

This report is a recommended response to the Scottish Government's Marine Directorate (MD-LOT) Section 36 Consultation on the proposed Machair Offshore Wind Farm.

Reference No: 26/01100/S36/ MD-00012385 / MD-00012386
Applicant: Scottish Power Renewables/MachairWind Limited
Proposal: A project design envelope approach comprises 91 335m blade tip height turbines or 144 280m blade tip height turbines above lowest astronomical tide within the Wind Development Area (WDA), offshore substation platforms, inter-array cabling, and associated infrastructure. The turbines will have a combined rated capacity of approx. 2GW.
Site Address: 15km northwest of Islay and 12.4 west of Colonsay within the W1 Plan Option Area with a total area of 448 km² (central latitude and longitude co-ordinates: 56°01.520'N 006°40.880'W (WGS84)).

(A) THE APPLICATION

The following consents are being sought from Scottish Ministers for the WDA:

- Consent under Section 36 of the Electricity Act 1989;
- Two Marine Licences (for generation and transmission infrastructure assets and related activities) under the Marine (Scotland) Act 2010; and
- A declaration under Section 36A of the Electricity Act 1989 is being made with respect to proposed generating infrastructure within the WDA and would come into effect when any approval is given by the Scottish Ministers to the Development Specification and Layout Plan covering the WDA.

The Section 36 Application comprises the following key offshore components within the WDA:

- Up to 91 of the tallest 335m blade tip height WGT or up to 144 of the smaller 280m blade tip height WGT and their associated fixed-bottom foundations;
- Up to 2 Offshore SubStation Platforms (OSPs) and their associated fixed-bottom foundations;
- Scour protection around foundations;
- Offshore cables comprising:
 - Offshore export cables (linking the OSPs to the landfall);
 - OSP link cables (linking OSPs together); and
 - Inter Array Cables (IACs) (linking the WTGs together and to the OSP(s)).
- External cable protection on offshore cables as required; and
- Fibre optic communications cables integrated or bundled with the offshore cables.

Connection to Electricity Grid – the Offshore export cable corridor (ECC) is at an early stage of development. However, the portion of cables that will be located wholly within the WDA has been assessed on a 'worst case scenario' basis. This comprises up to four HVDC offshore export cables with a power voltage up to 525 kV with an indicative external cable diameter of up to 160 mm and a total length of 50 km per cable (200 km in total for up to four cables). Fibre optic cores will be included in the cables to transmit data to the Onshore

Transmission Development Area. Up to two offshore export cables would be bundled together in a single trench. This has been defined assuming an OSP location in the northeast of the WDA which results in the greatest distance to the proposed landfall location near Girvan, South Ayrshire.

The entirety of the OSP link cables will be sited within the WDA. Separate marine licences to construct, alter or improve the cables and generation infrastructure have been applied for alongside this S36 application. If two OSPs are required, up to four OSP link cables would connect OSPs to each other. The OSP link cable voltage would be up to 525 kV, with an indicative external cable diameter of up to 275 mm. They would also be integrated with fibre optic cables.

The generation capacity of the wind turbines will be around 2GW. Permission is sought to operate the proposal for a period of 35 years. The earliest any construction works at the WDA would start is assumed to be in 2030. It is anticipated that the maximum offshore construction period would be five years (excluding pre-construction activities such as surveys). The time periods of specific activities would vary and be encompassed within this five-year offshore construction period.

Project Design Envelope - The Project Design Envelope or 'Rochdale Envelope' is an approach that allows for the definition of appropriate design parameters to inform assessment where details of a proposal have not yet been confirmed. The applicant has defined a range of design parameters relating to the location, design and size of the Offshore Project, taking into account the guidance provided by Scottish Government, industry knowledge, site specific survey information and environmental conditions of the area. The final design of the Offshore Project would be required to fall within this Envelope and would be controlled through appropriate conditions that would be attached to the s.36 Consent and Marine Licences.

The Project has an existing grid connection date of September 2033; however, this may be delayed to 2035 or 2038 depending on the energisation of the separate Western Link 2 project being developed by Transmission Owners, National Grid Electricity Transmission and ScottishPower Transmission and due to the required development of complex and novel HVDC technology and the constraints of global HVDC supply chains. An extended consent validity period of eight years is requested to accommodate external programme adjustments.

(B) RECOMMENDATION:

Following examination of relevant parts of the EIA Report and supporting documents and having regard to the consultation responses and advice received (as detailed in Section 'C' of this Report of Handling) it is recommended that Argyll and Bute Council:

- (1) Raises an objection to the proposal on seascape and landscape visual impact grounds**, as the proposed offshore wind farm would result in extensive significant adverse seascape, landscape and visual effects at national, regional and local levels contrary to Policy GEN 7 of the National Marine Plan, Policy 11 and Policy 4 of the National Planning Framework 4 and Policy 30, 70 and 71 of the Argyll and Bute Local Development Plan 2.
- (2) Raises an objection to the proposal on cultural heritage impact grounds**, as the proposed offshore wind farm would result in significant effects on the setting of terrestrial heritage assets and on the setting of Iona conservation area,

contrary to the provisions of Policy GEN 6 of the National Marine Plan, Policy 7 of the National Planning Framework 4 and Policy 16, 17 and 19 of the Argyll and Bute Local Development Plan 2.

- (3) Raises an Objection in relation to the **principle of the development** of the proposed offshore windfarm at the proposed location and, as a consequence of its location, scale and nature, its likely significant adverse effects on seascape, landscape, and visual amenity, and on the unique cultural heritage assets of the planning authority area. These significant adverse effects are such that they are considered to outweigh any positive contribution to renewable energy generation and climate change targets.
- (4) Notes to Scottish Ministers that Argyll and Bute Council considers that the significance of effect of this proposal on both seascape landscape and visual impact and on cultural heritage grounds is so great that the proposed development would **fail to meet provisions within The Electricity Act 1989**, which require Scottish Ministers, in considering proposals for consent, to have regard to the desirability of preserving natural beauty of the countryside, and of protecting sites, buildings and objects of architectural, historic or archaeological interest, and to do what can reasonably be done to mitigate any such effects.
- (5) Raises strong concerns about the adequacy of the EIA Report, in relation to the assessment of the significant negative environmental effects of the project as a whole, and specifically in relation to underassessment of the significance of seascape landscape and visual impacts, cultural heritage impacts and a lack of assessment of the full range of socio-economic and tourism and recreation impacts on the fragile local communities most impacted.
- (6) Raises concerns about the prematurity of determining this application in the absence of further information being submitted to address identified inadequacies and in advance of any of the proposed statutory mitigation and compensation programmes being implemented.

(C) CONSULTATIONS

Scottish Ministers have consulted a range of stakeholders including NatureScot, SEPA, Historic Environment Scotland and other relevant authorities or stakeholders on the EIA Report. The consultation responses will address matters within their respective interests and areas of expertise e.g. habitats and species, ornithology, marine ecology and aviation, among others. At the time of writing, the views of other statutory consultees and contributors have not been formally published on the Marine Directorate website.

Argyll and Bute Council Consultee Responses

The Council has consulted all relevant Community Councils and where responses have been received, these are available in full on [the Council's public access system](#). A summary of responses is set out below:

Tiree Community Council (Summary of response dated 25.8.2026): Objection on landscape and visual impact grounds; dark sky degradation; historical and cultural impacts (particularly in relation to the Skerryvore Lighthouse); economic impacts on the tourism economy whereby any reduction in the area's attractiveness, or the perception that its unique landscapes have become industrialised, risks having direct economic consequences for businesses, employment and investment across fragile island communities. Concerns also raised on the potential impact on Tiree's nationally important Corncrake population which has not been assessed within the submitted EIAR and the lack of formalised community benefit as the island is not designated a 'host community'.

The response concludes: *"the overwhelming majority of opinion on MachairWind Offshore Wind Farm submitted to Tiree Community Council is strongly against the proposal."*

Mull Community Council (Summary of response dated 18.8.2026) Objection Raises concerns with issues of compliance with the National Marine Plan, NPF4 Policy 4(a) and 7 and noting that a formal Island Communities Impact Assessment (ICIA) should be carried out in line with The Islands (Scotland) Act 2018. Objections raised include:

- The development would unacceptably industrialise iconic views around Mull, Iona and surrounding waters including the designated Loch na Keal National Scenic Area which includes the Treshnish Isles, Staffa and Ulva. The use of a 20km distance from the WDA as the point in reduction of harm given Mull and Iona are 21km from the proposal.
- Tourism is the largest sector of the local economy and there are concerns about impacts on nationally and internationally important destinations.
- Inadequate Environmental Impact Assessment on affected communities including those on the Ross of Mull and Iona, although some respondents noted that the impact is overstated and visitors will not be put off by the turbines.
- Impacts of construction noise on marine mammals and cetaceans and associated impacts on tourism directly linked to whale watching etc
- The absence of assessment of corncrake impacts and their migration route through the proposed WDA in the EIA in addition to concern about the Guillemot Special Protection Area and other seabird species.
- Long-term impacts on Marine ecosystems from construction works.
- Impacts on dark skies due to turbine aviation lighting.
- Lack of meaningful community benefits to outweigh the risks to the economy and an imbalance between local impacts and corporate profits, which would largely benefit overseas corporate owners. Some supporters thought benefits could be realised through community energy initiatives.
- The current distribution network is incapable of coping with all the electricity currently produced in Scotland and many respondents were angered by the 'constraints payments' given to windfarm operators to switch off turbines.
- Inadequate community as consultation events were held on the Ross of Mull
- Criticism that throughout the consultation the project was framed as 'inevitable'.

Gigha Community Council (Summary of response dated 25.8.2026): Raises an **Objection** primarily on the basis of 'need' and strongly disputes the presumption of

unlimited renewables expansion in Scotland to seek to allegedly meet commitments made under the 2015 Paris agreement. Renewables development is being driven by supply side interests to provide for expanding electricity demand, not in making reductions of energy consumption through equivalent demand management proposals.

Supply side developments aim to increase energy usage, not balance supply and demand at net zero to comply with Paris agreement commitments. This is not how net zero accounting, as developed by Professor Myles Allen for IPCC almost twenty years ago, is intended to work.

The planning system that aims to balance all elements of resource consumption is not in place. Note that data centres compromise Paris targets for Net Zero.

Machair very clearly represents considerable over development of inshore marine wind. There are NO national benefits when Scotland already produces 180%+ of its own consumption and can supply reasonable growth in demand within the country without continued expansion into new pristine rural areas and inshore marine sites in sensitive land and seascapes. The proposed interconnector, 150km across the Firth of Clyde to Ayrshire, via submarine cabling would take power very close to the central belt AI development strip, but also capable of further transmission south. It has little or no value whatsoever for current Scottish energy consumption, and unless there is massive AI/hyperscale computer centre development, no future market within Scotland either.

There are no statutory community benefits required for offshore wind farms in the UK. Unless there are binding formal community benefit contracts or mandatory profit-sharing formulas then neither this nor any other modified offshore projects should be considered for development. There are no proposals for any community benefit, and certainly no consideration of the £10m per annum that a 2.0GW project would generate if it were land based.

These are remote land and sea scapes, not urban fringes or adjacent, so are treasured for their intrinsic wilderness qualities, and for tourism, as well as being valuable marine habitats. The landscape, seascape and environmental settings of Argyll's Inner Hebrides are of global significance, as are specific cultural and geological sites. There are a considerable number of landscape, archaeological, historical and geological sites of national interest within the development area sight zone.

Concern about the very short timetable for consultation on the largest inshore marine windfarm in the UK within a highly sensitive land and seascape.

Endorse the actions of Colonsay, Mull and Iona Community Councils in pursuing a comprehensive impact assessment under Section 14(1) of the 2018 Act, namely that Argyll and Bute Council make an S14 request in respect of the Sectoral Marine Plan for Offshore Wind Energy to undertake a retrospective Communities Impact Assessment.

Iona Community Council (Summary of detailed response dated 29.7.2026): Raises an **objection** with the central issue that the EIA repeatedly attributes less significance to identified effects than the applicant's own evidence requires, and that those reduced conclusions are carried forward into the cultural heritage assessment, the tourism and socio-economic assessment, and ultimately into the planning balance on which the Scottish Ministers are asked to determine these applications. The other grounds for objection are summarised as follows:

- Seascape, landscape and visual: The SLVIA repeatedly applies non-standard de facto distance thresholds which appear in neither GLVIA3, NatureScot guidance nor the applicant's own written methodology, and which have the effect of suppressing

the magnitude — and therefore the planning weight — of effects on nationally important landscape and seascape receptors.

- Cultural landscape and heritage: Historic Environment Scotland has consistently advised that Iona must be understood as an interconnected cultural landscape. The applicant accepts the qualities that make Iona's setting culturally significant in its baseline assessment, but the operational assessment does not apply the accepted methodology for assessing whether the integrity of setting has been retained. Instead, it describes predicted visual changes before concluding that integrity has been adequately retained, without undertaking the assessment required to demonstrate that conclusion.
- Tourism, socio-economics and habitability: The applicant's own consultants acknowledge that "*There are potential impacts on habitability for island communities in particular.*" Yet the assessment undertakes no place-based assessment of Iona or any other affected island community, other than Islay, which is considered separately because of its potential role as a direct project location. Without assessing those communities, the applicant cannot reliably conclude that tourism, community resilience, habitability and long-term island sustainability would not be adversely affected.
- Ecology and biodiversity: Priority Marine Features and Annex I habitats lie within the WDA. The applicant has submitted a Without Prejudice Derogation Case and a Without Prejudice Guillemot Compensation Plan directed at the guillemot of the North Colonsay and Western Cliffs SPA — documents prepared because, in the applicant's own words, the Ministers "may not reach the same conclusion" as the applicant on adverse effect. Consent may lawfully be granted only where no reasonable scientific doubt remains.
- Cumulative and in-combination effects: The application assesses the WDA alone, deferring the export cable corridor and onshore transmission works to later applications, such that whole-project effects cannot properly be evaluated at the point of decision.
- Adequacy of the EIA: Taken together, these recurring assessment approaches deprive the Scottish Ministers of the evidential basis required to determine the applications.

Raises concerns on the lack of meaningful consultation on the W1 Plan Option as it was not made clear that the consultation concerned the identification of a nationally significant offshore wind development area immediately adjacent to Iona, Staffa and the Treshnish Isles, or that decisions taken at that stage could shape the future of these internationally significant landscapes, island communities and surrounding seas. For Iona and for other affected island communities, this application is the first real opportunity to engage with the suitability of this location — by which stage the development area has long since been identified, leased, and advanced through years of project development and substantial financial investment.

This engages GEN 18 of the National Marine Plan directly. GEN 18 requires that engagement be "appropriate, proportionate and meaningful", that it be "undertaken as early as possible" in planning and consenting processes, and that "the views expressed should be a consideration in decision making". Two generically titled emails, issued after the consultation had opened and at the onset of a civil emergency [covid-19], did not meet that standard. The Community Council invites the Scottish Ministers to weigh that history when assessing the reliance the applicant places upon the site-selection process.

Iona Community Council requests that the Scottish Ministers REFUSE consent under section 36 of the Electricity Act 1989 and REFUSE the associated marine licence applications.

