

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the YOUNGER HALL, KILMUN
on MONDAY, 9 AUGUST 2010**

Present: Councillor Daniel Kelly (Chair)

Councillor Bruce Marshall	Councillor Donald MacMillan
Councillor Neil Mackay	Councillor James McQueen
Councillor David Kinniburgh	Councillor Al Reay
Councillor Alister McAlister	Councillor Robin Currie

Also Present: Charles Reppke – Head of Governance and Law
Belinda Hamilton – Area Committee Officer
David Eaglesham – Planning Officer
Charles Sandham – Applicant - Infinergy
James Truscott – Applicant’s Agent – Ash Design & Assessment
Iain MacNaughton – Sandbank Community Council
Clive McClure – Kilmun Community Council
Lynn O’Keefe, Kilmun Community Council (spoke on behalf of all
Community Councils)
Sarah Melville – Loch Lomond & Trossachs National Park
Representative from Inverclyde Council
Liz Millar, Supporter
Caroline Cuddihy, Supporter
Duncan McNicol, Supporter
Matthew Downs, Manager of Holy Loch Marina
Andrew McLintock, Supporter
Norma Murray, Objector
Neil McShane, Benmore Botanical Gardens
James Fraser, Scottish Campaign for National Parks
Phillip Norris, Dunoon and Cowal Marketing Group
Kirsteen Manuel, Objector
Mike Burke, Objector
Stephen Inglis, Objector
Peter Galliard, Objector
Paul Wilson, Glenkin Outdoor Centre
Beth McClure, Objector
Liz Carey, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillor, Rory Colville, Councillor Vivien Dance, Councilor Mary-Jean Devon, Councillor Alex McNaughton, Councillor Roderick McCuish and Marina Curran-Coltart – Local Biodiversity Officer.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3. INFENERGY LIMITED: CONSTRUCTION OF WIND FARM COMPRISING EIGHT TURBINES, METMAST, UPGRADED ACCESS TRACK, INTERNAL TRACKS AND ANCILLARY DEVELOPMENT: STRONE SAUL HILL, DUNOON (REF: 09/00569/DET)

The Chair welcomed everyone present to the hearing and asked that the Committee introduce themselves.

Mr Charles Reppke, Head of Governance and Law, outlined the procedure that would follow and asked that any persons who wished to speak at the meeting identify themselves. He then read out the list of those who had indicated their intention to speak and confirmed that they were either opposed to, or in favour of the proposed development.

Planning Officer

Mr David Eaglesham, Planning Officer, Argyll and Bute Council, gave a brief outline of what he considered a very lengthy report and advised that there were now two supplementary papers to the main agenda and outlined the contents of these.

Mr Eaglesham then gave a presentation and ran through the proposals. The location of the proposed site was shown on a local map and again on a larger scale Ordnance Survey map. Several of the slides shown were from the Applicants' own submission and these indicated the access road to the NE of the site. The layout of the proposed wind farm was shown with the 8 turbines and the access track. Details of a typical wind farm, substation and anemometer (60ft) were given. Four volumes of the Environmental Impact Statement (EIS) were contained within the Report, together with plans which indicated the regional impact.

The Planning Officer then outlined the purpose of the EIS which was to consider the character of the landscape and in this instance, the steep ridgeland typical of the South Cowal area. The Wind Assessment Process is to accurately predict where the proposal would be visible from, and slides were shown to indicate this. These slides demonstrated that the development would be visible from Glasgow and as far as Largs and Cumbrae.

A series of photographs submitted by the Applicant showed the site from a number of vantage points and used a 'wireframe' system which superimposed the turbines onto a photograph to give a clear idea of the potential visual impact. These slides indicated that the development would be fully or partly visible from as far as the Rosneath Peninsula, Benmore Gardens and Inverkip.

The Cumulative Impact was also referred to which indicated that there would be a significant effect on the visual resource from Eilligan Hill as several existing and proposed wind farms would be visible from here. It was acknowledged however, that some of the information was now out of date as the Leakmoor Forest development had now been withdrawn and appeals were ongoing for several others.

Photographs were also shown showing the view from the site itself, with

panoramic outlooks to Kilcreggan, Kilmun, SE to the Loch Eck valley and to the North and West across the Application site.

Mr Eaglesham concluded that whilst there had been a great number of Consultees on the proposal of which many had little or no objection, there had also been some outstanding objection from several of the local Community Councils. There had been a total of 188 in support of, and 626 opposing the development.

In summary, Mr Eaglesham stated that Scottish Government guidelines, Scottish Planning Policies and Policies listed in the Argyll and Bute Structure Plan had a major bearing on the decision for refusal. The main reasons he added, were those of visual implication which, it had been demonstrated, were unacceptable.

