable energy generation targets, effect on the local and national economy and tourism and recreation interests, benefits and disbenefits for communities, aviation and telecommunications, noise and shadow flicker, and cumulative impact. Finally, that the design and location of any wind farm should reflect the scale and character of the landscape and the location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised.

Having due regard to the relevant considerations reviewed above it is considered that the proposal is contrary to the provisions of SPP (2014); the Scottish Government's Specific Advice Sheet on Onshore Wind Farms; and the relevant Local Development Plan Policies.

Y. Scottish Government Renewable Energy Targets & Argyll & Bute's Contribution

In assessing the acceptability of wind farm proposals, it is necessary to have regard to the macro-environmental aspects of renewable energy (reduction in reliance on fossil fuels and contribution to reduction in global warming) as well as to the micro-environmental consequences of the proposal (in terms of its impact on its receiving environment).

Installed onshore wind energy generation capacity in Scotland is currently 6.767 GW and is expected to continue to grow in response to the Scottish Government target of meeting 100% of demand from renewable sources by 2020. Onshore wind accounts for over 70% of installed capacity in terms of Scotland's renewable energy resources. Currently projects totalling almost 2,000MW of onshore wind generation are under construction, with a further 2,000MW consented but yet to be implemented. Operational and consented sites now mean that this target is now well within reach, albeit that it does not represent a ceiling. The government's latest policy pronouncement in its draft 'Onshore Wind Policy Statement' (January 2017) makes it clear that there is continued appetite for further onshore wind delivery in order to meet the latest and most ambitious targets which have been set for the delivery of renewable energy.

Z. Sustainable Development

The development will have an installed generation capacity of over 50MW (approximately 56MW) of renewable electricity and will make a significant contribution towards reaching EU, and UK renewable energy targets, by harnessing wind as an alternative to the burning of fossil fuels. Climate change is now widely recognised as one of the most significant environmental challenges facing the world today. In response to this a range of international and national policy and legislation has been introduced to encourage the development of renewable energy, reduce greenhouse gas emissions and combat the effects of climate change. In 2008, the European Union (EU) committed to a legally-binding 20% cut in greenhouse gas emissions by 2020 across all member states. This has been translated into UK legislation and is supported by a range of policies aimed at ensuring that an increasing proportion of country's energy needs are met from renewable sources including wind power.

AA. Conclusion

The Council is keen to ensure that Argyll and Bute continues to make a positive contribution to meeting the Scottish Government's targets for renewable energy generation, and considers the merits of onshore wind farms carefully, particularly given the value of the local wind resource to the country as a whole. These targets are important given the compelling need to reduce our carbon footprint and reduce our reliance on fossil fuels. The Council further recognises the important role which the renewable energy industry can play in developing our local economy, as encouraged by the Council's Renewable Energy Action Plan (REAP).

Argyll and Bute has a distinguished track record of pioneering and delivering renewable energy projects (many of which have taken place in Kintyre) and we are well placed to continue to respond to the needs of the renewable energy industry and take advantage of the economic opportunities that are available to us. The Council seeks to support the further development of renewables where possible Argyll and Bute, by taking a sustainable approach by protecting and conserving our outstanding environment, including our landscape and protected species, our local communities and other sectors of our economy from unacceptable significant adverse effects as a result of proposed renewable energy developments.

The achievement of sustainable economic growth is one of the main themes of SPP and this is reflected in the Council's Local Development Plan. The main aims of Policy LDP 6 – Supporting Growth of Renewables and the associated Renewables SG, together with technical documents such as the Argyll and Bute Onshore Wind Energy Landscape Capacity Study, are to seek to deliver the growth of this important industry in a sustainable manner.

It is concluded in this case however, that the proposal will not reinforce the established pattern of wind farm development in Kintyre and would give rise to adverse effects on the receiving environment, both individually and cumulatively with previously approved developments. Whilst it could make an important contribution to national energy policy and produce some short-term direct and indirect benefits to the local economy, on balance, these benefits are not considered of sufficient material weight to outbalance the adverse impact of the proposal on the local environment. Accordingly, it is recommended that objection be raised to this inappropriately sited and scaled proposal, for the reasons set out in this report