Colonsay Community Council (Summary of response dated - 29.7.2026): Colonsay measures roughly eight miles by three. It lies in the open Atlantic between Islay and Mull, with Oronsay joined to its southern end across the tidal sands of the Strand. The island is known, with good reason, as the Jewel of the Hebrides: golden beaches such as Kiloran Bay, high western cliffs, machair bright with wildflowers in summer, genuinely dark night skies, and a stillness that has all but vanished elsewhere. A small, close-knit permanent community lives here year round. Its economy rests almost entirely on visitors, and visitors come for one reason: the island's unspoilt character. Colonsay faces west. The clean Atlantic horizon beyond its beaches and cliffs is not scenery incidental to island life; it is the island's principal asset, economically and in every other sense.

The Community Council wishes to be clear at the outset about what this objection is, and what it is not. It is not opposition to offshore wind, and it is not a demand that these waters be left untouched. The community accepts, and has said throughout, that a wind farm off Colonsay's west coast could be acceptable if it were scaled to its setting. The principle is one of simple proportion: a development close to a stunning, scenic, pristine Atlantic inhabited coast must be modest, and a vast development must stand far away. The detailed **objection** is advanced on seven grounds:

1. The site was selected without consulting the islands most affected and in disregard of the statutory adviser's own design guidance;
2. The development would cause major and significant harm to Colonsay's coast which the applicant has identified but not mitigated;
3. It would irrevocably devastate the setting and sense of place of the listed scheduled monument, Oronsay Priory;
4. The socio-economic effects on the island have never been assessed - chapter (EIAR Chapter 18) contains no study of Colonsay: no investigation of its community, its economy, its demography, its visitor base or its businesses.
5. Construction noise as experienced on Colonsay has not been assessed;
6. Unresolved scientific doubt attaches to the protected seabird colony of Colonsay's own cliffs; and
7. Only part of the project has been put forward for assessment. The applicant's recorded reasons for splitting this project are grid connection uncertainty, the limited remaining shelf-life of its ornithological baseline data, and precedent for separate submissions. These are administrative and commercial conveniences, not environmental justifications, and the appeal to precedent is the very argument Raeshaw rejected.

Scotland's framework does not ask decision-makers to choose between the climate and everything else. NPF4 and the National Marine Plan pursue renewable energy and the protection of landscapes, heritage, biodiversity and communities together, and the balance to be struck is whether this proposal satisfies the framework that serves both ends. The Community Council repeats what it said in opening: it supports the energy transition, and the community it speaks for would accept a development in these waters built in proportion to them... the applicant has never quantified a smaller, more distant or reconfigured scheme.

The Community Council asks the Scottish Ministers to **refuse** the application for consent under section 36 of the Electricity Act 1989, and to refuse the associated marine licence applications. If the Ministers are not minded to refuse, the Community Council asks in the alternative that further environmental information be required from the applicant under the 2017 EIA Regulations before any determination is made addressing at least the following:

- a genuine appraisal of primary mitigation of the seascape and visual effects on Colonsay and Oronsay, including relocation of the array, or its eastern portion, further from the coast with floating foundations as the water deepens, and a reduction in turbine height and number.
- identification of the mitigation measure cited as M-47, or confirmation that the citation is an error.
- a representative visualisation from the Strand crossing towards Oronsay Priory.
- a place-based socio-economic and habitability assessment of Colonsay, founded on primary research conducted within the community itself.
- a construction noise assessment addressed to Colonsay's coastal communities.
- any further ecological information needed for the Ministers to discharge their duties under the Habitats Regulations.

Officer note: Colonsay, Gigha, Mull and Iona Community Councils have requested in their responses that Argyll and Bute Council make a request under Section 14(1) of the 2018 Islands Act in respect of the Sectoral Marine Plan for Offshore Wind Energy to undertake a retrospective Communities Impact Assessment. It is noted that the Scottish Government published a Final Islands Communities Impact Assessment alongside the Sectoral Marine Plan in October 2020¹. It is also noted that a draft Islands Communities Impact Assessment (ICIA) has been prepared in relation to the draft updated Sectoral Marine Plan² and a final ICIA is due to be published alongside the Updated SMP-OWE.

The Council does not therefore consider it necessary to request a retrospective Islands Communities Impact Assessment, although it is acknowledged that project-level impacts on island communities have not been fully assessed as part of the EIAR process.

Argyll and Bute Council's Consultant Landscape Architect (Summary of response dated - 31.8.2026): Overall, the Landscape Character Assessment appears to be comprehensive and generally supported by the accompanying ZTV analysis, figures and visualisations. We agree with some of the conclusions presented. However, the SLVIA appears to underestimate effects on the LCTs:

- LCT 42 (Rocky Moorland – Argyll), specifically the area south of Loch Gorm and;
- LCT 35 (Rugged Mountains), specifically the Jura units.

We consider the extent of visibility and influence of the proposal on perceptual qualities such as wildness, remoteness and the relationship with the sea to result in a higher magnitude of impact and significance of effect than those presented in the assessment.

Overall, the Coastal Character Assessment appears to be comprehensive and generally supported by the accompanying ZTV analysis, figures and visualisations. Whilst we agree with some of the conclusions, the SLVIA appears to underestimate the significance of effects on the following CCAs:

- CCA 7 - Ross of Mull;
- CCA 15 - Loch Tarbert;

¹ [sectoral-marine-plan-offshore-wind-energy-final-islands-communities-impact-assessment.pdf](#)

² [Island Communities Impact Assessment for draft updated Sectoral Marine Plan for Offshore Wind Energy Consultation](#)

- CCA 18 – Sgairail and;
- CCA 20 – Ardnave Point to Rhinns Point.

The proposal would influence key characteristics of these CCAs associated with remoteness, wildness, openness and the relationship between the coastline and the sea and we consider that the extent of visibility, scale of the proposal and influence on defining characteristics would result in a higher magnitude of impact and significance of effect.

Overall, the assessment of effects on the NSAs appears comprehensive and generally supported by evidence. However, we consider that the magnitude of impact and significance of effects on several SLQs relating to remoteness, wildness, naturalness and the relationship between the landscape and sea has been underestimated in the SLVIA. We do not agree with the conclusion that the effects on ‘the remaining NSA SLQs’ presented in Appendix 16.2 would be ‘no greater than minor and not significant’.

- For the Jura NSA (a medium magnitude of impact and **moderate** significance for the SLQ *An island close yet remote* and a high magnitude of impact and **major** significance for the SLQ *The distinctive Paps of Jura* would be appropriate.
- For Loch na Keal, Isle of Mull NSA, a medium magnitude of impact and a **moderate** significance would be more appropriate for the SLQs *A voyage from enclosed sea loch to the open Atlantic*, *Views of an island studded seascape*, *World famous Staffa and Fingal’s Cave* and *A vast natural world, dwarfing human settlement*.
- For Scarba, Lunga and the Garvellachs NSA, a medium magnitude of impact and **moderate** significance would be appropriate for the SLQ *Uninhabited, Remote, Wild Islands*.

We generally agree with the assessment of effects on all the LLAs. **Significant** effects of up to **major** significance are predicted for North and West Islay (Coast) and Central, South and West Mull LLAs, and we consider these conclusions appropriate given the extent of visibility identified within the ZTV analysis and the influence of the proposal on the perceptual qualities of these landscapes. Effects on the Jura LLA are assessed as minor and not significant, which also appears reasonable given the distance of the proposal, the partial screening of Colonsay and limited extent of visibility identified within the assessment.

Visual

The SLVIA assesses 30 viewpoints spread across an area up to 60km from the WDA, with either **moderate** or **major significant** effects predicted at 16 of these. Significant visual effects are predicted across a wide area encompassing many of the islands of the Hebrides to the north, south and east of the WDA, at distances of up to 39km from the development.

We consider that effects assessed at several of the viewpoints which were assessed in the SLVIA as not significant, should be considered as **significant**. These are Viewpoint 17: Oban - Colonsay Ferry, Viewpoint 24: Staffa, Viewpoint 27: Ben More, Mull, and Viewpoint 19: Hynish, Tyree. Although these locations lie a considerable distance from the WDA, the very large scale and spread of the proposal mean it would still significantly affect the visual amenity. In addition, we consider that visual effects experienced from Viewpoint 18: Scarab and 19: Cnoc Dhomhuill could, arguably, also be **significant** in clear weather conditions.

The review also considers that for seven viewpoints the significance of effect should be increased from **moderate** and **significant** to **major** and **significant** due to under-evaluation of either sensitivity or magnitude of effect. These include Viewpoint 9: Colonsay to Port Askaig Ferry, Viewpoint 10: Loch Tarbert, Jura, Viewpoint 11: Beinn an Oir, Jura, Viewpoint 15: Urugaig, Colonsay Viewpoint 16: Summit of Beinn nan Gudairean, Colonsay, Viewpoint 21: Mull – Iona Ferry and Viewpoint 22: Dun I, Iona.

We also consider that visual effects on residents of Iona, Colonsay and Islay have not been adequately assessed within the SLVIA. The assessment of visual effects experienced from settlements has been limited to include only settlements found within the A&B LDP despite much of the islands' population being in scattered communities. In addition, some viewpoints have been assessed without taking the high sensitivity of residents into account and viewpoints that are stated to represent residential receptors have not been located close to residential properties at Baile Mor and Sligneach on Iona, Kilchattan and Uragaig on Colonsay and Portnahaven on Islay.

The proposal's size and spread mean that it would significantly affect the visual amenity of over a very extensive area of some of the most valued and scenic seascapes in Scotland. The islands of Colonsay, Oronsay, Islay, Jura, Mull, Iona and Staffa are known for their unspoilt and beautiful scenery and many tourists come to experience their remote undeveloped character.

Officer comment: please see the full response at Appendix C and commentary in the Appendix A: Committee Report, Section 4: Seascape, Landscape and Visual Impacts.

West of Scotland Archaeology Service (WOSAS) (28.8.2026): The proposed Machair Wind Farm will have no physical impact on terrestrial archaeological sites. However, the settings of many historic and archaeological sites would be adversely affected by the construction of the proposal under evaluation. Impacts on the settings of designated heritage assets, scheduled monuments and listed buildings which are of national significance were considered by the applicant in agreement with Historic Environment Scotland.

In my opinion the EIA has underplayed the adverse impacts on intangible elements of the setting of designated and important non-designated heritage assets. Their contribution to a wider understanding, appreciation and experience of heritage sites have not been adequately discussed.

Local Biodiversity Officer (1.9.2026): I note that discussions regarding ornithological features are ongoing with NatureScot and RSPB and I ask that these continue. There are a number of protected sites around the proposed windfarm that are designated for highly sensitive migrating birds. The impact of the proposed windfarm must be considered on these species. I note that all the Important Ornithological Features (IOFs) are classed as Red or Amber birds of conservation concern.

The cumulative effects of wind farms are having a negative impact on bird species. Therefore, as per NPF4 Policy 1 When considering all development proposals significant weight will be given to the global climate and nature crises, appropriate mitigation measures must be implemented to reduce potential impact of bird collision and displacement.

Marine and Coastal Policy Officer (20.8.2026): The Applicant's Environmental Impact Assessment Report (EIAR) and technical reports are welcomed. There are no objections from the Marine and Coastal Development Policy Officer perspective, but only in terms of the marine matters and questions that were previously raised at the EIAR scoping stage (09 January 2025), and satisfactorily answered in the EIAR chapters discussed below. Only summary comments are discussed for chapters; 7, 8, 9, 10, 12, 13, 17, and 21 of the EIAR. Please note that comments from Chapter 8 – Benthic Ecology, Chapter 9 – Fish (Including Basking Shark) and Shellfish, Chapter 10 - Marine Mammals and Leatherback Turtle, and Chapter 17 – Infrastructure and Other Marine Users are subject to NatureScot's recommendations. I also defer to NatureScot's response for further comments on the Applicant's Habitats Regulations Appraisal (HRA) screening report and Report to Inform Appropriate Assessment (RIAA) (Part 2 Marine Mammals).

The proposal must conform to all relevant National Planning Framework 4 (NPF4) policies, Scotland's National Marine Plan: A Single Framework for Managing Our Seas (NMP), all relevant and general policies of the Local Development Plan 2.

It is expected that the majority of environmental monitoring will be undertaken by the Applicant as part of pre-construction, construction, and post construction monitoring as part of the planning and licensing process. In terms of the Applicant's Habitats Regulations Appraisal (HRA) screening report and the potential Likely Significant Effects (LSEs) to marine mammals as a result of the development, I have no further comments to add since my previous scoping response (09 January 2025). I do however defer to NatureScot for their view and comments. I also defer to NatureScot for comments on the Report to Inform Appropriate Assessment (RIAA) (Part 2 Marine Mammals).

Economic Development (19.8.2026): Comments provided on port selection, use of population projections for the baseline of the Socioeconomic Impact Assessment. Question the definition of tourism impacts as 'low' and the focus of recreational sailing on Ireland. IT is noted that at this stage the impacts seem to be very general and we will not have a clear idea about how it might benefit or impact the area until they have confirmed the port locations and what it will mean for each of the sites. The Council's Economic Development team are keen to see as much local benefit as possible from the development, should it proceed.

(D) HISTORY:

24/01899/SCRSCO – Screening and scoping opinion for proposed Section 36 application for Machair Offshore Wind Farm – Opinion issued 03 Dec 2024.

(E) PUBLICITY:

As the Council is not the Determining Authority the Scottish Government's Marine Directorate oversees the Publicity of the application.

Public Consultation – the Applicant has undertaken a programme of community and stakeholder consultation to inform the EIA process and Project design. This is detailed in Chapter 6 of the submitted EIAR. The submitted Pre-Application Consultation (PAC) Report further details that two rounds of PAC were undertaken, comprising 12 in-person events and four webinar events across Islay, Jura, Colonsay, Ross of Mull and Iona. The first round of PAC was live for six weeks, from 26 May 2025 to 06 July 2025 (inclusive), and the second round of PAC was live for six weeks, from 20 October 2025 to 30 November 2025 (inclusive).

(F) REPRESENTATIONS:

The Council is a consultee and not the determining Authority for this S36 application. All representations are directed to the Scottish Government's Marine Directorate Licensing Operations Team (MD-LOT) and at the time of writing, these have not been published online. However, a local opposition group (Hebridean Horizon) claims that their 'ObjectNow' platform has been used to submit 4,819 individual objections to the proposals to MD-LOT. MD-LOT have subsequently confirmed to officers that they are currently processing over 5,000 objections to this proposal.

Despite not being the determining Authority, the Council has received 3 individual objections. The issues raised are summarised as follows:

- EIAR is inadequate as it fails to present a robust, legally compliant 'realistic worst-case scenario' under the Rochdale Envelope principle and violates section 2.4.3. of the Scottish Ministers Scoping Opinion by withholding critical structural, temporal and geological data. This results in a deeply deficient assessment of marine effects.
- Deficiencies in Substructure Specification, Piling Durations and Acoustic Impacts on Marine Mammals.
- Unsubstantiated geological assumptions and failure to quantify drilled spoil.
- EIAR fails to recognise the impacts on and the significance of Iona – a small, precious jewel of a place and the birthplace of Christianity in Scotland.
- Negative impacts on Scottish consumers electricity costs – the narrative that the proposal will power 2 million homes is misleading if data centre expansion continues in Scotland.
- Projects are being built to exploit the UK Contract's for Difference (CfD) subsidy framework which guarantees a fixed price per mwh to developers. If the market price falls below this threshold, consumers subsidise the difference through their energy bills. Vast amounts of wind power flooding the grid widens the subsidy gap and increases the costs to consumers.
- Expanding generation requires massive transmission upgrades to transport energy from Scotland to high demand areas in the south, and when the grid cannot cope the systems operator pays wind farms to shut down. In 2025 total grid balancing and constraint costs hit a record-breaking £1billion in Scotland, with nearly £343 million paid directly to wind farms to shut down.
- Scotland already generates more renewable energy than it consumes annually.
- Assessment of cultural heritage impacts and the harm caused by the proposal to the setting of heritage assets has been downplayed and the EIAR and has not been correctly assessed against Scottish Planning Policy context of NPF4 Policy 7, HES Guidance or caselaw (as it relies on English planning case law).
- The Cultural heritage assessment fails to fully assess the harm caused to the heritage assets of Iona (St Mary's Abbey, Iona Abbey and Iona Conservation Area), it's historical links to the seascape and to Ireland and their contribution to 'Western culture'.
- The EIAR should include an assessment of the whole of Iona and the Applicant's 'low adverse magnitude' is 'irrational'.