Applicant

Charles Sandham – Infinergy

Mr Charles Sandham, Infinergy, summarised the Dunoon Wind Farm proposal, the support it had locally, and the benefits it could bring to the community.

He advised that the proposed 8 turbine, 20mw Dunoon Wind Farm had been designed to minimise visual impact. It was substantially smaller than the originally planned project and smaller and less expensive than the two refused wind farms previously proposed for the Cowal Peninsula. This had been achieved in part by locating the proposed wind farm on a plateau using topographic screening to restrict wider views, particularly to the south and west.

Mr Sandham added that this particular site had been chosen due to the good wind speed. The company having worked on this project for several years, it was originally in the Argyll and Bute Council preferred area of search for wind farms as drawn up by the officers. This area of search had been subsequently deleted. The project size had then been reduced to be consistent with the policy. The turbine size had also been reduced and moved. The number of these turbines was also reduced due to visibility issues.

Other reasons for choosing this site were that the land on the site is currently in use for sheep grazing and commercial forestry plantations and that the access is good.

The project would be easy to connect underground to Sandbank's substation and could be quickly connected and operated without requiring substantial grid re-enforcement works, unlike many wind farms currently consented in Scotland.

As far as local support was concerned, Infinergy had invited over 6600 households around the Holy Loch to public exhibitions held in Kilmun, Sandbank and Dunoon. The consultation process resulted in 185 quantifiable comments, of which 57% were in support.

The representations made to Argyll and Bute council were analysed. Focusing on local letters only, and taking out letters from the rest of Scotland and further afield, 225 letters against and 137 in favour were counted. There was a degree

of balance in these figures because opponents are more minded to write than supporters. This would suggest that the local views on the plans were more balanced than initially perceived. Mr Sandham pointed out that Sandbank Community Council, who represented the closest village, had not objected to the development.

Mr Sandham outlined the main benefits of Dunoon Wind Farm as being:-

- A community benefit package of around £1.6m over the life of the project, which represents the predicted net revenue from one turbine effectively making one turbine a community turbine at no cost to anyone other than the developer.
- An estimated £4.8m in business rates, some of which would be returned to the community.
- Creation of construction jobs, with a protocol to encourage the use of local contractors followed by a smaller number of jobs on operation and maintenance of the site, the turbines and the grid connections.
- There would be new footpaths created and improved near the wind farm site, potentially creating a local renewable energy station.
- There would be enhanced habitats within and near the site, including the reinstatement of blanket bog in an area currently used for commercial forestry.
- The project would contribute to the Scottish Government's renewable energy target of deriving 50% of electricity demand from renewable energy sources by 2020.
- The wind farm could produce enough electricity to power around 11000 homes every year and save emissions of between 19000 and 46000 tonnes of CO2 every year had the electricity been generated by gas or coal fired power stations. These figures were taken from Renewable UK.
- Infinergy have LEO, a local energy organisation, that can bring discounted renewable electricity to local homes if the wind farm is consented.

Mr Sandham advised that regarding the issue of the impact on tourism, survey after survey had not provided any evidence that wind farms had no effect on this. Indeed, Scottish Government's own work indicated a minimal impact.

A total of 73% of local business in tourism indicated that a wind farm would not have any adverse impact on their business. Two local hotels have indicated their support for the development.

It was noted that in the South West of England, where there is a concentration of wind farms, there has been a marked increase in tourism over the years.

Mr Sandham contended that there are people who are eco-tourists who would welcome such initiatives and that in areas that need an economic boost, there have to be pathfinder projects whatever they may be. Without the injection of economic activity, decline would set in and tourists shun decline.

Mr Sandham gave a list of the technical Consultees who had responded but not objected to the wind farm. These included RSPB, SNH (on birds), Historic Scotland, SEPA, MOD, Civil Aviation Organisations and Argyll and Bute's Biodiversity, Access and Environmental Health Officers.

There were landscape and visual objections from SNH and the National Park Authority, and these issues were addressed by Infinergy's Landscape Architect.

Mr Sandham added that, should consent be gained and prior to construction work commencing, the intention would be to form a local liaison group.

In concluding, Mr Sandham urged Argyll and Bute Council to support the application as he believed that it was in keeping with the Development Plan and would have significant environmental and social-economic benefits and as such, commended the application to them.

James Truscott – Ash Design and Assessment

Mr Truscott introduced himself and advised that he would like to respond to the comments made by Loch Lomond and Trossachs National Park (LLTNP) and Scottish Natural Heritage (SNH) in the report, regarding Visual Impact, as he felt that these comments had been overstated.

