

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

This Supplementary Report is a recommended response to the Scottish Government's Energy Consents and Deployment Unit (ECDU) Section 36 consultation on the proposed Breackerie wind farm on Land Approximately 8km south west of Campbeltown, Argyll & Bute

Reference No: 23/002230/S36

Applicant: The Scottish Government on behalf of EnergieKontor UK Ltd
Proposal: Electricity Act Section 36 consultation relevant to Breackerie Wind Farm

Site Address: Land Approximately 8km south west of Campbeltown, Argyll & Bute

SUPPLEMENTARY REPORT NO. 1

1. INTRODUCTION

Since publication of the Report of Handling, the Applicant has raised matters of clarification in relation to the proposed conditions and their response to NatureScot, to be addressed by this Supplementary Report.

2. MINOR REVISIONS TO RECOMMENDATION:

In relation to the recommended planning conditions, it is noted that should planning consent be granted by Scottish Ministers, there would be further discussions to reach agreement on the detailed wording of the planning conditions between the Council, the Energy Consents Unit and the Applicant. As such, the proposed conditions and provisions for legal agreements as set out in the Recommendation are intended to capture the key matters for inclusion following the assessment of the proposal and are not the final wording. However, the proposed clarifications are noted in the revised Recommendation below.

That the ECU be notified accordingly that:

- 1. Argyll & Bute Council does not object to the proposed development subject to the inclusion of conditions recommended by consultees being included in any consent.**
- 2. Argyll & Bute Council further recommends the following conditions and provisions for legal agreements as discussed with the applicant to mitigate the specific impacts of the Breackerie Wind Farm proposal:**
 - **Revision of height above AOD and/or location of T7 and T9 in consultation with Argyll and Bute Council to reduce landscape and visual impact and heritage impacts;**
 - **Aviation detection lighting system to be installed as soon as practicable, to avoid the visual impact on the dark skies of the Mull of Kintyre;**
 - **Reduced wind turbine micro-siting allowance of other wind turbines to 50m to ensure no change from assessed proposal, unless otherwise agreed;**

- Delivery of **up to** 80 ha compensatory biodiversity enhancement measures at Largiebaan Nature Reserve, **or an alternative location as agreed in consultation with the Council** and consideration of further on-site compensatory planting; and
 - Noise protection measures (AM and fixed minimum limits).
- 3. Regarding the outstanding Aviation matters, Argyll & Bute Council would defer to the expert advice of National Air Traffic Systems and Glasgow Prestwick Airport to resolve these matters with the ECU.**

Officer response: the suggested clarifications provide additional detail on the measurement of height in AOD of the turbines and the consultation process with the Council on the proposed reduced micro-siting of the turbines. The addition of 'as soon as practicable' clarifies potential timescales for implementation of aviation lighting detection system. Until this system is technically operational, aviation lighting will be required at night as set out in paragraph 7.17 of the Report of Handling. The addition of 'up to' and the suggested alternative location for the provision of the compensatory planting are reasonable additions and would be in line with the provisions of Argyll and Bute Local Development Plan 2 Policy 78, which seeks a sequential approach to all compensatory planting.

These matters do not raise any concerns or fundamentally change the recommendation.

3. APPLICANT RESPONSE TO NATURESCOT

The applicant also noted its response to previous queries raised by NatureScot. Further to paragraph 15.2 of the Report of Handling, the applicant notes that they have responded in detail to the ornithological matters raised by NatureScot by email on 9th May 2024. NatureScot has responded to note the further response (13th May 2024).

Officer comment: these matters have been suitably addressed and do not change NatureScot's previous advice or the officer recommendation.

4. RECOMMENDATION

It is recommended that the ECU be notified accordingly that:

1. Argyll & Bute Council does not object to the proposed development subject to the inclusion of conditions recommended by consultees being included in any consent.
2. Argyll & Bute Council further recommends the following conditions and provisions for legal agreements as discussed with the applicant to mitigate the specific impacts of the Breackerie Wind Farm proposal:
 - Revision of height above AOD and/or location of T7 and T9 in consultation with Argyll and Bute Council to reduce landscape and visual impact and heritage impacts;
 - Aviation detection lighting system to be installed as soon as practicable, to avoid the visual impact on the dark skies of the Mull of Kintyre;
 - Reduced wind turbine micro-siting allowance of other wind turbines to 50m to ensure no change from assessed proposal, unless otherwise agreed;
 - Delivery of up to 80 ha compensatory biodiversity enhancement measures at Largiebaan Nature Reserve, or an alternative location as agreed in consultation with the Council and consideration of further on-site compensatory planting; and

- Noise protection measures (AM and fixed minimum limits).
3. Regarding the outstanding Aviation matters, Argyll & Bute Council would defer to the expert advice of National Air Traffic Systems and Glasgow Prestwick Airport to resolve these matters with the ECU.

Author of Report: Shelley Gould
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Date: 21st May 2023
Date: 21st May 2023

Fergus Murray
Head of Development and Economic Growth