Note: The comments raised above are addressed in the assessment of the proposal at Appendix A of this report, where relevant to the planning process.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) Environmental Impact Assessment Report (EIAR): Yes**

The EIAR (June 2026) comprises the following volumes:
Non-Technical Summary

Volume 1: Introductory Chapters

Chapter 1 Introduction

Chapter 2 Policy and Legislative Context

Chapter 3 Project Description

Chapter 4 Site Selection and Alternatives

Chapter 5 EIA Methodology
Chapter 6 Consultation and Stakeholder Engagement

Volume 2: Technical Chapters

Chapter 7 Marine Physical Environment;
Chapter 8 Benthic Ecology;
Chapter 9 Fish (Including Basking Shark) and Shellfish;
Chapter 10 Marine Mammals and Leatherback Turtle;
Chapter 11 Offshore Ornithology;
Chapter 12 Commercial Fisheries;
Chapter 13 Shipping and Navigation;
Chapter 14 Offshore Archaeology and Cultural Heritage;
Chapter 15 Military and Civil Aviation;
Chapter 16 Seascape, Landscape and Visual Impact Assessment;
Chapter 17 Infrastructure and Other Marine Users;
Chapter 18 Socio-economics;
Chapter 19 Greenhouse Gases Assessment;
Chapter 20 Climate Change Risk Assessment;
Chapter 21 Major Accidents and Disasters; and
Chapter 22 Inter-Related Effects and Ecosystem Assessment.

Volume 3a: Technical Appendices Standalone

Appendix 1 WDA Scoping Report
Appendix 2 WDA Scoping Opinion
Appendix 3 WDA Scoping Validation Report
Appendix 4 Gap Analysis
Appendix 5 WDA Mitigation and Commitments Register
Appendix 6 Outline Environmental Management Plan
Appendix 7 Marine Pollution Contingency Plan
Appendix 8 Invasive Non-Native Species Mitigation Plan Haskoning
Appendix 9 Draft Marine Mammal Mitigation Protocol
Appendix 10 Fisheries Mitigation, Monitoring and Communication Plan
Appendix 11 Offshore Written Scheme of Investigation and Protocol for Archaeological Discoveries
Appendix 12 Outline Lighting and Marking Plan
Appendix 13 Outline Vessel Management Plan and Navigational Safety Plan
Appendix 14 Carbon Management Plan
Appendix 15 Design Strategy Document

Volume 3b Technical Appendices – Introductory Chapters

Appendix 1.1 Competent Experts
Appendix 5.1 Cumulative Projects Long and Short Lists

Volume 3c Technical Appendices – Technical Chapters

Appendix 7.1 Marine Physical Environment Numerical Modelling (Haskoning)
Appendix 7.2 Marine Physical Environment - Stratification Analysis (Haskoning)
Appendix 7.3 Phase 1 Geophysical and Habitat Interpretative Report (Fugro)
Appendix 8.1 2025 Habitat Assessment Report (Sulmara and Benthic Solutions Ltd)
Appendix 8.2 Benthic Characterisation Report (Fugro)
Appendix 8.3 Geophysical and Habitat Interpretative Report (Fugro)
Appendix 9.1 Fish (including Basking Shark) and Shellfish Baseline Technical Report (Haskoning)
Appendix 10.1 Underwater Noise Modelling Report (Subacoustech Environmental)
Appendix 10.2 Marine Mammal and Leatherback Turtle Baseline (Haskoning)

Appendix 10.3 Analysis of Hebridean Whale & Dolphin Trust Visual and Passive Acoustic Survey Data off Western Scotland (Scottish Association for Marine Science / Hebridean Whale and Dolphin Trust)
 Appendix 10.4 Interim Population Consequences of Disturbance (IPCoD) Modelling Technical Report (Haskoning)
 Appendix 10.5 Cumulative Effects Assessment (CEA) Screening (Haskoning)
 Appendix 11.1 Overview of Offshore Ornithology EIA and HRA Documents (MacArthur Green part of SLR)
 Appendix 11.2 Baseline Site Characterisation (MacArthur Green part of SLR)
 Appendix 11.3 Collision Risk Modelling (MacArthur Green part of SLR)
 Appendix 11.4 Displacement (MacArthur Green part of SLR)
 Appendix 11.5 Cumulative and In-Combination Mortality Calculations (EIA and HRA) (MacArthur Green part of SLR)
 Appendix 11.6 Apportioning for HRA (MacArthur Green part of SLR)
 Appendix 11.7 Population Viability Analysis (MacArthur Green part of SLR)
 Appendix 12.1 Commercial Fisheries Technical Report (Nima)
 Appendix 13.1 Navigational Risk Assessment (Anatec)
 Appendix 14.1 Archaeological Assessment of Geophysical and Hydrographic Data (Haskoning)
 Appendix 14.2 Palaeolandscape Assessment (Haskoning)
 Appendix 14.3 Settings Assessment (Haskoning)
 Appendix 15.1 Airspace Analysis and Radar Modelling (Cyrrus)
 Appendix 15.2 Dubh Artach Lighthouse Technical Note (Cyrrus)
 Appendix 16.1 SLVIA and Visualisation Methodology (LUC)
 Appendix 16.2 Assessment of Effects on Special Landscape Qualities LUC Appendix 16.3 Coastal Character Baseline and Assessment (LUC)
 Appendix 16.4 SLVIA Visualisations (LUC)
 Appendix 18.1 Socio-Economics Technical Report (Biggar Economics)
 Appendix 19.1 Greenhouse Gas Assessment Methodology (Haskoning)
 Appendix 19.2 Blue Carbon Assessment (Haskoning)
 Appendix 20.1 Climate Projection Data (Haskoning)
 Appendix 20.2 Climate Change Vulnerability Assessment

In addition, the following documents are provided in support of the application:

- Pre-Application Consultation (PAC) Report and PAC Appendices (Haskoning)
- Report to Inform Appropriate Assessment (RIAA) Part 1 Upfront Sections (Haskoning)
- Report to Inform Appropriate Assessment (RIAA) Part 2 Marine Mammals (Haskoning)
- Report to Inform Appropriate Assessment (RIAA) Part 3 Ornithology (MacArthur Green - part of SLR)
- Windfarm Development Area Habitats Regulations Appraisal Screening Report (Haskoning / MacArthur Green - part of SLR)
- Without Prejudice Derogation Case Haskoning Report to Inform Marine Protected Area Assessment (Haskoning)
- Planning Statement (Haskoning)
- Nature Positive Plan
- Socio-economic Action Plan (BiGGAR Economics)

- (ii) **An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994:** The Scottish Government's Marine Directorate, as the determining authority, are the competent authority for the Habitat Regulation Appraisal process for the Appropriate Assessment of potential impacts on European sites,

having regard to the comments of NatureScot and other specialist consultees in this respect.

The application was submitted with a Report to Inform Appropriate Assessment (RIAA) and a Windfarm Development Area Habitats Regulations Appraisal Screening Report. It is not considered by the applicant that any whole project contributions will lead to an Adverse Effect on Site Integrity (AEoSI) of European sites. However, as part of the submissions, a Derogation Case for the Offshore elements of the project has also been provided. This seeks to demonstrate the applicant's view that there are No Alternative Solutions to the proposal and Imperative Reasons of Overriding Public Interest (IROPI) that would be sufficient to enable the project to proceed, should it be considered by Scottish Ministers that the development would have adverse effects on the integrity of a European site(s) and its qualifying feature(s).

The Council does not comment on the RIAA element of the submissions or the potential effect of the proposal on European sites, protected species, habitats and ecology more widely given the Scottish Ministers will have available to them the expertise of NatureScot and in-house ecology specialists within Marine Directorate.

- (iii) **A Design or Design/Access statement:**
No
- (iv) **Sustainability Checklists (with reference to the requirements of LDP2 Policy 04):**
Not required proposal accompanied by full EIAR.
- (v) **A report on the impact of the proposal e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** All relevant reports are encompassed within the EIAR.
- (H) **PLANNING OBLIGATIONS** **Is a Section 75 agreement required:** No
- (I) **Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
- (J) **Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been considered in the assessment of the application**
- (i) **List of all Development Plan Policy considerations considered in assessment of the application.**

National Marine Plan (2015)

GEN 1 General Planning Principle
GEN 2 Economic Benefit
GEN 3 Social Benefit
GEN 4 Co-existence
GEN 5 Climate Change
GEN 6 Historic environment
GEN 7 Landscape/Seascape

GEN 13 Noise
GEN 15 Planning alignment
GEN 17 Fairness
GEN 18 Engagement
GEN 19 Sound evidence
FISHERIES 1
FISHERIES 2
FISHERIES 3
WILD FISH 1
RENEWABLES 1
RENEWABLES 4
RENEWABLES 5
RENEWABLES 6
RENEWABLES 7
RENEWABLES 8
REC & TOURISM 2
REC & TOURISM 5
TRANSPORT 1
TRANSPORT 6
CABLES 1
CABLES 2
CABLES 3
CABLES 4

National Planning Framework 4 (Adopted 13th February 2023)

NPF4 Policy 1 – Tackling the Climate and Nature Crises
NPF4 Policy 2 – Climate mitigation and adaptation
NPF4 Policy 3 – Biodiversity
NPF4 Policy 4 – Natural Places
NPF4 Policy 7 – Historic Assets and Places
NPF4 Policy 11 – Energy
NPF4 Policy 14 – Design, quality and place
NPF4 Policy 23 – Health and safety
NPF4 Policy 25 – Community Wealth Building
NPF4 Policy 29 – Rural development

Annex B – National Statements of Need

3 – Strategic Renewable Electricity Generation and Transmission Infrastructure, including:

- a) On and offshore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity;
- b) New and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kv or more; and
- c) New and/or upgraded infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations.

Argyll & Bute Local Development Plan 2 (LDP2) (Adopted 2024)

Policy 04 – Sustainable Development
Policy 15 – Protection, Conservation and Enhancement of Our Historic Environment
Policy 16 – Listed Buildings

Policy 19 – Scheduled Monuments
 Policy 20 – Gardens and Designed Landscapes
 Policy 21 – Sites of Archaeological Importance
 Policy 30 – The Sustainable Growth of Renewables
 Policy 63 – Waste Related Development and Waste Management
 Policy 70 – Development Impact on National Scenic Areas (NSA's)
 Policy 71 – Development Impact on Local Landscape Areas (LLA's)
 Policy 73 – Development Impact on Habitats, Species and Biodiversity
 Policy 74 – Development Impact on Sites of International Importance
 Policy 75 – Development Impact on Sites of Special Scientific Interest (SSSIs)
 Policy 76 – Development Impact on Local Nature Conservation Sites (LNCS)
 Policy 80 – Geodiversity

(ii) List of all other relevant planning considerations considered in the assessment of the application, having due regard to Annex A of Circular 3/2013

- Uk Marine Policy Statement (2011)
- Scottish Energy Strategy (2017)
- Offshore Wind Policy Statement 2020
- Sectoral Marine Plan for Offshore Wind Energy 2000
- British Energy Security Strategy (UK Government) 2022
- Draft Energy Strategy and Just Transition Plan (2023)
- Clean Power 2030 Action Plan (Uk Government) 2024
- UK Government's Clean Power 2030 Action Plan (2024)
- NMP2 Planning Position Statement (2024)
- Draft Updated Sectoral Marine Plan for Offshore Wind Energy (2025)
- Scottish Government Updated Offshore Wind Ambition (2026)
- Good Practice Principles for Shared Ownership of Renewable Energy Developments, Scottish Government, 2019
- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
- Landscape Institute and Institute of Environmental Management and Assessment – Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013)
- Scottish Natural Heritage – Visual Representation of Wind Farms Guidance (Version 2.2, 2017)
- Scottish Natural Heritage - Siting and Designing Wind Farms in the Landscape Guidance (Version 3a, 2017)
- Historic Environment Policy for Scotland (2019)
- Scottish Government, Draft Planning Guidance: Biodiversity, 2023
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2024
- Managing Change in the Historic Environment
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- Views of statutory and other consultees
- Legitimate public concern or support expressed on relevant planning matters

(K) Is the proposal a Schedule 2 Development not requiring an EIAR: No, an EIAR was required.

(L) Has the application been the subject of statutory pre-application consultation (PAC): In accordance with the Marine Licensing (PAC) (Scotland) Regulations 2013, the Project was required to undertake statutory PAC. This included a combination of public engagement and targeted consultation with statutory and non-

statutory stakeholders. Further detail is provided in Section 3.1.2 of the submitted PAC Report.

- (M) Does the Council have an interest in the site:** No
- (N) Requirement for a pre-determination hearing:** No
- (O) Is the proposal consistent with the Development Plan:** Due to identified extensive significant adverse seascape, landscape and visual impacts, significant cultural heritage impacts and insufficient detail on the proposed socioeconomic impacts on fragile island communities it is not considered that the proposal is consistent with relevant provisions of the Development Plan which comprises the National Marine Plan, National Planning Framework 4 or Local Development Plan 2.
- (P) Need for notification to Scottish Ministers or Historic Environment Scotland:**
No

Author of Report: Shelley Gould

Date: 3 September 2026

Reviewing Officer: Peter Bain

Date: 3 September 2026

Fergus Murray
Head of Development & Economic Growth

PLANNING AND POLICY ASSESSMENT

1. THE SECTION 36 CONSENTING REGIME FOR OFFSHORE WIND FARM DEVELOPMENT IN SCOTTISH WATERSLegislative context

- 1.1 As the proposed infrastructure with the identified Wind Development Area for Machair Offshore Wind Farm represents an offshore generating station greater than 1 MW within the Scottish Marine Area, there is a requirement for consent under Section 36 of the Electricity Act 1989 which establishes the regulatory regime for the construction and operation of generation stations. Reforms enacted under the Planning and Infrastructure Act 2025 aim to modernise aspects of this regime, including measures to streamline the consenting process for nationally significant clean energy projects (UK Government, 2025). At the time of writing these some reforms have come into force but associated Regulations have not yet been published.

- 1.2 Section 36 consent is required to authorise the installation and operation and maintenance of the proposed wind turbine generators, and inter-array cables within the proposed wind development area. In Scotland, Section 36 consents for offshore projects are authorised by Scottish Ministers and administered by the Marine Directorate within the Scottish Government. The Council is a consultee in this process. Schedule 8 of the Act sets out requirements and procedures in relation to applications for Section 36 consents. Schedule 9 of the Electricity Act requires the Applicant and the decision maker to have regard to the preservation of amenity. It requires that in the formulation of proposals the developer:

3 (1) 'In formulating any relevant proposals, a licence holder or a person authorised by an exemption to generate, distribute, supply or participate in the transmission of electricity:

a) shall have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and

b) shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects'.