In reference to SNHs' remarks that the development was located on a ridge, Mr Truscott advised that considerable effort had been made to situate the site in a bowl to maximise screening effect. He added that there were large areas to the SW of the site which were completely unaffected by the proposals and referred to the two recently rejected sites at Blackcraig and Corlarach Hill which had contravened Argyll and Bute Council's up to date policies for wind farm development. This particular proposal, he said, was relatively small by today's standards with only 8 turbines as opposed to 14 at Blackcraig. He disputed the statement made by the LLTNP stating the proposal would have a significant impact as being incorrect and that it would only impinge on a very small area visible from the Glen Fruin area some 35km away.

Mr Truscott acknowledged that there would be some peripheral impact on the Argyll and Bute National Park but that the proposed site was still well away from the Kyles of Bute or Loch Striven area.

With reference to the objections made by Benmore Botanic Gardens, Mr Truscott felt that this area of primarily mature trees of 45m+ in height had an inward looking quality and would be largely unaffected by the proposals. He accepted that to the North of the gardens, there would be some impact but that this would be limited and would not impact on the attraction of the gardens.

With the exception of Eilligan Hill, the Cumulative Impact was limited and that this was highlighted in the report. Mr Truscott, having been involved in many similar applications felt that SNH had overstated the Cumulative Impact of this particular proposal.

Statutory Consultees

Sandbank Community Council

Iain MacNaughton drew attention to Supplementary Report 2 which clarified their response as being neutral. He explained that a local survey which had been carried out through the CC magazine had been met with a disappointing

response. He added that although the summary had only mentioned some views of opposition, there had also been a great deal of support for the proposal and therefore a neutral response was given. Some concern was raised over whether the views of the residents in other CC areas had been reflected as is stated in the statutory conditions of CCs.

The issue of grounds for refusal was also discussed and it was questioned why in a normal planning application, the loss of view/visual intrusion was not considered a 'material consideration' when it was being used in this instance.

Kilmun CC

Clive McClure, Kilmun CC, reminded those present that they were lay people and did not have the benefit of expertise of the Applicants. An additional representation had been received from the Applicant on Saturday 7th August 2010 and comments on this were distributed for the Committee to consider. The Chair agreed to this.

Lynn O'Keefe stressed that Kilmun CC whilst in favour of renewable energy as a whole, they considered this particular application to have a detrimental impact on the panoramic views which the Cowal area was famous for, and that tourism was the life-blood of these communities.

She added that the landscape quality of the area had been enhanced due to the recent regeneration programme and the decommissioning of the US Base. The area was now being marketed as the 'Marine Gateway' to the Loch Lomond and Trossachs National Park and that as such, there could be no more inappropriate siting for the proposal.

Regarding the red lighting required on the turbines, she advised that the MOD have insisted on aviation lighting akin to that on the Inverkip Power Station which would transform this rural setting into one of an industrial nature which would be viewed from the ferries, road and small craft entering the 'Gateway'.

Ms O'Keefe also referred to the £40m revenue from tourism relied upon by Bute and Cowal and to the significance of the responses received from abroad and out-with the area. She said that these contributions were vital as this was the source of the revenue.

From an environmental viewpoint, renewable power needs must be carefully balanced against tourism and that the amount of potential energy generated from the proposal would be minimal. The objections of Kilmun CC were solely on the inappropriate location, and whilst the issue of global warming should be addressed, a less visible location should be sought. It was the view of the CC that any benefits to the local communities would be short-lived and negligible. There were serious concerns for the Glenkin Outdoor Centre and its neighbours and the impact that any development would have on the user organisations such as Guides, Church of Scotland, Tai Chi etc. Also of major concern was the threat to the young golden eagles in the vicinity of the turbines.

Ms O'Keefe concluded by stating that Kilmun, Dunoon, South Cowal, Hunter's Quay, Ardentenny, Inverkip and Wemyss Bay CCs were all in support of Argyll and Bute Council's recommendation for refusal. She thanked the Planning

Department and Committee.

Loch Lomond and Trossachs National Park

Sarah Melville, Landscape Adviser, informed that she was here to represent the views of the National Park and their concerns that this proposal was in an area designated as very sensitive countryside. She explained that the aim of the NP was to protect the special qualities and experience of the area and that the main area of concern was that of visual impact. The key features of the area were the forests, glens, sea lochs and coastal settlements and the special qualities associated with these features. There would be substantial impact on the landscape character of the area from many of the key viewpoints and also on the day to day lives of the residents. She added that the National Park supports the concept of renewable energy but that the impact of the large turbines must be considered in the landscape.

