



Tangy IV Wind Farm S36C Variation

Planning Statement

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Executive Summary

This Planning Statement is submitted by SSE Generation Ltd ('the Applicant') in support of an application under Section 36C of the Electricity Act 1989 ('the 1989 Act') to vary the consent for the Tangy IV Wind Farm, located approximately 9 km northwest of Campbeltown on the Kintyre peninsula in Argyll and Bute. The Scottish Ministers granted consent for the 16 turbine Tangy IV Wind Farm, together with deemed planning permission, in December 2019 ('the Consented Development').

The application proposes to increase the maximum blade tip height of the 16 consented turbines from 149.9 m to up to 200 m, together with associated changes to ancillary infrastructure ('the Proposed Varied Development').

Why the variation is needed

The Consented Development is no longer deliverable in its current form, for two related reasons. First, turbines of the consented blade tip height of 149.9m are effectively no longer available on the market. The onshore wind turbine market has moved towards larger, more efficient machines, and manufacturers are increasingly phasing out turbines of the smaller dimensions consented in 2019. A variation to increase the consented tip height is therefore necessary simply to enable a turbine that is available to be procured and installed. Second, the Consented Development is no longer commercially viable in its current form, principally due to rising supply chain costs and high transmission charges affecting the onshore wind sector in Scotland. The taller, more efficient turbines proposed both restore the commercial viability of the project and allow a currently available turbine model to be procured.

This is a material consideration of real weight as if the variation is not granted, the Consented Development cannot be built, and none of the benefits of either scheme, all of which the Scottish Ministers have already accepted for the Consented Development, will be realised.

An established and accepted starting point

The principle of a large-scale wind farm in this location, and its environmental effects, were established and accepted by the Scottish Ministers in 2019. Consistent with the established approach to Section 36C variations, the accompanying EIA Report and this Planning Statement focus on the effects of the proposed variation when compared with the Consented Development. For

the substantial majority of topics, the effects are unchanged from those already found acceptable.

Enhanced benefits

The Proposed Varied Development maintains and, in several respects, enhances the benefits of the Consented Development. As the Consented Development can no longer be delivered, the variation is how the renewable energy contribution of the site, and the carbon and economic benefits that flow from it, can be realised.

The Proposed Varied Development would deliver an installed capacity of up to 96 MW in direct support of Scotland's legally binding net zero by 2045 target, 16 MW more than the consented scheme; achieve strong carbon performance, with carbon payback in approximately 2.2 years (4.4% of the design life) and a total lifetime carbon saving of over 7,700,000 tonnes. It would reduce woodland loss by 4.92 hectares relative to the Consented Development while retaining an enhanced compensatory planting commitment of 33.79 hectares and would provide an enhanced, index linked community benefit fund of £5,000 per MW per year, alongside substantial construction and operational economic benefits for Kintyre and Argyll and Bute.

Peatland protection as a design priority

Protecting peatland has been a key design priority. The access track layout has been redesigned to route around the extensive deep peat at the centre of the Site, retaining it as a single functioning hydrological unit, and hardstandings have been positioned to avoid or minimise peat disturbance. This avoidance led approach, which accepts a marginal increase in excavation volume in order to protect hydrological integrity, accords directly with the mitigation hierarchy in National Planning Framework 4 ('NPF4') Policy 5.

Effects of the variation

The EIA Report identifies a small number of limited and localised increases in effect arising from the taller turbines, principally: increases in landscape and visual effects, including night time effects associated with aviation lighting required on five turbines; an increase in the predicted effect on the setting of one additional scheduled monument; and an increase in the predicted visual effect on one core path.

Each of these effects is localised, has been assessed in full, and is acceptable having regard to embedded and secured mitigation. These effects are the kind of localised, mitigated effects that NPF4 Policy 11 anticipates as the corollary of maximising renewable energy output. No new significant effects arise for

any other topic, no new community or dwelling is brought into a significant effects category, and there is no adverse effect on the integrity of any designated site, including the Kintyre Goose Roosts Special Protection Area.

Policy compliance

Section 2 of this Statement assesses the Proposed Varied Development against the statutory Development Plan, comprising NPF4 and the Argyll and Bute Local Development Plan 2 ('LDP2'), and against other material considerations. The assessment demonstrates that the Proposed Varied Development accords with NPF4, including Policy 1 (climate crisis), Policy 2 (nature crisis), Policy 3 (biodiversity), Policy 4 (natural places), Policy 5 (soils), Policy 7 (historic assets), Policy 11 (energy), Policy 22 (flood risk) and Policy 25 (community wealth building); with LDP2 Policy 30 and the other relevant LDP2 policies; and with the Argyll and Bute Landscape Wind Energy Capacity Study. Statutory and technical consultees, including the Civil Aviation Authority, Scottish Forestry, NatureScot and others, have engaged constructively, and the design has been refined in response.

Conclusion

The Proposed Varied Development delivers a materially greater renewable energy contribution, improved carbon outcomes, and enhanced community benefit, with only limited and localised additional environmental effects, all of which are acceptable. It accords with the Development Plan and is strongly supported by national energy and climate policy.

The Scottish Ministers are, therefore, respectfully invited to grant the variation sought under Section 36C of the 1989 Act and to direct that planning permission be deemed to be granted for the Proposed Varied Development.

1. Introduction

1.1. Overview

- 1.1.1. This Planning Statement (this 'Statement') has been prepared by SSE Generation Ltd ('the Applicant') in support of an application under Section 36C ('S.36C') of the Electricity Act 1989 ('the 1989 Act') to vary the consent for the Tangy IV Wind Farm. The site lies within the Argyll and Bute Council ('A&BC') local authority area.
- 1.1.2. The statutory consents for the construction and operation of the Tangy IV Wind Farm were granted by the Scottish Ministers in December 2019. The Scottish Ministers granted consent under Section 36 of the 1989 Act, together with a direction under section 57(2) of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act') granting deemed planning permission, for the 16 turbine Tangy IV Wind Farm ('the Consented Development').
- 1.1.3. The S.36C Application seeks to vary the Description of Development set out in Annex 1 of the decision letter for the Consented Development ('the Decision Letter', reproduced at Appendix 1). Principally, the application proposes to increase the maximum blade tip height of the 16 turbines from 149.9 m to up to 200 m, alongside changes to ancillary infrastructure, and to amend the implementation period from December 2028 to December 2030. These variations are referred to in this Statement as 'the Proposed Varied Development'. The Proposed Varied Development would increase the installed capacity of the wind farm from 80 MW to up to 96 MW, an uplift of 16 MW.
- 1.1.4. The Applicant also seeks a direction under the 1997 Act that planning permission be deemed to be granted in respect of the Proposed Varied Development.
- 1.1.5. An Environmental Impact Assessment ('EIA') Report prepared under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('the 2017 EIA Regulations') accompanies the S36C Application ('the EIA Report' or 'EIAR'). This Planning Statement makes various cross references to information contained in the EIA Report and presents an assessment of the Proposed Varied Development against relevant policy with due regard given to the provisions of the statutory Development Plan, now made up of National Planning Framework 4 ('NPF4') and the Local Development Plan ('LDP') for the A&BC, and other relevant material considerations.
- 1.1.6. In *Raeshaw Farms Ltd v Scottish Ministers and Energiekontor UK Ltd* [2026] CSIH 10, the Inner House of the Court of Session confirmed that a competent authority is required to undertake a fact specific evaluation of whether a wind farm and its grid connection constitute a single project requiring cumulative

assessment before any consent is granted. The relevant factors include, but are not limited to, the functional interdependence of the projects, whether both are promoted by the same entity, whether both are being considered simultaneously by the same decision-making body, and whether either element could stand alone as a viable project.

- 1.1.7. The export of electricity generated by the Proposed Varied Development requires a connection to the electricity transmission network operated by Scottish and Southern Electricity Networks ('SSEN') Transmission. The Proposed Varied Development will connect to the Cnoc Buidhe Energy Hub via approximately 5.6 km of underground cable, which will be installed by SSEN Transmission under permitted development rights.
- 1.1.8. SSEN Transmission is in the course of applying to the Scottish Ministers for consent under section 37 of the 1989 Act for the construction of the Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection ('the Shared Use Grid Connection'), connecting the Proposed Varied Development and the Cnoc Buidhe Energy Hub to Carradale Substation in Argyll and Bute, which will be the subject of its own EIA Report. The section 37 application is anticipated to be submitted to the Scottish Ministers at the end of June 2026.
- 1.1.9. Whether the Proposed Varied Development and its grid connection should be treated as a single project is ultimately a matter for determination by the competent authority, and not for the Applicant. A precautionary approach has therefore been adopted: each technical chapter of the EIA Report assesses the potential effects of the grid connection alongside those of the Proposed Varied Development, to the extent that information on the grid connection is reasonably available. Those cumulative effects are addressed in the policy assessment in Section 2 of this Statement.
- 1.1.10. This Statement cross refers to information contained in the EIA Report and presents an assessment of the Proposed Varied Development against the statutory Development Plan, comprising National Planning Framework 4 ('NPF4') and the Argyll and Bute Local Development Plan 2 ('LDP2'), and against other relevant material considerations. It concludes as to the overall acceptability of the Proposed Varied Development.

1.2. Site Location and Description

- 1.2.1. The Site is located approximately 9 km north-west of Campbeltown on the west side of the Kintyre peninsula in Argyll and Bute, Scotland on an area of land which occupies an area of approximately 710 hectares.
- 1.2.2. The A83, the main transport corridor along the Kintyre Peninsula is approximately 1.5km to the west of the Site. The closest villages are Bellochantuy, approximately 2 km north-west of the site, and Kilchenzie, approximately 3 km south of the site.
- 1.2.3. The site sits in an upland rural landscape of moorland, forestry and agricultural land currently used for commercial forestry, grazing and renewable electricity generation (Tangy Wind Farm). The highest point within the application boundary is Cnocan Gean, which lies to the north-east of the existing wind farm at a height of 200m Above Ordnance Datum ('AOD'). In general, the elevation of the site ranges from about 90 m to 200 m AOD.
- 1.2.4. **Chapter 2** of the EIA Report provides a more detailed site description. In addition, refer to the EIA Report **Figures 1.1 – 1.4** for further site layout information.