- 1.3 The Marine Scotland Act 2010 established the marine planning framework in Scotland, in addition to establishing the requirement for a National Marine Plan (NMP) and Regional Marine Plans in Scottish waters. Scottish Ministers are responsible for granting Marine Licences in the Scottish Inshore region (0-12 nautical mile (nm)) (Scottish Government, 2010). The Applicant will apply for two Marine Licences in accordance with the Act as the entirety of the WDA is situated within the 12 nm boundary: One licence for generation assets, including wind turbine generators, IACs and OSP link cables; and; One licence for transmission assets, including OSPs, OSP link cables and WDA offshore export cable.

- 1.4 The proposal is subject to provisions within EU Directive 92/43/EEC, known as the 'Habitats Directive' and EU Directive 2009/147/EC, known as the 'Birds Directive' which was implemented to provide a framework for conservation and management of wild birds in the EU. Both sets of the Habitats Regulations require the Habitats Regulations Appraisal (HRA) process to be followed where a project could affect a designated site (SPAs, SACs, proposed or candidate SPAs and SACs or Ramsar Sites), either individually or in-combination with other plans or projects, in view of the site's conservation objectives.
- 1.5 The Climate Change (Scotland) Act 2009, amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and Climate Change (Emissions Reduction Targets) (Scotland) Act 2024 The Climate Change (Scotland) Act 2009 was implemented to reduce the Greenhouse Gas (GHG) emissions in Scotland. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (Sections 1-3) include Scotland's commitments to reducing GHG emissions (Scottish Government, 2019). In November 2024, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2024 was introduced, which replaces the targets set out in Climate Change (Scotland) Act 2009 with a system of targets based on carbon budgets. However, the overall target of achieving net zero carbon emissions by 2045 remains in place.

Policy context

- 1.6 Planning Circular 1/2015 sets out the Relationship between the Statutory Land Use Planning System and Marine Planning and Licensing. Marine Scotland, on behalf of Scottish Ministers, has the primary responsibility for marine planning, conservation and licensing from Mean High Water Springs out to 200 nautical miles. Terrestrial planning authorities are responsible for all terrestrial planning matters down to Mean Low Water Springs and for marine fish farming (finfish and shellfish) where planning consent is required out to 12 nautical miles.
- 1.7 The National Marine Plan (NMP) 2015 and the National Planning Framework 4 2023 (NPF4) provide an aligned framework for marine planning at a national level. They support sustainable development both in the marine area and on land and provide complementary policy. The National Marine Plan supports national developments in the NPF to help to align marine and terrestrial plans. The Marine Sectoral Plan contains Scottish Ministers' spatial strategy to facilitate the sustainable development of commercial scale renewable energy projects by identifying the most suitable locations around Scotland for offshore renewable energy development. Sectoral marine plans are a material consideration in decision making.
- 1.8 The National Marine Plan provides the statutory framework and policies within which offshore renewable energy developments are progressed, both at the planning and licensing stages, with terrestrial development plans providing the framework for onshore elements. The National Marine Plan reflects the spatial strategy of the Sectoral Marine Plans, which identify locations for renewable energy projects. NPF4 designates certain types of projects as National Developments on the basis that they

are needed to implement the national spatial strategy. The proposed Machair Windfarm would be classed as a National Development under Annex B of NPF4.

Marine Licensing and Electricity Act Consenting

- 1.9 Where Section 36 consents are required, a statutory provision in the Growth and Infrastructure Act 2013 which amends Section 57 of the Town and Country Planning (Scotland) Act 1997, enables Scottish Ministers to direct that planning permission is deemed to be granted for the ancillary onshore components and related onshore infrastructure. This creates a single application process, consented by Scottish Ministers, and means that an applicant does not have to make separate applications for a marine licence and planning permission.
- 1.10 Under the Electricity Act 1989 terrestrial planning authorities are not statutory consultees on Section 36 applications for generating stations situated wholly offshore. However, where part of the infrastructure to be covered under the Section 36 consent is to be built onshore then under the Electricity Act the terrestrial planning authority is a statutory consultee on the application as a whole, including the offshore elements.
- 1.11 Terrestrial planning authorities are, in all cases, statutory consultees under environmental impact assessment processes relating to Section 36 applications. They are, as a matter of course, consulted on Section 36 applications in full, including for matters not related to environmental impact assessment, and on deemed planning permission for the onshore elements. Terrestrial planning authorities are fully consulted on any application for planning permission for the onshore components of an offshore generating station.
- 1.12 Assessment of the proposal against the relevant policies of the development plan, which includes the National Marine Plan, NPF4 and Argyll and Bute Local Development Plan 2 (LDP2) will ensure that proper consideration is given by the Council to the extent that the proposal satisfies the Schedule 9 duties highlighted above. The Council can either support or object and recommend conditions to be imposed if Scottish Ministers grant consent.
- 1.13 Previously, if the Council raised an objection to a section 37 or section 37 application, Scottish Ministers were obliged to hold a Public Local Inquiry (PLI) if they were minded to grant consent. On 30 January 2026 the Scottish Government published a letter to industry and planning authorities clarifying new processes around objections to applications for energy consent following the receiving of Royal Assent of the Planning and Infrastructure Act 2025 in December 2025. This letter clarifies that where a planning authority objects to an application and that objection is not withdrawn, or cannot be resolved by conditions or modifications, a new reporter led examination process will apply. These changes come into effect on 18th February 2026 and will be applicable from that date.
- 1.14 This report considers the relevant policy considerations, planning merits, views of consultees and representations. It recommends views to be conveyed to the Marine Directorate for consideration before a decision is made by Scottish Ministers. It should be noted that this report focuses on those policy areas of greatest relevance to the

development plan and where the Council has resources to properly assess the submitted material. On detailed technical matters where an expert response is expected to be provided to the Marine Directorate by a separate consultee (e.g. ornithology, marine wildlife, benthic matters, commercial navigation and shipping, commercial fishing and national level seascape and landscape and cultural heritage impacts) the Council has largely refrained from comment and would defer to comments submitted by expert authorities on these matters.

2. SITE CONTEXT AND DESIGN OF PROPOSAL

The Application Site

- 2.1 The applicant has entered into an 'Option to Lease Agreement' with Crown Estate Scotland for the entire W1 Plan Option Area as identified in the 2015 Scottish Government's Sectoral Marine Plan. The proposal is for a fixed-bottom Offshore Wind Farm within the W1 area with a potential capacity of 2GW (2000MW) within an identified Windfarm Development Area (WDA) of 448 km² located off the western coasts of the Isles of Islay, Colonsay, Mull and Iona. The WDA is located at the following distances to the nearest point on each of these islands:
- 12.4 km west of Colonsay;
 - 15 km northwest of Islay;
 - 20 km southwest of Mull;
 - 21 km southwest of Iona; and
 - 30 km west of Jura.
- 2.2 The WDA is not located within any nationally or locally designated landscape. However, there is theoretical visibility that extends to several designated landscapes including the Jura National Scenic Area (NSA), Loch na Keal, Isle of Mull NSA, and Scarba, Lunga and the Garvellachs NSA, as well as Argyll and Bute Local Landscape Areas (LLAs) of North and West Islay (coast) LLA, Central, South and West Mull LLA and Jura LLA. Potential visibility from sections of the Ben More, Mull Wild Land Area (WLA) and Jura, Scarba, Lunga and the Garvellachs WLA has also been identified within the submitted SLVIA assessment.
- 2.3 Water depths within the WDA range from 21.6 m to 81.7 m below Lowest Astronomical Tide (LAT) and there are sandwaves and a sandbank located in the southwest of the WDA. There is a variety of geology and bedrock types across the WDA.
- 2.4 The proposed Machair Offshore Windfarm project has been divided into three Development Areas for consenting purposes:
- The WDA – the subject of this Section 36 planning application.
 - The Offshore Export Cable Corridor (ECC); and
 - The Onshore Transmission Development Area (OnTDA).

The submitted material notes that a grid connection location for the Project was confirmed in August 2025 to be in the vicinity of Girvan, South Ayrshire and that separate consent / marine licence applications will be sought for both the Offshore ECC and OnTDA elements of the project. It is anticipated that the Project will connect to a new High Voltage Direct Current (HVDC) switching station to be built by the Transmission System Operator near the Girvan OnTDA.

In terms of the approach to the EIAR, the applicant used a set of assumptions to inform a combined assessment which will enable potential interactions and additive effects between each Development Area to be identified and assessed. Please see Section 7 of this Report for further commentary relating to current case law and the requirements for applicants to take a 'whole project' approach to large infrastructure projects where separate applications may be required.

Description of development

2.5 The submitted Environmental Impact Assessment (EIA) utilises a project design envelope approach which includes the following parameters within the identified WDA (which is the subject of this Section 36 application):

- Up to 91 of the largest (335 m blade tip height with a minimum blade tip clearance ('Air Gap') (m HAT) of 28.4m) and associated foundations; or
- Up to 144 of the smallest (280 m blade tip height with a minimum blade tip clearance ('Air Gap') (m HAT) of 28.4m) WTGs and associated foundations.
- Up to 2 Offshore substation platforms (OSP).
- Interarray cables (IAC)
- Up to 4 x 50km offshore export cables (ECC).

The final WTG layout will be finalised following completion of detailed pre-construction wind resource studies, site investigations and the selection of the preferred WTGs and their foundations. Foundations being considered are monopile foundations, Jacket on Pin Pile or Jacket on suction buckets. The final turbine layout will be selected from within the consented parameters to optimise energy output and the foundation installation process, accounting for water depths, ground conditions, internal wake effects and any other constraints including having regard to both the overall project objectives and landscape design objectives for the WDA.

2.6 Inter-array cables from each string of WTGs will be brought to an Offshore Substation Platform (OSP). At an OSP, the generated power will be transformed to a High Voltage Direct Current (HVDC) of voltage up to $\pm 525\text{kV}$. The basic OSP design will consist of a topside structure configured in a multiple deck arrangement, with the decks either open with modular equipment, or fully clad. Weather sensitive equipment would be housed accordingly.

2.7 The location of the OSP(s) will also be confirmed during the detailed design process post consent, accounting for the WTG layout and to optimise the inter-array cables, OSP link and export cable lengths, but will be within the WDA and not located on the perimeter of the WTG/OSP layout.

Construction Phase

2.8 A 5-year WDA construction period is anticipated and the earliest that WDA construction could commence is 2030, with the onshore construction works likely to commence first. As the Project will only utilise bottom-fixed foundations, all WTGs will be assembled on site and will not be towed from shore, fully assembled. A total of 5,699 vessel movements (round trips) is estimated during construction on a worst-case basis. The maximum number of all types of vessels operating within the WDA at any one time during construction is 117. A safety zone of 500m is also proposed around the

construction areas with other regulatory buffers proposed at various stages of the construction and operation.

Operation and maintenance

- 2.9 Operational control of the Project would be through a SCADA system, which would connect each WTG to the onshore control room. This system would enable the remote control of individual WTG, as well as remote interrogation, information transfer and data storage. A programme of monitoring and scheduled maintenance would be undertaken through the lifetime of the Project to ensure that all offshore infrastructure is maintained in safe working order and to maximise operational efficiency. The overall operation and maintenance strategy will be finalised once the operation and maintenance base location and technical specifications are known.
- 2.10 A number of vessel and helicopter trips would be required each year to allow for scheduled and unscheduled maintenance activities. These are estimated to total 576 helicopter and 432 vessel annual round trips per year once the wind farm is operational. The indicative ports to be used in the project are identified as follows:

Marshalling & Assembly (Construction)	Kishorn; Arnish/Stornoway; and Hunterston.
Marine Operations (Construction)	Oban; Port Ellen; and Bendoran (Mull).
Operations and maintenance	Campbeltown/ Machrihanish; King George V (Glasgow); and Hunterston.

Life Extension and Repowering

- 2.11 The operational life of the Project is expected to be 35 years but continued maintenance may allow for life extension of the Project in its built-out form. Once any potential life extension opportunities have been exhausted, repowering may be considered but a new consent (and EIA) would likely be required at this stage.

Offshore Decommissioning

- 2.12 The submitted project description confirms that in line with the requirements under Section 105 of the Energy Act 2004 (as amended), the Applicant will prepare a Decommissioning Programme for approval by the Scottish Ministers in the pre-construction period which will include anticipated costs and financial securities, and consider good industry practice, guidance and legislation relating to decommissioning at the time.
- 2.13 At the end of the WDA's operational life, it is expected that all structures above the seabed (except for scour protection and cable protection) will be fully removed where feasible. Driven piles will be cut at the seabed and left in situ and removal of some or all of the offshore cables may be undertaken. Static portions of cables may remain in situ along with scour protection and cable protection (although the method of decommissioning is yet to be determined). Relevant legislation, guidance and good

practice will be followed at the time of decommissioning. Environmental conditions and sensitivities will also be considered since removal of structures may result in greater environmental impacts in comparison to leaving in situ.

3. PRINCIPLE OF DEVELOPMENT

- 3.1 Argyll & Bute Council has no in principle objection to making a positive contribution towards Scottish Government's targets for renewable energy generation within its administrative area. These targets are important given the compelling need to reduce our carbon footprint and our reliance on fossil fuels, reinforced by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and Climate Change (Emissions Reduction Targets) (Scotland) Act 2024, further reinforced by recent Scottish Governments policy commitments to increase offshore wind to 40GW by 2040 as part of achieving the overall target of net zero by 2045. The Council will support renewable energy developments where these are consistent with the principles of sustainable development, and it can be adequately demonstrated that there would be no unacceptable significant adverse effects.
- 3.2 It is noted that this proposal would make a significant contribution of 2GW installed capacity towards renewable energy targets and could theoretically generate enough electricity to power the domestic electricity needs of approximately 2 million average UK households per annum. The development of a commercial offshore wind farm as proposed would therefore reflect UK and national policies and help to meet the ambitious targets for the growth of renewable energy.
- 3.3 The National Marine Plan states that the Plan Option areas identified in the Sectoral Marine Plan for Offshore Wind Energy (2020) are considered the preferred strategic locations for the sustainable development of offshore wind and marine renewables. The Project proposal is located within the Sectoral Marine Plan West Region, as Plan Option W1, in accordance with Policy RENEWABLES 1 of the National Marine Plan. The proposal would have a generating capacity of around 2GW, which would accord with the 2 GW capacity identified within the Sectoral Marine Plan. Argyll and Bute Council responded to the SMP 'Draft Locational Guidelines' in 2019 providing a range of comments on the proposed approach and supporting the project for its potential to provide stable and clean energy for Argyll and Bute and economic benefits for the region.
- 3.4.1 The Sectoral Marine Plan (SMP) identified key risk factors to development in the West region including potential impacts on: visual and landscape/seascape character; marine mammal receptors; commercial shipping; bird species, including collision risk and displacement, as well as potential impacts to birds on migratory pathways; benthic habitats and species; migratory fish species; commercial fishing; recreational angling; and cost impacts and associated navigational risk from diverting key commercial shipping routes. The SMP notes that *"There would be the potential for adverse visual impacts and impacts on seascape and landscape character, due to the proximity of the PO to shore, particularly the southeastern part of the PO, however, these impacts may be reduced or avoided via project-level mitigation measures and the now increased distance from shore due to the modified PO."*