Ms Melville stated the main reasons for opposing the proposal as being:-

- The detrimental impact on the setting when viewed from the National Park as it could be appreciated from many viewpoints and the rich landscape which draws visitors from worldwide.
- The impact on the composition of specific features which contribute to the landscape experience.
- It is considered that the development will dominate the views of visitors travelling to or from the area and the possible effect to visitor numbers.
- The impact on Benmore Gardens and the views from here of the dramatic, wild Argyll landscape and the importance that these remain unaffected,

In summary, the National Park objects in its own merits that the proposals would be highly visible, would reduce the visual amenity of those travelling to and from the National Park area into the Argyll Forest area, would have a potentially adverse effect on the landscape and the visual impact on the area from the Clyde Coast to the National Park. With these factors in mind, the National Park would recommend refusal of the application.

Inverclyde Council

Inverclyde Council expressed their views about the visual impact from the shoreline and views from across the water that the proposal would have. The effect on the views from the Greenock Cut, which is a well used leisure resource and key asset to the area, would also be significant. It was agreed by the Council that alternative sites within the Argyll and Bute Development Plan should be identified for this proposal.

Supporters

Liz Millar

Ms Millar introduced herself as a local resident who had recently returned to the area from Germany. She referred to the recycling and increasing use of renewable energy systems, particularly wind power, being adopted by Germany and many other European countries. Ms Millar suggested that there was no

evidence to suggest that tourism would be affected and that the presence of wind farms would send out a message that we value the environment.

Caroline Cuddihy

Ms Cuddihy referred to the Council's responsibility to comply with the Scottish Government's 2020 guidelines and that wind power was a very competitive source of renewable energy. She added that we are all aware of what action requires to be taken to address the CO2 emissions and that the visual issue is not sufficient cause for objection. Ms Cuddihy wished it to be known that she had never been approached by any party to ascertain her views.

Duncan McNicol

Mr McNicol wished to speak on behalf of his own family and future generations of same. He felt that the adoption of wind farms in the area would enhance the enjoyment of an environmentally friendly and free sustainable resource. Mr McNicol felt that the wind farm would have a positive impact on tourism and would aid the retention of visitors to the area. The opening up of the proposed site to visitors would encourage people to get out and about. The Community Fund could be utilised to improve tourist facilities in the area and would benefit locals, as would the community turbine. Mr McNicol then urged the Planning Committee to approve the proposal on behalf of the future generations of the area.

Matthew Downs – Manager Holy Loch Marina

Mr Downs wished to present his case from a business perspective and began by clarifying the rumoured effects on the marina. There had been some scaremongering about a 'wave action' effect as a result of the turbines and he stated that these were totally unfounded. Mr Downs referred to the recent significant job losses in the area and how the proposed wind farm would ensure continuity of employment to the local construction industries and the knock on effect of B and Bs etc. He urged Argyll and Bute Council, who are the largest employers in the area, not to be flippant and to be supportive of a project of this magnitude.

Mr Downs outlined the substantial benefits that would be brought to the community and that it was well documented that similar projects in other areas had brought about overwhelming opportunities.

With reference to the red lighting, Mr Downs felt that boat owners and visitors alike would remain undeterred by the presence of these.

Mr Downs urged the community to support the potential for jobs both locally and in Campbeltown and to support the proposals.

Andrew McLintock

Mr McLintock queried the position of Community Councils to present cases on behalf of their electorate where no consultation had been undertaken.

He then made reference to the forestry dominated local environment, pointing

out that this too was man-made and that the time had come to accept change.

The meeting was then adjourned for lunch at 12.55 and reconvened at 1.45pm

Objectors

Norma Murray

Ms Murray firstly wished to address the issue which had been raised regarding Community Councils. She did not agree that surveys required to be carried out in every case and that they as Community Councillors were elected to represent their electorate. Ms Murray advises that Sandbank CC deliver newsletters to 500 households and that of those 500, only 14 responses had been received (12 of these were opposed to the development) Ms Murray pointed out that Scotland has a bigger coastline than France and many commercial forests so could afford to be choosy about the location of wind farms. She stated that the main objection to the proposal was that of location and felt that any potential benefits from the development should it be approved, would be of short term value. She added that it is not only our responsibility to protect the landscape, but our duty to do so.