1.3. Description of Proposed Varied Development

- 1.3.1. **EIAR, Volume 2, Chapter 2 - Design Iteration and Description of the Proposed Varied Development** provides a full description of the Proposed Varied Development. **Table 1.1** sets out its key components and identifies where each constitutes a variation from the Consented Development.

Table 1.1: Comparison of the Description of Development between the Consented Development and Proposed Varied Development

S.36 Consent (Annex 1 Description of Development)	S.36C Proposed Variations	Details of Change
16 turbines each with a maximum blade tip height of up to 149.9m	16 turbines each with a maximum blade tip height of up to 200m	Increase in turbine tip height by up to 50.1m but no change to number of turbines.
Hardstanding area at each turbine base with an approximate area of 1800m ² .	Hardstanding area at each turbine base with an approximate area of 2126m ²	Each hardstanding would increase by approximately 326 m ² to accommodate the proposed candidate turbine model.
Three permanent meteorological masts and associated hardstand areas	Three permanent meteorological masts and associated hardstand areas (new locations)	No change to the number of masts; new locations are proposed. See Figure 1.4: Consented and Proposed Varied Layouts.
Up to four borrow pits	Up to four borrow pits	No change
Up to two site substations	One site substation (new location)	Removal of one substation and relocation of the remaining substation to the north west of the Site, reducing environmental effects and enabling a more efficient grid connection route.
One operations control building with parking and welfare facilities	Operations and control functions integrated within the substation building	The standalone operations control building has been removed from the design; its functions will be integrated within the relocated substation building.
A total of 11km of onsite access tracks with associated watercourse crossings	A total of 12.1km of onsite access tracks with associated watercourse crossings and five turning heads	Increase of up to 1.1 km of onsite access tracks, reflecting the rerouting of the consented central spine track around the central area of deep peat. The turning heads allow vehicles to turn without the need for extended looped tracks or additional passing places.
Onsite underground cabling	Onsite underground cabling	No change
Temporary construction compound and laydown areas	Temporary construction compound and laydown areas	No change
Temporary meteorological masts	Temporary meteorological masts	No change

S.36 Consent (Annex 1 Description of Development)	S.36C Proposed Variations	Details of Change
Temporary telecoms infrastructure	Temporary telecoms infrastructure	No change
Forest removal and subsequent replanting	Forest removal and subsequent replanting	No change to the extent of forestry removal; the replanting proposals have been updated to account for changes to the required bat buffer set back distances.
Dismantling of existing turbines and associated reinstatement	Dismantling of existing turbines and associated reinstatement	No change

- 1.3.2. The following EIA Report figures provide further detail on the site layout: **Figure 1.3: Wider Site Layout Plan** shows the layout of the Proposed Varied Development; and **Figure 1.4: Consented and Proposed Varied Layouts** shows the layouts of the Consented Development and the Proposed Varied Development overlaid.

1.4. The Need and Benefits

Need

The Consented Development is no longer deliverable in its current form, for two related reasons. First, turbines of the consented blade tip height of 149.9m are effectively no longer available on the market. The onshore wind turbine market has moved towards larger, more efficient machines, and manufacturers are increasingly phasing out turbines of the smaller dimensions consented in 2019. A variation to increase the consented tip height is therefore necessary simply to enable a turbine that is available to be procured and installed. Second, the Consented Development is no longer commercially viable in its current form, principally due to rising supply chain costs and high transmission charges affecting the onshore wind sector in Scotland. The taller, more efficient turbines proposed both restore the commercial viability of the project and allow a currently available turbine model to be procured.

Benefits

- 1.4.1. The Scottish Ministers have already accepted, and afforded substantial weight to the benefits of the Consented Development, including its significant contribution to Scotland's renewable energy targets, its carbon savings and its potential to deliver positive economic effects for the local community and for Argyll and Bute. These conclusions remain directly relevant to the Proposed

Varied Development, which maintains, and in several respects enhances, that contribution.

Energy Targets

- 1.4.2. The Proposed Varied Development has an installed capacity of up to 96 MW, an increase of 16 MW over the Consented Development, and therefore makes a greater contribution to Scotland's energy targets and the legally binding target of net zero by 2045. As demonstrated in **Section 2** of this Statement, the Proposed Varied Development is fully aligned with Scotland's statutory climate obligations and the policy direction set by NPF4.

Carbon Savings

- 1.4.3. The taller, more efficient turbines enable the Site to capture higher wind speeds and to generate significantly more renewable electricity from the same land area, improving energy yield and reducing the carbon intensity of the national grid.
- 1.4.4. Protecting peatland has been a key design priority: the access track layout has been redesigned to route around the extensive deep peat in the centre of the Site, retaining it as a single functioning hydrological unit. The carbon loss attributable to the Proposed Varied Development is expected to be paid back in approximately 2.2 years, equivalent to 4.4% of the design life, and the development is expected to deliver a total carbon saving of over 7,700,000 tonnes over its lifetime, equivalent to the emissions from supplying fossil fuel sourced electricity to 96,038 average homes. This directly supports NPF4 Policy 5 and the wider national objective of reducing reliance on fossil fuel generation.

Socio-Economic Benefits

- 1.4.5. The Proposed Varied Development provides socio-economic benefits, including construction employment and long-term operational expenditure within the local economy. The Applicant will provide an enhanced community benefit fund of £5,000 per MW per year which at 96 MW represents a materially greater annual contribution than under the Consented Development.
- 1.4.6. Community benefit funding and the potential for shared ownership further strengthen the project's contribution to local resilience and community development. A standalone Socio-Economic Report accompanying the application sets out these benefits in detail, including job creation and opportunities for local businesses during construction and operation. **Section 2** of this Statement demonstrates that these significant additional benefits can

be achieved with similar, or only marginally increased, environmental effects compared with the Consented Development.

1.5. Legislative Context

- 1.5.1. Consent under section 36 of the 1989 Act is required prior to the construction, extension or operation of a generating station with a capacity in excess of 50 MW. The consenting of generating stations under section 36 of the 1989 Act is devolved, and determination of such applications is the responsibility of the Scottish Ministers. As noted above, the Section 36 Consent and associated deemed planning permission were granted in December 2019. Section 36C of the 1989 Act enables the Scottish Ministers, on an application by the consent holder, to vary a section 36 consent.
- 1.5.2. Section 25 of the 1997 Act (status of the development plan) does not apply to the determination of applications under section 36, or by extension to variation applications under section 36C, of the 1989 Act, as confirmed in *William Grant & Sons Distillers Ltd v Scottish Ministers* [2012] CSOH 98 (paragraphs 17 and 18). The development plan is nonetheless an important material consideration to which the Scottish Ministers must have regard, although they are not required to follow it in the manner required of a planning authority determining a planning application.
- 1.5.3. Schedule 9 of the Electricity Act 1989 requires the Applicant to consider 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 *'shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.'*
- 1.5.4. These considerations are factored into formulating any proposal for generating stations that require consent under Section 36 as a result of which the requirements of Schedule 9 have been addressed through the Applicant's assessment of the Proposed Varied Development under S36C as reported in the EIA Report.
- 1.5.5. The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ('the 2017 EIA Regulations') apply to S.36C applications. The EIA Report has been prepared in accordance with the requirements of the 2017 EIA Regulations.
- 1.5.6. The regulatory context for the proposed varied development is referred to where relevant in this Statement.

1.6. Purpose of the Planning Statement

- 1.6.1. It is well established that an application under section 36C falls to be considered by reference to the effects of the proposed variation. The principle of a large-scale wind farm in this location, and its environmental effects associated with it, have already been established and found acceptable through the granting of the Section 36 Consent in 2019. The determination of this application is therefore concerned not with whether a wind farm of this scale belongs here, as that question has been answered, but with whether the incremental effects of the proposed variations are themselves acceptable. The policy assessment in this Statement, and the EIA Report, both adopt this comparative approach.
- 1.6.2. This Statement sets out a clear, evidence-based justification for the Proposed Varied Development and demonstrates how the proposed variations align with the relevant national and local planning policy framework. It provides a structured assessment of the environmental, technical and socio-economic considerations, showing how the design has evolved to minimise effects and maximise positive outcomes for the local area and the wider energy network.
- 1.6.3. The Statement is intended to act as the primary document guiding the decision maker through the application, drawing together the findings of the EIA Report and other supporting documents. It explains how the proposal accords with the 1989 Act, relevant planning policies and statutory duties, while addressing material considerations including landscape and visual effects, transport, ecology and socio-economic benefits to the community and wider area. It concludes by setting out the planning balance and the basis on which the Scottish Ministers are invited to grant the variation.

1.7. Planning Background

- 1.7.1. The Proposed Varied Development site and its immediate surroundings have been the subject of several planning applications for wind farm development over the past 30 years. For some historical context to the Proposed Varied Development, a summary of these applications is provided below:
- **94/00739/DET** - Tangy I was granted planning permission in February 1997 for 23 turbines with a tip height of 45 metres at Tangy Farm under the Town and Country Planning (Scotland) Act 1997 ('TCPA'). This permission was varied (97/00289/VARCON) in May 1997 to reduce the number of turbines from 23 to 17 and varied a second time (01/01020/VARCON) to increase the tip height of the 17 turbines to 75m. Tangy I was constructed and became operational in 2003.

- **04/01291/DET** - Tangy II was granted planning permission for an additional seven turbines with a tip height of 75m in August 2005. Tangy II was constructed and became operational in 2007.
- **14/02969/PP** - Tangy III was granted planning permission in June 2015. This permitted the repower of Tangy I and II and comprised 16 turbines and associated infrastructure. Tangy III's planning permission was then varied in April 2018 to allow an increase in turbine height from the consented 125m blade tip height, up to a blade tip height of 130m (18/01027/PP). Tangy III was not constructed.
- **ECU00000673** - Tangy IV (the Consented Development) was granted S.36 consent in 2019 for 16 turbines, each with a tip height of 149.9 metres, and a total generating capacity of up to 80 megawatts. It was intended to replace Tangy III and repower the original Tangy I and II developments.

1.7.2. The Scottish Ministers' decision letter for the Consented Development sets out their main considerations in determining the application and the relevant material considerations taken into account.¹

1.7.3. Key reasons given by the Scottish Ministers in granting consent for the Consented Development are outlined in the decision notice and are summarised as follows.