- 3.6 The Plan also confirms that, as part of any decision making on the suitability of Plan Option W1, these would need careful consideration, and mitigation where possible. It is noted that for some adverse effects, potential mitigation measures would be limited but could include the selection of smaller turbines to reduce visual impact. Furthermore, in relation to PO W1 the NatureScot Consultation Landscape and Visual Impact Assessment and Design Guidance³ on the Sectoral Marine Plan advised that *“there is a limited opportunity to develop the western part of site without significant adverse landscape and visual effects”* and made the following recommendations:
- *maximum turbine height of 200m. As part of design iteration, turbines lower than 200m should be explored to further mitigate significant effects.*
 - *limit development to beyond 50km (mitigating significant effects from elevated viewpoint of Paps of Jura NSA and WLA).*
 - *limit development to beyond 35km from Colonsay and Islay.*
 - *limit development to beyond 35km from all surrounding coastal edges to reduce effects on distinctive coast character, strong frontier qualities and culturally important features such as Iona.*
 - *limiting the extent of development within the DPO site reduces the dominating horizontal extent and field of view of turbines, mitigating significant effects in views from the lower lying coastal fringes and from the Paps of Jura.*
 - *at the project level, we encourage a single developer to take forward a design led approach to further mitigate effects.*
- 3.8 The Draft Updated Sectoral Marine Plan (2025) broadly reflects similar issues in its consideration of Option Areas (formerly called Plan Options) and notes its aim to Assess the potential national and regional level opportunities and constraints resulting from potential development with a generating capacity of up to 37.4 GW, providing greater clarity to industry, investors, consumers and the public. The Draft Updated Sectoral Marine Plan reiterates the issues most likely to constrain development in W1 are the collision or displacement risk of birds, navigational risk and potential significant effects on landscapes and seascapes for developments located within 30 km of inhabited shoreline.
- 3.9.1 The related Strategic Environmental Assessment (SEA) for the Draft Updated Sectoral Marine Plan dated May 2025⁴ identifies potentially significant adverse effects for each Option Area. Those relating to W1 continue to include effects on historic environment features and their settings and effects on landscape and coastal character and also on visual receptors effects on landscape and coastal character and on visual receptors.
- 3.10 The SEA sets out that *“Due to the proximity to the coastline and adjacent land, the development of offshore wind in W1 has the potential to significantly affect the setting of coastal nationally important historic environment features. Such sites include forts, religious sites and a lighthouse. Effects on landscape and coastal character and also on visual receptors. The development of offshore wind in W1 has the potential to significantly affect the seascape character and also the perception of visual impacts to*

³ [Sectoral Plan Consultation - SNH Landscape and Visual Impact Assessment and Design Guidance.pdf](#)

⁴ [Draft Updated Sectoral Marine Plan for Offshore Wind Energy: Strategic Environmental Assessment Environmental Report](#)

human receptors. The east and south east of the site is closest to land and hence will have higher visual effects."

- 3.11 The SEA further sets out *"Previous advice from NatureScot should also be taken into account. In particular, they recommend the use of a maximum turbine height of 200 m, to limit development to beyond 50 km from the Paps of Jura (NSA), and to limit the horizontal extent within the OA and field of view of turbines. They also advise that development should be limited in the northeast of this OA to reduce visibility from Fionnphort to Iona Ferry and focussed on the west to avoid significant impact on views from islands and ferries, and to reduce perception of wind farm seascape in views from the Paps of Jura (NSA).*
- 3.12 It is therefore clear that the SMP and more recently published Draft Updated Sectoral Plan and supporting documents to these have sustained that the principal risks to the development of POA W1 relate to significant impacts on landscape and coastal character and also on visual receptors effects on landscape and coastal character and on visual receptors and effects on historic environment features and their settings. Mitigation is acknowledged as being necessary to reduce these risks.
- 3.13 While the Applicant has applied some mitigation measures to the WDA through the design process to-date including a reduction in the developable area by approximately 40% which has increased the separation distance from island communities and reduced the horizontal spread of turbines in some views – these measures fall short of NatureScot's recommendations. It is not clear on what grounds and on what assessment NatureScot's original design guidance (2019) which was produced to accompany the (then draft) SMP and retained as part of the SEA to the Draft Updated SMP in 2025 was disregarded. In the meeting notes accompanying the submitted Appendix 15 Design Strategy, it is recorded that NatureScot confirmed that efforts to reduce SLVIA effects should instead be considered at a project level through a 'collaborative working arrangement' to help shape the Project's design development with a commitment that the process would continue throughout the pre- and post-application phases.
- 3.14 At paragraph 108 of the submitted Planning Statement, the Applicant notes that their own consultation response to the draft updated SMP highlighted that the draft updated SMP did not account for the recent design refinements that the Project had committed to, noting the assessments presented in the draft updated SMP were based on 'highly precautionary, and in some cases unrealistic, interpretations of the Project's design'. The submitted Planning Statement at paragraph 160 further contends that: *"Despite these expected significant effects... The retention of POA W1 with the same expected boundary and capacity of 2 GW indicates the Scottish Ministers' strong support in principle for offshore wind development in this specific location.* And further claims that *"This policy judgement also limits the ability to further address inherent SLVIA sensitivities associated with the location and scale of offshore wind development at a project level."* We disagree with this latter statement, given the previously outlined mitigation as part of the assessment of the W1 area in sectoral plans have been discounted in the project development.
- 3.15 The Project's design objectives are set out in the submitted Appendix 15 Design Strategy and are noted as having been developed to safeguard the integrity and

objectives of nationally important landscapes by striving to reduce significant effects on NSAs, while recognising that some seascape and visual change as a result of the Project is unavoidable. However, it is made clear in Appendix 15 Design Strategy (Table 3.1) that the Design Objectives will in all cases be balanced against the wider Project Objectives, which include the *'Project's minimum requirements in terms of economic viability, turbine selection and other constraints.'*

- 3.16 These objectives have been driven by the requirements of the ScotWind leasing process which proceeded on the basis of a 'maximum development scenario' for the W1 POA as having capacity for 2 GW. The applicant notes that *"to maintain competitiveness with other bidders, the project assumed an estimated 2 GW capacity for the purposes of MachairWind's ScotWind bid, with the potential for a reduced operating capacity not being considered further."*
- 3.17 Argyll and Bute Council officers note that while the continued inclusion of the POA W1 does lend some level of policy support, it does not negate the need to consider whether or not the proposal at the significant scale and extent proposed would be acceptable in this highly sensitive and economically fragile location. The Sectoral Marine Plan states that it is intended to guide the relevant consenting bodies when making decisions on individual licence and consent applications, but it also goes on to state that it should not be considered as pre-determining those decision-making processes. In this instance, it would appear from the submitted material that an overriding factor in the development of the significant scale and extent of the proposal has been driven by commercial project concerns which have translated into project objectives to 'maximise the site capacity'. Project viability and inclusion within the Sectoral Marine Plan does not as a material consideration override the requirements set out under the provisions of the development plan. Neither the National Marine Plan nor the National Planning Framework reference project commercial viability as a material consideration in the determination of national renewable energy projects.
- 3.18 Furthermore, the ScotWind leasing round far surpassed the Scottish Government's target of 10GW of potential energy supply, with some 27.6GW of supply being identified from 20 developments. Consequently, whilst recognising and accepting the importance of maximising renewable energy generation, it is considered that this should not be at any cost and, further, that the failing to grant consent for the current development proposed for site W1 would not jeopardise the achievement of the energy supply targets in the Sectoral Marine Plan.
- 3.19 Argyll and Bute Council previously responded to consultation proposing the establishment of an offshore wind farm in this location. However, that was at Sectoral Marine Plan formulation stage, prior to the project being designed and its scale and consequential effects being fully appreciated. Had it been realised that a 2GW development as a key determinate for project design would result in significant impacts despite mitigation, the Council would have registered concern with a proposal of this scale, in this highly sensitive, ecologically valuable and economically fragile location and would have questioned whether a smaller 1 or 0.5GW project would be more suitable and sustainable by reducing the extent of significant impacts.
- 3.20 Therefore Argyll and Bute Council do not agree with the applicant's assessment that *"the nationally-significant beneficial effects of the Project and its contribution to*

achieving Scotland's offshore wind ambition, net zero and decarbonisation targets outweigh the identified significant effects." Overall, it is concluded that in relation to key considerations, that the significant adverse effects of the proposed development on Landscape, Seascape and Visual Impact and on Cultural Heritage impacts cannot be effectively mitigated, and the resulting harm from these effects alone would be so great that, notwithstanding any potential socio-economic benefits or positive impacts on climate change, the Principle of Development of a large-scale offshore windfarm at this location is not acceptable.

4. SEASCAPE, LANDSCAPE AND VISUAL IMPACT

- 4.1 The following comments are provided by the Council's consultant landscape architect – the full assessment can be viewed in Appendix C to this report or on [public access](#).

General approach

- 4.2 The Seascape Landscape Visual Impact Assessment (SLVIA) set out in Chapter 16 appears to generally accord with the Guidelines for Landscape and Visual Impact Assessment Third Edition and other best practice for wind farm assessment. The Coastal Character Baseline and Assessment presented in Appendix 16.3 also appears to accord with NatureScot's Coastal Character Assessment – Guidance Note. The SLVIA is supported by a range of technical appendices, figures, wirelines, photomontages and ZTV analysis.
- 4.3 The landscape assessment is generally comprehensive and provides a substantial body of information from which to review the likely seascape, landscape and visual effects of the proposal. Whilst we agree with most of the landscape assessment conclusions, several judgements relating to magnitude and significance of effects appear somewhat conservative, particularly where the proposal influences perceptions of remoteness, wildness and the relationship between the landscape and sea. These are discussed further in the relevant sections of this review.

Design evolution

- 4.4 Chapter 4: Site Selection and Alternatives, describes an iterative process that has been undertaken to refine the WDA and reduce and mitigate potential environmental effects. The proposal is located within the W1 Plan Option Area (POA) which was identified through the Scottish Governments Sectoral Marine Plan for Offshore Wind Energy. Prior to the adoption of the Sectoral Marine Plan, the size of the POA was reduced to lower potential visual impacts and increase the distance from land.
- 4.5 Following the ScotWind Award in 2022, further potential constraints were reviewed by the Applicant within the Option Agreement Area (OAA), that resulted in a reduction from approximately 754km² to 510km² for the EIA Scoping WDA. There were numerous factors informing the refinement, including seascape, landscape and visual considerations, notably *a minimum buffer of 12km from Colonsay and 15km from Islay* to reduce these effects.
- 4.6 Following the Scoping Opinion, further constraints were identified through several workshops/webinars, which were undertaken alongside stakeholder and statutory consultation events held on Colonsay, Islay, Jura, Ross of Mull and Iona. The consultations resulted in a reduction of the WDA to 448km², equivalent to a 12% reduction in total area. The key design changes to the seascape, landscape and visual impacts were as follows:

- Reduction in the northern boundary to reduce the horizontal spread of the WTG lessening the effects on sensitive views, including views towards Dubh Artach Lighthouse from Mull and Iona.
- Reduction of the eastern boundary (0.4km) following consultation feedback regarding seascape, landscape and visual effects on nearby islands communities, increasing separation distance between the WDA and the coast.
- Removal of the southern extent of the Scoping WDA to reduce the horizontal spread of turbines and minimise potential effects on Islay, Colonsay, Jura and nearby National Scenic Areas (NSAs).

4.7 In addition to the refinement of the WDA boundary, the Applicant prepared a design strategy in collaboration with NatureScot. This strategy establishes a series of landscape and visual design objectives intended to minimise likely significant effects on the Special Landscape Qualities (SLQs) of the Jura, Loch na Keal (Isle of Mull) and Scarba, Lunga and Garvellachs NSAs. There are four themes that comprise the objectives, which include *Project Scale*, *Project Extent and Orientation*, *Turbine Layout* and *Location Specific Measures*. Collectively these aim to reduce the apparent scale and visual influence of the proposal, whilst recognising some seascape, landscape and visual change is inevitable. The design strategy (outlined in Appendix 15) acknowledges that design development is an ongoing process and that the design objectives will continue to inform refinement of the final turbine layout during post-consent stage, in consultation with NatureScot as required.

4.8 Overall, the design evolution demonstrates that seascape, landscape and visual considerations have informed the development of the project throughout site selection and refinement process. Whilst these measures are likely to have reduced the extent of the effects, significant residual effects remain for several landscape, seascape and designated landscape receptors identified within the SLVIA.

Landscape Character

4.9 Overall, the Landscape Character Assessment appears to be comprehensive and generally supported by the accompanying ZTV analysis, figures and visualisations. We agree with some of the conclusions presented. However, the SLVIA appears to underestimate effects on LCT 42 (Rocky Moorland – Argyll), specifically the area south of Loch Gorm and; LCT 35 (Rugged Mountains), specifically the Jura units.

4.10 We consider the extent of visibility and influence of the proposal on perceptual qualities such as wildness, remoteness and the relationship with the sea to result in a higher magnitude of impact and significance of effect than those presented in the assessment.

4.11 **For the LCT 42 (Rocky Moorland)** the SLVIA assesses the magnitude of impact from the coastal edge and hills northwest of Loch Gorm as high, reducing to medium on the hills south of Loch Gorm and low elsewhere. On review a medium magnitude of impact south of Loch Gorm appears somewhat conservative during both construction and operation phases. While the assessment identifies a reduction in the scale of change from large to medium for these areas, the ZTV (Figure 16.12) indicates extensive visibility from the coastal edge and adjoining hills. The assessment also acknowledges the proposal introduces a notable new offshore feature across the northwest seaward horizon and influence perceptual qualities associated with the remote character of the

landscape. Although offshore views are not specifically identified within the description of the LCT, the *exposed and windswept* character of the landscape, its *rocky coastline* and presence of isolated farms all contribute to a strong sense of remoteness and close relationship with the sea. This is illustrated in Figure 16.2.3a-l (Appendix 16.4). Given the extent of visibility, alongside the scale of the proposal and influence on these characteristics, it is unclear why the magnitude of impact reduces immediately south of Loch Gorm. We consider that the magnitude of impact (and therefore significance of effect) has been underestimated.

- 4.12 On review, the low magnitude of impact would appear conservative for **LCT 35 (Rugged Mountains)** units on Jura during both construction and operation phase. As illustrated from Viewpoint 11 (Beinn an Oir) in Figures 16.2.11b (appendix 16.4) and the ZTV analysis presented in Figure 16.12, the proposal would be visually prominent over a wide arc of view northwest. As such the turbines would influence the *strong wilderness qualities* of the LCT and as such a medium magnitude of impact resulting in **moderate** and **significant** effect, would be appropriate to the Jura units.

Coastal Character Assessment

- 4.13 Overall, the Coastal Character Assessment appears to be comprehensive and generally supported by the accompanying ZTV analysis, figures and visualisations. Whilst we agree with some of the conclusions, the SLVIA appears to underestimate the significance of effects on the following CCAs:
- CCA 7 - Ross of Mull;
 - CCA 15 - Loch Tarbert;
 - CCA 18 – Sgairail and;
 - CCA 20 – Ardnave Point to Rhinns Point.

The proposal would influence key characteristics of these CCAs associated with remoteness, wildness, openness and the relationship between the coastline and the sea and we consider that the extent of visibility, scale of the proposal and influence on defining characteristics would result in a higher magnitude of impact and significance of effect.