Neil McShane – Benmore Botanical Gardens

Mr McShane gave a brief outline of the history of the BBG and how supported the concept of renewable energy schemes. In Peebles, a biomass boiler was used and in Edinburgh Botanical Gardens, a wind turbine is used to augment the power supply. However, he added that care should be taken when locating wind farms in areas of high landscape quality. The Benmore Gardens attract visitors from worldwide and any services within its ground are underground or low key. A wind farm such as the proposed site, would be incongruous to this. He disputed the Applicants' claim that the gardens were introverted and insisted that they were part of the natural landscape. Part of the visitor experience was the journey to and from the establishment that this would be adversely affected by the development. He reiterated that Benmore were not anti wind farm but were concerned that it should be sited within a proper context and scale.

James Fraser - Scottish Campaign for National Parks

Mr Fraser informed that he had been involved in both of the previous applications and fully supported the comments made by the Dunoon and Cowal Marketing Group in the report. He advised that he had been C O of the Area Tourist Board and also an Area Rep for VisitScotland. Mr Fraser stressed the importance of the Dunoon corridor as a 'Maritime Gateway' as having a huge impact for both incoming and outgoing visitors. Mr Fraser informed that 2m visitors come into the area as ferry traffic and that a buffer zone was crucial. The SCNPs main objections were that the close proximity of the wind farms would have a major impact on the panoramic views. The structure would be dominant on classic scenic views over the Clyde Estuary and National Park area. There would be a serious impact to Dunoon and Argyll Park boundaries and that the five Cowal hills form a strategically important buffer zone which would be seriously impaired if permission was granted.

Mr Fraser also highlighted the significant impact on visitor experience as the reputation of the National Park as a 'shop window' and 'front door' would be seriously undermined. The results of a 2002 survey carried out by the STB and SG with Caledonian University found that a significant percentage of visitors do not like wind farms in sites of prime scenic views and that 2 out of 3 visitors would not stay in a room with a view of a wind farm. Highland Heritage tours surveyed their customers and found that out of 5000 surveyed, 49% said that the presence of wind farms would have a material effect on where they would book. In conclusion, Mr Fraser said that he had been very impressed with the arguments put forward by the Community Councils and that he would recommend refusal of the proposal.

Philip Norris – Dunoon and Cowal Marketing Group

Mr Norris agreed with the previous comments and agreed that the main objection of DCMG was also location. He added that they were in favour of Renewable Energy and appreciated its role.

Mr Norris referred to the fine landscape quality and the tourism industry in this area and how it is worth some £40m annually. The 'Gateway' is an extremely sensitive area which is featured in this years Cowal and Bute Essential Guide. DCMB were in approval of the Glendaruel site which was of medium height, smaller turbines and was screened by trees in a less sensitive area not visual from sea or main tourist routes. This was not the case with the Dunoon site. He added that the prime tourist attraction is that of scenic quality. In summing up, Mr Norris said that it would be inconsistent to grant this proposal after the rejection of the two previous applications.

Kirsteen Manuel

Ms Manuel described herself as being passionate about the area. She raised concerns regarding seepage which had been an issue previously from the old coup, having an impact on river and roads. This had been a similar issue with Tillhill Forestry.

Mike Burke

Mr Burke wished it to be known that he was in no way against the concept of Renewable Energy and that their objection was entirely based on the siting of the proposal. As a local B & B owner for the past ten years, he advised that his customers come to escape the city and look for tranquillity and uninterrupted views of the skyline and sunsets and were 'appalled' at the thought of the wind farm proposal. Whilst Mr Burke accepted that there are some tourists who would be attracted by wind farms, he felt that its place was not in this location. Mr Burke suggested that wave power would be a more acceptable form of renewable for this area and urged the panel to object to the proposal in front of them.

Stephen Ingles

Mr Ingles, retired policeman and resident of Glenkin, which lies only 800m from the proposed wind farm, informed that he had come to live in this area due to the quality of life experienced here and added that many children from all

backgrounds come to the Glenkin Centre to experience the same. He had concerns that the proposal would affect sleeping patterns and produce subliminal noise. Glenkin, he informed, was currently used as a circular path from which Hen Harriers, Golden Eagles and Black Grouse can be spotted. In conclusion, he felt that this development was insensitive to the area and recommended the panel to think again.

Peter Galliard

Mr Galliard, a clinical psychologist, spoke of the potential effects that the turbines could have on the local population living within a 2km radius, explaining that these symptoms could range from sleep disturbance to panic attacks. As the site is situated to the SW of Sandbank, the prevailing wind would carry the low frequency sound waves towards the village. He informed that the effects could vary from person to person with some more susceptible than others. The Community Trust had carried out an unbiased survey with an 80% response rate which indicated that they favoured the peaceful and quiet environment that currently exists.