- **Renewable Energy Contribution:** The Scottish Ministers concluded that the Consented Development would make a significant contribution towards renewable energy in keeping with Scottish Government Policy.
- **Carbon Payback:** The Scottish Ministers were satisfied that the Consented Development, "would provide carbon savings, and that these savings would be of an order that weighs in favour of the development."
- **Economic Benefits:** the Scottish Ministers conclude that although it is difficult to quantify overall net economic benefits, they were satisfied that Consented Development would have the potential for significant positive net economic benefits to the local community and Argyll and Bute.
- **Landscape and Visual Impact:** Scottish Ministers concurred with Planning Authority Conclusions that the development would not have a significant impact on the Upland Forest Moor Mosaic LCT nor the Bay Farmland LCT. However, it was acknowledged that when comparing the impact of the Consented Development to the visibility of the existing wind

¹ <https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00000673&T=6>

turbines from the A83, there was potential to worsen the impact on the Rocky Mosaic LCT, but that these impacts would not be “unacceptably” greater than the impacts of the existing wind farm turbines.

- **Heritage Assets:** Scottish Ministers state that they agree that although in EIA terms there would be a significant impact on the settings of the two scheduled monuments assessed, the effects themselves did not adversely affect the integrity of the actual setting of these scheduled monuments. Concern raised by HES in relation to any adverse impact from Turbine 5 on the Tangy Loch Fortified Dwelling was acknowledged by the Scottish Ministers, but they concluded that given the environmental constraints, relocation of turbines (specifically Turbine 5) would be unlikely to give effect to any discernible change to the overall setting of the heritage asset.
- **Policy Support:** the Scottish Ministers were satisfied that the Consented Development was supported by National Policies.
- **Environmental Considerations:** the Scottish Ministers were satisfied that environmental issues, aside from Landscape and Visual, could be appropriately addressed by additional mitigation measures (aside from embedded mitigation) set out in the EIA.
- **Tourism Impact:** the Scottish Ministers were satisfied that no adverse tourism impacts would result from the Consented Development.

- 1.7.4. The Applicant had submitted multiple documents to satisfy pre commencement of works planning conditions of the Consented Development prior to the project being paused. A summary of the status of each planning condition and any documents which have been submitted to satisfy conditions and have supported the impact assessments for the Proposed Varied Development have been included in the EIA Report (refer to **EIAR, Volume 4, Technical Appendix 3.7: Planning Conditions Summary**).

2. Climate Change, Energy Legislation and Planning Policy Considerations

2.1. Policy Background

- 2.1.1. The legislative and policy framework at international, UK and Scottish levels provides strong and consistent support for renewable energy development, including the Proposed Varied Development. Global agreements such as the Paris Agreement, alongside the UN Emissions Gap Report and outcomes from COP28, underline the urgent need to reduce greenhouse gas emissions and transition away from fossil fuels. The UK's ratification of the Paris Agreement has shaped domestic commitments such as net zero by 2050, and the Proposed Varied Development contributes directly to these goals by increasing clean energy capacity beyond that of the Consented Development.
- 2.1.2. Within the UK, legislation including the Climate Change Act 2008 (as amended in 2019), the Scottish climate change legislation and the Energy Act 2023 collectively establishes a legally binding pathway to net zero and a clear mandate to expand renewable energy. The Energy Act 2023 in particular emphasises investment in clean technologies and greater energy independence, a vision reflected in the additional capacity delivered by the Proposed Varied Development. Recent UK energy policy, including the Climate Change Committee's 2024 Progress Report and the Clean Power 2030 Action Plan, highlights the need for rapid deployment of onshore wind and other renewables to meet carbon budgets and strengthen energy security. The project's contribution of up to 96MW of homegrown clean electricity aligns directly with these priorities.
- 2.1.3. Scottish policy provides equally strong support. The Onshore Wind Policy Statement 2022 identifies onshore wind as 'mission critical' to meeting climate targets and acknowledges that taller, more efficient turbines will be required, even where this results in landscape change. The Energy Strategy and Just Transition Plan and the Programme for Government reaffirm Scotland's commitment to a fair, secure and affordable transition to net zero by 2045, notwithstanding the removal of the interim 2030 target. These policies emphasise renewable energy expansion, community benefit and the creation of a robust clean energy pipeline. With an installed capacity of up to 96MW, the Proposed Varied Development sits squarely within this framework, and its enhanced contribution relative to the Consented Development strengthens the case for approval.
- 2.1.4. Overall, Scotland's legally binding 2045 net zero target, combined with the supportive planning context of NPF4, confirms that large scale renewable energy projects such as this are essential to national climate objectives. The Proposed Varied Development will deliver meaningful carbon savings,

enhance energy security and contribute directly to Scotland's long term decarbonisation pathway.

2.2. The Significance of the Established S.36 Consent

- 2.2.1. Before turning to the detailed policy assessment, it is necessary to be clear about the nature of the decision before the Scottish Ministers, because it frames the weight to be given to everything that follows.
- 2.2.2. This is not an application for a new wind farm. Scottish Ministers have already determined, in granting the Section 36 Consent in December 2019, that a wind farm of this scale, in this location, giving rise the environmental effects assessed in the 2018 EIA Report, is acceptable. That determination included an acceptance of significant landscape and visual effects, significant effects on the settings of scheduled monuments, and the carbon, ecological and other effects inherent in developing a wind farm on this Site. The acceptability of those effects has therefore been considered and has been settled. The Decision Letter conclusions summarised record the substantial weight the Scottish Ministers afforded to the renewable energy, carbon and economic benefits of the scheme in reaching that view.
- 2.2.3. It follows that the question for determination is therefore relatively narrow: whether the changes proposed by the variation, assessed against the Consented Development as the baseline, are themselves acceptable. The EIA Report has been prepared on this comparative basis, assessing the difference in effect between the two schemes rather than reassessing the wind farm from first principles.
- 2.2.4. As the assessment in this Section demonstrates, for the substantial majority of environmental topics the effects of the Proposed Varied Development are the same as those of the Consented Development, and therefore remain acceptable for the same reasons the Scottish Ministers have already accepted.
- 2.2.5. For the limited number of topics where the taller turbines give rise to some increase in effect, those increases are localised, have been fully assessed and are acceptable having regard to the embedded and secured mitigation.
- 2.2.6. Where the overall conclusions are not materially changed by the variation, the established acceptability of the Consented Development carries through, and the Proposed Varied Development should likewise be found acceptable. Indeed, in several respects, including its greater renewable energy contribution, improved carbon performance, reduced woodland loss and

avoidance led peatland design, the Proposed Varied Development represents an improvement on the scheme already consented.

- 2.2.7. This established baseline is the lens through which the policy assessment below should be read. It is addressed again in the planning balance at **Section 3**.

2.3. The Development Plan and other material considerations

- 2.3.1. As set out in **Section 1.5**, applications under the 1989 Act are not subject to the statutory duty in Section 25 of the 1997 Act to determine applications 'in accordance with the development plan unless material considerations indicate otherwise'. The Scottish Ministers must nonetheless have regard to the development plan as an important material consideration.
- 2.3.2. The statutory Development Plan, as it relates to the S36C Application, comprises: National Planning Framework 4 ('NPF4'), adopted on 13 February 2023; and the Argyll and Bute Local Development Plan 2 ('LDP2'), adopted in 2024.
- 2.3.3. In addition, the Argyll and Bute Landscape Wind Energy Capacity Study ('LWECS') is non statutory supplementary guidance and is a material consideration. It is addressed at Section 2.5 below.

2.4. National Planning Policy Framework 4 ('NPF4') (2023)

- 2.4.1. Adopted in February 2023, NPF4 sets out the long-term vision for development and investment across Scotland and has replaced Scottish Planning Policy ('SPP') and National Planning Framework 3 ('NPF3'). NPF4 represents Scotland's long-term plan to 2045 that guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial priorities. NPF4 has refocussed national planning policy upon the response to the growing climate and nature crises.

NPF4 - Policies

- 2.4.2. NPF4 sets out the national planning policies to be used in determining applications in Scotland and is an outcome focused document in which all policies must be '*read as a whole*'. The Chief Planner's letter of February

2023² reinforces that policy intent statements are there to guide decision makers and that policy tensions are normal and expected.

- 2.4.3. For the Proposed Varied Development, the key policies are those addressing the climate and nature crises, biodiversity, natural places, soils, historic assets, energy, flood risk and community wealth building. NPF4 places significant weight on the climate crisis and on the contribution developments make to renewable energy generation and emissions reduction, providing strong support for the Proposed Varied Development. Policy 11 deals specifically with energy, including onshore wind.

Policy 11 – Renewable Energy

- 2.4.4. The intent of Policy 11 is *'To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).'*" The policy outcome is stated as the *"Expansion of renewable, low-carbon and zero emissions technology.'*
- 2.4.5. Policy 11(a) states that *'Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported....'* It is clarified in Policy 11 (a)(i) that this includes wind farm development proposals albeit outside National Parks and National Scenic areas (Policy 11(b)).
- 2.4.6. The wording of Policy 11(a)(i) plainly supports wind energy development. NPF4 Part 3 clarifies that *'where a policy states that development will be supported, it is in principle, and it is for the decision maker to take account of all other relevant policies'*.
- 2.4.7. The principle of the Proposed Varied Development is therefore supported by NPF4, and the proposal also falls to be assessed against the other relevant NPF4 policies, with a balanced decision made on its merits having regard to the assessment criteria in Policy 11(e), which are addressed in **Table 2.1 below**.
- 2.4.8. Policy 11(c) requires proposals to demonstrate that they maximise net economic impact, including local employment, supply chain opportunities and wider community benefits. The Scottish Ministers previously concluded, in

² <https://www.gov.scot/publications/chief-planner-letter-transitional-arrangements-for-national-planning-framework-4/>

consenting the original development, that the project had the potential to deliver positive economic benefits for Argyll & Bute and for Scotland.