- 4.14 For **CCA 7 – Ross of Mull**, the assessment of a medium magnitude of impact, resulting in a moderate level of significance appears conservative. The ZTV (Figure 16.12) indicates extensive visibility along the southern coastline, particularly the western extent. Viewpoint 20 – Erraid, Mull which illustrates the scale of change that would be experienced from these areas and demonstrates that the proposal would become a notable feature in sea views. We consider that the assessment underestimates the scale of change. This is particularly relevant in relation to the key characteristics associated with *wildness* and *long views south across the Sea of the Hebrides*. Given the extent of visibility and the influence of the proposal on these characteristics, a high magnitude of impact, resulting in a **major** significance of effect, would be appropriate.
- 4.15 There appears to be an error for the assessment of **CCA 14 – Rubha an t-Sailein to Glendebadel Bay, Jura**. The assessment states the *area predominantly faces east and northeast*. However, the coastline is orientated west and northwest towards Islay and Colonsay.

- 4.16 For **CCA 15 - Loch Tarbert, Jura**, the assessment (Appendix 16.3, Table 2.24) of a medium magnitude of impact resulting in a **moderate** significance of effect appears conservative. The assessment does acknowledge the proposal would be visible across much of the western end of the CCA and would introduce *a notable new feature into views towards the open sea*. It also recognises that the proposal would *detract from the sense of wildness and the lack of modern human influence experienced in this area of coastline* and that *the channelled views along the loch towards the open sea would be affected*. These effects relate directly to several of the key characteristics of the CCA, including its orientation towards the sea, *dramatic seaward vistas* and *strong sense of remoteness*. Given the wide arc of view at the western end of the CCA, and the assessments acknowledgement that *in some views the turbines will fill the sound*, we consider that a high magnitude of impact and **major** significance of effect, would be appropriate. There is no reference in the assessment to Viewpoint 10 (Loch Tarbert, Jura) Which emphasises the scale of change the proposal would introduce to western views across the Atlantic from the CCA.
- 4.17 The colours used to delineate **CCA 17 – Sound of Jura and LCT 55 - Coastal Parallel Ridges** are very similar in Figure 16.12, making it difficult to distinguish between the two and accurately interpret the area under assessment. Consideration should be given to revising the colour palette to improve legibility and provide greater clarity regarding the extent of the CCA.
- 4.18 For **CCA 18 – Sgairail, Islay**, we consider that the magnitude of impact would be high, rather than medium, increasing the significance of effect from **moderate** to **major**. The proposal would be located predominantly within 20km of the CCA and, according to the ZTV analysis (Figure 16.12), would be visible across much of its extent. Given the scale of the development, the extent of visibility and long- term nature of the effects, the degree of change to the CCA may be greater than reflected in the assessment. The introduction of the proposal has the potential to influence key characteristics, such as *strong sense of wildness* and *Expansive views towards the open sea and the islands of Oronsay, Colonsay, Mull and Jura*, the latter for which is noted.
- 4.19 For **CCA 20 – Ardnave Point to Rhinns Point, Islay**, the assessment of a medium magnitude of impact, and **moderate** significance of effect, appears conservative. The assessment (Appendix 16.2, Table 2.30) acknowledges that the proposal would be visible along most of the CCA and would affect multiple key characteristics, including the sense of being *at the outer edge of the British Isles* and *Open views out to the Atlantic Ocean*. The assessment also identifies a large geographical extent of effects and notes that the proposal would occupy a very wide horizontal angle of view of up to 71 degrees. It is also notable that the assessment of visual effects experienced at Viewpoints 1 (Ardnave Point), 2 (Saligo Bay) and 4 (Creag Bealach na Caillich), which are representative of views experienced along the CCA, are all assessed as being of **major** and **significant**. Given the widespread visibility of the proposal, its influence on multiple key characteristics and the large geographical extent, we consider that the overall magnitude has been underestimated and a high magnitude of impact and **major** and **significant** of effect would be appropriate.

Landscape designations

- 4.20 Overall, the assessment of effects on the National Scenic Areas (NSAs) appears comprehensive and generally supported by evidence. However, we consider that the magnitude of impact and significance of effects on several SLQs relating to remoteness, wildness, naturalness and the relationship between the landscape and sea has been underestimated in the SLVIA. We do not agree with the conclusion that the effects on ‘the remaining NSA SLQs’ presented in Appendix 16.2 would be ‘no greater than minor and not significant’.

- For the Jura NSA (a medium magnitude of impact and **moderate** significance for the SLQ *An island close yet remote* and a high magnitude of impact and **major** significance for the SLQ *The distinctive Paps of Jura* would be appropriate.
- For Loch na Keal, Isle of Mull NSA, a medium magnitude of impact and a **moderate** significance would be more appropriate for the SLQs *A voyage from enclosed sea loch to the open Atlantic*, *Views of an island studded seascape*, *World famous Staffa and Fingal's Cave* and *A vast natural world, dwarfing human settlement*.
- For Scarba, Lunga and the Garvellachs NSA, a medium magnitude of impact and **moderate** significance would be appropriate for the SLQ *Uninhabited, Remote, Wild Islands*.

Local Landscape Areas

- 4.21 We generally agree with the assessment of effects on all the LLAs. **Significant** effects of up to **major** significance are predicted for North and West Islay (Coast) and Central, South and West Mull LLAs, and we consider these conclusions appropriate given the extent of visibility identified within the ZTV analysis and the influence of the proposal on the perceptual qualities of these landscapes. Effects on the Jura LLA are assessed as minor and not significant, which also appears reasonable given the distance of the proposal, the partial screening of Colonsay and limited extent of visibility identified within the assessment.

Visual effects

- 4.22 The SLVIA assesses 30 viewpoints spread across an area up to 60km from the WDA, with either **moderate** or **major significant** effects predicted at 16 of these. Significant visual effects are predicted across a wide area encompassing many of the islands of the Hebrides to the north, south and east of the WDA, at distances of up to 39km from the development.
- 4.23 We consider that effects assessed at several of the viewpoints which were assessed in the SLVIA as not significant, should be considered as **significant**. These are Viewpoint 17: Oban - Colonsay Ferry, Viewpoint 24: Staffa, Viewpoint 27: Ben More, Mull, and Viewpoint 19: Hynish, Tyree. Although these locations lie a considerable distance from the WDA, the very large scale and spread of the proposal mean it would still significantly affect the visual amenity. In addition, we consider that visual effects experienced from Viewpoint 18: Scarab and 19: Cnoc Dhomhuill could, arguably, also be **significant** in clear weather conditions.
- 4.24 The review also considers that for seven viewpoints the significance of effect should be increased from **moderate** and **significant** to **major** and **significant** due to under-evaluation of either sensitivity or magnitude of effect. These include Viewpoint 9: Colonsay to Port Askaig Ferry, Viewpoint 10: Loch Tarbert, Jura, Viewpoint 11: Beinn an Oir, Jura, Viewpoint 15: Urugaig, Colonsay Viewpoint 16: Summit of Beinn nan Gudairean, Colonsay, Viewpoint 21: Mull – Iona Ferry and Viewpoint 22: Dun I, Iona.
- 4.25 We also consider that visual effects on residents of Iona, Colonsay and Islay have not been adequately assessed within the SLVIA. The assessment of visual effects experienced from settlements has been limited to include only settlements found within the A&B LDP despite much of the islands' population being in scattered communities. In addition, some viewpoints have been assessed without taking the high sensitivity of residents into account and viewpoints that are stated to represent residential receptors have not been located close to residential properties at Baile Mor and Sligneach on Iona, Kilchattan and Urugaig on Colonsay and Portnahaven on Islay.

- 4.26 The proposal's size and spread mean that it would significantly affect the visual amenity of over a very extensive area of some of the most valued and scenic seascapes in Scotland. The islands of Colonsay, Oronsay, Islay, Jura, Mull, Iona and Staffa are known for their unspoilt and beautiful scenery and many tourists come to experience their remote undeveloped character.

Policy Assessment

- 4.27 NPF Policy 4c and National Marine Plan Policy GEN 7 state that proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:
- i. The objectives of designation and the overall integrity of the areas will not be compromised; or
 - ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
- 4.28 Based on our review, the proposal would result in **significant** adverse effects on several SLQs within the NSAs, which may affect the objectives or integrity of the designation, such that social, environmental or economic benefits of national importance would need to outweigh the effects for the proposal to be supported.
- 4.29 The SLVIA identifies **significant** effects for the North and West Islay (Coast) and Central, South and West Mull LLAs. NPF Policy 4d require significant effects on the integrity of LLAs or the qualities for which they have been designated to be clearly outweighed by social, environmental or economic benefits of at least local importance.
- 4.30 The **significant** effects identified on the NSA SLQs and North and West Islay (Coast) and Central, South and West Mull LLAs also result in a conflict with Argyll and Bute LDP2 Policies 70 and 71, which seek to protect the integrity, character and special qualities of these designated landscapes.
- 4.31 NPF 4 Policy 11e requires project design and mitigation to demonstrate how impacts on communities and significant landscape and visual impacts are addressed. In terms of significant landscape and visual impacts, 11e ii states that such impacts are to be expected for some forms of renewable energy and where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered acceptable. NPF4 provides no guidance on the definition of what constitutes localised effects.
- 4.32 Table 16.154 in Section 16.8 of the SLVIA outlines embedded mitigation measures included in the wind farm proposal. Although the above design/ mitigation measures may be considered appropriate and may have reduced landscape and visual effects to some extent, **significant** effects remain for large numbers of receptors. **Significant** visual impacts of the proposals would be experienced by Island communities of Iona, Islay and Colonsay which we consider to be a more than localised area. The proposal would introduce visually prominent wind farm development to a widely visible area of the landscape/ seascape that has none, significantly altering the way the landscape and seascape would be perceived.
- 4.33 The proposal could also be argued to be contrary to Schedule 9, paragraph 3 of the Electricity Act 1989 to have regard to the desirability of preserving natural beauty and

to NPF4 Policy 4(a) which withholds support from development whose type, location or scale makes its impact on the natural environment unacceptable.

Officer's Conclusion

- 4.34 Taking into account the extensive geographical extent of the predicted significant effects and the number of landscape, seascape, and visual receptors affected, there is overwhelming evidence that the proposed development would be detrimental to the character, quality, and enjoyment of the coastal areas of Islay, Colonsay, Oronsay, Jura, Tiree, Mull and Iona. Due to the proposed location and scale of the proposal, it is not considered that these significant and adverse effects can be mitigated without a significant reduction in generating capacity. It is also not considered that the significant adverse effects on the qualities for which the affected NSAs have been designated are outweighed by social, environmental or economic benefits of national importance to justify the harm caused.
- 4.37 **Having due regard to the above it is therefore concluded that the proposal does not comply with the provisions of NMP Policy GEN 7, NPF4 Policy 4c) Natural Places and NPF4 Policy 11e (ii) Energy and Policy 30 – The Sustainable Growth of Renewables of LDP2 as the proposed wind farm would result in extensive significant adverse seascape, landscape and visual effects. Furthermore, these effects would be so significant as to be contrary to Schedule 9, paragraph 3 of the Electricity Act 1989.**

5. CULTURAL HERITAGE IMPACTS

- 5.1 It is expected that Historic Environment Scotland (HES) will provide detailed consultation comments on the magnitude of impacts and significance of effects on Scheduled Monuments and the Council would defer to their expertise on this matter. However, comments are provided on local heritage assets based on the information provided in the submitted in Chapter 14: Offshore and Archaeology and Cultural Heritage and Appendix 14.3 Settings Assessment of the EIAR.
- 5.2 Chapter 14 of the EIAR identifies the following designated heritage assets within the assessment area: 24 scheduled monuments, 8 listed buildings and one conservation area. The submitted Appendix 14.3 Settings Assessment of the EIAR identifies that of these, the following heritage assets will experience **significant effects** on their settings as a result of the proposed development:
- Oronsay Priory and Cross (SM287)
 - Beinn a' Chaisteil (SM13213)
 - Dun Bheolain (SM13214)
 - St Mary's Abbey (SM12968)
 - Iona Abbey (LB12310)
 - Dubh Artach lighthouse (LB12320) and
 - Iona Conservation Area (CA468)).
- 5.3 For Oronsay Priory and Cross (SM287) a '**Moderate Adverse**' effect is predicted but this is not predicted to have a significant effect on the Integrity of the Setting as *"Visibility of WTGs would affect the perceived remoteness of the asset and appear prominently in seaward views, but the abbey ruins would remain the principal focus in views in which the asset can be experienced and the relationship of the abbey to the*

modern farm and coastline would not be affected, leaving the asset in a regionally distinctive setting."

- 5.4 For Beinn a'Chaisteil, promontory fort and associated remains, Islay (SM13213) a **'Major Adverse'** effect is predicted but this is not predicted to have a significant effect on the Integrity of the Setting as *"WTGs would be prominently visible as background elements in seaward views from a variety of points within the monument. However, they would not be visible in the principal approach and would only be visible with the monument in more distant views where the asset and the landform on which it is located would remain the principal focus, and the perception of localised dominance of the asset would remain. Views landward would remain unaffected."*
- 5.5 For Dun Bheolain, fort, Islay (SM13214) a **'Major Adverse'** (significant) effect is predicted but this is not predicted to have a significant effect on the integrity of the Setting as *"WTGs would be prominently visible as background elements in seaward views from a variety of points within the monument. However, they would not be visible in the principal approach and would only be visible with the monument in more distant views where the asset and the landform on which it is located would remain the principal focus, and the perception of localised dominance of the asset would remain."*
- 5.6 For St Mary's Abbey, Iona, monastic settlement (SM12968) a **'Moderate Adverse'** (significant) effect is predicted but this is not predicted to have a significant effect on the integrity of the Setting as *"WTGs would be visible as distant elements of the background to some views from the asset with varying degrees of prominence. The asset would not be juxtaposed with the WTGs in views from the modern and supposed ancient pilgrimage route and WTGs would not appear in key views identified in the Iona Abbey Statement of Significance and Management Plan. The WTGs would appear juxtaposed with the Abbey church in some views from the north but in these views the church would remain the dominant visual element."*
- 5.7 The assessment notes that *"While there would be, in some cases, a reduction in the perceived remoteness or expression of dominance, these characteristics would remain legible and understandable to a viewer and their ability to appreciate the contribution of those characteristics to the asset would remain."* The assessment goes on to state that as no effects arising through change to setting have been assessed as higher than a medium magnitude of impact, it is therefore clear that substantial harm would not arise to any designated heritage assets. Therefore, the applicant considers the relevant requirements of the NMP policy GEN 6. It is considered by officers overall, that the impacts identified on the settings of heritage assets have underplayed the unique qualities of this remote and wild area of Argyll and Bute (please see further comments from WoSAS below).
- 5.8 In terms of the Iona Conservation Area a **'Low Adverse'** impact is recorded as it *"would present a visibly detracting element due to the introduction of modern infrastructure into the setting of the asset, albeit as distant elements of the background of views"*. Officers would not agree with the assessment that the *"presence of the WTGs in the distant seascape would not detract from those key aspects which contributes to its cultural significance"* and would argue that the impact on the conservation area (CA) has been underplayed in the EIAR given its designation to protect the unique

architectural, historic and cultural character of the islands village and its surroundings. Furthermore Iona's significance relies on the historic built environment and the timeless natural setting that frames it with reference to the Atlantic backdrop which contributes to its spiritual ambience. These elements combine to create a tranquil yet evocative atmosphere that has inspired pilgrimage, artistry, and conservation efforts for centuries. Protecting this area means carefully managing changes to ensure they preserve or enhance its 'special qualities' as an extraordinary place of national and spiritual importance.