Paul Wilson – Glenkin Outdoor Centre

Mr Wilson stated that although he was not opposed to wind farms as a whole, the location of this one was unsuitable. The Glenkin Centre had been a Registered Charity for 30 years and lay in an unspoilt rural setting with no noise contamination, this being one of its main attractions. The centre catered for many special needs and was the choice for a local population of Golden Eagles and that the wind farm had been met with 'vigorous opposition'.

Beth McClure

Ms McClure disputed the £1.6m projected to be injected into the local economy as it was not yet a fact. She quoted the mission statement from KDE Energy and voiced her objection on the grounds that the proposal totally exploits the area.

Liz Carey

Ms Carey advised that she had been approached by Infinergy and that she had been misrepresented by them as having indicated her support for the proposal which was not the case and objected to the method of contact used. Now that she had been fully furnished with the facts, she was able to make an informed choice and was now of the opinion that this location was inappropriate for the proposal. She urged the Council to support the Planning Officer's recommendations.

Councillors' Questions

Councillor Reay asked the Planning Officer for a point of clarification regarding the Scottish Government targets regarding the volume of outputs for wind farms and asked what proportion of these represented present applications. He asked if regular updates were forthcoming and whether our targets for 2020 were being achieved.

Mr Eaglesham, PO, replied that SG does provide periodic updates and that A & B don't 'cap' their wind farm output. Therefore the situation is that there is greater output than our needs. However, as these figures are global, it is impossible to distinguish individual areas.

Councillor Reay requested that the Planning Officer look into this and obtain the info from SG to which the PO agreed.

Councillor Marshall asked Liz Carey whether her CC had conducted a local survey to which she replied that the stance of their CC was that this was not necessary and that the Committee had voted to object to the development on the electorates' behalf.

Councillor Marshall asked Peter Galliard which would be the main health issue, to which Mr Galliard responded that it would be 'shadow flicker'

Councillor Marshall asked Infinergy to expand on the £1.6m benefit and whether it was a definite figure.

Mr Sandham responded by explaining how the figure was predicted by using a financial model on the lifetime production of the wind farm and that these figures would be fixed and agreed prior to the commencement of the project. Mr Sandham added that the intention would be to set up a board of trustees to administrate

Councillor Marshall asked how much energy would be produced from Strone Saul to which Mr Truscott responded by explaining that capacity figures were used and these revealed that something from mid to high 20s could be anticipated.

Councillor McKay asked whether the Planners could clarify the designation of the site to which Mr Eaglesham replied that it was Very Sensitive Countryside.

Councillor McKay mentioned that there had been reference to Adverse Visual Impact and queried whether this could be classed as a material consideration to which Mr Eaglesham replied that it could and that it would be up to members to determine whether it would be a minor or major consideration.

Councillor McKay asked Mr Fraser as to whether in his opinion as a tourism expert, that the classification of 'Marine Gateway' was justified to which Mr Fraser said that he strongly agreed that it was as all market research had demonstrated that the main entry to the National Park area would be through the ferry service which some 2m people, mainly tourists would use.

Councillor Kinniburgh asked for clarity on the general rule for working out proximity as some residents had claimed that they were nearer than the 900m claimed in the report. He queried the accuracy of these measurements.

Mr Eaglesham advised that Ordnance Survey maps were used but accepted that there could be some confusion as to whether the measurements were taken from the site boundary or from the actual turbine itself. He demonstrated this on the map slide.

Councillor Kinniburgh asked the same question to the Applicants who replied that they use Google Earth and were confident that their measurements were accurate. However, if members were concerned, they would be happy to insert a condition which would require them to turn off the turbine during certain periods.

Councillor Currie was concerned at the Planners' use of ambiguous terms such as 'could have' 'likely to' 'potential to' etc. to which Mr Eaglesham responded that regarding the issue of visual impact, wireframes could only give a good representation but that the final judgement would lie with the Committee and that the language used in the report was due to the assumption of wider public perception.

Councillor Currie queried the view of the National Park and Inverclyde Council asking what actual evidence they had, to which Sarah Melville replied that it was based on the findings of a professional Landscape Architect and was based on theoretical evidence on which a judgement was made.

Councillor Reay asked the Applicant if they acknowledged that there would be considerable visual impact when the site was viewed from the East to which the Applicant replied that he agreed that it would.

Councillor McAlister asked Infinergy about the effects of the strobe lighting and what action had been taken to address these issues. There followed some discussion on the differences between 'shadow flicker' and 'strobe lighting' effects and it was conceded that these were two different issues but that it had not been addressed in isolation.

Councillor Kinniburgh asked the PO about the lighting and whether it could be a condition that low level or infra red lighting was used. Mr Eaglesham responded by saying that as with any tall structure, some form of lighting would need to be in place on each turbine.