- 2.4.9. For the Proposed Varied Development, the accompanying Maximising Socio economic Benefits Statement sets out the Applicant's commitments, including a community benefit fund of £5,000 per MW supporting local supply chains, promoting skills development and ensuring fair work practices such as payment of the Living Wage. An Economic Impact Assessment has also been undertaken using the Scottish Renewables and BiGGAR Economics framework. Overall, the Socio-economic Benefit Report confirms that the Proposed Varied Development is expected to generate substantial economic benefits at both local and national levels. More information relating to the Applicant's local and regional community wealth building priorities are discussed in the assessment of NPF4 Policy 25 in **Table 2.2**.
- 2.4.10. **Table 2.1** addresses each criterion of Policy 11 (e) and demonstrates that the impacts of the Proposed Varied Development are broadly similar to those of the Consented Development, with only limited and localised differences as identified.
- 2.4.11. Policy 11 expressly acknowledges that landscape and visual effects are to be expected from renewable energy development of this kind; where such effects are localised and/or appropriate design mitigation has been applied, they will generally be considered acceptable.
- 2.4.12. The scale of the Proposed Varied Development is directly linked to its contribution, and Policy 11 requires that any impacts be evaluated in light of that contribution. Substantial weight should therefore be placed on the generating capacity of the scheme and the associated reduction in greenhouse gas emissions, together with the wider benefits described in **Section 1.3**.
- 2.4.13. It should also be borne in mind that, if the S.36C Application is not granted, none of the benefits associated with either the Proposed Varied Development or the Consented Development will be realised, because the Consented Development is not commercially viable in its current form and will not proceed to construction due to lack of availability of turbines at 149m. For these reasons, the Proposed Varied Development accords with NPF4 Policy 11.

Table 2.1: NPF4 Policy 11 (e) Assessment

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
(i) Communities & Dwellings: Residential amenity; visual impact; noise; shadow flicker	The Proposed Varied Development complies with Policy 11(e)(i). The policy requires it to be demonstrated that project design and mitigation address impacts on communities and individual dwellings in terms of residential amenity, visual impact, noise and shadow flicker, and the assessment demonstrates that. The design of the Proposed Varied Development has been refined through multiple iterations, with turbine and infrastructure locations shaped by constraints analysis, LVIA considerations, national and local guidance and consultation with NatureScot. Mitigation is therefore embedded within the design as far as possible, as described in EIAR Chapter 2. Visual Impact & Residential Amenity Notwithstanding the embedded mitigation, the LVIA concludes that some increases in visual effect would occur, but that these remain limited, predictable and below the threshold of unacceptability. Increased visual effects arise for two residential receptor groupings, Drumlemble and Machrihanish, both within 10km of the Site, from which the taller turbines would appear more prominent. These increases occur within receptor groupings already experiencing significant effects under the Consented Development, and no new residential areas are brought into a significant effects category. The uplift in visual prominence remains proportionate to the scale and location of the development and would not give rise to effects that are overbearing or overwhelming in the context of established wind farm visibility in this part of Kintyre. Due to the increased turbine height, visible aviation lighting is required. The Aviation Lighting Assessment (Technical Appendix 5.10) concludes that cardinal lighting on five turbines would create significant nighttime visual effects notwithstanding embedded	EIAR, Volume 2, Chapter 2: Design Iteration and Description of Proposed Varied Development EIAR, Volume 2, Chapter 5: Landscape & Visual EIAR, Volume 3b, Visualisations EIAR, Volume 4, Technical Appendix 5.1: Assessment and Technical Methodologies EIAR, Volume 4, Technical Appendix 5.5-5.10 EIAR, Volume 2, Chapter 11: Noise EIAR, Volume 3a, Figure 11.1a: Cumulative Noise Contours and Receptors EIAR, Volume 3a, Figure 11.1b: Cumulative Noise

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	mitigation, and further mitigation is therefore proposed. These matters are addressed under criterion (ii) below. Operational Noise Operational noise has been assessed in accordance with ETSU-R-97 and the Institute of Acoustics Good Practice Guide. The assessment found that operational noise could potentially exceed the relevant limits; however, with the implementation of reduced noise operating modes, the limits can be met. The cumulative assessment, which included Beinn an Tuirc III and the proposed Cnoc Buidhe Wind Energy Hub, reached the same conclusion, with effects assessed as not significant once the same mitigation is applied. The Shared Use Grid Connection is sufficiently remote from the Proposed Varied Development that significant cumulative construction or operational noise effects are unlikely, and the underground grid connection cable will not generate operational noise (EIAR Chapter 11). Shadow Flicker Chapter 14 of the EIAR predicts shadow flicker at receptors, including residential receptors, within ten rotor diameters of the turbines, with potentially significant effects in EIA terms prior to mitigation. As for the Consented Development, a shadow flicker control scheme will be secured by pre commencement condition, with the specific control system dictated by the chosen turbine manufacturer. With mitigation in place, no shadow flicker is expected at receptors within ten rotor diameters and residual effects are not significant. Taken together, the findings on visual impact, residential amenity, turbine lighting, noise and shadow flicker demonstrate that, with embedded and enforceable mitigation in place, the Proposed Varied Development would not give rise to effects that are overbearing, overwhelming or otherwise unacceptable for any community or dwelling.	Contours and Receptors (Detailed View) EIAR, Volume 4, Technical Appendix 11.1: Baseline Noise Reanalysis EIAR, Volume 4, Technical Appendix 11.2: Site Specific Noise Limit Derivation EIAR, Volume 2, Chapter 14: Shadow Flicker EIAR, Volume 4, Technical Appendix 14.1 Shadow Flicker Charts

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	The position of nearby communities is, in substance, the position already accepted by the Scottish Ministers in consenting the Consented Development in 2019. The policy is, therefore, fully complied with.	
(ii) Landscape & Visual: Significant landscape/visual impacts (expected for renewables; localised ones acceptable with mitigation)	The Proposed Varied Development complies with Policy 11(e)(ii). The policy expressly anticipates that renewable energy developments will often give rise to significant landscape and visual effects and provides that such effects can be acceptable where they are localised and appropriately mitigated. The assessment demonstrates that this test is met, with most mitigation embedded within the design. The use of taller, more efficient turbines is, moreover, the design response that current national policy anticipates: the Onshore Wind Policy Statement 2022 expressly acknowledges that taller turbines will be required to maximise output, even where this results in landscape change. Landscape effects Increases in landscape effects, principally attributable to the increased turbine height, are geographically contained, largely confined to within 2 to 8 km of the Site, and occur within landscape units already influenced by the Consented Development. For the North Arran National Scenic Area as a whole, the predicted effect is negligible, consistent with the conclusions for the Consented Development. Significant landscape effects arise in limited locations, including parts of LCT 53 (Rocky Coastland - Argyll) and LCT 58 (Sand Dunes and Machair); these remain localised and do not extend across wider landscape character areas or introduce significant effects into designations. Within the West Kintyre Coast Local Landscape Area, a localised increase from minor to moderate (not significant) to moderate (significant) is predicted in the southern section between Westport and Glenacardoch Point; the effect on the northern part of the LLA, north of Glenacardoch Point, would remain unchanged. For the Wild Land Area, a localised	EIAR, Volume 2, Chapter 5: Landscape and Visual EIAR, Volume 3a, Figures 5.1 – 5.10 EIAR, Volume 3b, Visualisations

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	minor (not significant) effect is identified during construction and operation around the more central peaks where higher levels of wildness are experienced; however, no perceptible effect on any of the wild land qualities was identified and the effect on the WLA as a whole is predicted to be negligible (not significant). Visual effects Visual effects increase in a predictable and contained pattern, with ten viewpoints showing higher levels of effect, primarily within 15 km and especially to the south across Aros Moss. These increases reflect the expected outcome of taller turbines rather than any fundamental change in the nature or extent of visibility. The pattern of significant visual effects remains broadly consistent with the Consented Development and no new areas would experience major visual effects. Route based effects remain largely unchanged, with only Core Path C086 experiencing a higher rating, and residential effects increase only for the Drumlemble and Machrihanish receptor groupings. Aviation lighting Due to the increased turbine height, cardinal lighting is required on five turbines. The Aviation Lighting Assessment (Technical Appendix 5.10) concludes that the required lighting would give rise to significant localised effects for certain receptors, comprising two LCTs, four viewpoints, one residential grouping and two route based receptors, arising primarily because the study area currently contains very little artificial lighting and receptors are therefore more sensitive to new light sources. Mitigation has been incorporated into the design and continues to be refined through consultation with statutory bodies, including automatic dimming of lights in conditions of good visibility, vertical directional intensity reduction to limit brightness when viewed from above or below the nacelle, and a reduced lighting scheme limiting visible lighting to the cardinal turbines only.	

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	Although some increases in landscape, visual and nighttime lighting effects would occur, they remain geographically limited, predictable and proportionate to a development of this scale, with no unacceptable impacts on designated landscapes, key receptors or the wider character of Kintyre. These are precisely the localised, mitigated effects that Policy 11(e)(ii) anticipates and accepts as the corollary of maximising renewable energy output, and the policy is complied with.	
(iii) Public access: Long-distance walking/cycling routes, scenic routes	The Proposed Varied Development complies with Policy 11(e)(iii). The LVIA in Chapter 5 of the EIA Report confirms that the relevant Core Paths (those being C083, C086, C087, C089, C447 and C448) will remain fully accessible, unobstructed and operational throughout all stages of the Proposed Varied Development: public access is not merely safeguarded but entirely unaffected in functional terms. With the exception of Core Path C086, predicted visual effects remain minor to moderate and not significant, as for the Consented Development, meaning the scenic and recreational qualities of the wider access network are preserved. For Core Path C086, the assessment identifies an increase from moderate to moderate to major, reflecting greater turbine visibility along parts of the Machrihanish coastline. However, the route would continue to offer uninterrupted access, open coastal views and a high-quality recreational experience. NPF4 does not require the avoidance of all significant visual effects; the overall attractiveness and functionality of the route would be maintained. The proposal is accordingly compliant with Policy 11(e)(iii). In terms of access during construction, Chapter 13 (Land Use, Socio Economics and Recreation) confirms that the Proposed Varied Development does not alter the underlying receptor base or recreational use of the area, nor introduce changes that	EIAR, Volume 2, Chapter 5: Landscape and Visual EIAR, Volume 3b, Visualisations EIAR, Volume 4, Technical Appendix 5.1: Assessment and Technical Methodologies EIAR, Volume 2, Chapter 13: Landuse, Socio Economics and Recreation.