- 5.8 For the listed building Iona Abbey and the assessment notes that *"While the WTGs would be visible on the horizon in views back towards Ireland, as Ireland cannot be seen from Iona, this view is a symbolic manifestation of connectivity rather than a tangible or physical link that can be quantified. As such, the presence of the WTGs in general views of the horizon and seascape would not sever the symbolic link between Iona and Ireland, although their presence would introduce discernibly modern features into this view. The key views of the Abbey on the modern pilgrimage route as the viewer approaches the Abbey and from the Abbey back towards Mull would not be affected by visibility of the WTGs."* Again, officers would disagree with this assessment given the 'special qualities' of the Iona Conservation Area and the contribution made to this by Iona Abby and its relationship to the Atlantic seascape.

West of Scotland Archaeology Service (WoSAS) comments

- 5.9 The following are additional comments based on the WoSAS' opinion of the proposal and the wider impact on the archaeology of Iona, Colonsay and Islay. The proposed Machair Wind Farm will have no physical impact on terrestrial archaeological sites. However, the settings of many historic and archaeological sites would be adversely affected by the construction of the proposal under evaluation. Impacts on the settings of designated heritage assets, scheduled monuments and listed buildings which are of national significance were considered by the applicant in agreement with Historic Environment Scotland.
- 5.10 The emphasis on discrete designated sites establishes that those closest to the proposed development, north-west Islay and, Colonsay and Oronsay are most affected with a lesser impact felt with distance. However, the intrusion created in the views and seascape between the west coasts of Islay and Colonsay and Iona by the proposals is not given sufficient weight. The significance of the sea as a means of access and source of drama and mythology in the Early Christian period is undervalued. The open seaward horizon makes an intangible contribution to the region's historic environment. This is of particular importance when considering the impact of the proposals on the visitor to monastic sites. Travelling by sea and the views across the open horizon underpins the story of Saint Columba's and his choice of Iona for his monastery. A sea journey, often associated with miraculous events, is a feature in the stories of other saints' lives.
- 5.11 More tangible evidence of the sea's contribution to the region's archaeological record can also be found. The west coast archipelago illustrates this in the physical similarities between monuments and artefact distributions from the Neolithic period through early medieval period when both religious and secular communities had deep connections

with Ireland. It continued in the Viking period when Dublin and Mann along with Orkney became important centres of power and the close ties between the west coast of Scotland and Antrim continued into the early modern period resulting in confrontation with the English Elizabethan state in Ireland.

- 5.12 By interrupting the view west from Islay and Colonsay and south from Iona the important intangible elements of setting contributed by how sites are "understood, appreciated and experienced" will be weakened.

Non-Designated Heritage Assets

- 5.13 Terrestrial non-designated heritage assets have not been considered in the EIA process. A search of the Historic Environment Record (HER) to an arbitrary distance of 25km establishes that there are many records relating to this class of archaeological site. During the 1990s Historic Scotland provided funding to the council's archaeology service to draw up a Non-Statutory Register of monuments likely to be of national importance within the HER. This assessment against contemporary scheduling criteria identified 138 such sites which appear to lie within the 25km search area.
- 5.14 These comprise a wide variety of archaeological sites from all periods ranging from burial sites, caves and standing stones through chapels, farmsteads, sheilings and field systems. Some are likely to contribute to the landscape and seascape of the region, and many will have their setting affected by the proposed wind farm. For example, up to 17 prehistoric standing stones are identified in this data. These may have been placed to view astronomical events on the horizon relative to another landmark (very long-distance sightings have been suggested for some west coast alignments). Changes to the horizon may have a considerable negative impact to the setting of a standing stone and the ability of visitors to appreciate its placement and function.
- 5.15 It is WoSAS opinion that the submitted EIA has underplayed the adverse impacts on intangible elements of the setting of designated and important non-designated heritage assets. Their contribution to a wider understanding, appreciation and experience of heritage sites have not been adequately discussed.

Policy assessment

- 5.16 GEN 6 of the NMP states *"Development and use of the marine environment should protect and, where appropriate, enhance heritage assets in a manner proportionate to their significance"*. Paragraph 4.23 of the NMP goes on to state *"[...] Designated heritage assets – representing sites of national or international significance for which statutory requirements apply. Designated assets should be protected in situ within an appropriate setting. Substantial loss or harm to designated assets should be exceptional and should only be permitted if this is necessary to deliver social, economic or environmental benefits that outweigh the harm or loss [...]"*. The applicant claims that 'despite a reduction in perceived remoteness or expression of dominance, the characteristics of Scheduled Monuments remain 'unchanged'.'
- 5.17 This is especially important given the emphasis placed on the potential for significant effects on cultural heritage including the highlighted *"potential to significantly affect the*

setting of coastal nationally important historic environment features. Such sites include forts, religious sites and a lighthouse” as identified within the Sectoral Marine Plan and Draft Updated Sectoral Marine Plan.

- 5.18 LDP Policy 30 requires that proposals for renewable energy should be assessed against impacts on the historic environment, including scheduled monuments, listed buildings and their settings. LDP 2 Policy 17 – Conservation Areas sets out that there is a presumption against development that does not preserve or enhance the character or appearance of an existing or proposed conservation area or its setting. The developer is expected to satisfactorily demonstrate to the planning authority that the effect of a proposed development on a conservation area and its wider setting has been assessed and that measures will be taken to preserve or enhance the special interest of the area. LDP2 Policy 16 – Listed Buildings requires the developer to demonstrate to the planning authority’s satisfaction, that the effect of a proposed development on a Listed Building, its curtilage and wider setting has been assessed and that measures will be taken to protect, conserve and where appropriate enhance the special interest of the asset.
- 5.19 It is clear that the visibility of this industrial scale development from the coasts of neighbouring islands will negatively impact the general character of these important, remote and historically and culturally significant sites. The exceptional preservation of the cultural heritage remains of the early Christian period are linked into the present-day culture of the island’s communities and are an important asset in terms of tangible and intangible heritage, cultural engagement, and sense of place. the impact of the proposal will result in a number of acknowledged significant effects on cultural heritage assets.
- 5.20 For the reasons set out above, it is considered that this development is not appropriately located and the likely resulting effects of the proposal on the setting of terrestrial heritage assets are seriously underestimated in terms of their remoteness and spiritual importance as a key component of their setting. **Consequently, the proposed development would result in significant effects to the historic environment and would not accord with National Marine Plan Policy GEN6 – Historic Environment, NPF4 Policy 7 – Historic Assets and Places, LDP2 Policy 30 – Sustainable Growth of Renewables, 16 – Listed Buildings, Policy 17 – Conservation Areas and LDP2 Policy 19 – Scheduled Monuments.**

6. NET ECONOMIC IMPACT, INCLUDING LOCAL AND COMMUNITY SOCIO-ECONOMIC BENEFITS

- 6.1 It should be noted that the Council has not undertaken technical analysis of the economic impacts assumed within the EIA. It is recommended that the Marine Directorate consider commissioning an independent economist to interrogate assumed employment and GVA impacts, and to further analyse areas within the methodology and assumptions made.
- 6.2 The submitted Socio-economic Assessment has identified a number of significant beneficial effects for the construction and operational and maintenance (O&M) phases. These include:

Construction Phase

- A major beneficial economic impact at the marshalling and assembly port (Hunterston);
- A major beneficial economic impact at the marine operations base (Oban);
- A moderate beneficial economic impact on the Scottish economy;
- A major beneficial effect on habitability at the marshalling assembly port (Kishorn);
- A major beneficial effect on habitability at the marine operations base (Bendoran); and A major beneficial effect on the rest of Scotland (excluding construction ports) from interconnecting influences.

O&M Phase

- A major beneficial economic impact at the O&M port (Campbeltown and Machrihanish);
- A moderate beneficial economic impact in Scotland;
- A major beneficial effect on communities at the O&M port (Campbeltown and Machrihanish);
- A major beneficial effect on housing at the O&M port (Campbeltown and Machrihanish);
- A major beneficial effect on the labour market at the O&M port (Campbeltown and Machrihanish); and
- A major beneficial effect on habitability at the O&M port (Campbeltown and Machrihanish).

The submitted assessment concludes that no significant adverse socio-economic effects have been identified. It is noted that some local ports are identified as being suitable for the construction and operational phases of the project and this would be supported to ensure a community level economic investment. However, no firm commitment is made at this stage and therefore benefits may be limited to the operational and maintenance phases.

- 6.3 The submitted Appendix 18.1 Socioeconomic Technical Report explores supply chain distribution and predicts that the total expenditure on onshore and offshore infrastructure during the development and construction phase of the MachairWind Offshore Windfarm would be £6.0 billion, with an additional £406 million of costs during the first six years of O&M. The supply chain analysis identified £1.8 billion of development and construction phase spending and £304 million of O&M spending that would be retained in the Scottish economy. For the rest of the UK, £1.3 billion of development and construction phase spending and £61 million of O&M spending was identified as being retained in the UK economy.
- 6.4 The Socio-Economic Technical Report notes that the WDA will contribute to the Scottish and UK economies during all phases and estimates that the average annual O&M expenditure for MachairWind Offshore Wind WDA is expected to be £66 million GVA. The largest opportunities in Scotland are expected to be in turbine maintenance and service, maintaining balance of plant and providing operational insurance. On this

basis, it is anticipated that £50 million of annual O&M expenditure would be secured in Scotland and £59 million in the UK (including Scotland).

- 6.5 By using economic ratios and multipliers, the submitted report estimates that the annual economic impact from O&M would be £29 million GVA and 390 jobs in Scotland and £55 million GVA and 740 jobs in the UK (including Scotland). It is anticipated that around £143 million will be spent at ports during the development and construction phase. Of this it is anticipated that around £113 million (79%) will be spent at marshalling and assembly ports on contracts associated with warehousing, tower assembly and vehicle berthing. A further £30 million (21%) will be spent at the Marine Operation Base on contracts associated with tower assembly and construction activities. During the operation phase and of particular relevance to Argyll and Bute Council, there will be 60 employees located at the O&M port, (which could be Brendoran, Port Ellen, Oban, Campbelltown or Machrihanish) with associated supply chain expenditure, including the use of laydown and warehousing space, and the berthing of vessels.

Socio-Economic Action Plan

- 6.6 The Project has developed a Socio-Economic Action Plan (SEAP) which sets out how the Applicant will develop, build and operate MachairWind in a manner that maximises social, economic and wider benefits for its host island communities, Argyll and Bute, the West of Scotland, and Scotland more broadly. The Action Plan is built around five core, interlinked outcomes that represent the economic and social value that MachairWind seeks to deliver at national, regional and community levels:
- Being A Good Neighbour: commitment to regular community engagement through a Good Neighbour Feedback Loop. It highlights a buy local first policy which prioritises local spend where possible on services like catering, transport and accommodation. Commitments to ensuring a lasting host-community legacy through the establishment of Community Benefit Funds (CBFs) for the Project's operational phase.
 - Maximising Local Employment Opportunities: commitments to building a skilled local talent pipeline. Supporting a minimum of 5 apprenticeships or work experience placements during construction; piloting a Science, Technology, Engineering, and Mathematics (STEM) Returners Programme with 3 places and funding one masters level scholarship per year of construction; STEM workshops with schools, and supporting the Fit 4 Offshore Renewables Scottish Islands & Coastal Communities Programme. Commitments are also made to collaborate on housing and service strategies and to share workforce projections.
 - Maximising Opportunities for Scottish Businesses in Supply Chains: supports growth pathways and new entrants through the Offshore Wind Growth Partnership, the Clean Energy Cluster and Offshore Renewable Energy Catapult. Commitments are made to promote supply chain opportunities at local and regional events, host supplier engagement events and maintain a register of Argyll and Bute suppliers. Commitments include conducting a baseline survey of West of Scotland suppliers, running a "local lot" pilot project tender to engage with local small and medium size enterprises to test

accessibility of procurement routes, and a requirement for Tier 1 contractors to identify, engage and contract with suppliers in Argyll and Bute.

- Contributing to Placemaking: There will be opportunities to embed the Project in the unique context and aspirations of port and host communities. Commitments include supporting the delivery of placemaking within adopted Local Development Plans and explaining planned infrastructure investment by publishing clear summaries of works. The Project will also make up to £25 million available through an Offshore Wind Stimulus Fund which will support the development of Scottish infrastructure, facilities and workforce. Placemaking contributions also include plans to conserve habitats and mitigate environmental impacts, considering post construction reuse of assets and working with local communities to identify improvements to local facilities and services which may be eligible for support from future CBFs.
- Contributing to Regional Economic Development: includes commitments to align the Projects logistics, infrastructure, and skills investment with regional investment priorities where possible, and collaborating with regional stakeholders to identify and develop opportunities that generate regional benefits. This will involve maximising local job opportunities, supporting and diversifying the region's economic base, improving physical infrastructure and expanding access to education and training.

- 6.7 Matters of particular concern to Argyll and Bute Council focus on delivering the objectives of the Council's Economic Strategy and Local Housing Strategy. The commitment to work on housing strategy is welcome but this will need to be supported by funding for delivery, should consent for the proposal be granted. In addition, the assessment of key sectors of commercial fishing and tourism/recreation are considered to be under-explored in the submitted assessments which largely rely on desk-based studies and an assumed 'low impact' on tourism. It is also noted that displacement of employment may be an issue for fragile local economies and employment markets and this has not been considered in the submitted assessment.

Community benefit

- 6.8 The economic benefits associated with this proposal during construction and the operational phases relating to job creation and benefits to the local economy are a relevant material consideration in the planning balance. Community Benefit funding itself is not however, a 'material planning consideration' in the determination of planning applications, as there is no planning mechanism available to secure it aside from best practice guidelines set out for on-shore windfarm section 36 applications. For offshore wind farms there is no equivalent mechanism to secure community benefit contributions and these are instead made on a voluntary basis. If Scottish guidelines for onshore windfarms were to be followed, a £5,000 contribution per MW of installed capacity this proposal could generate £10million per year for community projects.
- 6.9 If consent were to be granted, the negotiation of any community benefit either directly with the local community or under the auspices of the Council, would take place outside the application process.

Tourism impacts

- 6.10 Tourism is a significant sector in Argyll and Bute and Community Councils have raised concerns about potential impacts on tourism as a result of the proposals. Where the submitted Socioeconomic Assessment and Technical Reports identify tourism impacts, its significance to local economies is considered to be significantly underplayed. The assessment acknowledges that potential tourism impacts would arise if effects identified in other assessments led to changes in tourist behaviour, such as a change in visitor numbers and/or expenditure and uses a study area that includes Colonsay and Oronsay; Islay; Jura; and Mull and Iona.
- 6.11 Table 18.6 of the SocioEconomic Assesment sets out the realistic worst-case scenarios for impacts on socio economics and for identified Impact 9: Changes to Tourism sets out that *“based on the findings of the seascape, landscape and visual impact assessment (Chapter 16 Seascape, Landscape and Visual Impact Assessment). Changes to visitor behaviour may occur if an area is reliant on environmental conditions that are affected by the WDA.”* However, this assessment concludes that no significant effects were identified on the tourism economies of Colonsay and Oronsay, Islay, Jura, Mull and Iona which have all been identified as having ‘low sensitivity’. Argyll and Bute Council would question this assessment and urge that sufficient weight is placed on this issue, given the SEA for the Sectoral Marine Plan identified negative impacts on the commercial fisheries, commercial shipping, and tourism and recreation sectors for this proposed windfarm area.
- 6.12 In the absence of detailed assessments of tourism impacts on the most locally affected fragile island economies, it is recommended that this matter should be further investigated prior to consent and/or a requirement to develop a Tourism Support Strategy should be attached to any consent granted. This should be developed in line with key tourism stakeholders and emerging tourism strategies.