Councillor McKay asked the PO about LPBAD1 Bad Neighbour Development and whether the application contravened this. The Planner replied that it was consistent with this policy.

Councillor McKay asked the Applicant how they had come about the conclusion that there was a degree of balance for support to which the Applicant explained that they had used only local letters to come up with a more realistic figure.

Councillor Currie raised the issue of the red lighting again to which Infinergy replied by stating that they had been advised that 8 lights would be required but that the MOD were happy to see these replaced by the infra red lights which had proved successful in recent trials and would not be visible.

Councillor Reay said that he was concerned that the MOD were happy with infra red and was confused at why that might be to which the Applicants advised that there was a document online which would explain this.

There were no further questions

Summing Up

Mr Eaglesham – Planning Officer

Mr Eaglesham said that he had nothing further to add to his previous presentation and that many of the issues raised were relevant. There had been a significant level of public interest in this proposal and that a balanced and subjective approach had been used. He hoped that the Councillors had had clarification from all parties but that nothing put forward to day have changed his recommendation which was to refuse the application for the reasons contained within the report.

Infinergy- Applicant

Mr Sandham firstly responded to the claims made by Kilmun CC adding that Castle Toward – the jewel in the crown’ was not actually visible from the site.

He highlighted the point that the payback term was only two years in which time the reduction in CO2 target would be reached and that the red lighting issue had been resolved.

Mr Sandham noted that there had been support from Mr Dowds, Holy Loch Marine on the Marine Gateway issue. He added that he had been surprised at the objection from Inverclyde CC as they had no objection to a similar development which had been situated on a ridge.

The proposals would meet the climate change statement and it was noted that many of the other bodies provided no positive statements on this issue.

Mr Sandham asked Mrs Carey to accept his sincere apologies for the misrepresentation issue previously referred to in this minute.

He addressed the worries expressed regarding tourism by informing that the results of a recent MORI Poll had indicated that wind farm developments do not impact on the enjoyment of an area.

Regarding the low level, subliminal noise, Mr Sandham felt that although there is a presumption that this exists, there is no evidence for it and that technology is available to address the effect of shadow flicker.

Mr Truscott responded to the claims by the Campaign for the National Park that the montages were misleading by advising that these had been carried out with SNH guidelines, and that the claims by National Park that the ‘Proposals were intervisible with large areas’ were also untrue, as the figure was actually only 10%. The claims that the proposal would dominate views was also misleading as it would not be visible from the ferry terminal onwards and that at Western Ferries, only a small point was visible.

The impact from Ben Lomond was also negligible at some 30km away. Although objections were received from Benmore Botanic Gardens, Mr Truscott said that there had been no objection from Historic Scotland. Photographs taken from within the garden, were distributed and Mr Truscott maintained his view that the gardens had an introverted landscape which would be unaffected by the

development.

Richard Frost said that although the area had been designated as very sensitive countryside, one of the new developments which could be considered here was wind farms which were mentioned in the Argyll and Bute Council's own area of search. Richard wished to highlight that it was only wind farms of over 20mw output that would not be considered, which this proposal was not.

Statutory Consultees

Sandbank Community Council advised that they still stood by their earlier comments and that it should be noted that it is a Statutory Condition of the Constitution of Community Councils that they do not express personal opinion but that of their electorate.

Kilmun CC considered that in terms of Scottish Government requirement only a small contribution would be made to the renewable target and that the reduction in output caused by the turbines being turned off to address the shadow flicker issue would drop capacity further.

Regarding the red lighting issue, Lynn O'Keefe advised that when contacted just under a fortnight prior to this hearing, the MOD said that the testing is still ongoing and that the light shields referred to by the Applicants were not applicable in this case as jets fly at levels of as low as 100 – 250 feet in this area and that the light shields would negate their purpose.

Ms O'Keefe also expressed concern regarding the proposed £1.6m as it was not guaranteed and was subsequent to various deductions. She felt that Infinergy had failed to fully consider the full environmental effect of the proposal and reminded the committee that a total of six local CCs had recommended that the proposal be refused.

Norma Murray

Ms Murray was concerned that the lifespan of 25 years for the wind farm would mean that many would now never see the hillside in its natural state in their lifetime again and that we should not let this happen 'on our watch'.

Scottish Campaign for National Park

Mr Fraser commended the Officers and Members on the process which had been followed and recognised the role that South Cowal had to play. He echoed what had been said previously and asked again that the proposals were rejected.

Kirsteen Manuel

Ms Manuel repeated her previous comments in that she was surprised that the issue of seepage had not been raised.