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	would call into question the conclusions reached for the Consented Development. On that basis, recreation was scoped out of the EIA Report.	
(iv) Aviation/defence interests: Including seismological recording	The Proposed Varied Development complies with Policy 11(e)(iv), and aviation and defence interests are fully safeguarded. The additional turbine height of the Proposed Varied Development requires further mitigation for aviation safety purposes. A revised aviation lighting assessment, recommending visible lighting on five turbines and infrared lighting on all turbines, has been approved by the Civil Aviation Authority, and the Applicant will submit an Aviation Safety and Lighting Scheme to discharge the relevant conditions, which will require to be re applied to the Proposed Varied Development. NATS has indicated that some turbines may affect the Lowther Hill radar, and discussions are underway to agree mitigation, expected to be delivered through Multi Radar Tracker blanking, which is a new requirement compared with the Consented Development. With these measures in place, aviation effects during construction, operation and decommissioning are assessed as negligible and not significant (EIAR Chapter 15). The acceptance of the revised lighting assessment by the Civil Aviation Authority provides significant assurance that the aviation safety solution for the Proposed Varied Development is robust and deliverable.	EIAR, Volume 2, Chapter 15: Aviation EIAR, Volume 4, Technical Appendix 15.2: Civil Aviation Authority (CAA) Response to Aviation Lighting Assessment Report EIAR, Volume 4, Technical Appendix 15.3: Tangy IV Wind Farm Instrument Flight Procedure Assessment – Campbeltown and Islay Airports
(v) Telecommunications/ broadcasting: Particularly ensuring transmission	Policy 11(e)(v) requires it to be demonstrated that project design and mitigation address impacts on telecommunications and broadcasting. During pre application consultation, British Telecommunications ('BT') and the Joint Radio Company ('JRC') were consulted. JRC requested a 50m micrositing allowance in respect of radio link infrastructure and does not foresee any issues based on known interference patterns. BT raised no	EIAR, Volume 4, Technical Appendix 5.2: Summary of Scoping Process

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
links are not compromised	concerns that the proposed development would interfere with its radio network (see EIAR Technical Appendix 3.2: Scoping Opinion). Neither consultee raised any concerns and telecommunications impacts were therefore scoped out of the EIA, with mitigation through micro siting to be secured by condition. Transmission links are not compromised and Policy 11(e)(v) is fully complied with.	
(vi) Road traffic/adjacent trunk roads: Including during construction	The Proposed Varied Development complies with Policy 11(e)(vi). The effects of the Proposed Varied Development are the same as those of the Consented Development, already accepted by the Scottish Ministers: all effects are assessed as negligible and temporary in nature. The potential for significant cumulative traffic and transport effects arising from the construction of the Proposed Varied Development together with the Shared Use Grid Connection has also been considered. On the basis of the information on the grid connection reasonably available at this time, no new significant cumulative effects are likely to arise that cannot be managed through the mitigation framework secured through an updated Traffic Management Plan and/or planning condition.	EIAR Volume 2, Chapter 12: Traffic and Transport EIAR, Volume 4, Technical Appendix 12.1: Abnormal Indivisible Load Route Survey
(vii) Historic environment	The Proposed Varied Development complies with Policy 11(e)(vii). The mitigation hierarchy has been applied: direct effects are avoided where possible and otherwise reduced to negligible levels, and the integrity of the settings of all scheduled monuments is preserved. A full assessment is provided in EIAR Chapter 10: Cultural Heritage and its associated figures and appendices. The assessment concludes that the Proposed Varied Development introduces some additional cultural heritage effects beyond those identified for the Consented Development, each of which is addressed below.	EIAR, Volume 2, Chapter 10: Cultural Heritage EIAR, Volume 3a, Figure 10.1: Cultural Heritage Assets in the Inner Study Area

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	Direct effects The revised layout introduces potential direct effects on two low sensitivity, non-designated assets of local heritage value: Site 1 (the fragmentary remains of a small building) and Site 15 (a simple sheepfold). Site 1 will be avoided through high visibility demarcation during access track construction and, if avoidance is not possible, will be subject to archaeological excavation and recording to West of Scotland Archaeology Service ('WoSAS') standards. Site 15 will be preserved by record through written, photographic and surveyed documentation prior to ground disturbance. These measures reduce effects to negligible or none. As concluded for the Consented Development, following mitigation agreed with WoSAS, the residual effect on previously unrecorded archaeological remains would be of no more than minor significance (not significant in EIA terms). Setting effects The effects on the settings of two of the three scheduled monuments in the study area remain the same as for the Consented Development (moderate, significant), with one scheduled monument, Killoccraw, cairn 640 m E of (SM3647, Site 43), increasing from not significant to moderate (significant). The EIAR concludes that, although the Proposed Varied Development would introduce a noticeable change to the setting of each monument, key views and intervisibility with related sites would remain unaffected. It would remain possible to experience and understand the cultural significance of the fortified dwelling and the cairns, with their settings retained and their integrity not significantly compromised, as was determined for the Consented Development. All other setting effects would be minor or not significant.	EIAR, Volume 3a, Figure 10.2a: Cultural Heritage 5 km Outer Study Area EIAR, Volume 3a, Figure 10.3: Cultural Heritage 10 km Outer Study Area EIAR, Volume 4, Technical Appendix 10.1: Additional Cultural Heritage Assets in the Inner Study Area EIAR, Volume 4, Technical Appendix 10.2: Cultural Heritage Asset Setting Assessment EIAR, Volume 4, Technical Appendix 10.3: Cultural Heritage Assets in the Outer Study Area with No Predicted Visibility EIAR, Volume 4, Technical Appendix 10.4: Revised Cultural Heritage Viewpoints

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	Cumulative effects A significant cumulative effect is predicted from the Proposed Varied Development in combination with six proposed cumulative developments, including the Shared Use Grid Connection. During construction, the underground grid connection cable between the Site and the Cnoc Buidhe Energy Hub would cross the northern end of the Inner Study Area and tie into the proposed substation. A number of heritage assets, including a cluster of five shielings (WoSAS 3092/58784, Sites 139 to 141) and one sheepfold (WoSAS 59606, Site 11), are recorded in this area; none is predicted to be directly affected by construction of the Proposed Varied Development. Accordingly, no likely significant cumulative direct (construction) effects are predicted and no additional mitigation is proposed. During operation, a residual effect of moderate significance (significant in EIA terms) would remain on the setting of Killocraw, cairn 450 m ESE of (SM3664, Site 21), as concluded for the Consented Development, with an additional moderate (significant) effect predicted on Killocraw, cairn 640 m E of (SM3647, Site 43) as a result of the Proposed Varied Development. The combined developments would not, however, adversely affect the overall heritage value or cultural significance of these assets.	
(viii) Hydrology/water environment/flood risk	The Proposed Varied Development layout includes additional new track sections and two new watercourse crossings. Chapter 9 of the EIAR assesses the impact of these layout changes on the water environment. The conclusion of the assessment is that these changes do not alter the overall mitigation approach as was proposed for the Consented Development, as embedded mitigation has simply been extended to cover the new works while the standard mitigation measures remain identical to those already approved. Consequently, the significance of effects is unchanged, with all watercourses	EIAR, Volume 2, Chapter 9: Surface Water EIAR, Volume 3a, Figure 9.1: Surface Water Courses EIAR, Volume 3a, Figure 9.2: Private Water Supplies

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	continuing to experience only slight (Not Significant) effects during both construction and operation. In summary, embedded mitigation for the Proposed Varied Development includes revised track routing to avoid watercourses where possible, along with design assumptions for new track sections such as the use of granular construction material, appropriate drainage, and bunding to prevent runoff. These measures also include avoiding unnecessary new watercourse crossings, ensuring that the design itself reduces potential impacts on the water environment before standard mitigation is applied. No new or revised standard mitigation is required for the Proposed Varied Development, as the existing measures remain appropriate and effective. These include established practices for pollution prevention, runoff and drainage management, spill response, protection of watercourse morphology, and the management of water from excavations. The mitigation measures set out in the approved CEMP and Water Management Plan continue to apply. Cumulative impacts have also been assessed as some elements of the Proposed Varied Development interact with the laying of the underground cables associated with the SSEN Grid Connection. With standard mitigation and the use of appropriate methods to minimise or remove potential surface water run-off or pollution - such as horizontal directional drilling ('HDD') to lay cables under water features and/or diverting flow during works and concentrating this at seasonal periods of low flow and the application of a suitable drainage system with treatment measures - the risk can be effectively managed.	EIAR, Volume 3a, Figure 9.3: Private Water Supplies with SEPA Buffer Zones EIAR, Volume 3a, Figure 3.4: Post Scoping Preapplication Consultation EIAR, Volume 4, Technical Appendix 9.1: Private Water Supply Assessment EIAR, Volume 4, Technical Appendix 9.2: Environmental Authorisation (Scotland) Regulations Licences

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
(ix) Biodiversity: Including impacts on birds	Ecology The ecological assessment in Chapter 7 of the EIAR concludes that the Proposed Varied Development will result in no significant adverse effects on any Important Ecological Feature, either during construction or operation, once embedded and targeted mitigation measures are applied. The one potentially significant effect identified, being bat collision risk during operation, is fully addressed through a targeted mitigation measure and is assessed as negligible at the residual level. No significant cumulative effects are identified. The effects of the variation on ecological receptors are not materially different from those assessed and consented for the original scheme. Against this baseline, the Proposed Varied Development delivers substantial positive ecological outcomes. The revised HMP commits to 79.48ha of forest to bog restoration, exceeds NatureScot's 1:10 peatland compensation ratio, and is supplemented by native broadleaved woodland planting. Notably, an area of peatland restoration has already been delivered pre-construction by Forestry and Land Scotland on behalf of SSER, demonstrating the Applicant's commitment to early habitat enhancement. Whilst no formal percentage gain is mandated in Scotland, a gain of +10% or above is considered significant biodiversity net gain in the Statutory Metric approach to BNG in England and has become a benchmark in Scotland in the absence of a Scottish equivalent. Taken together, the measures noted above for the Proposed Varied Development deliver a quantified BNG of +33% above baseline, well in excess of the expected +10% threshold for significant BNG under NPF4 Policy 3. The Proposed Varied Development therefore satisfies Policy 11(e)(ix) in respect of ecology, demonstrating both no unacceptable ecological impacts and a strong, evidenced commitment to biodiversity net gain.	EIAR, Volume 2, Chapter 7: Ecology & Nature Conservation EIAR, Volume 3a, Figure 7.1: Designated Sites EIAR, Volume 3a, Figure 7.2: NVC Communities – Proposed Varied Development EIAR, Volume 3a, Figure 7.3: GWDTEs – Proposed Varied Development EIAR, Volume 3a, Figure 7.4: Bat Roost Assessment EIAR, Volume 3a, Figure 7.5: Badger Survey Results (Confidential) EIAR, Volume 2, Chapter 6: Ornithology EIAR, Volume 4, Technical Appendix 6.1: Ornithology Technical Report EIAR, Volume 4, Technical Appendix 6.2: Shadow