Policy assessment

- 6.13 Policy GEN 19 of the National Marine Plan requires decisions to be founded on sound socio-economic evidence and, where evidence is inconclusive, requires reasonable efforts to fill the gaps and the application of precaution. NPF4 Policy 11 – Energy states that proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities. Policy 30 – the Sustainable Growth of Renewables of LDP 2 requires all applications for wind turbine developments to be assessed in terms of net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities.
- 6.13.1 Policy 11 of NPF4 does not include a requirement for the impact of proposals on tourism to be assessed. However, Policy 30 – The Sustainable Growth of Renewables of the LDP does, reflecting the significance of this sector to the Argyll and Bute economy. The spectacular seascapes and landscapes of the area are regarded as being a particularly highly valued asset in terms of the contribution it makes to the tourism economy. For all types of development, the maintenance of landscape character is an important facet of decision-making in the countryside in Argyll & Bute, regardless of the scale of development proposed. This proposal is acknowledged as

having a significant and widespread seascape, landscape and visual impact which is likely to result in the deterioration in the enjoyment of the landscape as it is accessed by identified 'visual receptors' including both residents and tourists.

6.13.2 Having due regard to the above it is considered a degree of net economic impact including local and community socio-economic benefits typical of such developments will be provided. However, there is insufficient detail to determine at this stage that these benefits are sufficient – particularly at the community level – to have been 'maximised' as required by NPF4 Policy 11e and to mitigate the significant effects acknowledged to be caused by the proposal.

6.13.3 It is therefore concluded that there is insufficient information to determine whether the proposal is consistent with the provisions of National Marine Plan GEN2 – Economic Benefit, GEN3 – Social Benefit, GEN – 19 – Sound Evidence; NPF4 Policy 11 – Energy, NPF4 Policy 25 – Community Wealth Building and Policy 30 – The Sustainable Growth of Renewable of LDP2.

7. PROCEDURAL MATTERS

- 7.1 In relation to the EIA Regulations, recent case law (Raeshaw Farms Limited v Scottish Ministers [2026] CSIH 10) has confirmed the need for a clear identification of what constitutes a 'project', as a fundamental requirement to enable a robust assessment of significant effects on the environment to be undertaken. In that case, the judgement concerned a windfarm and grid connection and highlighted the need to consider whether this constituted 'a single project for which an EIA Report that analysed the potentially significant cumulative effects of both aspects was required.' Not to do so was considered a material error. The judgement refers to the need to consider the true nature and scope of the project, to determine whether the wind farm construction and grid connection were so closely connected as to form part of a single project.
- 7.2 Further, although the grid connection was not included in the planning application, in that case, considerable weight had been placed on the wider benefits that would result from the operation of the windfarm once the grid connection was in place. The judgement considered it irrational to take these wider benefits into account without also taking account of any adverse impact that the development may have, to the extent that it was possible to do so. Whilst the judgement relates to a planning application, the provisions of the EIA Regulations are similar across the different consenting regimes. In this case, it is clear from the documentary submissions that the offshore and onshore elements of the proposed development are considered by the applicant to be a single overall project, which has been subdivided into onshore and offshore elements to reflect the different consenting processes.
- 7.3 Scottish Government guidance in Circular 01/2015 (relationship between the statutory land use planning system and marine planning and licencing) makes it clear that the choice of application process rests with the developer, although it advises that in most cases, a single consenting process will be more efficient and effective and this approach is encouraged. Nonetheless, even if a requirement for flexibility in the application process is such that separate applications are made (as in this case), it is considered that this does not negate the need to undertake an environmental impact assessment on the significant effects on the environment of the works or development as a whole.

- 7.4 The consent and marine license applications for part of the Offshore Export Cable Corridor and Onshore Transmission Development Area (OnTDA) do not form part of this S36 application due to the ongoing coordination of the offshore grid network elements. However, the applicant notes that the submitted WDA EIAR assesses likely significant effects in two steps by considering the source, pathway and receptors for:
- The WDA alone; and,
 - The WDA, Offshore ECC and OnTDA combined assessment.
- The applicant notes that this approach enables potential interactions between each Development Area to be identified and assessed, ensuring a whole Project assessment is undertaken in a manner that is meaningful and proportionate. However, due to a lack of information, a set of assumptions have been developed to inform the combined assessment and within the upcoming Offshore ECC and OnTDA consenting applications.
- 7.5 It is noted that this approach does not enable robust and systematic assessment of the likely significant environmental effects of the project as a whole. Where undertaken, the assessment of combined likely effects reflects this, with findings that are by necessity less specific and based on anticipated impacts. While the onTDA is likely to lie outside of the Argyll and Bute administrative area, it makes it difficult to assess the full impact on key areas of interest such as socio-economic impacts at a local level which are key to the planning balance.

Approach to the EIA

- 7.7 In addition, in relation seascape, landscape and visual impacts, Cultural Heritage and Socio-Economics, as indicated above, there is concern that effects have been underestimated and in the case of socio-economic matters, key analysis has not been undertaken to inform impacts on tourism and recreation in fragile local economies. The resultant findings are not therefore not considered sufficiently robust to enable confidence in the conclusions reached. Consequently, it is considered that the submitted EIAR fails on these matters to identify the full extent of significant environmental effects of the project as a whole.

Compensation and mitigation measures – prematurity

- 7.8 This proposal is acknowledged in its supporting EIAR to result in significant harm on a range of seascape, landscape and visual impacts and cultural heritage assets. The applicant seeks to make an argument that any significant impacts are outweighed by socio-economic and national renewable energy generation benefits. These benefits are in themselves not considered to be robustly defined to justify the significant harms caused, as set out above.
- 7.9 Nevertheless, it is also noted that a project of this type and scale with acknowledged significant effects will rely on a degree of mitigation in order to achieve a 'planning balance'. The Scottish Government recently published its updated Offshore Wind Policy Statement (2026)⁵ which clarifies that The Scottish Government is now resetting its offshore wind policy ambition to up to 40 GW of new offshore wind capacity by 2040, in addition to the already operational or consented capacity (as of August 2025 when the consultation ended). The consultation undertaken by the Scottish Government identified that in order to identify the full potential of Scotland's offshore wind sector, additional actions were required to:

⁵ [Update to the 2020 Offshore Wind Policy Statement: Scotland's Offshore Wind Ambition](#)

- understand and minimise the environmental impacts;
- to ensure communities benefit directly; and
- to ensure policy alignment between Scottish Government, the UK Government and agencies.

7.10 The proposed updated SMP-OWE is planned to be supported by a range of formalised strategic compensation measures following the development of new policy and guidance on how to address the environmental impacts of offshore wind activities through compensatory measures by Scottish Government for the Scottish inshore region (0-12nm) and UK Government in the Scottish offshore region (beyond 12nm). This will include building a portfolio of strategic compensatory measures for Scottish offshore wind projects; the potential establishment of a Scottish Marine Recovery Fund to accelerate offshore wind consenting and deliver the measures necessary to compensate for the environmental impacts; and an updated and improved community benefits Good Practice Principles guide (due later in 2026).

7.11 It could therefore be considered premature to determine a proposal of this scale with acknowledged significant effects/impacts before such measures have been introduced. Decision makers should ensure equity of compensation and mitigation for all projects progressed through the strategic marine planning process regardless of consenting timelines.

8. CONCLUSION

8.1 This proposal benefits from policy support as a National Development for “Strategic Renewable Electricity Generation” within a site that has been identified for Offshore wind delivery in the Sectoral Marine Plan (2020) and Draft Updated Sectoral Marine Plan (2025). Nevertheless, this is not blanket support and such projects are still required to be assessed against all the relevant provisions of the Development Plan, which in this case, consists of the National Marine Plan, the National Planning Framework 4 (NPF4) and the Argyll and Bute Local Development Plan 2 (LDP 2).

8.2 NPF4 and the NMP are clear that significant weight is to be placed on the contribution of proposals to tackling the climate crisis through renewable energy generation and reducing greenhouse gas emissions. However, these are not the sole policy considerations and a planning balance must be reached in terms of the impact of the development, taking into consideration all relevant provisions of the development plan. In this instance, the applicant’s submission clearly identifies that despite mitigation measures having been applied throughout the design process, the proposal will still result in extensive significant effects on seascape, landscape and visual impact and on cultural heritage assets. Argyll and Bute Council officers agree with these assessments and in some cases, consider the identified significant impacts have been underplayed in the EIAR.

8.3 In terms of seascape, landscape and visual impact, the proposal’s size and spread on the horizon mean that even with mitigation, it would significantly affect visual amenity over an extensive area of some of the most valued and scenic seascapes in Scotland. The islands of Colonsay, Oronsay, Islay, Jura, Mull, Iona and Staffa are known for their unspoilt and beautiful scenery and a valuable cultural heritage offer which is intrinsically linked to their remote Atlantic seascapes. Many tourists come to this area of Argyll and Bute to experience its remote and undeveloped character and Iona Conservation Area is recognised for its ‘special qualities’ as an extraordinary place of national and spiritual importance. The significant effects identified on the NSA SLQs and North and West Islay (Coast) and Central, South and West Mull LLAs result in a

conflict with NPF4 policies 4c and 4d; NMP Policy GEN7; and Argyll and Bute LDP2 Policies 70 and 71, which seek to protect the integrity, character and special qualities of these designated landscapes.

- 8.4 NMP Policy GEN7, NPF4 Policy 4c and 4d (Natural Places) – set out that proposals that cause significant effects on the integrity of both national and locally designated landscapes or the qualities for which they have been designated must be clearly outweighed by social, environmental or economic benefits. Although there are acknowledged to be likely national level economic benefits to this proposal, socio-economic matters have not been appropriately assessed in the EIAR with regards to the fragile local island economies which depend on tourism and recreation and will undoubtedly be most impacted. This inadequate assessment means it cannot be determined that there are no ‘unacceptable impacts’ on local communities or on tourism and recreation as required by LDP2 Policy 30.
- 8.5 NPF4 Policy 11e requires project design and mitigation to demonstrate how impacts on communities and significant landscape and visual impacts are addressed - recognising that such impacts are to be expected for some forms of renewable energy and that where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable. Although the design/mitigation measures undertaken to date may have reduced landscape and visual and cultural heritage effects to some extent, **significant** effects will remain for large numbers of receptors across a wide geographical area. This is due to the scale of the proposal and its resulting prominence in a highly sensitive seascape setting of national, regional and local importance. It is therefore not considered that the proposal for an extremely large scale 2GW windfarm is appropriate in this location or that further mitigation can reduce the effects while the generating output remains fixed.
- 8.6 The proposal is therefore be argued to be contrary to Schedule 9, paragraph 3 of the Electricity Act 1989 to have regard to the desirability of preserving natural beauty and historic assets and to NPF4 Policy 4(a) which withholds support from development whose type, location or scale makes its impact on the natural environment unacceptable.
- 8.7 In conclusion, it is recommended by Officers that the Planning Authority objects to this proposal on seascape, landscape and visual impact and cultural heritage impact grounds. Further mitigation measures are unlikely to reduce the widespread significant and adverse visual effects of the proposal on national, regional and local seascapes and landscapes and on cultural heritage assets due to the large-scale nature of the proposal in this highly sensitive location. Officers do not consider that the assumed national benefits of the proposal should override the inadequately assessed impacts of the proposal on the fragile local island economies most affected.

9. RECOMMENDATION

- 9.1 Following examination of relevant parts of the EIA Report and supporting documents and having regard to the consultation responses and advice received (as detailed in Section ‘C’ of the Report of Handling) it is recommended that Argyll and Bute Council:

(7) Raises an **objection** to the proposal on **seascape and landscape visual impact grounds**, as the proposed offshore wind farm would result in extensive significant adverse seascape, landscape and visual effects at national, regional and local levels contrary to Policy GEN 7 of the National Marine Plan, Policy 11 and Policy 4 of the National Planning Framework 4

and Policy 30, 70 and 71 of the Argyll and Bute Local Development Plan 2.

- (8) Raises an **objection** to the proposal on **cultural heritage impact grounds**, as the proposed offshore wind farm would result in significant effects on the setting of terrestrial heritage assets and on the setting of Iona conservation area, contrary to the provisions of Policy GEN 6 of the National Marine Plan, Policy 7 of the National Planning Framework 4 and Policy 16, 17 and 19 of the Argyll and Bute Local Development Plan 2.
- (9) Raises an Objection in relation to the **principle of the development** of the proposed offshore windfarm at the proposed location and, as a consequence of its location, scale and nature, its likely significant adverse effects on seascape, landscape, and visual amenity, and on the unique cultural heritage assets of the planning authority area. These significant adverse effects are such that they are considered to outweigh any positive contribution to renewable energy generation and climate change targets.
- (10) Notes to Scottish Ministers that Argyll and Bute Council considers that the significance of effect of this proposal on both seascape landscape and visual impact and on cultural heritage grounds is so great that the proposed development would **fail to meet provisions within The Electricity Act 1989**, which require Scottish Ministers, in considering proposals for consent, to have regard to the desirability of preserving natural beauty of the countryside, and of protecting sites, buildings and objects of architectural, historic or archaeological interest, and to do what can reasonably be done to mitigate any such effects.
- (11) Raises strong concerns about the adequacy of the EIA Report, in relation to the assessment of the significant negative environmental effects of the project as a whole, and specifically in relation to underassessment of the significance of seascape landscape and visual impacts, cultural heritage impacts and a lack of assessment of the full range of socio-economic and tourism and recreation impacts on the fragile local communities most impacted.
- (12) Raises concerns about the prematurity of determining this application in the absence of further information being submitted to address identified inadequacies and in advance of any of the proposed statutory mitigation and compensation programmes being implemented.

APPENDIX B

REGULATING OFFSHORE WIND FARM DEVELOPMENT IN SCOTTISH WATERS⁶

Sectoral Marine Planning for Offshore Wind Energy

1.1 This process sits within the Scottish Government's Offshore Wind Directorate and is a process that identifies preferred spatial options in Scottish waters to support the sustainable development of offshore wind. Scotland's National Marine Plan

1.2 Marine Planning sits within the Scottish Government's Marine Directorate and any authorisation or enforcement decisions must be taken in accordance with the appropriate marine plans. If a public authority makes an authorisation or enforcement decision other than in accordance with the appropriate marine plans, it must state its reasons.

Seabed Leasing

1.3 Seabed leasing is the responsibility of the Crown Estate Scotland (CES) who manage the Scottish Crown Estate on behalf of Scottish Ministers. The responsibilities of CES include awarding and managing leases and other types of agreements to organisations who want to build offshore wind farms. The most recent leasing rounds have been ScotWind and INTOG.

Marine Licensing and Electricity Act Consenting

1.4 This is the responsibility of the Scottish Government's MD-LOT, which acts on behalf of Scottish Ministers, to provide an independent regulatory function.

1.5 A range of Marine Licensing and/or Section 36 consenting requirements is required at various stages of developing offshore renewable energy projects, for example, consent under Section 36 of the Electricity Act 1989 is needed to construct and operate a wind farm.

⁶ Draft Updated Sectoral Marine Plan for Offshore Wind Energy, Scottish Government, May 2025 pp 85