Michael Burke

Mr Burke said that the proposal, should it go ahead, would be a long and

unpleasant mistake.

Peter Galliard

Mr Galliard felt that the village of Sandbank had been forgotten and was concerned regarding the effects of shadow flicker.

Paul Wilson

Mr Wilson said that their view was one of zero tolerance and that the turbines would cast a shadow over the area.

Beth McClure

Ms McClure agreed with what had been said by the Community Councils.

Liz Carey

Mrs Carey thanked Kilmun CC for their excellent presentation on behalf of all the CCs within Cowal.

The Chair then invited discussion from Members

Phillip Norris

Mr Norris summed up by reiterating the comments that he had made earlier in the meeting.

Stephen Inglis

Mr Inglis summed up by reiterating the comments that he had made earlier in the meeting.

Councillor Marshall

Cllr Marshall commented that he had no strong views on wind farms and that he must take local opinion into consideration. He spoke of the dozens of projects which would potentially benefit from the injection of capital generated from the development and spoke of how we are being urged by Westminster and Scottish Government to support projects such as these. He had to balance this however, with the public concern shown by the bodies such as the National Park and highlighted our requirement to protect such environments. He referred to the many local attractions and the marine gateway, highlighting their importance to the area.

Councillor Marshall referred to the uninterrupted view of the wind farm that would be experienced by those living on the Strone/Kilmun shore line and that the 'jewels in the crown' must be protected. Views such as those from Greenock which are stunning and panoramic would also be adversely affected and with these factors together, Cllr Marshall indicated his support for the Planning Department and applauded the representations received.

Councillor Al Reay

Councillor Reay was in agreement with Councillor Marshall in that he did not oppose wind farms as such. As a keen sailor, and resident of Helensburgh, he was concerned about the visual impact, especially when viewed from Gourrock. He felt that a well argued case had been put forward by the Planners in that it contained all the adopted policies from the Local Plan. He commented that in his opinion, this was not a community wind farm but a commercial one and that it was incumbent upon the Council to ensure that our assets are protected. Councillor Reay felt that more guidance from Central Government should be forthcoming. In conclusion, Councillor Reay agreed with the Planning Officer's recommendations.

Councillor Alister McAlister

Councillor McAlister stated his agreement with the Planning Officer's recommendation. He felt that there would be no employment opportunity from the proposal and that the visual impact from both ferry and car would be disastrous. There would be an impact on the fastest growing industry, which is sailing and remarked that a large number of visitors from Denmark and Germany are trying to get away from these kinds of developments whilst on holiday. He reminded those present of the stunning views experienced from the Greenock Cut which are witnessed by cruise ships visiting the Clyde which would be compromised.

Councillor Donald MacMillan

Councillor MacMillan said that he had been very impressed by the case put forward by the Community Councils and agreed with the Planning Officer's recommendation for refusal.

Councillor Neil McKay

Councillor McKay had expected to hear more about the benefit and planning gain. He expressed his disappointment that the proximity of the residents had not been given enough consideration. Councillor McKay highlighted the importance of the phrase 'Marine Gateway' and agreed that most visitors do indeed look back. He supported the Planning Officer's recommendation for refusal of the proposal.

Councillor Robin Currie

Councillor Currie commented that it was important to hear each application on its own merits and that it is sometimes difficult to weigh up how people feel about visual impacts. Most of what he had heard today had gone towards approving the proposal. He added that similar proposals such as tree planting in the local area had met with similar opposition. Cllr Currie said that there had been many comments indicating the harm to tourism, however, he highlighted such attractions as Stirling and Kintyre where wind farms in the immediate vicinity does not deter visitors. For these reasons, Cllr Currie said that he was unable to give 100% backing to the Planning Officer's recommendation and felt that there could have been more compromise.

Councillor David Kinniburgh

Councillor Kinniburgh stated that he felt that there was a difficult balance and that he was neither pro or anti wind farm and that it was inevitable that these would be seen from somewhere. However, he felt that it was not necessary for these proposals to be so highly visible and that the Planning Officer was correct to recommend refusal in this particular case. Councillor Kinniburgh agreed that it was too close to adjacent properties and that he was unhappy about the 'switching off' condition. He therefore supported the decision to refuse the application.

Councillor Daniel Kelly

Councillor Kelly commented that he could not add anything to what had already been said and that the arguments on both sides had been understandable. He concluded that the scenery in this area could not be bettered and although he had listened to all that had been said, he would move for refusal of the application.

Decision

The Committee unanimously agreed with the Planning Officer's recommendation that Planning Permission be refused for the reasons stated in the report