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	Ornithology In relation to ornithology, Policy 11(e)(ix) requires developments to protect bird species and designated sites, avoid significant or unacceptable impacts, apply effective mitigation where needed and ensure no adverse effect on the integrity of any SPA. Chapter 6 of the EIAR demonstrates that the Proposed Varied Development introduces several changes compared with the Consented Development, most notably the requirement for different aviation lighting, updated collision risk modelling and new ornithological survey data. Effects on Greenland white fronted goose ('GWfG') are assessed as not significant, with no predicted attraction or barrier effects. Collision risk modelling has been updated to reflect the taller turbines and new datasets, but collision risk for all species, including the newly assessed white tailed eagle, remains low or negligible. Updated surveys show more frequent use of Tangy Loch by GWfG and some additional hen harrier activity. Nevertheless, the assessment concludes that disturbance during construction and decommissioning would be minor and not significant, with no long-term displacement effects anticipated and no adverse effect on the integrity of the Kintyre Goose Roosts SPA (see the Shadow Habitats Regulations Appraisal at Technical Appendix 6.2). It is notable that the recorded use of Tangy Loch by GWfG is greater than that identified during the operational monitoring undertaken for the existing Tangy I and II wind farms. While the reasons for this are likely to be multifaceted, and interpretation of the survey data is a matter for NatureScot, the continued and increased use of the area by the species alongside a wind farm that has been operational since 2003 is consistent with the assessment's conclusion that the existing and Proposed Varied Development would not result in significant displacement or barrier effects. This provides additional	Habitats Regulations Appraisal Report for Kintyre Goose Roosts SPA EIAR, Volume 3a, Figure 6.1: Vantage Point Locations and Viewsheds at 75 m EIAR, Volume 3a, Figure 6.2: Vantage Point Location for Roosting Goose Surveys EIAR, Volume 3a, Figure 6.3: Vantage Point Surveys Figure 6.3-6.13 EIAR, Volume 3a, Figure 6.14: Roosting Goose Surveys – GWfG Registrations EIAR, Volume 3a, Figure 6.15: Cumulative Assessment – Kintyre Goose Roosts SPA EIAR, Volume 3a, Figure 6.15 (Supplement): Golden Eagle Topographical Model

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	reassurance that the local goose population can continue to make use of the area alongside operational wind farm infrastructure. Barrier effects and cumulative effects remain unchanged and not significant. Ornithological mitigation Mitigation remains largely consistent with that secured for the Consented Development. The Breeding Bird Protection Plan approved through the condition discharge process will continue to apply, with minor updates to include additional protection for Schedule 1/1A breeding and roosting birds, including hen harrier. The only wholly new mitigation relates to aviation lighting, which is minimised through the use of flashing red lights at hub height and the intensity reduction measures described under criterion (ii). No other changes to mitigation are required because all other effects remain low, negligible or not significant. In summary, all new or changed effects are minor, low, negligible or not significant. The Proposed Varied Development avoids any unacceptable impacts on biodiversity, including birds, protects all designated sites, and goes further by securing positive ecological enhancement. Policy 11(e)(ix) is fully complied with.	EIAR, Volume 3a, Figure 6.15 (2nd Draft): GOT Model EIAR, Volume 3a, Figure 6.16: Argyll Eagle Data 6 km EIAR, Volume 3a, Figure 6.17: Argyll Raptors Data 2 km EIAR, Volume 3a, Figure 6.18: Hen Harrier Breeding
(x) Trees, woods, forests	The Proposed Varied Development results in a materially improved forestry outcome when compared with the Consented Development and introduces no additional adverse effects requiring further mitigation under Policy 11(e)(x). Design refinements, most notably the reduction in bat buffer extents, reduce total woodland loss from 31.73 ha to 26.81 ha, a net reduction of 4.92 ha, demonstrating clear application of the mitigation hierarchy by avoiding and minimising woodland removal at source. The Applicant will retain its enhanced compensatory planting commitment of	EIAR, Volume 2, Chapter 13: Land use, Socio Economics and Recreation.

NPF4 Policy 11 (e)	Assessment of Impacts and Mitigation	Relevant EIAR Chapter, Figures & Technical Appendices
	33.79 ha, exceeding the original requirement and ensuring a continued net positive contribution to woodland cover in the area. The Proposed Varied Development, therefore, does not merely satisfy Policy 11(e)(x): it improves the forestry outcome relative to the scheme the Scottish Ministers have already consented.	
(xi) Decommissioning of developments: Including ancillary infrastructure and site restoration	No change proposed to mitigation for Consented Development	
(xii) Quality of site restoration plans: Including measures to safeguard/guarantee finances	No change proposed to mitigation for Consented Development	
(xiii) Cumulative impacts	All cumulative impacts in relation to the Proposed Varied Development are discussed separately as part of each criteria review within this table.	

Table 2.2: NPF4 Policy Assessment

Policy 1 (Tackling the climate and nature crises)	Relevant Table and/or EIA Chapters, Figures and Appendices
NPF4 Policy 1 requires that significant weight is given to the global climate and nature crises in all planning decisions. The policy establishes a clear national direction that development proposals must actively support Scotland's transition to net zero while safeguarding and enhancing natural systems. Renewable energy infrastructure is explicitly recognised as essential to delivering this transition, and Policy 1 therefore provides a strong presumption in favour of low-carbon energy generation where environmental effects can be appropriately managed. It is considered therefore that the Proposed Varied Development is compliant with NPF4 Policy 1.	Section 2.1 of this statement.
Policy 3 – Biodiversity	
NPF4 Policy 3 requires development proposals to contribute to the enhancement of biodiversity, including restoring degraded habitats, and requires it to be demonstrated that proposals will conserve, restore and enhance biodiversity and deliver positive effects, secured within a reasonable timescale. The Proposed Varied Development meets these requirements. The ecological assessment summarised against Policy 11(e)(ix) in Table 2.1 demonstrates that adverse effects on habitats and species are avoided or mitigated, and the Habitat Management Plan secures measurable, long term enhancement, including new woodland planting to create foraging and commuting corridors, restoration of mire and rush pasture communities, and the removal and reinstatement of redundant Tangy I and II infrastructure. The net reduction of 4.92 ha in woodland loss relative to the Consented Development, combined with the retained compensatory planting commitment of 33.79 ha, delivers a net positive woodland outcome. The Proposed Varied Development therefore complies with Policy 3.	Table 2.1, NPF4 Policy 11 (e)(ix)
Policy 4 (Natural Places)	
NPF4 Policy 4 requires decision-makers to protect, enhance, and restore natural assets; avoid unacceptable impacts on biodiversity; safeguard protected species and habitats; and support nature recovery. It is clear from the information provided in the assessment of NPF4 Policy 11 (e) (ix) (Table 2.1) that any potential impacts on natural assets, protected species and habitats have been assessed in keeping with all	Table 2.1, NPF4 Policy 11 (e)(ix) EIAR, Volume 3a, Figure 7.1: Designated Sites

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relevant guidance and in consultation with NatureScot and that all unacceptable impacts on biodiversity have been avoided where possible or mitigation measures have been put in place to minimise impacts. The Habitat Management Plan and reinstatement measures deliver long-term ecological enhancement, including woodland creation, mire restoration, and improved habitat diversity. In terms of designated sites, it has been determined that potential impacts on Tangy Loch Site of Special Scientific Interest remain the same as for the Consented Development.

The Proposed Varied Development fully complies with NPF4 Policy 4, protecting natural assets, avoiding unacceptable impacts, and delivering meaningful ecological enhancement.

EIAR, Volume 3a, Figure 7.2: NVC Communities – Proposed Varied Development

EIAR, Volume 3a, Figure 7.3: GWDTEs – Proposed Varied Development

EIAR, Volume 3a, Figure 7.4: Bat Roost Assessment

EIAR, Volume 3a, Figure 7.5: Badger Survey Results (Confidential)

Policy 5 (Soils)

The Proposed Varied Development fully complies with Policy 5, and the approach to peatland is a particular strength of the varied design. Policy 5 requires development on peatland, carbon rich soils or priority peatland habitat to be supported by a detailed site-specific assessment identifying baseline conditions, likely effects and net effects, and the assessment undertaken for the Proposed Varied Development meets this requirement in full. Comprehensive peat probing, geological characterisation and groundwater baseline studies have been completed, confirming the presence of peat exceeding 1 m in depth across parts of the Site. The EIAR provides a clear evaluation of effects on peat and hydrogeology, concluding that residual effects are minor adverse or negligible and not significant, with no operational effects anticipated. These conclusions are consistent with those reached for the Consented Development.

Protecting peatland has been a key design priority for the Proposed Varied Development, reflecting the avoidance led approach required by the Policy 5 mitigation hierarchy. The Applicant's design review identified that the consented central spine track would cross extensive deep peat, requiring significant excavation and disrupting hydrological connectivity. The access track layout was therefore redesigned to route around the central peat area while maintaining access to all turbines, and turning heads have been incorporated to allow vehicles to turn without the need for extended looped tracks or additional passing places. Where possible, hardstandings were rotated or repositioned to avoid peat entirely; where full avoidance was not achievable, layouts were adjusted to locate hardstandings in areas of shallower peat, reducing the depth and extent of disturbance. This embedded mitigation sits alongside the measures carried

EIAR, Volume 2, Chapter 8 Geology, Soils & Peat

EIAR, Volume 3a, Figures 8.1–8.7:

EIAR, Volume 3a, Figure 8.1.1: Peat Excavation

EIAR, Volume 4, Technical Appendix 8.1 and 8.2

forward from the Consented Development, including the use of floating roads, the re use of existing Tangy I and II infrastructure and a 50m micro siting allowance.

