

December Briefing:

Major Setback for the TaB Windfarm Application

Faced with an unprecedented number of objections, many identifying fundamental weaknesses in the proposed Talladh a Bheithe scheme, the applicant has now asked that the planning process should be delayed by six months and for a second chance to make his case.

The main application on 23 June received 958 objections and only 29 (under 3%) notes of support. The objections were mainly on grounds of landscape and visual intrusion, habitat and environmental effects and adverse impacts on Rannoch's fragile 'nature tourism' businesses. Very few of those objections can possibly be met by minor adjustments and several raise fundamental issues of project logistics and potential environmental degradation, especially in transport and peatland impacts. The objections by SNH and SEPA (as statutory advisers to government) are particularly telling.

The applicant has now asked the Planning Authority (Perth and Kinross Council) to allow him to submit supplementary material by the end of February 2015 in an attempt to address the many criticisms of the project. It is difficult to see that more information or simple adjustments to a fundamentally flawed and insensitive scheme *can* change many minds, but we look forward to reading and responding to any new material or arguments. The applicant's new material will be subject to the normal consultation processes and we urge all those who object to this scheme to read that material and respond if they have any additional concerns. All existing objections lodged before 5 August will remain valid, though, and will entitle objectors to participate in any subsequent Public Local Inquiry (PLI).

The Planning Authority now intends to consider all the documentation on this scheme – the original application of 23 June 2014, supplementary material expected by the end of February 2015 and all public and statutory responses to both of those – at a Development Committee meeting scheduled provisionally for 12 May 2015. We hope and expect that the planning officers' recommendation and the members' decision at that committee meeting will be to object to the scheme on the many grounds already established and so precipitate a PLI, which will in turn provide the opportunity for a consideration in depth of this scheme.

KRW's judgement is that this delay of six months from the normal timetable for S36 applications and the request to make a supplementary submission are both evidence of the fundamental weaknesses in the original application. The main weaknesses are:

- **Procedural** – the applicant's use of superseded Ministerial guidance and his failure to provide an adequate Construction Method Statement as part of the application;
- **Logistical** – the absence of firm and convincing plans to achieve access via Loch Ericht or Rannoch Station, or to provide evidence of the necessary wayleaves and agreements; and
- **Substantive** – the likely impact on peatlands, the kill rate for eagles and other raptors, the intrusions into iconic landscapes and views and the likely very negative impact on the fragile local tourist economy of Rannoch.

Overall, KRW remains determined to defeat this proposal and is quietly confident that it will eventually be abandoned (the best outcome for all parties) or refused consent. Its commercial viability must anyway be in considerable doubt given the logistical difficulties and expense of implementation here.