The Proposed Varied Development would result in approximately 2% greater peat excavation volumes than the Consented Development. This marginal increase should be considered in the context of longer access tracks and larger hardstandings, and of design changes made deliberately to reduce the intersection of the peat body through the centre of the Site so that it is retained as a single functioning hydrological unit. The design therefore prioritises the ecological and hydrological integrity of the peatland resource over a simple minimisation of excavation volume, consistent with the intent of Policy 5. Where disturbance is unavoidable, best practice construction methods will be secured through the CEMP and Construction Method Statement.

Policy 5 recognises at part (c) that renewable energy development may be acceptable on peatland where it delivers wider carbon benefits. The carbon balance assessment demonstrates a major beneficial effect. The carbon loss attributable to the Proposed Varied Development is expected to be paid back in approximately 2.2 years, equivalent to 4.4% of the design life, and the development is expected to deliver a total carbon saving of over 7,700,000 tonnes over its lifetime, equivalent to the emissions from supplying fossil fuel sourced electricity to 96,038 average homes. Even adopting the maximum values scenario, the Proposed Varied Development would achieve carbon balance within 3.9 years (7.8% of the design life) and would therefore make a beneficial contribution to the Scottish Government's carbon emissions targets. This aligns directly with Policy 5(c).

Policy 7 Historic Assets

This policy requires that development proposals protect, conserve, enhance and, where appropriate, avoid adverse impacts on the historic environment. The policy emphasises the need to understand the cultural-heritage baseline, avoid or minimise harm through design, and apply the mitigation hierarchy where impacts cannot be fully avoided.

Compliance with Policy 7 has already been demonstrated in the assessment of Policy 11 (e)(vii) in **Table 2.1** above.

Table 2.1, NPF4 Policy 11 (e)(vii)

Policy 22: Flood Risk

NPF4 Policy 22 requires development to avoid increasing flood risk, be safely located and designed for future climate-driven flood conditions, and not materially worsen flood risk elsewhere

EIAR, Volume 2, Chapter 9: Surface Water

The Proposed Varied Development has been designed to minimise interaction with the water environment, with most new infrastructure located more than 50 m from watercourses and only a small number of new crossings required. As stated in Table 2.1, in the review of NPF4 Policy 11 (e)(viii), the embedded mitigation within the design, combined with established standard mitigation measures secured through the Consented Development, ensures that risks to surface water quality, hydrology, and flood risk are effectively controlled. The approved CEMP and Water Management Plan provide a robust framework for pollution prevention, runoff management, and protection of watercourse morphology.

When assessed against NPF4 Policy 22: Flood Risk and Water Management, the development performs strongly. It avoids sensitive water features where possible, incorporates sustainable drainage and flow management measures, and follows SEPA regulatory guidance and industry good practice. These measures collectively ensure that the development does not increase flood risk, does not adversely affect the water environment, and safeguards the natural function and form of watercourses.

Overall, all watercourses are predicted to experience only slight (not significant) effects during both construction and operation, with no unacceptable risks to surface water quality. No significant residual effects are anticipated, and the development is therefore considered fully compliant with NPF4 Policy 22, with a clearly positive planning balance for the water environment.

EIAR, Volume 3a, Figure 9.1: Surface Water Courses

EIAR, Volume 3a, Figure 9.2: Private Water Supplies

EIAR, Volume 3a, Figure 9.3: Private Water Supplies with SEPA Buffer Zones

EIAR, Volume 3a, Figure 3.4: Post Scoping Preapplication Consultation

EIAR, Volume 4, Technical Appendix 9.1: Private Water Supply Assessment

EIAR, Volume 4, Technical Appendix 9.2: Environmental Authorisation (Scotland) Regulations Licences

Policy 25: Community Wealth Building

The Proposed Varied Development fully complies with Policy 25 and demonstrates a comprehensive, evidenced approach to community wealth building. Policy 25 seeks to promote a fairer, more inclusive economy by ensuring that development proposals contribute to local prosperity, reduce inequality and keep wealth circulating within communities. The standalone Socio-Economic Report submitted with the application sets out in full how the Proposed Varied Development is expected to generate economic and social benefits for the local, regional and national economy, and the Applicant's commitments to maximising those benefits. The key principles of the policy, and the proposal's alignment with them, are summarised below.

The key principles of this policy and how the Proposed Varied Development aligns with the policy is summarised below.

1) Development should support local and regional Community Wealth Building strategies.

The Applicant actively promotes local and regional Community Wealth Building strategies, recognising shared ownership as a key mechanism for community empowerment and long-term revenue generation. While structural barriers to community investment remain, the Applicant continues to work with the UK and Scottish Governments and GB Energy to address financing challenges and expand community participation in low-carbon infrastructure. The Stakeholder Engagement Manager will facilitate shared ownership discussions as the project progresses, ensuring that opportunities for plural ownership remain open and transparent.

At a regional level, the transition to net zero is recognised as a major opportunity to support population retention, attract young people, and strengthen local labour markets. The Applicant is committed to collaborative working with regional bodies, including ABRA, to maximise these benefits and support a coordinated approach to economic development.

2) Proposals should demonstrate how they will retain economic benefit locally, including through local supply chains, fair work, skills development and community participation.

The Applicant's commitments to progressive procurement – including Meet-the-Buyer events, transparent reporting of local content, Social Value Action Plans, and strengthened expectations under SSE's Sustainable Procurement Code – ensure that local businesses can access opportunities and that wealth is retained within the region.

3) Applicants should show how the development will reduce inequality, improve access to opportunities, and contribute to a more inclusive economy.

As part of its progressive procurement commitment, the Applicant will place strong focus on fair employment and skills development, including apprenticeships, STEM engagement, Living Wage employment, and partnerships with ABRA, DYW and local schools to build long-term capacity in high-value technical roles. These measures directly support Policy 25's emphasis on fair work, skills pathways and inclusive economic participation

4) Community benefit and participatory approaches are supported and encouraged.

The Applicant also demonstrates a sustained commitment to community empowerment, with a structured community benefit package of £5,000/MW/year, split between the Tangy Community Fund and a region-wide Sustainable Development Fund. This dual-funding model ensures both locally targeted support

and strategic investment across Argyll and Bute, enabling communities to deliver projects that create opportunities, empower residents and build sustainable places. The Applicant's long-standing presence in Kintyre, ongoing engagement with EKREG, and adherence to SSE's Community Investment Principles ensure that community perspectives shape decision-making throughout the project lifecycle.

5) Proposals aligned with local economic priorities and delivering place-based value will be supported.

The Proposed Varied Development strongly aligns with this policy by delivering a comprehensive, place-based approach that embeds economic, social and environmental value across Argyll and Bute. The project will retain substantial economic benefit locally, including £19.7 million in construction contracts, 160 job years during development, and £1.3 million GVA and 12 long-term operational jobs annually, supporting local supply chains across engineering, construction trades, forestry, accommodation and services. These impacts demonstrate that the project will anchor economic benefits within the region and strengthen local resilience in line with the core aims of Policy 25.

Finally, the project's approach to environmental enhancement, including biodiversity net gain, peatland restoration, woodland creation and responsible repowering, supports high-quality natural environments that underpin local wellbeing and tourism. These environmental commitments reinforce the socio-economic benefits of the project and align with Policy 25's focus on the socially productive use of land and long-term community value.

Collectively, these measures demonstrate that the Proposed Varied Development fully complies with NPF4 Policy 25 by delivering lasting, locally retained economic, social and environmental value, strengthening local supply chains, supporting fair employment, empowering communities, and contributing meaningfully to a fair and resilient transition to net zero across Argyll and Bute.

- 2.4.14. NPF4 requires significant weight to be given to the climate and nature crises (Policy 1), and Policy 11 strongly supports renewable energy development. The assessment above demonstrates that the Proposed Varied Development achieves an appropriate balance: it protects and enhances biodiversity, natural places, soils, forestry and historic assets, manages flood risk, and supports community wealth building through careful design, mitigation and community funding, while delivering nationally important climate benefits. Read as a whole, NPF4 provides clear and strong support for the Proposed Varied Development.

2.5. Argyll and Bute Local Development Plan 2 (LDP2) (2024)

- 2.5.1. LDP2 forms part of the adopted Development Plan alongside NPF4. Policy 30 (The Sustainable Growth of Renewables) is the key policy for assessing onshore wind proposals, and LDP2 confirms that its landscape and visual requirements must be read in the wider context of the Development Plan, including the relevant provisions of NPF4 such as Policy 11.

Policy 30

- 2.5.2. Policy 30 supports renewable energy proposals where they follow sustainable development principles and where it can be clearly demonstrated that they will not give rise to unacceptable effects on local communities, the natural or historic environment, or landscape and visual amenity. Proposals must also demonstrate that they can operate alongside neighbouring land uses without conflict.
- 2.5.3. As a full NPF4 assessment has been completed above, and the matters covered by the Policy 30 criteria overlap substantially with national policy, **Table 2.3** cross refers to the relevant NPF4 assessment for each criterion. None of the Policy 30 criteria raises matters beyond those already addressed under NPF4.

Table 2.3: LDP2 Policy 30 Assessment

Policy 30 Criteria	Where criteria already assessed	Complies with Policy?
Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker	Table 2.1 – NPF4 Policy 11(e)(i)	Yes
Landscape and visual impacts	Table 2.1 – NPF4 Policy 11(e)(ii)	Yes
Effects on the natural heritage, including birds	Table 2.1 – NPF4 Policy 11(e)(ix)	Yes
Impacts on carbon rich soils, using the carbon calculator	Table 2.2 – NPF4 Policy 5	Yes

Public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF	Table 2.1 – NPF4 Policy 11(e)(iii)	Yes
Impacts on the historic environment, including scheduled monuments, listed buildings and their settings	Table 2.1 – NPF4 Policy 11(e)(vii)	Yes
Impacts on tourism and recreation	Table 2.1 – NPF4 Policy 11(e)(iii)	Yes
Impacts on aviation and defence interests and seismological recording	Table 2.1 – NPF4 Policy 11(e)(iv)	Yes
Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised	Table 2.1 – NPF4 Policy 11(e)(v)	Yes
Impacts on adjacent trunk roads	Table 2.1 – NPF4 Policy 11(e)(vi)	Yes
Effects on hydrology, the water environment and flood risk	Table 2.1 – NPF4 Policy 11(e)(viii) Table 2.2 – NPF4 Policy 22	Yes
Cumulative impacts arising from all of the considerations above	As per comments set out in Table 2.1 – NPF4 Policy 11(e)(xiii)	Yes
Net economic impact, including local and community socioeconomic benefits such as employment, associated business and supply chain opportunities	Table 2.2 – NPF4 Policy 25	Yes
The scale of contribution to renewable energy generation target	Table 2.2 – NPF4 Policy 1 and Section 2.1 of Planning Statement	Yes
Effect on greenhouse gas emissions	Table 2.2 – NPF4 Policy 1 and Policy 5	Yes
Impacts on trees, woods and forests	Table 2.1 – NPF4 Policy 11(e)(x)	Yes

2.5.4. The central test within Policy 30 is whether the environmental effects of a proposal are judged to be acceptable when weighed in the overall planning balance. In this case, the limited number and localised extent of significant residual effects, combined with the substantial renewable energy benefits, the contribution to greenhouse gas emissions reduction targets, and the wider socio economic benefits (including the community benefit fund and the potential for shared ownership), mean that the environmental effects cannot reasonably be considered unacceptable. On the contrary, the Proposed Varied Development delivers precisely the sustainable growth of renewables that Policy 30 exists to support, and it accords with the policy.

Other LDP Policies

- 2.5.5. This section reviews the other LDP2 policies that are relevant to the Proposed Varied Development. In most instances, the issues they cover are the same as those covered in the assessment of Policy 30 and NPF4 so only a brief commentary is provided and where applicable, reference will be made to where the appraisal of the topic can be found earlier in this section.

Table 2.4: LDP2 Policy Assessment

Policy	Summary	Assessment
Policy 05 - Design and Placemaking	Sets expectations for how development should be sited and designed, emphasising fit with landform, compatibility with surrounding uses and limiting environmental and landscape effects.	See commentary provided in Table 2.1 and Table 2.2 and the associated EIA chapter references
Policy 08 - Sustainable Siting	Policy 08 also highlights that development on skylines, ridges or other prominent locations should only be considered where no reasonable alternative exists and where any significant visual or landscape effects are clearly outweighed by wider public benefits and supported by appropriate assessment.	The siting of a wind farm in this location has been established as acceptable through the Consented Development. The wider public benefits are demonstrated in the Socio-Economic Report and in EIAR Chapter 5 (LVIA). See Table 2.1 , Policy 11(e)(ii) and Table 2.2 , Policy 25.
Policy 10 – All Development	Provides overarching criteria applying to all proposals, ensuring developments are appropriate in terms of location, scale, design, infrastructure capacity, environmental impact, and compliance with wider plan objectives	See commentary provided in Table 2.1 and the associated EIA chapter references
Policy 15 - Supporting the Protection, Conservation and Enhancement of Our Historic Built Environment	Promote sustainable development that safeguards and, where possible, enhances the historic environment. It provides the overarching framework for assessing any proposal that may affect heritage assets, whether they are formally designated or not.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(vii) and the associated EIA chapter references
Policy 19 - Scheduled Monuments	Protects scheduled monuments and their settings from inappropriate development. Proposals affecting them must preserve their integrity, character, and archaeological significance.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(vii) and the associated EIA chapter references
Policy 21 - Sites of Archaeological Importance	Seeks to protect known or potential archaeological sites. Requires appropriate assessment, investigation, and mitigation where development could impact archaeological remains.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(vii) and the associated EIA chapter references
Policy 55 - Flooding	Ensures development avoids areas at risk of flooding or does not increase flood risk elsewhere. Requires flood risk assessment where necessary and promotes resilient design	See commentary provided in Table 2.1: NPF4 Policy 11(e)(viii) and Table 2.2: NPF4 Policy 22 and the associated EIA chapter references

Policy	Summary	Assessment
Policy 59 -Water Quality and the Environment	Safeguard the water environment by ensuring new development does not harm water quality or quantity. It also requires proposals to incorporate suitable drainage for both surface water and foul water, and to demonstrate that flood risk has been properly addressed.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(viii) and Table 2.2 – NPF4 Policy 22 and the associated EIA chapter references
Policy 70 -Development Impact on National Scenic Areas (NSAs)	Policy 70 states that the aim of the policy is to 'provide landscapes of national importance located within Argyll and Bute with adequate protection against damaging development that would diminish their outstanding scenic value'	See commentary provided in Table 2.1: NPF4 Policy 11(e)(ii) and the associated EIA chapter references
Policy 71 Development Impact on Local Landscape Areas (LLAs)	Policy 71 states that the aim of the policy is to provide locally important landscapes in Argyll and Bute with adequate protection against damaging development that would diminish their high scenic value.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(ii) and the associated EIA chapter references
Policy 73 - Development Impact on Habitats, Species and Biodiversity	Together, these policies set the framework for assessing how a proposal may affect habitats, species and designated sites at all levels. LDP2 makes clear that the degree of protection varies depending on the species involved, with European Protected Species afforded the highest level of safeguarding.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(ix) and the associated EIA chapter references and Table 2.2: NPF4 Policy 3
Policy 75 - Development Impact on Sites of Special Scientific Interest ('SSSIs') and National Nature Reserves	Development near an SSSI or NNR is only permitted if it avoids harming the site's protected features, or if any unavoidable harm is justified by national-level benefits and cannot be located elsewhere.	Table 2.2 – NPF4 Policy 4
Policy 77 - Forestry, Woodland and Trees	Where there is a strong presumption against deforestation but where compensatory planting is required, this can be positively directed to bring direct benefits to the place making agenda and communities.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(x)
Policy 78 - Woodland Removal	Presumes against woodland removal unless clearly justified. Where removal is unavoidable, compensatory planting is required, ideally delivering environmental and community benefits.	See commentary provided in Table 2.1: NPF4 Policy 11(e)(x)

2.6. Argyll and Bute Landscape Wind Energy Capacity Study ('LWECS') is non statutory supplementary planning guidance

- 2.6.1. The LWECS is a non-statutory guidance document, and therefore a material consideration rather than part of the statutory Development Plan. It assesses the landscape sensitivity and capacity of different areas within Argyll and Bute for wind energy development, providing evidence-based advice to assist A&BC in evaluating wind farm proposals and in guiding where various turbine scales may be more or less appropriate.
- 2.6.2. Given that the suitability of this location for large scale wind energy development has been established through the Consented Development, and that the landscape and visual effects of the taller turbines have been assessed and found acceptable as set out in **Table 2.1**, the Proposed Varied Development is considered, on balance, to be consistent with the guidance in the LWECS.

3. The Planning Balance and Conclusion

- 3.1.1. The starting point for the planning balance is the established consent. In granting the Section 36 Consent in 2019, the Scottish Ministers determined that a wind farm of this scale, in this location, with the broad envelope of effects then assessed, is acceptable, and afforded substantial weight to its renewable energy, carbon and economic benefits. That determination is the baseline against which this application falls to be judged.
- 3.1.2. This Statement has demonstrated that the proposed variations do not introduce any new significant adverse environmental effects beyond those identified for the Consented Development, save for a small number of limited and localised intensifications. Each of these effects has been assessed in the EIA Report and addressed in the policy assessment above, and each is acceptable having regard to the embedded and secured mitigation and the localised nature of the change.
- 3.1.3. Assessed against the Development Plan, the Proposed Varied Development accords with NPF4, including Policy 1 (climate crisis) Policy 2 (nature crisis), Policy 3 (biodiversity), Policy 4 (natural places), Policy 5 (soils), Policy 7 (historic assets), Policy 11 (energy), Policy 22 (flood risk) and Policy 25 (community wealth building), and with LDP2 Policy 30 and the other relevant LDP2 policies. It is also consistent with the LWECS as a material consideration.
- 3.1.4. In accordance with Schedule 9 to the 1989 Act, the Applicant has had regard to the desirability of preserving natural beauty, conserving flora, fauna and geological or physiographical features of special interest, and protecting sites, buildings and objects of architectural, historic or archaeological interest, and has done what it reasonably can to mitigate the effects of the proposals, as demonstrated throughout the EIA Report and this Statement.
- 3.1.5. The benefits of the Consented Development were accepted by the Scottish Ministers and afforded substantial weight in 2019. The Proposed Varied Development maintains and enhances those benefits. In particular, it would: increase installed capacity from 80 MW to up to 96 MW, supplying more homes with clean, renewable electricity and making a greater contribution to Scotland's legally binding target of net zero by 2045 and to UK and Scottish Government decarbonisation targets; deliver strong carbon payback performance, with the carbon loss attributable to the development expected to be repaid in approximately 2.2 years (4.4% of the design life) and a total lifetime carbon saving of over 7,700,000 tonnes; protect the central peat body through an avoidance led redesign of the access track layout, retaining it as a single functioning hydrological unit, while also reducing woodland loss; deliver substantial socio economic benefits to the local community, including an

enhanced, indexed community benefit fund of £5,000 per MW per year; and reduce dependence on volatile fossil fuel markets by improving domestic energy production and security of supply.

- 3.1.6. It is also material that the Consented Development is no longer commercially viable in its current form. If the S.36C Application is refused, the Consented Development will not proceed and none of the benefits of either scheme will be realised. Granting the variation is therefore the only route by which the substantial benefits already accepted by the Scottish Ministers, and the additional benefits identified in this Statement, can be delivered.
- 3.1.7. For these reasons, the Scottish Ministers are respectfully invited to vary the Section 36 Consent under Section 36C of the 1989 Act in accordance with the S.36C Application, and to direct under the 1997 Act that planning permission be deemed to be granted for the Proposed Varied Development.